The "Extraordinary" Case of James Allen: A Study of Gender and Sexuality in Early Nineteenth-Century Britain

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The “Extraordinary” Case of James Allen: A study of gender and sexuality in early nineteenth-century Britain

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A Thesis presented to the Graduate Faculty of the College of William and Mary in Candidacy for the Degree of Master of Arts

Department of History

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In my thesis, I will analyze the story of James Allen, a dock-worker who passed as a man in early nineteenth-century Britain. The story of James Allen, "the female husband," appeared in newspapers throughout England, Scotland, and Ireland. While the story of a passing woman was certainly not new in British press, the presence of a wife made the story all the more curious to contemporaries. Through various newspaper reports, a street ballad, and a single substantial pamphlet, I am able to reconstruct a partial account of James' and Mary's life together, and the public response to James' "discovery." Through these sources, we gain insight into British perceptions of gender and sexuality in the early nineteenth century. We watch contemporaries struggle to define and explain James' passing. We see the press struggle with how to treat Mary: was she innocent and deserving of sympathy, or was she "in on it" - it being the gender transgression - from the beginning? We see attempts to understand the relationship between James and Mary, two anatomical females, and the various attempts at explanation offered by contemporaries. The press coverage of James' story also demonstrates how the categories of sex, gender, and sexuality lacked distinctive boundaries in early nineteenth-century Britain.

This thesis is not an attempt to prove or define the relationship between James and Mary. Rather, it is an investigation into how contemporaries interpreted that relationship. I will begin my analysis by investigating how contemporaries attempted to identify "what" exactly James was. James' colleagues considered him a male in most instances, a hermaphrodite in some instances, and a female only after his death. Mary's identity also warranted much speculation. Following the discovery of James' anatomy, many were eager to question Mary's sex as well. I also analyze the ways in which contemporaries treated James and Mary as a couple. Contemporaries attempted to align James and Mary within the constructs of typical marriage, and because of James' successful passing, were partially able to do so. After establishing the elements of James and Mary's identities, contemporaries sought explanation for their actions. They wanted to know why James passed and how Mary never knew. I will investigate each of these questions and the accompanying explanations provided by the community. Contemporaries carefully constructed these explanations, and explicitly ignored other possible and reasonable answers. I will attempt to highlight these absences and suggest what their erasure might mean within the context of early nineteenth-century concepts of gender and sexuality. We are constantly reminded that James' perceived gender and performance of masculinity carried with it the makings of his entire cultural identity - and by extension - Mary's as well.

Contemporaries sought to both define and explain James and Mary, and in doing so, provided insight into major concepts of gender and sexuality in pre-Victorian Britain. By treating James outside of the confines of a strictly lesbian identity, we are able to give due attention to the element of gender transgression. Yet by also accepting the sexual implications of certain forms of passing - specifically the female-husband - we do not overshadow the element of female same-sex desire that was potentially at play. Rather, we analyze James Allen in an encompassing framework that allows for both female same-sex desire and gender transgression in a historically appropriate treatment.
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THE “EXTRAORDINARY” CASE OF JAMES ALLEN:

A STUDY OF GENDER AND SEXUALITY IN EARLY NINETEENTH-CENTURY BRITAIN
I. Introduction

On January 14th, 1829, in the dockyard of Mr. Crisp, shipwright, sawyers William Shreive and James Allen passed the day cutting timber. Allen worked the saw from the bottom of the sawpit, while Shreive directed the tool from above. At 2:30 in the afternoon, a piece of timber came loose and fell into the pit, knocking Allen, 42, unconscious. He began to bleed from his ears, mouth and nose. His co-workers rushed him to St. Thomas’ Hospital, but James died en route. As was common practice, his body was brought before the hospital’s coroner, Thomas Shelton, for an inquest into the cause of death. Abagail (Mary) Naylor Allen, James Allen’s wife of over twenty years was summoned to the hospital. As the coroner’s assistant began to undress the body, he noticed a discrepancy and informed Shelton. With the approval of Mary, the coroner carried out a full inspection of James’ body, paying “minute attention to the organs of generation.”\(^1\) It was at this moment that James Allen’s post-mortem rise to fame began, as Shelton concluded that James was anatomically female.

The story of James Allen, “the female husband,” appeared in newspapers throughout England, Scotland, and Ireland. While the story of a passing woman was certainly not new in British press, the presence of a wife made the story all the more curious to contemporaries.\(^2\) Through various

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newspaper reports, a street ballad, and a single substantial pamphlet, I am able to reconstruct a partial account of James’ and Mary’s life together, and the public response to James’ “discovery.” Through these sources, we gain insight into British perceptions of gender and sexuality in the early nineteenth century. We watch contemporaries struggle to define and explain James’ passing. We see the press struggle with how to treat Mary: was she innocent and deserving of sympathy, or was she “in on it” – it being the gender transgression - from the beginning? We see attempts to understand the relationship between James and Mary, two anatomical females, and the various attempts at explanation offered by contemporaries. The press coverage of James’ story also demonstrates how the categories of sex, gender, and sexuality lacked distinctive boundaries in early nineteenth-century Britain.

Little is known of James Allen prior to his service as a horse groomsman for Mr. Ward of No. 6 Camberwall-Terrace. We know that he came into the service of Mr. Ward after acting as a groomsman for Alderman Atkins in the early 1800s. His employer considered James a hard-working man who was excellent at his job. His acquaintances thought James a smart, kind, and handsome groomsman that any woman would be lucky to marry. During his period of service, James met Abigail Mary Naylor, a young housemaid who also worked for the Ward family. After a brief courtship, James asked Mary to marry him, and she consented. On December 13th 1808, James and Mary wed at St. Giles Church in Camberwell.
Directly after their marriage, Mary and James separated for the purposes of employment. Mary went back into the service of the Ward family, while James went to work for a Mr. Lonsdale of Maze-hill, Blackheath. The couple was separated for eight months, though during this time they kept a steady correspondence. At some point during their time apart, James acquired a substantial sum of money, and decided to become landlord of a public house called the Sun at Baldock in Hertfordshire. Mary left her service with the Ward family, and joined James to run the inn. The business venture proved lucrative at first, but unfortunately its success was short-lived. A thief robbed them of all their money one night, and the couple could no longer afford the rent or upkeep of the inn. James and Mary decided to move south to London, where James would have a better chance of finding work. The couple settled in the Dockhead district of London, a working-class area just south of the Thames and directly east of London Bridge. Here, James found work as a pitch-boiler in a shipwright’s yard. James maintained his reputation, receiving positive reviews from all his employers. His bosses considered him a sober, steady, and active worker. After obtaining work in a variety of fields, James found employment in the dockyards once again, this time under the command of a Mr. Crisp, a Dockhead shipwright. It was while working here that James met his end.

