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Between Stations:
American Liberty and Locomotion from *Walden* to *Plessy*

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American Liberty and Locomotion from *Walden* to *Plessy*

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An abstract of
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Abstract

Between Stations:
American Liberty and Locomotion from *Walden* to *Plessy*

By Mixon Robinson Jr.

"Between Stations" argues for a new approach to a familiar topic. As railway travel became increasingly available in the United States between the 1830s and the turn of the twentieth century, the nation was undergoing monumental changes: the escalation of regionalism and the Civil War, the violent extension of territorial boundaries, the expansion of the citizenry through emancipation and immigration, Reconstruction and its retreat, reunification and the rise of Jim Crow. This dissertation examines the experiences of train passengers during major conflicts over the concept of American liberty, as well as the role of the passenger in producing the sociolegal effects of the "transportation revolution." My primary contention is that the American railroad played a much more multifaceted cultural role than annihilator of space and time or, in another well-known formulation, a "machine in the garden." In addition to communicating passengers from station to station, railways communicated information: physically conveyed down the tracks by travelers, freight cars, and the pocket-watches of conductors, and sensorially carried across the landscape by the spectacular sights and sounds of screaming whistles, rumbling cars, chugging engines, billows of steam, and the unbroken lines of track. The "communication culture" of train travel requires a reconsideration of nineteenth-century American print culture in light of the formation of the citizen-passenger via experiences and expressions of mechanized mobility, a process that always included immobilizing encounters with the law – legislatures, judges, conductors, and corporations.

A second contention of "Between Stations" focuses on statuses in flux: we cannot think of American passengers without fully accounting for racial politics and the vital contributions of African American expressive acts to the national identity. These chapters trace the "color line" in the nineteenth-century U.S. from the abolitionist rides and writings of Henry David Thoreau, Frederick Douglass, Moses Grandy, and William and Ellen Craft, to the debates over segregation in the trials of *Wells v. Chesapeake, Ohio & Southwestern Railroad Company* (1883-1887) and *Plessy v. Ferguson* (1896) and the appeals for liberty raised by Ida B. Wells, Homer Plessy, Charles Chesnutt, and the anonymous singers of the folksong "Railroad Bill."

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It is tempting to invoke the railroad in thanking my professors, colleagues, friends, and family for their invaluable contributions and bountiful support during the completion of this project. The experience was certainly journey-like, but my fellows along the way crossed my path or joined me for short stretches in ways that were neither systematic nor scheduled.

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Looking back at the years that have gone into this project, and looking ahead to what might come, it is not possible to express how much I appreciate my family for their love and encouragement. Mom, Dad, Mag, and Mame, y'all have made this possible.

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Introduction

A Passenger Between Two Stations

The steamboat *Teche* was traveling down the Mississippi between Natchez and New Orleans when the boiler exploded. Survivors thrown into the river swam away from the burning wreck to the shore. Among them were four slaves owned by Robert Boyce, in the custody of his agent. The accident was not uncommon, nor was the response of the *Washington*, which was plying northward when the captain cut the engines and sent out its "tender," a rescue boat, for those huddled on the riverbank.[1] The yawl shortly reached them and took on, among others, the agent and the four enslaved men. The shaken group was being rowed back towards the *Washington* when a second accident occurred: the yawl was upset and capsized. The four men, quite possibly in chains, drowned. Although these events are recorded in *Boyce v. Anderson* (1829), the case report does not describe how the men escaped the first disaster only to succumb to the second.

The Supreme Court found against the slaveholder Boyce in his lawsuit against the owners of the *Washington*, in which he argued that negligence led to the loss of his property. Given the location and direction of the *Teche*, it is likely the plaintiff was shipping the men to be sold at the slave market in New Orleans. Chief Justice John Marshall's opinion upheld a lower court's ruling that the doctrine of common carriers did not apply in the case, which would have made the steamboat company liable "for every loss which is not produced by inevitable accident." The doctrine should not apply, Marshall agrees, because the four men who drowned cannot be considered "inanimate property": "A slave has volition, and has feelings which cannot be entirely disregarded. These properties cannot be overlooked in conveying him from place to

[1] Walter Johnson notes, "Over the course of the steamboat era [c. 1800-1860], there were about 1,100 serious steamboat accidents on the Western rivers; about 5 percent of the tonnage on the river was destroyed in any given

place," Marshall writes. "In the nature of things, and in his character, he resembles a passenger, not a package of goods."[2] As a result, the *Washington* had a lesser duty of care, "usual care" rather than "skillful care," and was not held responsible for Boyce's financial loss.[3]

The Supreme Court handed down the *Boyce* decision in 1829, one of many common law precedents developed to keep up with the "industrialized mayhem"[4] of steam-powered transportation, and one of many common law precedents developed in order to adjudicate the so-called mixed character of enslaved Americans. The same year, David Walker published the first edition of his *Appeal ... to the Coloured Citizens of the World*. "Having travelled over a considerable portion of these United States," Walker's preamble begins, "and having, in the course of my travels, taken the most accurate observations of things as they exist—the result of my observations has warranted the full and unshaken conviction, that we, (coloured people of these United States,) are the most degraded, wretched, and abject set of beings that ever lived since the world began; and I pray God that none like us ever may live again until time shall be no more." It is a statement of profound sorrow and unflinching certainty, and the authority for it arises from Walker's direct observations, a result of his travel along the rivers and roadways of the U.S. He has gained, as well, a sense of what freedom means for a person of color in America:

> If you wish to know how FREE you are, let one of you start and go through the southern and western States of this country, and unless you travel as a slave to a white man (a servant is a *slave* to the man whom he serves) or have your free papers, (which if you are not careful they will get from you) if they do not take you up and put you in jail, and if you cannot give good evidence of your freedom, sell you into eternal slavery, I am not a living man: or any man of colour, immaterial who he is, or where he came from.[5]

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[2] This language, the likely destination set for the men, and their drowning gruesomely evoke the methods and accidents of the Atlantic slave trade, which the U.S. Congress outlawed in 1807, the earliest date allowed by the Constitution for such an act.
[3] *Boyce v. Anderson*, 27 US 150 (1829), 150-55.
[4] Johnson, *River of Dark Dreams*, 111.
[5] David Walker, *David Walker's Appeal, In Four Articles; Together with A Preamble, to the Coloured Citizens of the World, But in Particular, and Very Especially, to Those of The United States of America, Written in Boston, State of Massachusetts, September 28, 1829, Third and Last Edition* (Boston: David Walker, 1830), 3, 33.

As Edlie Wong notes, Walker's "series of conditional 'ifs' reveal personal liberty to be both racially particularized and geographically bounded." And the reference to "free papers" illustrates how black mobility "was permissible only when it was subordinated to white authority."[6] Linking *Boyce* to Walker's *Appeal* marks a significant moment in the legal and literary history of the fraught relationship between geographic mobility and personal liberty for people of color in the United States. Despite existing in an abject state with one's rights either partially or fully immobilized by the strictures of American slavery – "not living," for Walker – African Americans began increasingly to vie for opportunities to exercise their "volition" and circulate their "feelings that cannot be entirely disregarded" via steam-powered printing presses and up and down the crisscrossing routes being established to accommodate a growing nation and its steam-powered carriers.

Travel, for Walker, was a test of freedom. To circulate unabated across state borders was to experience the fullness of American liberty. This notion extends to his expectation, stated in his *Appeal*, that "all coloured men, women and children, of every nation, language and tongue under heaven, will try to procure a copy … and read it, or get some one to read it to them, for it is designed more particularly for them." As a work of African American literature and a striking example of antebellum print culture, Walker's *Appeal* proclaims the subversive potential of "resembl[ing] passengers," in Marshall's formulation in *Boyce*. Appropriating vehicles of conveyance, whether to achieve physical or discursive mobility, created opportunities for radicalizing audiences, readers, and fellow travelers towards communicating resistance against the oppressive racial politics of the United States. To move is to gain knowledge through observation and experience, and to pass knowledge along requires the movement of bodies and,

[6] Edlie L. Wong, *Neither Fugitive nor Free: Atlantic Slavery, Freedom Suits, and the Legal Culture of Travel* (New York: New York University Press, 2009), 183.

with them, the oral and textual forms of recorded experience.

In 1830, the year Walker printed the third (and final) edition of his *Appeal* in Boston, steam locomotives began to run railroad tracks in Baltimore (in May) and Charleston (in December).[7] Trains were moving passengers and freight in and out of Boston by 1835, and by decade's end the first recorded use of "Jim Crow car" to describe racially segregated accommodations was attached to Massachusetts trains, a sentiment cruelly resonant with Walker's sense of freedom's limits – yet another condition for black mobility.[8] Railways joined rivers, canals, and turnpikes as part of America's burgeoning inland transportation network; the passenger car became a new kind of sociolegal space; and the American passenger took on a new set of meanings. As being "convey[ed] from place to place" became more and more common during the 1830s and 40s, Marshall's notion of the slave/passenger dynamic registered more broadly for all travelers, who sometimes found train travel uncomfortably similar to being treated like a "package of goods."[9] Scholars of American history, literature, culture, and law have explored this time period – the "transportation revolution" – as it stretched into the latter half of the century to gain insight into the ways mechanized travel factored into the growing impact of

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[7] John F. Stover, *American Railroads*, 2nd ed. (Chicago: The University of Chicago Press, 1997), 10-14.