The press quickly picked up the story of the so-called “female-husband.” *The Times* of London was first to break the news of James Allen, with newspapers in Newcastle, Hull, Exeter, Oxford, and Bristol swiftly
following. Press as far away as Aberdeen, Scotland and Belfast Ireland shared the news of James Allen with their readers as well. The news spread quickly in the Allens' home community of Dockhead and its citizens reacted strongly to the curious rumors about one of their own. The *Times* reported that community members taunted and harassed Mary whenever she left her residence.\(^3\) The ill treatment was so serious that on January 17\(^{th}\), Mary received police protection at her husband's funeral. Because of the immense interest in the case, the undertaker feared that "resurrection men" would attempt to steal James' body for purposes of dissection.\(^4\) In an effort to deter the body snatchers, the undertaker interred James in a vault on a private burial ground within the parish of St. Johns, Bermondsey.

One individual - J.S. Thomas of 2, York St. - took particular interest in the case. He soon became an advocate for Mary, writing a letter to the editor of the *Times* in her defense. He called for an end to the harassment, and assured the public that Mary was worthy of public sympathy.\(^5\) There is no way of knowing exactly why Thomas involved himself in the case, or if he knew the couple prior to James' death. He did, however, attempt to earn a profit from the case. Thomas claimed to have "exclusive" information in his possession that he intended to share with the public. On February 8\(^{th}\), Thomas published an advertisement in *The Examiner* for a pamphlet on James Allen. The intent of the pamphlet was to "gratify public curiosity as far

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\(^3\) J.S.T., letter to the editor, *Times* (London), January 20, 1829.
as possibly can be done by a plain, correct, and authentic narrative."  
For a mere shilling the public could have access to "the most correct and ample information" concerning the whole affair. An additional six pennies bought you a copy with illustrations of James.

Despite the potential monetary motives behind the pamphlet's publication, Thomas' work offers a wealth of information on the lives of James and Mary, and I rely on it heavily in my analysis. As with the press, we must acknowledge that these sources are all forms of media - meant to both inform and entertain. Little can be corroborated in these sources, and a thin, sometimes blurred line separates fact from rumor. We must be careful to treat each of the sources not as a definitive account, but rather as one perspective among many.

To better approach the narrative of James and Mary Allen, I rely on the research and analysis of Martha Vicinus, Judith Halberstam, Majorie Garber, and Fraser Easton, among others. These scholars hail from a range of fields, and provide unique and varying contributions to my treatment of James and Mary Allen. My analysis of James and Mary Allen aligns most closely with the field of queer studies, and queer history more specifically. Rather than draw boundaries between lesbian, gay, and transgender history (to name but a few), queer history is the study of all individuals and communities marginalized due to their deviation from the sexual and/or

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7 Examiner (London), "The Female Husband," February 8, 1829.
gender norm.\textsuperscript{8} Within this movement, Judith Butler became a resounding voice. Butler argues that historians must "analyze systems of knowledge about sexuality and explore different ways sexuality has been thought of in different periods."\textsuperscript{9} With this approach in mind, it is necessary to take into account the historiography of both female same-sex desire and gender transgression.

Studies on female same-sex desire have increased dramatically over the last several decades. Historians have typically treated nineteenth-century same-sex desire as following one of two models: romantic friendship or masculine gender transgression. Early scholarship on female same-sex desire – and specifically romantic friendship - questioned the element of sexuality. Published in 1981, Lillian Faderman's \textit{Surpassing the Love of Men: Romantic Friendship and Love between Women from the Renaissance to the Present} is the first major text that focuses on British "romantic friendships;" what Faderman defines as "love relationships in every sense except perhaps the genital."\textsuperscript{10} In this text, Faderman argues that during the nineteenth century, women could not conceptualize having sex with another woman, and therefore, intense romantic friendships evolved without an erotic component. Faderman contends that middle and upper-class women had ample time and opportunity to form intense bonds with other women. Since

\textsuperscript{8} Rebecca Jennings, \textit{A Lesbian History of Britain: Love and sex between women since 1500.} (Oxford: Greenwood World Publishing, 2007), xv.

\textsuperscript{9} Jennings, xvi.


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women were not allowed to show heterosexual feelings until marriage and even after marriage such feelings had to be restrained, it is logical that women would form bonds with other women. These bonds would act as outlets in which they did not have to restrain their intense feelings or sentiments. These women did not have to attribute their feelings to sexuality because female same-sex sexuality did not exist and sexual expression without men was implausible.\textsuperscript{11} Men - and society at large - viewed these romantic friendships as beneficial to heterosexual marriage by "encouraging sentimental behavior."\textsuperscript{12} Faderman contends that romantic friendships were tolerated for centuries, and it was not until the emergence of the women's movement and the theories of early sexologists that contemporaries deemed these relationships threatening.\textsuperscript{13}

While \textit{Surpassing the Love of Men} made much headway for later scholars in the 1980s, Faderman's work is flawed in its assumptions about female sexuality. Faderman denies that women of the nineteenth century had sexual relationships with one another. She believes that since women were told that they were not sexual beings, they did not consider themselves capable of having a sexual relationship without a male component. Tragically, this view strips women of personal agency. However, the surfacing of Anne Lister's sexually explicit diaries from the early-nineteenth century have since refuted Faderman's claim of female sexual ignorance. Lister's diaries, first

\textsuperscript{11} Faderman, 156, 159.
\textsuperscript{12} Faderman, 162.
\textsuperscript{13} Faderman, 240.
published by Helena Whitebread in 1992, proved to be the "smoking gun" evidence of erotic relationships between women in nineteenth-century Britain. Lister, an upper class Yorkshire woman who lived from 1791-1840, kept very detailed accounts of her relationships with women. In her diaries, she explicitly describes her sexual encounters with and her devotion to "the fairer sex."14

Anne Lister also embodied what Judith Halberstam would define as female masculinity: the incorporation of masculine traits into a woman's gender performance.15 She dressed in masculine clothing, cut her hair short, and studied subjects deemed appropriate only for men. In her diaries, she recorded her descriptions of gender performance, as well as the various reactions she drew from her contemporaries, both strangers and acquaintances. Observers on the street often questioned her sex, and in one instance, her masculine dress embarrassed her female lover.16

Women who incorporated female masculinity in their gender performance did so to varying degrees. Some women, like Lister, incorporated specific elements of masculine attire into their feminine clothing, while other women chose to pass as men completely. Passing women lived their lives wholly as men, and often went unnoticed or "undiscovered" until the time of their death, as was the case with James.

16 Halberstam, *Female Masculinity*, 69.
Research suggests that middle and upper-class women were more likely to incorporate forms of female masculinity into their gender performance, while working-class women were more likely to pass entirely. Because contemporaries generally deemed female masculinity inappropriate, working-class women who incorporated masculinity into their gender performance likely had difficulty obtaining work or community acceptance. Yet if a working-class woman passed entirely as a man and adopted a new masculine identity, the woman had greater access to work, as well as the ability to go unnoticed, if not gain full community acceptance. Lister too had to consider her economic stability, and reconcile it with her female masculinity. It was not until she was financially stable that she could ignore social stigmatization. As Halberstam suggests: "Social status obviously confers mobility and a moderate freedom from the disgrace of female masculinity."18

Current studies in female same-sex desire typically focus on gender transgression – specifically female masculinity – as an indicator of lesbianism, or proto-lesbianism. Some historians deem gender passing the working-class equivalent of middle-class romantic friendship.19 These historians argue that passing served as a way for lesbians to act on their sexuality more easily. Dressing in masculine attire allowed for two women to

17 Halberstam, Female Masculinity, 69.
18 Ibid.
live together freely as man and wife, and avoid other bids of marriage. This arrangement also permitted women to financially sustain themselves independently, as a passing woman would typically make twice as much in salary as a non-passing woman. Others contend that lesbians passed as men and took on masculine attributes because they could not think outside the heterosexual model supplied by society. I believe this latter approach robs agency from women who transgressed gender, and forces a heteronormative reading of history that cannot fully be supported. Additionally, considering passing as the working-class equivalent of romantic friendship, negates the element of gender transgression that was not necessarily present in all cases of female same-sex desire.

Martha Vicinus, literary scholar of nineteenth-century sexuality, argues against labeling passing women as lesbians. In her work, she addresses the fine line that exists between the cross-dressed "passing" woman or masculine woman of the nineteenth century and the modern concept of the lesbian, and more specifically, the "butch" lesbian. Vicinus argues that sexual identities are "socially constructed and historically specific." Thus, Vicinus holds that historians should not apply contemporary categories of gender and sexuality to women who lived over a century ago. As various historians assert, there were many reasons for

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20 Ibid, 12.
22 Martha Vicinus, "'They Wonder to Which Sex I Belong': The Historical Roots of the Modern Lesbian Identity," *Feminist Studies* 18, no. 3 (1992), 469.
women to pass aside from sexual identity: the ability to move around the city, economic self-reliance, and the freedom to live independently, among others. Vicinus is one scholar among many who argues for this type of interpretation, yet even she applies the term "lesbian" to describe masculine women who engage in explicit forms of same-sex desire - women like Lister for example.23

To the dismay of scholars such as Judith Halberstam, gender transgression – and specifically female masculinity – has long been swept up with the discussions of “lesbian” identities.24 Scholars often subsume the nuances of gender transgression and female sexual “deviance” into a “lesbian” history that omits historical differences between the past and present. As Halberstam argues, equating female masculinity and same-sex desire “funnels female masculinity neatly into models of sexual deviance rather than accounting for the meanings of early female masculinity within the history of gender definition and gender relations.”25 Scholars must treat female masculinity – and by extension passing women – as a subject worthy of analysis outside the parameters of lesbian identities.

Yet it is important for historians to draw distinctions within the category of “passing women.” Contemporaries found a substantial difference between a woman who passed solely for military service or work,

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24 Halberstam, Female Masculinity, 46.
25 Halberstam, Female Masculinity, 46.
and a woman who passed in order to marry another woman. Fraser Easton confronts this distinction in his article on passing women, “Gender’s Two Bodies: Women Warriors, Female Husbands and Plebian Life.” In this article, Easton suggests that female warriors and passing women workers “were generally viewed as properly subordinate and industrious individuals and were tolerated, whereas female husbands were seen as loose and disorderly.” Easton finds that the element of sexuality is the crucial divergence between a passing woman and a female husband. In other words, contemporaries’ treatment of passing women depended upon which of gender’s two bodies the passing woman appropriated. A female warrior or a passing plebian worker imitated the anatomical body of a male, the sexed body of a male. Conversely, a female husband imitated the sexual function of a male, the sexual body of a male. It is this distinction that makes including the perceived sexual element of James’ gender transgression imperative.