[8] Jim Crow, the blackface caricature of the minstrel stage, was "iconic" by the 1830s, and Elizabeth Pryor argues that railroad workers running the early trains in New England "were the first to connect the stage persona to racial segregation in a concerted attack against colored travelers, largely abolitionists, with the desire and the means to ride in the first-class cars." That the most famous song circulating onstage and beyond was "Jump Jim Crow" captures the fact that Jim Crow "was a colored traveler," and therefore threatening to white Americans, "epitomizing the problems of unregulated black mobility," even as he offered a chance to celebrate the liberating possibilities of physical movement. Elizabeth Stordeur Pryor, *Colored Travelers: Mobility and the Fight for Citizenship before the Civil War* (Chapel Hill: The University of North Carolina Press, 2016), 77, 92. See also Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and Race in New England, 1780-1960* (Ithaca, NY: Cornell University Press, 2000), 166-206; W. T. Lhamon, *Jump Jim Crow: Lost Plays, Lyrics, and Street Prose of the First Atlantic Popular Culture* (Cambridge, MA: Harvard University Press, 2003), 95-116; Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press, 1993); and David R. Roediger *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991), 43-92.

[9] Wolfgang Schivelbusch quotes John Ruskin's use of "living parcel" to lament the hurry and the blurred landscape, but the language echoes throughout accounts of early travelers on both sides of the Atlantic. *The Railway Journey: The Industrialization of Time and Space in the 19th Century* (Berkeley: University of California Press, 1986), 120-22.

second wave abolitionism, America's literary "renaissance," postbellum nationalism, and the development of the law of corporations, torts, and segregation, among other topics.[10] While systemic studies of the impact of the railroad on nineteenth-century American life offer a measure of explanatory power, recent research has been careful to listen to what one cultural historian calls "railroad stories": the idiosyncratic expressive acts of individual passengers whose voices found their way onto the record, however incompletely, by critiquing, resisting, or otherwise observing (in Walker's sense) the sociolegal forces of capitalism and white supremacy.[11]

Nearly seventy years after the nation's first trains started running and thirty years after emancipation, at the turn of the twentieth century, Justice John Harlan was moved to remind his fellow Supreme Court justices of a jurisprudential pillar of Anglo-American common law: "'Personal liberty,' it has been well said, 'consists in the *power of locomotion*, of changing situation, or removing one's person to whatsoever places one's own inclination may direct, without imprisonment or restraint, unless by due course of law.'" Harlan was the sole dissenting voice in *Plessy v. Ferguson* (1896), the only justice to find in favor of Homer Plessy's right to travel without the restraints of racial segregation imposed by state law, and he did so by drawing William Blackstone's 1765 definition of liberty into the high-speed age of locomotives. The Louisiana separate-car law at issue in *Plessy*, passed in 1890, required railroad companies to sort passengers by race into "separate but equal" cars during intrastate journeys, a requirement Harlan found "unreasonable" – and therefore unconstitutional – because "it interferes with the personal

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[10] See, respectively, George Rogers Taylor, *The Transportation Revolution, 1815-1860* (Armonk, NY: M. E. Sharpe, 1989); Pryor, *Colored Travelers*; Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (New York: Oxford University Press, 1964); David E. Nye, *American Technological Sublime* (Cambridge, MA: MIT Press, 1994), 45-79; James W. Ely, *Railroads and the American Law* (Lawrence: University Press of Kansas, 2001); Barbara Young Welke, *Recasting American Liberty: Gender, Race, Law, and the Railroad Revolution, 1865-1920* (New York: Cambridge University Press, 2001).

[11] Amy G. Richter, *Home on the Rails: Women, the Railroad, and the Rise of Public Domesticity* (Chapel Hill: The University of North Carolina Press, 2005), 5, passim.

freedom of citizens."[12] For the *Plessy* majority, on the other hand, the law was "reasonable" because state legislatures are "at liberty to act with reference to the established usages, customs and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order." Favoring legislative liberty and police power over an individual's locomotive liberty, the *Plessy* decision upheld American transportation "traditions" and "customs" that reached back into the era of slavery, ignoring expressions of African Americans' experiences of discomfort, public terror, and disorder (whether or not "disregarded entirely," as *Boyce* weakly insists) while limiting black mobility in the name of "public peace and good order." *Plessy* maintained the racist exclusion from freedom felt so sharply by David Walker. Race, an embodied and fixed quality in the view of the Court, overrides Homer Plessy's voice, as Justice Henry Billings Brown's statement of facts makes clear: "Plessy, being a passenger between two stations within the State of Louisiana, was assigned by officers of the [rail] company to the coach used for the race to which he belonged, but he insisted upon going into a coach used by the race to which he did not belong."[13]

This dissertation takes up the cultural history of Americans "between stations," a complicated position evoking both movement and stasis, indeterminate identity and unshakeable social status. It sets out to answer the following question: what were the changing meanings of motion across the nineteenth century for marginalized populations, and how were those meanings conveyed – and constructed – by the very vehicles that powered an unprecedented physical mobility? Between *Boyce* and *Plessy*, slavery was abolished, and the Thirteenth, Fourteenth, and Fifteenth Amendments established, if by incomplete definition, the constitutional rights of African Americans. But the duty of common carriers and the notion of

[12] *Plessy v. Ferguson*, 163 U.S. 537 (1896), 557; emphasis added. See William Blackstone, *Commentaries on the Laws of England*, Volume 1: *On the Rights of Persons* (1765; Chicago: University of Chicago Press, 1979), 130.
[13] 163 U.S. 537, 550, 541.

equal access to freedom remained in flux, and all passengers continued to experience a mixture of expanding mobility and tightening constraint, the latter imposed by conductors, engineers, porters, and corporate officers. Trains had quickly replaced steamboats in importance, but the entwining of the statuses – the stations – of American passengers and citizens continued to revolve around racial politics, property rights, and the social order. The effects of the transportation revolution, as Barbara Welke has shown, involved the "recasting of American liberty." Her work locates in the legal archive the train stories of individual passengers who sought to hold railroad companies liable for violent exclusion from American railways. Similar traces of passengers caught between stations appear in the broader record of nineteenth-century print culture, what Wai Chee Dimock calls the "residues of justice."[14] Focusing on train travelers means thinking of cultural documents like *Plessy v. Ferguson* as "railroad news" – which was how it was reported in *The New York Times* in the days following the momentous decision condoning the spread of de jure segregation and granting federal approval of Jim Crow. "Between Stations," then, is a work that interrogates print culture as a means of understanding a history of movement, and vice versa.

Recent scholarship on print culture has headed in two directions important to the present work. The first has been to examine texts like Walker's *Appeal* through the approach established by book history, which gives detailed historical context for the production and dissemination of print materials.[15] The result has allowed for greater diversity in the field of print culture studies and for the continuation of efforts to bring African American literature into the academic conversation and the classroom canon that started to take institutional hold in the 1970s and

[14] Welke, *Recasting*; Wai Chee Dimock, *Residues of Justice: Literature, Law, Philosophy* (Berkeley: University of California Press, 1996).
[15] For a book history approach to Walker's *Appeal* see Marcy J. Dinius, "'Look!! Look!!! at This!!!!': The Radical Typography of David Walker's *Appeal*," *PMLA* 126.1 (2011): 55-72.

1980s. I am especially indebted to the work being done at the overlap of print culture and law and culture studies, by scholars like Edlie Wong, Jeannine DeLombard, and Elizabeth Pryor.[16] The other direction the research has headed is towards taking into consideration communication technologies that enhance, compete with, or cooperate with the printing press.[17] "Between Stations" reads acts and narratives of nineteenth-century train travel as vitally linked to print material produced at the intersection of popular culture and racial politics. Doing so means considering the dual circulation of passengers and information, not only the record of experience of the railroad but the way the rail networks aided print circulation *and* the way print circulation occurred on trains, through the books and tickets carried by passengers. In order to meaningfully attend to the goals of print culture studies and American literary studies that fully integrate diverse perspectives, we must read the print record produced on or along American railways. This means thinking in terms of "communication culture," a concept that augments the purview of "print culture" by including a broader field of information and expression: song, gesture, oration, steam-whistle, journey, secret. Such messages proliferated in and around trains, station to station, and this dissertation tracks discourse to and from press, carried by passenger who themselves were carried in and out of publics "resembling" the ever-fluctuating polis.

As the classic studies of the railroad's impact on nineteenth-century culture teach, the arrival of trains, tracks, and stations altered the aesthetic and sensory experience of the nation's landscape and civic life. What is missing from the work of scholars like Leo Marx and Wolfgang

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[16] Wong, *Neither Fugitive nor Free*; Jeannine Marie DeLombard, *Slavery on Trial: Law, Abolitionism, and Print Culture* (Chapel Hill: The University of North Carolina Press, 2007) and *In the Shadow of the Gallows: Race, Crime, and American Civic Identity* (Philadelphia: University of Pennsylvania Press, 2012); and Pryor, *Colored Travelers*. See also, Leon Jackson, "The Talking Book and the Talking Book Historian: African American Cultures of Print—The State of the Discipline," *Book History* 13 (2010): 251–308; and Lara Langer Cohen and Jordan Alexander Stein, introduction to *Early African American Print Culture*, eds. Cohen and Stein (Philadelphia: University of Pennsylvania, 2012), 1-18.

[17] See Sandra M. Gustafson, "The Emerging Media of Early America," in *Cultural Narratives: Textuality and Performance in American Culture before 1900*, eds. Sandra M. Gustafson and Caroline F. Sloat (Notre Dame, IN: University of Notre Dame Press, 2010), 341-66.