While James Allen does indeed fall within the category of “mannish identification” and within the walls of female-husband, we cannot simply accept James as a form of same-sex desire and move on; we cannot label as “lesbian” every instance of passing in the historical record. It is important to consider James and Mary within the models of both sexual deviance and gender nonconformity. Studies of pre-Victorian gender transgression cannot be divorced from pre-Victorian perceptions of sexuality. These two

27 Ibid.
identifiers were intertwined for James and Mary's contemporaries, and must be treated as such.

In my analysis, I will not attempt to identify or label James as a lesbian or transgendered, nor will I use the terms in relation to James and Mary's relationship. The most obvious reason is of course that we do not know how James identified himself. James left no written accounts of his life, and thus we rely solely on the narratives of others. Additionally, the terms "lesbian" and "transgender" carry with them deeply political connotations. "Lesbian" has come to define a specific sexual identity and lifestyle that some women are not comfortable with even at present. How then are we to ascribe this label to an individual or individuals who lived nearly two hundred years ago? Additionally, the term lesbian refers to, by common definition, a woman who is sexually attracted to or active with other women. Because James might not have identified as a woman, it would be incorrect to cast him as such for the ease of definition. The term transgender is equally problematic. While Judith Halberstam argues that such a term can be applied generally to individuals who acted outside of normative gender categories in the past, I believe that like "lesbian," the term "transgender" is very much historically, culturally, and temporally specific.28 As Katie Hindmarch-Watson fittingly explains in her article on Lois Schwich, the term transgender "implies a mode of reflexive performativity intent on consciously dismissing gender binarism,

and it consequently relies on theoretical and actualized notions of being” that were not present in past centuries.\textsuperscript{29}

This thesis is not an attempt to prove or define the relationship between James and Mary. Rather, it is an investigation into how contemporaries interpreted that relationship. I will begin my analysis by investigating how contemporaries attempted to identify “what” exactly James was. James’ colleagues considered him a male in most instances, a hermaphrodite in some instances, and a female only after his death. Mary’s identity also warranted much speculation. Following the discovery of James’ anatomy, many were eager to question Mary’s sex as well. I also analyze the ways in which contemporaries treated James and Mary as a couple. Contemporaries attempted to align James and Mary within the constructs of typical marriage, and because of James’ successful passing, were partially able to do so. After establishing the elements of James and Mary’s identities, contemporaries sought explanation for their actions. They wanted to know why James passed and how Mary never knew. I will investigate each of these questions and the accompanying explanations provided by the community. Contemporaries carefully constructed these explanations, and explicitly ignored other possible and reasonable answers. I will attempt to highlight these absences and suggest what their erasure might mean within the context of early nineteenth-century concepts of gender and sexuality. We are

constantly reminded that James’ perceived gender and performance of masculinity carried with it the makings of his entire cultural identity – and by extension – Mary’s as well.

Finally, a note on identifiers: to avoid confusion, I refer to James and Mary by their given names, rather than by their surname, Allen. Additionally, in various newspapers and in Thomas’ pamphlet, Mary is occasionally referred to as Abigail. Here again, to avoid confusion, I refer to her only as Mary except in instances of quotation. As far as pronouns are concerned, I use feminine pronouns for Mary and masculine pronouns for James. Because we do not know how James self-identified and since he lived his life as a man, it is only fitting to use the same masculine pronouns that he used in public.
II. Identification

Identifying James

Defining James was of the greatest concern to his contemporaries. While some articles claimed that none of James' acquaintances suspected that he was anything other than "of the male sex," other articles suggest that those who knew him considered him "imperfect." On January 15th, the *Times* reported that "within the last six or eight months the sex of the deceased was doubted, and the people that knew him considered him a hermaphrodite." Yet, a mere two days later, the *Times* printed a second article that claimed James' coworkers "never for a moment doubted that she was of any other than the male sex." Mary also contributed to the dialogue on James' "imperfections." She stated that from the first night of the marriage "she was sure 'her Jemmy' had deceived her, for he was not a proper man," yet her sworn affidavit contends that she was "entirely ignorant of the said James Allen being a female." In other words, Mary did not know James was female, but nor was he a "proper" male; rather, she thought him to be a hermaphrodite. In the late eighteenth century, Samuel Johnson defined "hermaphrodite" as a living being with "the parts of both

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sexes."\textsuperscript{34} We know from the autopsy that James was indeed anatomically female, yet during his lifetime, allegedly no one else knew. He was presumed, by at least some of his colleagues, to be a hermaphrodite. The news articles supply little information on how James' colleagues treated him, other than to mention he was sometimes the butt of jokes for the "peculiarity" in his tone of voice.\textsuperscript{35} J.S.T. suggests that James was chased and assaulted by colleagues at one point in his career, on suspicions that he was a hermaphrodite, yet no other source confirms this report.\textsuperscript{36} Most individuals seemed satisfied by his gender performance, and ostensibly cared little about his physical anatomy.

James presented himself as a man, and carried the defining contemporary social characteristics of being a man – he was married to a woman, earned the principle income, managed all household finances, and "never failed to act the part of the jealous husband."\textsuperscript{37} In all social respects, he appropriately performed the normative masculine role. Physically, however, James' performance was a bit wanting. His coworkers noted James' lack of whiskers and "a rather peculiarity in the tone of voice, which subjected the deceased to raillery amongst the men with whom she worked." Yet despite this, his gender presentation outweighed his physical shortcomings. While contemporaries questioned if James was anatomically male, his gender performance was unquestionably masculine. And in a


\textsuperscript{36} Thomas, "An authentic narrative," 20.

\textsuperscript{37} \textit{Times} (London), "The Female Husband," January 17, 1829.
period when distinctions between sex, gender, and sexuality were relatively absent, a near impeccable performance of masculinity could carry an individual’s entire cultural identity.

It was not until after James' anatomical sex came to light, that contemporaries faced what Marjorie Garber calls a “category crisis.” Prior to his “discovery,” James had performed as a “man” near perfectly. Even if contemporaries thought James to be a hermaphrodite, he had chosen a gender category and played it well. James was never ambiguous in his gender presentation. Contemporaries did not have to categorize James, as he had already done it to their standards himself. Yet with the discovery came crisis: James no longer fit into the gender binary – nor by extension to an appropriate sexuality. Despite contemporaries noting his absence of some masculine markers – such as facial hair and tenor of voice - not once had James ever been considered feminine or a woman. When recounting James' story, contemporaries never implied that James was in any way female. He was either a hermaphrodite or a man, or perhaps both. The idea of "female" was explicitly absent from the dialogue until the coroner came to the conclusion that James was anatomically female.