Schivelbusch, however, is the way railway sensations affected the communication culture of African Americans and how these experiences and expressions permeated a history of technology too often represented by white authors, passengers, and lawmakers. Sensory historians like Mark Smith and William Cullen Rath have produced studies of the varied sensoria in American lives on either side of the slavery and racial divides, but the railroad calls for a more complete treatment to assess how information was conveyed beyond the simple act of running one's eyes along the print page.[18] To take one example, Schivelbusch discusses the profound impact of the train window on the way nineteenth-century rail passengers saw the world: "The traveler saw the objects, landscapes, etc. *through* the apparatus which moved him through the world… That mobility of vision … became a prerequisite for the 'normality' of panoramic vision." The traveler's adjustment to the fleeting picture through the window-frame created a new way of sensing the world, setting new visual expectations. But consider the scene encountered by Harriet Jacobs on a Pennsylvania train in 1843, when she was prevented from purchasing a first-class ticket because of her race, causing what she calls "the first chill to my enthusiasm about the Free States": "We were stowed away in a large, rough car, with windows on each side, too high for us to look out without standing up."[19] While it remains useful to think, in Schivelbusch's terms, of "mobile vision," it is vital that we account for the array of immobilities imposed on Americans of color – and that we read for the counter-vision of the world sought via radical forms of mobility. Train sounds, of course, have worked their way into countless cultural expressions in oral, music, and print archives. The twentieth century saw the

[18] See Mark M. Smith, *How Race is Made: Slavery, Segregation, and the Senses* (Chapel Hill: The University of North Carolina Press, 2006); and Richard Cullen Rath, "Drums and Power: Ways of Creolizing Music in Coastal South Carolina and Georgia, 1730-90," in *Creolization of the Americas*, eds. David Buisseret and Steven G. Reinhardt (College Station: Texas A&M University Press, 2000), 99-130.
[19] Schivelbusch, *Railway Journey*, 64; Harriet Jacobs, *Incidents in the Life of a Slave Girl: Written by Herself*, ed. Jean Fagan Yellin (Cambridge, MA: Harvard University Press, 1987), 162-63.

advent of the phonograph in the immediate wake of the Great Migration and the Harlem Renaissance, and scholars studying the literary work produced before, during, and after the Civil Rights movement have identified the American railroad as a "ritually saturated located" within African American culture.[20] "Between Stations" carries this discussion back into the nineteenth century in order to examine the sensory presence of the railroad in the communication culture before and after emancipation.

The first chapter, "'A hundred rods south': Measuring Locomotion and Liberty in *Walden*," opens the discussion with the train reports of Henry David Thoreau from the shores of Walden Pond. When Thoreau moved to Walden on July 4, 1845 and began making the wide-ranging observations that eventually became *Walden* (1854), the Fitchburg Railroad had been running tracks that skirted the pond for just over a year. The mid-1840s also saw the antislavery movement gaining traction in Concord, Massachusetts, and the railroad played an important role in the communication culture of abolition. Thoreau did not simply become an abolitionist as more print materials (such as William Lloyd Garrison's *The Liberator*) and speakers (Frederick Douglass and Wendell Phillips among them) arrived at the Concord Depot, but he was better equipped to survey the networks of nation, nationalism, and national belonging by observing the trackside sensations of trade and travel. Thoreau's alternative modes of train travel between stations on the Fitchburg line – interlocutor with rail workers, railway walker, and station surveillant – engaged a communication culture that allowed him to recognize Concord's new proximity to both industrialized labor and slavery. Thoreau further appropriated the Fitchburg to help a formerly enslaved man named Henry Williams escape the threat of slave-hunters

[20] Eric Sundquist, *To Wake the Nations: Race in the Making of American Literature* (Cambridge, MA: The Belknap Press of Harvard University Press, 1993), 444. See also Albert Murray, *Stomping the Blues* (New York: McGraw-Hill, 1976); Houston Baker, *Blues Ideology, and Afro-American Literature: A Vernacular Theory* (Chicago: The University of Chicago Press, 1987); and Farrah Jasmine Griffin, *"Who set you flowin'?": The African American Migration Narrative* (New York: Oxford University Press, 1995).

empowered by the Fugitive Slave Law (1850). In the parlance of the Underground Railroad, commonly printed in newspapers in the 1850s, Thoreau was a "conductor" on the "freedom line."

Chapter two focuses on the relationship between passengers and conductors on the routes between North and South – and between Northern cities – from the perspective of the formerly enslaved activist. "Tickets to Freedom: Mobility, Authorship, and Race on the Abolition Circuit" reassesses the fugitive slave narrative as one form of many in the communication culture of abolition in discourse and direct action. As David Walker knew, free papers were only valid if approved by white authorities. They were also one form of mobility-granting paperwork from the 1830s, 40s, and 50s for travelers of color, along with seaman papers, train tickets, and the printed material that circulated the transatlantic abolition circuit. "Tickets to Freedom" draws the experiences and narratives of Moses Grandy, Frederick Douglass, and William and Ellen Craft into conversation in order to understand the stakes of partial locomotive liberty for activists seeking to embody radical racial politics in the antebellum North, where Jim Crow first took hold in the American transportation infrastructure.

By the time Frederick Douglass felt at liberty to publicly share the details of his 1838 train ride to freedom disguised as a sailor on the Philadelphia, Wilmington, and Baltimore Railroad, the Tennessee legislature had passed a law allowing rail companies to segregate passengers into equal accommodations. Two years later, in 1883, the Supreme Court found the Civil Rights Act of 1875 unconstitutional, adding to an ongoing jurisprudence that reduced the scope of equal rights granted to African Americans by the Thirteenth, Fourteenth, and Fifteenth Amendments. The third chapter follows Ida B. Wells, when she was a teacher commuting between Memphis and a rural school, who insisted on her right to ride in the "ladies' car" rather

than the "smoker" – where the Chesapeake & Ohio conductors sometimes forced black passengers to sit. Ten years before Homer Plessy challenged a more explicit Louisiana law, Wells fought to maintain a dignified position and made an uncredited appearance in an 1885 debate over segregation between George Washington Cable and Henry Grady in the pages of *The Century Illustrated Monthly Magazine* – the same publication where Douglass published "My Escape from Slavery" (1881). Viewing these essays, Wells's legal battle that reached the Tennessee Supreme Court, and the visual materials printed in the *Century*, chapter three employs the analytic of "postural politics" to consider various physical and discursive encounters between white male authority figures (conductors, journalists, cartoonists, and judges) and black female passengers pursuing social, economic, and physical mobility. Here, the human body being conveyed across the tracks is itself a form of communication: what did it mean to sit, to stand, to move or to refuse to budge?

The fourth and final chapter, "*It's lookin' fer Railroad Bill*: Circulation and Capture in the Narratives of Homer Plessy, Morris Slater, and Charles Chesnutt," searches the communication culture of the 1890s – the decade that inaugurated what came to be called the "*Plessy*-era" – for the violent presence of the police power along the rail lines of the South. "Railroad Bill" was a popular folksong that originated in the manhunt for a railroad bandit in the Alabama countryside in the mid-1890s. The extralegal tactics encouraged by newspapers and law enforcement caused multiple deaths of mobile black men before the case was closed with the slaying of someone named Morris Slater by those that shot him – two months before Homer Plessy's name came before the Supreme Court. These legal events are read in concert with the folksong to examine two routes of resistance: one fixed in precedent-producing legal texts; the other elusive, circular, unresolved. Charles Chesnutt modeled both approaches in *The Marrow of*

Tradition (1901), a novel that attempted to appeal the public record of the 1898 Wilmington, North Carolina race riot that was really a white supremacist coup against African American citizens, homes, and businesses. Chesnutt drew on his legal training to challenge the Jim Crow regime, which led from segregated train cars to racist terrorism, and *The Marrow of Tradition* builds a case for civil rights by transcribing the oral accounts of black citizens of Wilmington, voices ignored by newspaper reports of 1898. But by ultimately pinning all hope to the professional class, represented by Dr. William Miller, Chesnutt limits the mobilizing power of folk discourse, represented by dockworker Josh Green, who closely resembles in physical prowess and mode of transport the railroad bandit and folk hero hobo Railroad Bill.

"Between Stations" concludes at what W. E. B. Du Bois called "the dawning of the Twentieth Century," which is, of course, an abrupt stop along a much more expansive network of journeys, texts, and "strange meanings."[21] This dissertation works to explore significant moments between the advent of rail travel in Concord, Massachusetts as witnessed by Henry Thoreau and the federal approval of segregated trains in New Orleans, Louisiana as challenged by Homer Plessy, but there are many texts produced between stations that have been left out (or have passed me by). The map offered is also noticeably limited, namely in the focus of North-South railways at the expense of East-West lines. There is much to be learned about race, law, and communication culture developed and challenged by Western passengers, from the cultural significance of the transcontinental railroad to the violence experienced – and appropriations won – by Native Americans, from the brutal labor conditions forced upon Chinese Americans to works like María Ruiz de Burton's novel *The Squatter and the Don* (1885) which critqued railroad monopolies from the perspective of Mexican Americans living in California. "Between

[21] W. E. B. Du Bois, *The Souls of Black Folk*, eds. Henry Louis Gates, Jr. and Teri Hume Oliver (1901; New York: Norton, 1999), 5.

Stations," then, ought to be read in light of its central conceit: this is but a partial itinerary through the history of liberty and locomotion.

CHAPTER ONE

"A hundred rods south":

Measuring Locomotion and Liberty in *Walden*

Walked to Walden last night (moon not quite full) by rail-road and upland wood path.

…

He hath ears to hear let him hear. Employ your senses.

—Henry David Thoreau, *Journal*, June 13, 1851[22]

Near the end of *Walden* (1854), Henry David Thoreau criticizes the conversation of his day as the "noise" of his "contemporaries." "They tell me of California and Texas," he complains,

> of England and the Indies, of the Hon. Mr. ____ of Georgia or of Massachusetts, all transient and fleeting phenomena, till I am ready to leap from their court-yard like the Mameluke bey. I delight to come to my bearings, —not walk in procession with pomp and parade, in a conspicuous place, but to walk even with the Builder of the universe, if I may, —not to live in this restless, nervous, bustling, trivial Nineteenth Century, but stand or sit thoughtfully while it goes by.[23]

To the reader reaching *Walden*'s "Conclusion," the passage offers a rephrasing of the narrative's original leap: Thoreau's move from the courtyard of Concord, Massachusetts to the shore of Walden Pond, where he strives to live in self-sufficient privacy.[24] It is from this sideline-perspective that Thoreau observes the procession of technological phenomena parading through

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[22] Henry D. Thoreau, *Journal Volume 3: 1848-1851*, ed. Robert Sattelmayer et al. (Princeton, NJ: Princeton University Press, 1990), 259, 261.

[23] Henry D. Thoreau, *Walden* (1854; New York: The Library of America, 1985), 584. All subsequent citations will be recorded parenthetically.

[24] The book's opening lines: "When I wrote the following pages, or rather the bulk of them, I lived alone, in the woods, a mile from any neighbor, in a house which I had built myself, on the shore of Walden Pond, in Concord, Massachusetts, and earned my living by the labor of my hands only. I lived there two years and two months. At present I am sojourner in civilized life again" (*W* 325).

Concord during the 1840s and 50s: national and international information circulating by newspaper and telegraph; travelers and goods by railroad (and, nearby, by steamship); and the new social, sensory, and temporal rhythms imposed by the rise of industrialization.

Since the 1830s, Concord had become a small but influential center of cultural output shaped by steady communication among writers, critics, publishers, politicians, and reformers.[25] Meanwhile, the citizens and statesmen of Massachusetts had invested in technological innovations that pushed railroad tracks from Boston to other metropolises, out into the developing western territories, and northward towards Canada.[26] That Thoreau would question the unalloyed good of such spectacular shifts in communication and transportation – recasting global schemes of business and power as "trivial" and "bustling" – demonstrates the countercultural verve of his writing (in *Walden* and elsewhere) and accounts for the repeated citation of the passage's last line as one of the author's epigrammatic declarations of independence. The passage does indeed highlight some of the major concerns threading *Walden*, such as the way networks of information and interaction constrain individual freedom, but attention to the less famous first lines complicates Thoreau's characterization of himself as self-

[25] Ralph Waldo Emerson and Nathaniel Hawthorne were among the residents; the Lyceum hosted speakers like the abolitionist Wendell Phillips; New York editor Horace Greely was in steady communication with Emerson, Thoreau, and others of their circle.

[26] Boston merchants invested in railroads early on to compete with New York's Eerie Canal (completed in 1825) for access to western Massachusetts markets. Three private lines had been constructed by 1835 – from Boston north to Lowell, south to Providence (RI), and west to Worcester. The Commonwealth itself invested $5,000,000 in the Western Railroad, which carried on from Worcester to Albany, New York. "In 1850 the railroad map of New England looked fairly complete, with [Massachusetts] already having mileage equal to roughly half of what [it] would have one hundred years later. Boston was the hub of the New England system with lines radiating inland in every direction," John Stover writes. "The expansion of the New England network could probably be traced to the fact that in the early thirties Massachusetts and Boston had chosen the railroad as the transportation of the future while rival states and cities to the south were still flirting with the canal. If some New Englanders complained in the forties that their region was the only one overbuilt with railroads, at least it resulted in New England's becoming the mother of railroading and railroad men for half a century." Stover, *American Railroads*, 14-15, 26. See also Taylor, *The Transportation Revolution*, 84-92. The Fitchburg Railroad, which connected Concord to Boston and beyond, "was remarkable for being financed entirely through the sale of stock, and that mostly to those living along its route or in Fitchburg, the Boston contribution being extremely minor." James E. Vance Jr., *The North American Railroad: Its Origin, Evolution, and Geography* (Baltimore: Johns Hopkins University Press, 1995), 70.

reliant escape artist who leaps from modernity into philosopher's retreat.[27]

Out of the noisy gossip Thoreau plucks three pairs of place-names: California and Texas, England and the Indies, and Georgia and Massachusetts.[28] In relation to the local focus and seasonal orientation of *Walden*'s nature observations, the names – even Massachusetts – are meant to sound far-flung and, perhaps, hollow by virtue of readers' familiarity with daily newspapers (an increasingly prevalent communication culture Thoreau both enjoyed and derided). They are far from random, however, and their presence pushes against Thoreau's characterization of them as "transient and fleeting" by marking coordinates on a map of the political acts and trade routes marking the enduring viability of American slavery – the paramount legal and moral issue roiling the mid-nineteenth-century United States. The three pairs of places, within each and across them, chart geographic linkages among political systems established and shaped during the colonization and revolutions of the seventeenth and eighteenth centuries, and they chart the transcontinental and transatlantic commercial web of slavery and manufacture driven by banking and industrial innovations of the late-eighteenth and early-nineteenth centuries. Debates about the ethics of expansion, slavery, and commerce reached fever pitch in the U.S. between Thoreau's move to Walden Pond in 1845 and the publication of *Walden* in 1854, arising out of a series of territorial acquisitions and political wrangling over the legal status of slavery within the new boundaries drawn onto the national map. It was indeed a time of restlessness and nervousness, and a careful reading of *Walden*, "Resistance to Civil Government," "Slavery in Massachusetts," and Thoreau's letters and journals belie his

[27] It signals, too, an alliance with a particular branch of Concord's communication network, Transcendentalism, noticeable in Thoreau's spiritual reference to the "Builder of the universe" and his cross-cultural reading reference to the Mameluke bey (after a story of an officer of an Egyptian military caste who escaped an 1811 massacre).
[28] He implies a seventh, Egypt, with the reference to the Mameluke bey.

characterization of the conflicts and creations of the mid-nineteenth century as "trivial."[29]

This chapter argues that Thoreau's literary efforts between 1843 and 1854, the *Walden*-era, demonstrate the way his survey of self-reliance – of economic and social liberty – build upon measurements attuned to the proximity of the South and the linkages along a *national* network of slavery.[30] For a modern historian, able to marshal an array of disparate materials produced across stretches of time and housed in archives thousands of miles apart, the economic network linking California to Texas to England to the West Indies to Georgia to Massachusetts in the 1840s and 50s comes clearly into view. Thus, Sven Beckert is able to argue that cotton was the commodity at the root of global capitalism – and that slavery was "the beating heart" of the new, distance-defying system of trade – by reading the letters of a Texas industrialist visiting textile factories in Manchester, England, alongside the account books of Boston Associates mills weaving Georgia cotton, alongside the broad economic effects of emancipation in the British West Indies and monarchy in Egypt.[31] Thoreau, of course, did not encounter these sources, but he read newspapers and attended Lyceum lectures and read about the Egyptian Mameluke bey in his

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[29] Thoreau is famous – then as now – for an ambivalence that often borders on contradiction. This means, for *Walden*, that a manifesto of escape from what today might be called connectivity simultaneously offers meditations on the value (and pitfalls) of community. In September of 1843 (while Thoreau's style was still taking shape), Emerson took issue with what he called the writer's "*mannerism*" – "an old charge" – in "Winter Walk," citing in a letter to Thoreau: "to call a cold place sultry, a solitude public, a wilderness *domestic* (a favourite word) & in the woods to insult over cities, whilst the woods again are dignified by comparing them to cities armies &c." Henry D. Thoreau, *The Correspondence, Volume 1: 1834-1848*, ed. Robert N. Hudspeth (Princeton, NJ: University of Princeton Press, 2013), 229. Thoreau made some of the marked changes, but his tendency to vacillate between praise and criticism in dialectic encounters with society and solitude is manifestly evident in *Walden*. Heated debates about his "mannerism" and how to read it continue. See Kathryn Schulz, "Pond Scum," *The New Yorker*, 19 October 2015; and the letters from readers in response, "The Forest for the Trees," *The New Yorker*, 9 November 2015.

[30] The author regularly worked as a surveyor and often gives measurements in his writing. For a historical account of Thoreau's work as a surveyor see Patrick Chura, *Thoreau the Land Surveyor* (Gainesville: University Press of Florida, 2010). For a more literary approach, see Iuliu Ratiu, "Land Surveying as a Poetic Exercise in *Walden* and 'Walking,'" *Concord Saunterer* 21 (2013): 126-42.