We can observe the contradiction between James' gender performance and his anatomical sex by analyzing the language used by authors in the contemporary press. Throughout the articles, these authors

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used both masculine and feminine pronouns when referring to James. A
general sense of confusion ran through the presses' pronoun usage, to the
extent that the writers rarely bothered to hide their uncertainty. The coroner
explained why he persisted with using the male pronoun stating, "I call the
deceased 'he,' because I considered it impossible for him to be a woman, as
he had a wife."\(^{39} \) The first article published only two days after his death
treaded carefully when discussing James, typically referring to him as "the
deceased." When a pronoun was necessary, the *Times* used "he" and "him,"
though never "she" or "her." The author of the article brings attention to the
confusion, stating "he, at least the woman-husband...."\(^{40} \) It is obvious that the
writer is not confident that the masculine pronoun is appropriate for James,
but nor is he comfortable using a feminine pronoun. As time progressed, the
press generally became more comfortable with female pronouns, almost
exclusively. The *Times* switched to using the female pronoun beginning on
the 17\(^{th} \) of January, only switching back when quoting from other sources.
The *Newcastle Courant* continually switched pronoun usage, often using the
male pronoun when referring to James within the context of his marriage,
and the female pronoun when referring to James in the context of his trade.\(^{41} \)
Perhaps "his wife" was a bit easier to print than "her wife." Other papers
found different ways to call attention to pronoun usage. *The Aberdeen*

\(^{39} \) *Times* (London), "Inquest," January 15, 1829; *Examiner* (London), "Inquest on the Woman-
Husband," January 18, 1829.

\(^{40} \) Ibid.

\(^{41} \) *Newcastle Courant*, "Extraordinary Investigation; or, the Female Husband," January 24,
1829.
Journal italicized "she" in its January 28th article, while The Derby Mercury italicized both "man" and "he" in its corresponding article.42 Yet across all the articles, those quoted who knew James, including his wife and coworkers, always referred to James using masculine pronouns. To these individuals, James was a man - a he, a his, and a him. Only those unfamiliar with him could switch their pronoun usage with the drop of a hat, illustrating just how influential James' masculine gender performance had been.

The press struggled with more than simply pronoun usage - they struggled with the language as a whole. James "adopted the part," "pretended to be," "styled herself" and "passed" as a man. The Times concluded that James would have been "an interesting looking woman" had she lived as one, while the Morning Chronicle diminutively replaced "interesting woman" with "interesting girl."43 All of these instances of word choice illustrate that writers for the press had to negotiate the language that they used in reference to James. They had to decide when it was appropriate to consider James a man or a woman, when James was a he or a she, or when it was simply easier to refer to James as "the deceased." We can observe that post-discovery, defining James as an individual and placing him within a

broader social context posthumously was an ongoing struggle with no definite conclusions.44

Identifying Mary

The conclusion contemporaries made concerning James' sex – that he was anatomically female – directly affected the perceived sex of Mary. Contemporaries reasoned that since James was a woman, Mary must have been a man. The press reported that immediately following the discovery of James' "true" sex, jurors were quick to recommend that Mary be investigated as well: "The jury wished to have the deceased's wife before them, and the Foreman said, he certainly should wish to inquire more fully into so extraordinary an occurrence, there was no doubt something in the background."45 However, the head coroner stated that it was outside his legal rights, so the investigation could not proceed. We are to assume that since Mary was present in the inquest-room at the time, and had already answered questions about the deceased, the jury wanted Mary “in front of them” for a physical examination to ensure that she was indeed female-bodied.

The residents of Dockhead were also eager to find out if Mary was actually a man, pestering her to the point of harassment:

44 Interest in James' case lasted for several weeks. *The Bristol Mercury* published the last article referencing James Allen on February 10, 1829.
45 Ibid.
A variety of reports are in circulation at Dockhead as to the sex of Mary Allen, a very strong rumor prevailing that she is of the masculine gender. In consequence of such a feeling, the poor woman has been subjected to a good deal of annoyance when she ventures outside the doors.46

The *Times* attempted to counter these claims, assuring readers that Mary was in fact a "real" woman. They relied on Mary’s female friends to assure "beyond all doubt" that Mary was anatomically female. Jane Daley, a female neighbor and close friend of Mary, guaranteed the *Times*’ readers that Mary was not of the male sex:

I can swear that the wife is a real woman. I am firmly of opinion that she never knew man, but is as innocent as my infant grand-daughter; and I am certain Mrs. Allen did not find out how she had been imposed upon till lately; she is a woman of ten-thousand."47

The *Times* reported Daley’s testimony in its first article concerning the Allen case - January 15th - yet it did little to quell the community’s suspicions. The violence and curiosity persisted and over a week later, Mary's "true sex" was still in question. On January 28th, *The Derby Mercury* reported that while they did not believe that Mary was a man, "after what has occurred...we shall vouch for nothing."48 Such an ambiguous statement left much to the imagination of the community.

If Mary was a man, she was a man who dressed as a woman - a "molly." Beginning early in the eighteenth century, Britons began to

associate male gender transgression with "deviant" sexuality.\textsuperscript{49} If a man adopted elements of women's dress or passed as a woman, he was considered sexually suspect. There was a known male same-sex sexual subculture at this time in Britain, and citizens would have been quite aware of the "unnatural" vice that could occur between two men. During the early-nineteenth century, several members of the British navy were tried and executed for acts of buggery and sodomy. In 1826 sodomy laws were strengthened for civilians as well, and punishment by death was reinstated.\textsuperscript{50}

By applying this knowledge to the story of James Allen, and the questioning of Mary's sex, we can observe that anxieties about male same-sex sexuality were at play. If Mary were a man, she would have been dangerously deviant in her gender presentation. And though James was actually female, passing rendered him a man - or at least masculine. Sexual intercourse between the two would have been dangerously ambiguous due to their gender performance. Mary's supposed gender transgression blurred lines of sexual conformity and forced contemporaries to question the validity of perceived gender.