[31] "Slavery," Beckert notes, "was as essential to the new empire of cotton as proper climate and good soil. It was slavery that allowed these planters to respond rapidly to rising prices and expanding markets. Slavery allowed not only for the mobilization of very large numbers of workers on very short notice, but also for a regime of violent supervision and virtually ceaseless exploitation that matched the needs of a crop that was, in the cold language of economists, 'effort intensive.'" Sven Beckert, *Empire of Cotton: A Global History* (New York: Vintage Books, 2014), 37, 81-82, 147, 112, 131-32, 91.

pursuit of world history and literature. More importantly, I argue, during his Walden residency he had daily encounters with the rhythmic, ubiquitous, and impossible-to-ignore instrument of mid-nineteenth-century American commerce and connectivity.

The Fitchburg Railroad built tracks through Concord in the spring and summer of 1843, skirting Walden's shore on the way to Fitchburg, Massachusetts from Boston. Locomotives were active on the route by the following summer, and the forty-five-mile line was complete by the time Thoreau began construction on his cabin in March of 1845. This means he lived at Walden in the midst of a burgeoning rail network, accessing the pond and woods throughout the period by way of the railroad causeway, as the epigraph above makes clear. The trains that ran those tracks directed his senses – at regular intervals – to sites beyond his horizon, giving shape and sound to the very passage of the nineteenth century. Thoreau, like Homer Plessy a half-century later, was a traveler caught between stations.[32] Though he does sometimes attempt to plug his ears against train sounds in *Walden*, more often Thoreau *works* the railroad, employing his senses to study effects outside the peripheries of pond and town, across the continent and beyond. While Thoreau scholars, to varying degrees, have explored the effect of the railroad within the *Walden* narrative, this chapter argues that the train's rhythmic, sensorial presence and Thoreau's frequent use of the tracks' causeway were crucial to Thoreau's development as a social critic and political activist in the communication culture of abolitionism.[33]

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[32] The Boston-Fitchburg route was promoted in 1842 for being "'almost precisely intermediate between [the] Lowell and Worcester roads,'" "'the consummation of the routes essentially necessary for the northern country and Boston,'" and the "'germ [to] ultimate'" in the "'fruition'" of reaching "'the travel from out Atlantic steamers to Montreal.'" Quoted in Vance, *North American Railroad*, 70.

[33] As critics from Leo Marx onward have noted, Thoreau describes the railroad ambivalently throughout *Walden*. For some, the passages are evidence of Thoreau's personal struggle with the forces of a rapidly industrializing society; for others, they indicate one version of a larger cultural response, a mixture of excitement and unease about new industrial technologies. For readings of fluctuating train language indicative of a larger tendency in *Walden* see H. Daniel Peck, "The Crosscurrents of *Walden*'s Pastoral," in *New Essays on* Walden, ed. Robert F. Sayre (New York: Cambridge University Press, 1992), 73-91; Henrik Gustafsson, "Tenth Muse Errant: On Thoreau's Crisis of Technology and Language," *The Concord Saunterer* 7 (1999), 54-112; Cheryl B. Tornsey, "Learning the Language

As his closest neighbor, the Fitchburg Railroad diminished Thoreau's perceptual distance to fellow citizens, to state institutions, and to the machinations of global trade. Because the railroad functioned in the Walden landscape as a strikingly visible facet of the antebellum U.S. economy, it linked Thoreau to the often invisible plights of Americans exploited by that system – at the same time as he was negotiating his own use of its lines. The railroad provoked Thoreau to an awareness of the violent implications of overlapping political, legal, and trade networks. Although not the only instigation, I find it no coincidence that Thoreau's political activism began to take definite form during the arrival of the Fitchburg Railroad to Concord. This means *Walden* stands as a useful narrative to begin thinking about how citizenship status and physical mobility, liberty and locomotion, took conceptual shape during the first decades of rail travel and the last decades of slavery.

I will proceed chronologically for several overlapping reasons. The nature of experiencing a network is excursionary: one measures out nearby connections before exploring those at a further remove, a process that takes time. This was true for Thoreau both in terms of his work as a surveyor and in terms of his relation to the American rail and commercial networks – each required a series of measurements before the author got a sense of them. Thoreau moved with similar care (critics would say too much care) into abolitionism, exploring his own involvement in relation to national reform movements, local politics, and family practices. This chapter finds the discoveries of these excursions intimately linked. The new American commercial network revealed itself in relation to the rail network, and each of these helped

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of the Railroad in *Walden*," *The American Transcendental Quarterly* 55 (1985): 19-28. For readings of fluctuating train language indicative of larger trends in social responses to the railroad see Laura Dassow Walls, *Seeing New Worlds: Henry David Thoreau and Nineteenth-Century Natural Science* (Madison: University of Wisconsin Press, 1995); Marx, *Machine in the Garden*, 242-65. Like Marx, I am interested in the basic fact that the railroad at Walden Pond was a provocation for Thoreau, but unlike Marx's seminal study, this chapter will turn from the literary implications (the history of the pastoral genre in the United States) in order to examine how the train draws Thoreau's thinking into the world of law and politics.

demonstrate the way an individual citizen was a node within a national network that elicited participation – whether tacit or active – in slavery's exploitation, cruelty, and injustice. Likewise, writing is excursionary.[34] *Walden* is an exemplary case of this, developing as it did from journal entries and field notes taken during Thoreau's Walden residency, into a series of drafts that underwent major and minor revisions up until the final published form of 1854.

I have, accordingly, broken the chapter into three sections, roughly fitting the time periods before, during, and after Thoreau's Walden habitation. The first period, 1843-1845, covers the years of track construction through Concord and the first steps of Thoreau's move to the pond-side cabin. The next, 1845-1849, takes up the two years at Walden Pond, from July of 1845 to September of 1847, when Thoreau lived, moved, and recorded sensory impressions as a neighbor to the Fitchburg Railroad, as well as the two years that followed, which saw the first period of drafting *Walden* and the composition, performance, and publication of his most famous political tract, "Resistance to Civil Government." The third section covers the first half of Thoreau's final decade, from 1850 to 1854, the year of *Walden*'s publication. Of particular note during these years, during which Thoreau made significant revisions to the text, was the effect on his political thinking – and legal life – of the Fugitive Slave Law, which he most directly confronted in the 1854 essay "Slavery in Massachusetts." From the mid-1840s to the mid-1850s, Thoreau developed his major works of literature along the tracks of the growing American railroad network. This too, was an excursion in progress. At moments offering mobility, at others constraining and thwarting freedom of observation and thoughtfulness, the Fitchburg Railroad challenged Thoreau to engage with the political, legal, and economic apparatuses of the U.S. during a time when New England found its laws, its citizens, and its economy increasingly

[34] This is most apt, of course, for travelogues and, in the case of Thoreau's writing practices, for the form that he developed generally referred to as the *excursion*.

drawn into the network of slavery.

I. 1843-1845

Networking on behalf of his sisters Helen and Sophia, Thoreau wrote his former classmate Henry Vose, a lawyer in Springfield, Massachusetts, inquiring about open teaching positions there. As for events in Concord, Thoreau relates to Vose on April 11, 1843, "I hear of no news of importance to write you – unless it may be news to you that the Boston and Fitchburg rail-road passing through this town, is to be contracted for directly – I am going to reside on Staten-Island this summer."[35] By the time construction on the road began in mid-May of that year, Thoreau had departed for New York; Ralph Waldo Emerson's brother, William, had hired him as a tutor for his young children. And so the first reports of the railroad in Concord and the surrounding woods came to Thoreau through letters from home during a summer of homesickness.[36] There is no record of his feelings about the impending link to Boston, but, by August, Thoreau registered an attenuated feeling of invasion, telling his mother, "I should have liked to be in Walden Woods with you, but not with the railroad."[37] Otherwise, the reports focus on the presence of laborers, new kinds of workers on a new kind of work scene.

Having perhaps gotten the news from his family, Thoreau signals Concord's reaction to the appearance of Irish immigrants – rail workers and their families – writing to Sophia at the end of his first month in New York, "I hope you will not be washed away in the Irish Sea." A couple of weeks later, Emerson echoes the sentiment, recording the sights and sounds of the new

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[35] Thoreau, *Correspondence* 1, 156.
[36] Walter Harding, *The Days of Henry Thoreau: A Biography* (Princeton, NJ: Princeton University Press, 1992), 145-56.
[37] Thoreau, *Correspondence* 1, 218. Emerson registered some distress ahead of the building, reporting to his brother on April 24, 1843 (a week before Thoreau's departure): "Concord woods are full of engineers and their 'tail' contractors for the railroad: but I rather sadly contemplate the present & future spoiling of the quiet of my town." Ralph Waldo Emerson, *The Letters*, *Volume 3: 1842-1847*, ed. Ralph L. Rusk (New York: Columbia University Press, 1939), 168.

scene for Thoreau: "The town is full of Irish & the woods of engineers with theodolite & red flag singing out their feet & inches to each other from station to station."[38] The railroad altered the Concord landscape not just in terms of filling hollows and boring through hills – embankments and cuts – but also by bringing a new labor system into the neighborhood. For many of the unsettled observers in Thoreau's circle, the influx of new neighbors was made more comfortable by the "picturesque" quality of their shanty settlements *outside* of town. Margaret Fuller (in a letter to Thoreau) and Nathaniel Hawthorne (in a notebook entry) respectively find the railroad causeway to be "foreign" and an "ugly … torment." The shanties are "pretty" and "assimilate[d] [by] Nature … to the character of her natural inhabitants."[39] That the "picturesque hamlet" (as Hawthorne puts it), was at a remove from town – something to be discovered or happened upon – seems to drive the superficial descriptions of the laborers and their families. No individuals emerge, no links established between observers and observed. Even the product of their labor seems wholly separate from their presence.

In a journal entry written in August 1843, Ralph Waldo Emerson likewise remarks on "the multitude of picturesque traits" brought by the railroad construction, but his description is at once more expansive and more ambivalent.

> This bold mole carried out into a broad meadow silent & almost unvisited since

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[38] Thoreau, *Correspondence* 1, 171, 191. The Emerson letter marks the network of Concordian writers and thinkers, noting that the tracks were being laid by Bronson Alcott's house, that he had recently read Hawthorne's "Celestial Railroad" and discussed it with the author, and that he had received Thoreau's essay "Winter Walk" which had missed a deadline for publication in the June 15 *Dial* – the publication run by members of the Transcendentalist circle – but would find a place in the October issue.

[39] Thoreau, *Correspondence* 1, 236. Hawthorne, *The American Notebooks*, ed. Claude M. Simpson (Columbus: Ohio University Press, 1972), 396. In July 1844, Hawthorne would write of the "startling shriek" of the train whistle "bring[ing] the noisy world into the midst of our slumberous peace" in a Sleepy Hollow clearing. *Notebooks*, 249. This is the root "machine in the garden" moment that propels Marx's study of the American pastoral. See *Machine in the Garden*, 4-16. But as can be seen by the earlier passage, Hawthorne had been encountering the emanations of the American railroad for months before the interrupted reverie. Laura Dassow Walls examines Thoreau's evolving relation to Irish-Americans in an essay meant to recuperate his reputation as a bigot against the poor immigrants (most notoriously in the "Baker Farm" chapter of *Walden*), "'As You Are Brothers of Mine': Thoreau and the Irish," *The New England Quarterly*88.1 (2015): 5-36. The construction of the railroad plays a large role in what Walls finds to be Thoreau's growing sympathy.

> the planting of the town, the presence of forty or fifty sturdy labourers, the energy with which they strained at their tasks, & the vigour of the superintendent of the gang, the character of the work itself which reminded one of miners & of negro drivers[,] the near shanties in and around which their wives & daughters & infants were seen, the villages of shanties at the water's edge & in the most sequestered nooks of the town and the number of laborers men & women whom now one encounters singly in the forest paths, the blowing of rocks, explosions all day, & now & then a painful accident, as lately, and the indefinite promise of what the new channel of trade may do and undo for the town hereafter, —they are all noticeable.[40]

By the time the passage concludes, Emerson has switched from "picturesque traits" to "they are all noticeable," but his is a strange tone in describing, with faint praise, the "vigour of the superintendent" and "the character of the work" as like that of mining and "negro driv[ing]." It seems as though the railroad construction site is as unusual a scene to him as the mine and the plantation, the energy as exciting as it is alarming – as in the cases of explosions with occasional accidents and "the indefinite promise" of the "new channel of trade" to "do and undo" for Concord.

Two weeks later, Emerson reports more carefully about the novel system of labor in a letter to Thoreau – perhaps, as he says of Walden Pond, "coming to know the railroad." The shanties might be picturesque out by the pond, but "the humanity of the Town" has come to "suffer[] with the poor Irish," who have trouble trading with Concord merchants on "but 60 or even 50 cents for working from dark till dark." He now sees these men working "with a strain & a following up that reminds one of negro driving." This line of thinking assesses the work over time as a physically taxing rhythm and as poorly compensated. Tellingly, Emerson voices the opinion of Peter Hutchinson, a free black farmer in Concord, who tells him "he had never seen men perform so much; he should never think it hard again if an employer should keep him at work till after sundown." The exchange resonates with unspoken racial implications, but the

[40] Ralph Waldo Emerson, *The Journals and Miscellaneous Notebooks, Volume 8: 1841-1843*, ed. William H. Gilman et. al (Cambridge, MA: The Belknap Press of Harvard University Press, 1970), 7.

clearest message is that a manual laborer (which Emerson is not) is not only struck with the difficulty of the work but has been forced into a new conception of the workday by the railroad.[41] Emerson again has recourse to a slavery metaphor, but this time the connection draws concern and pushes Emerson to relate the experience of a black citizen. The system of slavery, perhaps upon further reflection, seems closer to home.

Given the new social reality, Emerson considers what to do "for their relief" but finds efforts blocked by the force of "new applicants for the same labor are coming in every day," who,

> of course reduce the wages to the sum that will suffice a bachelor to live, & must drive out the men with families. The work goes on very fast The mole which crosses the land of Jonas Potter & Mr Stow from Ephraim Wheeler's highland to the depot, is 18 ft. high & goes on two rods every day. A few days ago a new contract was completed from the terminus of the old contract to Fitchburg – the whole to built before Oct. 1844. So that you see our fate is sealed. I have not yet advertised my house for sale … but I can easily forsee that some inconveniences may arise from the road when open, that shall drive me from my rest.[42]

The pace of the work is a product of new industrial rhythms, propelled by waves of immigrants and the economic motivations driving the building. This is alarming to witness, laborers drained and discarded, itinerant families uprooted almost as soon as arriving. Emerson is noticeably passive in the face of the rush of activity – the joined movements of work and migration. Appealing on behalf of the workers appears futile, as does combatting impending change to

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[41] Elise Lemire notes that Hutchinson was a descendent of former slaves who worked in Concord as a butcher and sheep-shearer and who eventually owned a plot of land. *Black Walden* (Philadelphia: University of Pennsylvania Press, 2009), 120-21, 140, 206 n. 15. Walls finds that the Irish immigrants were a more noticeable minority in Concord – African American families had been living there since the Revolutionary War and "had long since been assimilated into the social landscape." "'Brothers of Mine,'" 8. See also Robert A. Gross, "Thoreau and the Laborers of Concord," *Raritan* 33.1 (2013): 50-66, 62-64.

[42] Thoreau, *Correspondence* 1, 229. Many of Emerson's railroad observations from his journals found their way into the "Young American" lecture that he gave in February 1844. See John F. Kasson, *Civilizing the Machine: Technology and Republican Values in America, 1776-1900* (New York: Hill and Wang, 1999), 110-35.

Concord.[43]

Such was the atmosphere Thoreau returned to in December 1843, coinciding with the opening of the first ten-mile stage of the Fitchburg Railroad, from Boston to Waltham. During the months that followed, he worked in the family pencil factory and boardinghouse, and he continued writing, having published "Winter Walk" in *The Dial* in October.[44] Thoreau also found himself committed in new ways to antislavery activism. His mother had been involved in the abolitionist cause since the 1830s, and Henry had been instrumental in getting renowned abolitionist Wendell Phillips to the Concord Lyceum in December 1842. Antislavery activism in Concord quickened in 1844-1845, paralleling the track-laying and the new wave of immigration.[45]

Emerson took his first public stance against slavery on August 1, 1844 before the Concord Lyceum in a lecture titled "The Significance of British West Indian Emancipation" (later published as "Address on Emancipation in the British West Indies"). The material struck a chord with Thoreau, who rang a church bell to call the town to attendance (against the wishes of

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[43] Historian W. Barksdale Maynard describes "a thousand Irish workmen and their families" arriving in Concord in 1843 being paid "fifty cents a day for their labor, 'dark to dark' – up to sixteen hours straight, to the horror of liberal-minded Concordians." "But," he writes, "Emerson was not much troubled, writing of the railroad, 'it will be American power & beauty, when it is done.'" *Walden Pond: A History* (New York: Oxford University Press, 2004), 52. This oversimplifies Emerson's response, but it would be interesting to discover whether the horrified liberal townspeople made any greater efforts than Emerson's. For my purposes, it is worth noting that the situation was wholly novel and developed quickly, forcing Concord to assimilate not just to the track and trains but to a whole new view of citizenry and citizenship.

[44] Biographers have found Thoreau's innovations in the pencil factory to propel that business into greater success. Walter Harding notes, "even in his dreams he worked at the new machines." "So quickly did the Thoreau business prosper thanks to Henry's recent improvements that by the late summer of 1844" the family had decided to look into buying a plot of land and building a house." *Days*, 157, 177. See also Emerson, *The Journals and Miscellaneous Notebooks, Volume 6: 1824-1838*, ed. William H. Gilman et. al (Cambridge, MA: The Belknap Press of Harvard University Press, 1966), 496.