Identifying the Marriage

Contemporaries also had to define the relationship between Mary and James. Were they to consider this relationship of twenty years a marriage? Mary provided the documents early in the inquiry proving that she and James were legally married in the Church of England. Nonetheless, because they married under false pretenses, the official validity of their marriage could have easily been questioned in court. Yet surprisingly, despite the overwhelming curiosity about this couple, not one member of the press suggested such a measure. Rather, James and Mary's marriage was respected and its legitimacy upheld to a certain degree.

When the coroner desired to do a more thorough investigation of James' body, he first asked for Mary's consent: "with the permission of Mary Allen, her body has been opened, and was found perfect in all parts." Several papers - the Times most notably - took great care to portray Mary as the grieving widow. As the Times reported, Mary appeared "greatly affected at the death of the deceased." While the Times did not seemed shocked by Mary's emotional response to the death of James, they found her reaction to be worth noting to the public. James, as far as the press was concerned, was the partner of this grieving widow. He was the "female-husband" to Trewman's Exeter Flying Post, the "woman-husband" to The Examiner and simply "the husband (if the expression may be allowed)" to the Caledonian

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51 Caledonian Mercury, "The Female Husband," January 22, 1829.
Mercury. Yet despite the annotations, the press considered James the husband nonetheless.

Even in monetary matters, much of the community treated Mary as they would any other spouse. James was an active member of a benefits society, an association that acted much like a present day insurance company. Members made payments throughout their lives so that upon the occasion of illness or death, their families would have assistance with expenses. After James was found to be female-bodied, a rumor prevailed that the benefits society would not assist Mary with the funeral expenses "on the grounds that the deceased has been all along imposing on it by representing herself as a man, and always appearing in the character of one when she attended their meetings." The Times vehemently opposed this reasoning, stating "it would, indeed, be unjust to withhold that from Mary Allen which she is entitled too." Eventually, the benefits society did aid Mary with the expenses, as they would have with any other dues-paying married heterosexual couple. Their contemporaries repeatedly regarded James and Mary as a legally bound couple, despite the fact that they were of the same sex.

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54 Ibid.
III. Explanations

Why did James Pass?

Contemporaries desperately wanted to know why James, an anatomical woman, would want to pass as a man. Despite their great interest, however, contemporaries provided few explanations. The coroner and his medical staff provided what would become the only widely published explanation for James’ passing: James was sexually abused as a child.

During the autopsy, James’ body was opened in order to pay “minute attention” to the reproductive organs. The coroner concluded that the organs were "perfect except absence of certain symbols of purity" - a hymen. Several individuals present at the autopsy concurred that this was a result of being abused in childhood. On January 22nd the Times reported the "most plausible" (and perhaps most comfortable) explanation of James' decision to pass:

Amongst the various conjectures that are afloat as to the probable cause of concealing her sex, and assuming that of a man, the following, we are given to understand, comes nearest to the truth, - namely that the deceased had been violated when a child, which circumstance operating upon a mind of extraordinary strength, induced her to adopt the resolution which it appears she carried with her to the moment of her death.

While child abuse is no doubt a gruesome and tragic possibility, it is important to consider what this explanation provided contemporaries. Specifically, this line of reasoning allowed contemporaries to dismiss two

frightening possibilities: first, that James chose to pass entirely of his own accord, and second, that James was sexually active in adulthood, despite and/or concurrent with his gender presentation.

Authorities concluded that James was the victim of an offense, presumably child molestation, and it was this perverse act that led him to act "perversely" himself upon adulthood. The logic follows that if James had not been abused as a child, he would not have passed as a man in adulthood. By blaming James' decision on a specific and traumatic experience, contemporaries could label his gender transgression unfortunate, tragic even: James adopted the resolution to pass as a result of the actions of another. The *Times* article portrays James as near heroic in some respects, going so far as to compliment James' "extraordinary strength" of mind, an attribute that allowed him to keep his secret until death. Yet nonetheless, contemporaries viewed his decision to pass as a direct result of the actions of another. This conclusion allowed contemporaries to render James somewhat passive, and thus less threatening than if his decision to pass had been unprompted. By placing James' passing in this context, the press undercut his agency to act completely of his own accord. In their view, James' decision to pass was not entirely his alone. Rather, being a victim of childhood sexual abuse induced James to pass in adulthood.  

Secondly, by attributing James' absence of a hymen to abuse, contemporaries could dismiss the possibility that James participated in

57 Ibid.
consensual penetrative intercourse as an adult. Perhaps James had consensual penetrative sex with a male prior to his death. We know little of James' life prior to his marriage to Mary. James could have courted or even been married to a male before he began passing. This explanation is relatively benign, and suggests only that James had a life prior to his time as a man. However, two queerer possibilities also present themselves. Perhaps James engaged in consensual intercourse with a male while also passing as a man. Though James was anatomically female, passing in the guise of a man rendered him “male” - or at least masculine. This sort of intercourse would not have fit into the carefully regulated category of acceptable heterosexual behavior. In this situation would James have been considered a female because of his genitals, or a male because of his gender presentation and performance? Additionally, while the imagery of dildos and female lovers had long been a staple of contemporary erotica, no one suggested that perhaps James and Mary had consensual penetrative sex. Doing so would have forced contemporaries to acknowledge a form of sexuality that they did not wish to confront. The absence of these explanations suggests that fears of same-sex desire were present, while at the same time were explicitly erased from the discussion surrounding James' passing.

Other, more benign reasons to pass could also have been at play, though the press did not mention these. As I discussed in the introduction, passing came with numerous benefits. A woman could make a living for herself, and free herself from dependence on a husband or her family.
Additionally, many trades were deemed inappropriate for women. No doubt James - dressed as a woman - would have faced enormous resistance if he had attempted to gain work as a groomsman or dockyard worker. From the research that Katie Hindmarch-Watson has compiled on the "female errand boy" Lois Schwich, we know that the late-Victorian press concluded that monetary gain was the motivation behind Schwich's passing. Yet remarkably, neither the press nor the pamphlet mentioned financial independence and security as a viable motive for James' passing.