[45] In April, the same month he accidently set fire to Walden woods, Thoreau published his first abolition-leaning statement, "Herald of Freedom," in the last issue of *The Dial*, praising the publication of that name put out by Nathaniel P. Rogers, who suited Thoreau's interests by advancing an individualistic rather than an organizational approach to anti-slavery activities." Ibid., 119-120. Maynard writes of the changes wrought on the Concord landscape, starting with the "first trains … in June 1844," which ran "at what seemed an astonishing speed, a mile in under two minutes," noting, "Railroad construction had worn a swath through the middle of Walden Woods" and that "locomotives would routinely ignite fires along the right-of-way." *Walden Pond*, 54.

the conservative members of the Concord elite).[46] The essay tells of England and the West Indies, narrating the movement of anti-slavery sentiment into anti-slavery law in celebration of the ten-year anniversary of Parliament's ending slavery in British territories, with clear implications for the American scene. When Emerson published his second book of essays that fall, Thoreau was requesting copies of the address on emancipation.[47] It was during these days that Emerson purchased eleven acres of land on the shore of Walden Pond "from some men who accosted him there on one of his solitary walks." Friends viewing it with him convinced Emerson to obtain the neighboring woodlot as well.[48] Trains were not yet running, but Emerson, as is clear from his writings from the year before, was likely motivated in part by the tree-cutting and rail-building developments taking place around a sacred ground.[49]

Then, in February and March of 1845, what had become a seasonal battle flared up in the ranks of the Concord Lyceum over inviting abolitionist Wendell Phillips to speak. Thoreau had initiated the string of events by inviting Phillips in December 1842, and each subsequent visit provoked conservative members, who insisted slavery was not an appropriate Lyceum topic. 1845 saw the biggest schism yet, when conservatives were outvoted by abolitionists (or at least by pro-Phillips and pro-freedom-of-speech members) and resigned in protest. Emerson and Thoreau, along with Samuel Barrett, took their places on March 5, and Phillips lectured on the eleventh.[50] The following day Thoreau mailed his "first and only known 'letter to the editor'" to

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[46] Thoreau also helped the piece find its way into print. The essay celebrates the ten-year anniversary of the end of slavery in British colonies by the Slavery Abolition Act of 1833, which came into effect in 1834.
[47] Robert D. Richardson Jr., *Henry Thoreau: A Life of the Mind* (Berkeley: University of California Press, 1986), 146-47.
[48] Barbara L. Packer, *The Transcendentalists* (Athens: The University of Georgia Press, 2007), 150.
[49] A letter to Carlyle shows his escapist mentality, realized months later by Thoreau: "'One of these days, if I should have any money, I may build me a cabin or a turret there high as the treetops and spend my nights as well as days in the midst of a beauty which never fades me.'" Qtd. in Richardson, *Thoreau*, 147.
[50] In his journal (from which he drew material for the letter to *The Liberator*), Thoreau marks the occasion as a performance of free speech ("the people have voted that they *would hear him*, by carrying all their ears and all their cousins to the lecture room—and being very silent that they might hear") and freedom of movement ("We saw some

William Lloyd Garrison's *Liberator*, "eloquently and vigorously defending Phillip's right to speak." It was published in the March 28 issue.[51]

At the same time that Emerson and Thoreau were beginning to find their places in the antislavery network, the Fitchburg Railroad began running trains to Concord, in June of 1844, and on to Shirley that December, completing the route to Fitchburg in March 1845. It is likely Phillips traveled by the line to reach the Lyceum. While the Fitchburg train did not create his access to a Concord audience (Thoreau laid those tracks), it certainly enhanced the abolitionist's reach in the area – perhaps pulling in more listeners from down the line.[52] In the same way, the new rail line surely aided the importing of raw materials to and exporting of pencils from the Thoreau factory. The period of success allowed Thoreau's father, John, to purchase a plot of land outside of town, beside the railroad tracks. The Thoreaus, like Emerson, may also have been motivated by anticipations of changes wrought by the Fitchburg road. That spring, during the small Lyceum revolution, the Thoreaus purchased and moved a two-story house onto the lot, placing it atop a cellar dug and stone-lined by Henry.[53]

That season, as recounted in *Walden*, Thoreau borrowed an ax and began cutting down white pines by the pond for timber. He claimed such gleanings by "squatter's right," but the structure that was framed and ready for raising in mid-April was mostly boards drawn from a

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men and women who had long ago *come out*, *going in* once more through this free and hospitable portal"). He also shows an interest in hearing about Texas: "It was the lecturers aim to show what the state & especially the church had to do … with Texas and slavery—and how much the individual should have to do with the state & the Church. These were fair themes and not misstimed [Texas was annexed by a bill signed on March 5] – addressed to a fit audience—and not a few." The same entry notes the "case" of Frederick Douglass, a "fugitive slave in more ways than one," who had not the liberty to tell his name to a crowd assembled in New Bedford Henry D. Thoreau, *Journal Volume 2: 1842-1848*, ed. Robert Sattelmeyer (Princeton, NJ: Princeton University Press, 1984), 120-21, 123. He drops the playful mentions of carrying ears and cousins in the published letter. See Thoreau, "Wendell Phillips Before Concord Lyceum," *Collected Essays and Poems* (New York: The Library of America, 2001), 162-64.

[51] Harding, *Days*, 176; Richardson, *Thoreau*, 151.

[52] Thoreau mentions in his journal (but not in his letter to *The Liberator*) hearing of "one young woman" who "walked 5 miles through the snow from a neighboring town to be present on the occasion." *Journal* 2, 120. Walking – often on railroad tracks – is the form of mobility most celebrated by Thoreau.

[53] Walls, "'Brothers of Mine,'" 11.

"shanty" purchased of "James Collins, an Irishman who worked on the Fitchburg Railroad" (*W* 354-56). And so the Walden project (though not, of course, Thoreau's reminiscences of the place[54]) always included the railroad and its larger economic network. The railroad economy necessitated a mobile work force, and Thoreau's homebuilding and move to Walden bought into this system, joining his pond-side domestic arrangement with those of the railroad's employees.[55]

II. 1845-1849

Thoreau begins *Walden* with a declaration of independence: "When I wrote the following pages, or rather the bulk of them, I lived alone, in the woods, a mile from any neighbor, in a house which I had built myself, on the shore of Walden Pond, in Concord, Massachusetts, and

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[54] Thoreau writes of his first Walden experience, "When I was four years old, as I well remember, I was brought from Boston to this my native town, through these very woods and this field, to the pond. It is one of the oldest scenes stamped on my memory" (*W* 446). As Walls and Lawrence Buell and other critics have noticed, there is a wrenching tone in Thoreau's aside two chapters later: "When I first paddled a boat on Walden, it was completely surrounded by thick and lofty pine and oak woods…. But since I left those shores the woodchoppers have still further laid them waste, and now for many a year there will be no more rambling through the aisles of wood, with occasional vistas through which you see the water. My Muse may be excused if she is silent henceforth. How can you expect the birds to sing when their groves are cut down?" (*W* 475-76) Walls, " 'Brothers of Mine'"; Buell, *The Environmental Imagination: Thoreau, Nature Writing, and the Formation of American Culture* (Cambridge, MA: The Belknap Press of Harvard University, 1995). Thoreau blames the railroad, the "devilish Iron Horse" for "brows[ing] off all the woods on Walden shore," and he later notes the loss of chestnut trees to railroad construction, a grove cut down between Walden experience and *Walden* publication (*W* 476, 512). Thoreau's temporal perspective, from first childhood sighting in 1822, to the intimate experiences of 1845-47, through continued observations up to the book's final revisions and publication in 1854, produced a sense of loss about the railroad's ecological impact, a consequence of its overpowering economic role. From an alternative trackside, Thoreau measures a tree for data in a journal entry of November 18, 1852: "Measured a stick of round timber, probably White pine, on the cars this afternoon 95 feet long, $9^{10}/_{12}$ in circ—at butt and $6^{2}/_{12}$ in circ at small end quite straight. From Vermont. Yarrow & tansey still." Thoreau, *Journal 4: 1851-1852*, eds. Robert Sattelmeyer et al. (Princeton, NJ: Princeton University Press, 1992), 395-96.

[55] The first mention of the railroad in the narrative is an odd one, but it shows how the railroad precedes Thoreau's experience at Walden and how interwoven the railroad economy is in the composition of *Walden*: "I used to see a large box by the railroad, six feet long by three wide, in which the laborers locked up their tools at night, and it suggested to me that every man who was hard pushed might get such a one for a dollar, and, having bored a few auger holes in it, to admit the air at least, get into it when it rained and at night, and hook down the lid, and so have freedom in his love, and in his soul might be free" (*W* 345). It is an extreme version of the Walden cabin, illustrating the role of one's living space in one's pursuit of economic liberty and how the railroad and its laborers impart a new vision of liberty on Thoreau. The "used to" marks a period of rail construction but also imbeds the railroad, almost casually, into the Walden scene and Thoreau's endeavors there. Thoreau also repurposed shanties sold by the Fitchburg Railroad into outbuildings for his family's home once the tracks were complete in the spring of 1845. Walls, "'Brothers of Mine,'" 11-12; Harding, *Days*, 178.

earned my living by the labor of my hands only. I lived there two years and two months. At present I am a sojourner in civilized life again" (*W* 325).[56] The railroad track and the railroad economy so clearly evident in the historical record go unmentioned – at least at the outset. Thoreau begins instead with a vision of an isolated domestic space ("I lived alone, in the woods, a mile from any neighbor, in a house which I had built myself") and of a self-contained labor system ("earned my living by the labor of my hands only"). The initial effect is a performance of disentanglement from social, economic, and discursive networks.[57] Readers often delight in discovering Thoreau's dependencies while at Walden (such as, in the most famous example, his mother regularly doing his laundry), but given the communitarian electricity in the air in Concord during the fall of 1844 and spring of 1845, and his involvement in generating it, one could also say that *Walden* narrates the experience of political interdependency. As the networks become more prominent over the course of the text, they serve to highlight the connections among citizenship, trains, and slavery during the decades leading up to the Civil War, making even more apt Stanley Cavell's description of *Walden* as a "tract of political education." The railroad shows Thoreau the shape of nationalism that had developed since the end of the

[56] Thoreau's "experiment" of living in the Walden cabin began on the fourth of July 1845, "on Independence Day" (*W* 389). Although Thoreau writes that this timing was "by accident," he goes on, in the same sentence, to explain that the "house was not finished for winter, but was merely a defense against the rain," requiring not too much of a stretch to read deliberate symbolic power into the date and, so, to think of the expressive act of the very move to Walden as a declaration of independence.