Perhaps contemporaries did not consider financial independence as a reasonable motive for James’ passing because James was a female-husband, and not merely a passing female. Here again, we must consider Fraser Easton’s concept of the sexed versus sexual male body. Had James simply passed -appropriating only the sexed male body - and never married, contemporaries may have considered work as the preeminent motivation for passing. However, James’ gender transgression went beyond the male sexed body; James chose to marry a woman, and in doing so, appropriated the sexual male body as well. Arguably, marriage to a woman was not a requirement for effective passing and thus not instrumental in passing for financial independence. The press could not reconcile Mary into the narrative of James passing for financial reasons, and thus never explored this possibility in their coverage.
Did Mary Know?

On January 20th 1829, J.S. Thomas wrote to the *Times* to express his concern for Mary’s well-being, stating, "she is at this time labouring under great terror through the menaces of a set of unfeeling beings in that neighborhood having expressed their determination to ill-treat her as they did on the occasion of the funeral."\(^{58}\) Perhaps the community harassed Mary because they thought she had known all along that James was a woman. On January 19th the *Times* stated that when questioned, Mary declared “most positively” that she had no idea that James was anatomically female. She was “astonished” upon finding out the news, and the coroner was “certain” she had no idea “how she had been imposed upon till lately.”\(^{59}\) Despite her proclamations, Mary continued to be "dreadfully annoyed by some of her neighbors who doubted the truth of her statement."\(^{60}\) With the help of J.S. Thomas, Mary petitioned G.R. Minshull Esquire, a magistrate to swear her affidavit declaring her ignorance of James’ sex. The affidavit itself was published by the *Times*:

I, Abigail Allen, residing at No. 32, East-lane, Rotherhithe, do hereby make oath I was married to a person named James Allen, at St. Giles’s Church, Camberwell, on the 13th of December, 1807, and that I resided with him as his wife, and that during that period I was entirely ignorant of the fact of the said James Allen being a female, until that circumstance was communicated to me by the woman who undressed the body after death.\(^{61}\)

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\(^{61}\) Ibid.
Minshull thought that there was little point in swearing the affidavit, but Thomas stated that Mary wished to make a public statement of her ignorance to "set the matter right," and put an end to the constant public harassment. Because Mary did present the affidavit herself, Minshull felt that he could not assure that the affidavit would be sworn. However, the statement no doubt found wide readership with the *Times*.

While writers – specifically those at the *Times* - assured readers that Mary had no idea that James was female-bodied, explaining how this could be presented a challenge. The press supplied three separate explanations to demonstrate how Mary lived with James for twenty-one years, all the while ignorant of his anatomy. The first explanation involved a retelling of their wedding night - presumably the night that the couple would first have had intercourse. According to the narrative Mary supplied to the *Times*, this never occurred.62 After the ceremony, the couple left for the Bullshouse Inn on Gray's-inn-lane. Shortly after retiring to bed, James became ill and remained so the entire evening. Mary was also resistant, as she was menstruating. Thus, the couple awoke in the morning, never having consummated their marriage by contemporary standards. While this was a sufficient explanation for one night, how had the couple spent twenty-one years together without ever having sex, or even seeing each other in the nude? Mary supplied yet another answer, stating that whenever she attempted to touch James, he resisted, "evidently anxious not to be

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touched." She came to the conclusion that "her Jemmy was not a proper man." She believed him to be a hermaphrodite - "an imperfect person" - and because he became so upset at attempts of physical interaction and mention of "peculiar circumstances," Mary never again broached the subject.

Both Mary and the press used James' dress as yet another way to prove that her ignorance was possible. The press stated that because of the nature of his work, James typically wore sailor's clothing. He always wore thick flannel waistcoats that covered him from his neck to hips. Because James was often working in extremely cold and wet conditions, he wrapped bandages around his chest to protect his lungs, and in effect, conceal his breasts. Also ostensibly to keep out the cold, James wore several belts of flannel and layers of undergarments under his trousers. Thus, if we are to believe both Mary and the press, Mary rarely, if ever, had the occasion to see James' anatomy.

While I will not say that such a secret would have been impossible, I do believe it is suspect and worth our consideration. James was seriously ill on several occasions during their marriage, and Mary took sole responsibility for caring for him during these times. One would imagine that Mary, at some point, must have become aware of James' biological sex. J.S. Thomas

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63 Ibid.
64 Examiner (London), "Inquest on the Woman Husband," January 18, 1829.
66 Ibid.
reported that on one occasion, James fainted upon returning home and a female friend had to aid Mary in reviving him. The friend commented that James had a "beautiful bosom," to which Mary responded that she thought him "part of a doubtful class," again referring to James as a hermaphrodite.68

_The Morning Chronicle_ directly questioned Mary on the subject of James' many illnesses, asking "whether in the course of the long period she had been married to the deceased, when the latter was ill, her sex was not then discovered?"69 In response, Mary stated that James "had all the peculiarities of her sex."70 Mary said nothing else and did not elaborate on what she meant by this statement. We do not know if Mary was stating that James had all the peculiarities of the male sex, or if instead, she meant James had all the peculiarities of the female sex. Because the gendered pronoun usage when referring to James is often random in these articles, we cannot rely on the female pronoun to indicate that Mary was referring to James as of the female sex. Nor do we know what Mary meant by "peculiarities of her sex." Was she referring to physical or mental/emotional attributes? The paper did not elaborate any further, and moved on with the article. _The Morning Chronicle_ did not attribute this questioning to any particular source and no other newspaper repeated this specific line of questioning.

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70 Ibid.
However, The Bristol Mercury, in a rather sensationalist article, fueled the proverbial fire, claiming that Mary did know that James was a woman, and took measures to conceal the fact:

Those who knew the parties will assert that the widow Allen has been all along aware of the real sex of the deceased, who, some time ago, was dangerously ill, when Mrs. Allen and another female, in her confidence intended to lay the body out, in case of death ensuing then, to prevent the discovery of her sex.71

This article was published much later than the other articles, nearly a month after James' accident. There appears to have been no written responses to the article; perhaps the moment for and interest in this case had passed.

If Mary had known James to be a woman, and she herself was also a woman, a queer - though unnamed - relationship would have been understood. Contemporaries were not ignorant of female same-sex desire.

In 1746, Henry Fielding wrote The Female Husband, a sensational story based loosely on the life of Mary Hamilton, a woman who passed as a male doctor and obtained female lovers from her clientele before being caught.72 An 1811 incident at Scotland's Woods and Pirie School for Girls also brought to light the possibility of sex between women. Several students at the school accused Marianna Woods and Jane Pirie of sexual indecency.73 Though the charges were dropped due to lack of evidence, the judges, and all persons aware of the trial, were forced to seriously consider the reality of female

71 Bristol Mercury, "The Female Husband," February 10, 1829
73 Halberstam, Female Masculinity, 62; Laurence Senelick, "Boys and Girls Together." in Crossing the Stage: Controversies on Cross-Dressing, ed. Lesley Ferris (New York: Routledge, 1993), 80-95
same-sex desire. Therefore, historians cannot deem nineteenth-century Britons to be naïve in their knowledge of female same-sex desire.

Contemporaries had to accept the idea that Mary knew James was anatomically female, and lived with him despite or concurrent with this fact. Whether explicitly stated or not, these two women lived together within the construct of a legal marriage; furthermore, contemporaries understood the common implications of marriage - sexual intercourse, love, partnership - and they had to place Mary and James within this context.

One way that contemporaries dealt with this possibility was through comedic discourse. James' story was popular enough to warrant a street ballad titled, "The Female Husband." The ballad's tone is comical, warning readers that they will "laugh till all is blue."74 The poem begins by mocking James, Mary and their marriage more specifically:

If you want to hear a bit of fun
Oh listen unto me,
About a Female Husband,
The like you never see,
Such a singular thing you never knew
No not in all your life,
As two Females to be wed,
And live as Man and Wife.75

The ballad concludes with a note of advice to unmarried women:

So I do advise young women all,
To look before you wed,
For if you should be so deceived,
You will rue your marriage bed.76

Throughout the ballad, James is reduced to a laughable figure: a woman pathetically attempting to mimic a man. His inability to have intercourse with Mary is the quip that spans the entirety of the poem. James, in the author's words, "had nothing at all," and in extension, neither did his wife.77 There was no possibility of pregnancy because "what she [Mary] never got; Why, it could not make her fat."78 What James did not have the ability to do, and what Mary never got, was heterosexual penetrative sex. The wife in the ballad is both a virgin and a maid - even after twenty years of marriage. The concluding line possibly suggests that the popular understanding of female sexuality was that sexual pleasure was attained only through heterosexual intercourse. A female husband would not be able give his wife true sexual pleasure, and thus, the wife would be sorry she ever took to her "marriage bed." By taking sexual pleasure away from the couple, the author renders the figures less threatening to heterosexuality. James could not fully mimic the male sexual body, and thus, he posed no real threat to other males.

If some form of publicly recognized sexual intercourse or sexual pleasure had taken place, the tone of this ballad would presumably be different. In the cruelest sense, James would have then been "on par" with other gender-normative males, and thus a viable alternative to a heterosexual relationship and intercourse. What we draw from this ballad is

77 Ibid.
that sexual intercourse - broadly defined - is an important factor when
determining and representing anxiety in relation to female husbands.
Contemporaries used humor as a means of undermining the threat of
"deviant" female sexual behavior – specifically in the case of James and Mary
Allen.

Whether Mary knew James’ anatomical sex is not the key question.
Rather, what we must focus on is the ways in which contemporaries treated
Mary and the possibility of her knowledge, and why it was so important for
the press – and specifically the *Times* – to make Mary’s claim of ignorance
believable. Mary’s neighbors reacted to the news of James with not only
astonishment, but with violence as well: she was teased, chased, and
harassed. At the moment contemporaries realized Mary’s marriage life was
not typical, neighbors rushed in to control what they deemed deviant.
Additionally, as the street ballad suggests, by excluding the potential for
female sexual pleasure, the idea of James as Mary’s female husband becomes
much less threatening.
IV. Conclusion

The case of James and Mary Allen aroused suspicion, confusion, and astonishment amongst contemporaries in early-nineteenth-century Britain. Contemporaries sought to both define and explain James and Mary, and in doing so, provided insight into major concepts of gender and sexuality in pre-Victorian Britain. By treating James outside of the confines of a strictly lesbian identity, we are able to give due attention to the element of gender transgression. Yet by also accepting the sexual implications of certain forms of passing – specifically the female-husband - we do not overshadow the element of female same-sex desire that was potentially at play. Rather, we analyze James Allen in an encompassing framework that allows for both female same-sex desire and gender transgression in a historically appropriate treatment. Because contemporaries made little distinction between sex, sexuality, and gender, it is important to note that an impeccable performance of one of these categories could determine one’s entire cultural identity, despite or concurrent with the other two identifiers. When these three identifiers did not align, contemporaries were faced with a crisis of categories.

The explanations provided by the medical professionals and the press were meant to ease the crisis, and did so with varying degrees of success. Most notably, the coroner was able to turn James from a dangerous gender deviant, to the victim of a horrific childhood crime. In doing so, Shelton stripped James of personal agency by suggesting that it was due to child
molestation that he passed as a man in adulthood. Rendering James a passive victim allowed for contemporaries to undercut the threat posed by a passing individual. Their explanations also allowed contemporaries to dismiss the claims that Mary knew James' secret all along. In doing so, they also dismissed any possibility of "deviant" female sexuality. While the actual facts of the story will probably never be known, the public's reaction to James and Mary's narrative provides historians significant insight into the relationship between gender performance, sexuality, and cultural identity in early nineteenth-century Britain.
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