[57] The lines hide, for rhetorical effect, all of the network connections that come into view as *Walden* progresses. So, for example, not only do the house materials tie him into the railroad network, the house is raised with the help of friends; although Thoreau does live in part by growing beans, he also draws on the charity of friends and family in subsisting during the two years; and he is far from alone, hosting visitors, visiting friends and family, and walking into Concord to attend the Lyceum. Even the time period given for writing the "bulk" of "the following pages" covers up the network of texts that get drawn together, note by note and draft by draft into the final form. Thoreau scholars have done much with the reams of drafts and Journal entries that became *Walden*. The textual evidence shows that much of the first half of the published version was indeed recorded in Thoreau's Journal by the time he left the cabin in September of 1847, but the final form of this material, and the majority of the second half, was composed during the early 1850s. For the relation of the journals to *Walden* see Sharon Cameron, *Writing Nature: Henry Thoreau's Journal* (New York: Oxford University Press, 1985); Stephen Adams and Donald Ross, *Revising Mythologies: The Composition of Thoreau's Major Works* (Charlottesville: University Press of Virginia, 1988).

Revolutionary period, and it challenges him to reconsider liberty in the age of locomotives.[58]

Thoreau describes the Walden project as a determination "to transact some private business with the fewest obstacles" (*W* 338). And physical labor is in many ways the central concern of *Walden*. Along these lines it is a version of a do-it-yourself book (addressed to "poor students") for eluding the constraints of webs of production and consumption.[59] Participation in economic networks immobilizes workers. "Most men," he writes,

> even in this comparatively free country, through mere ignorance and mistake, are so occupied with the factitious cares and superfluously coarse labors of life that its finer fruits cannot be plucked by them. Their fingers, from excessive toil, are too clumsy and tremble too much for that. Actually, the laboring man has not leisure for a true integrity day by day; he cannot afford to sustain the manliest relations to men; his labor would be depreciated in the market. He has no time to be any thing but a machine. (*W* 327)

Freedom – specifically the freedom offered by the United States to its citizens – is measured by time for Thoreau, that which the labor system takes away from the laborer. "Take your time," he later advises, "and set about some free labor" (*W* 384).

The excessive occupation of fingers turns men into machines by a tyranny of physical rhythm, something Thoreau and the rest of Concord witnessed when the Fitchburg Railroad forced its workers to work "dark to dark." But the labor system that first pushes into the conversation – as it does when Emerson considers extreme toil – is slavery. "I sometimes wonder," Thoreau writes in the first pages, "that we can be so frivolous, I may almost say, as to attend to the gross but somewhat foreign form of servitude called Negro Slavery, there are so many keen and subtle masters that enslave both north and south. It is hard to have a southern overseer; it is worse to have a northern one; but worst of all when you are the slave-driver of

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[58] Stanley Cavell, *The Senses of Walden* (Chicago: The University of Chicago Press, 1992), 85. I am influenced in my reading of nationalism by Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1991).

[59] For a reading of *Walden* within a genre for young men of how-to-move-to-the-frontier, see Maura D'Amore's "Thoreau's Unreal Estate: Playing House at Walden Pond," *The New England Quarterly* 82.1 (2009): 56-79.

yourself" (*W* 328).[60] The focus draws inward, from the foreign (south) to the local (north) to the self. Slave driving, as for Emerson, is a figuration of anti-liberty. From this closed-off perspective – something abolitionists had been working hard to open up – England and the Indies are too far off to matter to Thoreau's independent thinking, at least as real places. Thus, "self-emancipation" in the "West Indian provinces of the fancy and imagination" calls for its own "Wilberforce … to bring [it] about" (*W* 329). Thoreau's abolitionist tendencies in *Walden* appear to be more in the service of thinking about poor students like himself rather than of action on behalf of individuals who suffer injustice at a great remove. It is as though in recasting the nation at Walden Pond Thoreau finds slavery too extreme a form of exploitation and too far away to be thoroughly studied.

Thoreau *has* studied, however, the systematic suffering of railroad workers, and when he considers "a country where the usual evidences of civilization exist," he counterposes such a civilization with "the degraded poor." To find the latter in the midst of the former, he explains,

> I should not need *to look further* than to the shanties which every where border our railroads, that last improvement in civilization; *where I see in my daily walks* human beings living in sties, and all winter with an open door, for the sake of light, without any visible, often imaginable, wood pile, and the forms of both old and young are permanently contracted by the long habit of shrinking from cold misery…. It certainly is fair *to look at* that class by whose labor the works which distinguish this generation are accomplished. (*W* 350; emphases added)

This is a closer and more consistent view than those of Fuller, Hawthorne, and Emerson. Individual figures come into focus, as do deprivation and physical suffering. There is nothing

[60] Thoreau moved to Walden with the abolitionist activity of 1844-1845 fresh in his mind, and his earliest journal entries from the pond draw slavery into his consideration of free labor. For the journal entry see July 6, 1845: "I wonder men can be so frivolous almost as to attend to the gross form of negro slavery—there are so many keen and subtle masters, who subject us both. Self-emancipation in the West Indies of a man's thinking and imagining provinces, which should be more than his island territory One emancipated heart & intellect— It would knock off the fetters from a million slaves." *Journal* 2, 156. The *Walden* passage combines this entry with a later one, from his first winter in Walden: "It is hard to have a southern over-seer it is worse to have a northern one but worst of all when you are yourself the slave driver." Ibid., 219. In the journal, the comments arise out of Thoreau's concern with mental and discursive freedom (signaling, perhaps, an ulterior motive in his abolitionist bell-ringing of 1844-1845), but by the printing of *Walden* they are tied into considerations of labor systems.

picturesque about the railroad scene; rather, an ugly kind of railroad nationalism emerges from Thoreau's evaluation of the public institution.[61]

These observations are informed by his sense of railroad labor, the sight of which shook Concord in the summer and fall of 1843, and the vestiges of which he builds into his Walden cabin. Thoreau sees the national craze for railroad building as an "indistinct notion," that enough money and labor will produce a "ride [to] somewhere, in next to no time, and for nothing." He predicts that the fervor will result, instead, in a rail industry in which "few are riding, but the rest are run over."[62] Thoreau imagines the response of the Irish immigrants who have toiled to build the railway: "'What!' exclaim a million Irishmen starting up from all the shanties in the land, 'is not this railroad which we have built a good thing?' Yes," he answers them, "*comparatively* good, … but I wish, as you are brothers of mine, that you could have spent your time better than digging in this dirt" (*W* 365). Thoreau's daily life had come to overlap the lives of rail workers, and as a result he sees the quickly spreading rail network from a sharply critical perspective. He casts the work that might be viewed as linking communities across the U.S. and, thereby, as a way into citizenship for Irish immigrants as a waste of time.

For, when Thoreau looks at the activity on the tracks so arduously laid, he sees "hurry and waste of life." To American passengers eager to travel farther more quickly he warns, "[w]e

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[61] It is worth noting that much of the motivation for building the Fitchburg Railroad was to run freight. It was also a passenger line, but as Thoreau's observations on trade (examined below) reveal, "The Fitchburg was distinctly a freight line, while most of the other roads received the larger part of their incomes from passenger traffic. It ran through the same territory as the Boston and Lowell and the Worcester, averaging about 10 miles from each." Caroline E. MacGill et al., *History of Transportation in the United States before 1860* (Washington, D.C.: Carnegie Institution, 1917), 335, 336. See also Vance, *The North American Railroad*, 69.

[62] This view runs against the tendency of courts during the era to favor railroad companies in personal injury and eminent domain cases, following a standard of "public use" in the latter cases. See B. Zorina Khan, "Innovations in Law and Technology, 1790-1920," *The Cambridge History of Law in America*, ed. Michael Grossberg and Christopher Tomlins (New York: Cambridge University Press, 2008), 483-530. For a critique of this tendency see Morton J. Horwitz, *The Transformation of American Law, 1780-1860* (Cambridge, MA: Harvard University Press, 1977). For alternative views to Horwitz's, see Peter Karsten, *Heart Versus Head: The Judge-Made Law in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 1997); and Tony Freyer, "Reassessing the Impact of Eminent Domain in Early American Economic Development," *Wisconsin Law Review* (1981): 1263-84.

do not ride on the railroad; it rides upon us" (396). It is a question of political and economic associations overrunning individualism, a question of the gains and losses of citizenship:

> The nation itself, with all its so called internal improvements … lives too fast. Men think that it is essential that the *Nation* have commerce, and export ice, and talk through a telegraph, and ride thirty miles an hour, without a doubt, whether *they* do or not; but whether we should live like baboons or men, is a little uncertain. If we do not get our sleepers, and forge rails, and devote days and nights to the work, but go to tinkering upon our *lives* to improve *them*, who will build the railroads? And if railroads are not built, how shall we get to heaven in season? But if we stay at home and mind our business, who will want the railroad? We do not ride upon the railroad; it rides upon us. Did you ever think what those sleepers are that underlie the railroad? Each one is a man, an Irishman, or a Yankee man. The rails are laid on them, and they are covered with sand, and the cars run smoothly over them…. And every few years a new lot is laid down and run over; so that, some have the pleasure of riding on a rail, others have the misfortune to be ridden upon. (*W* 395)

Here is another lesson in how to look. The citizen-passenger who looks out the window ignores the costs involved in the smooth ride. The power of the railroad to make the nation – to inspire nationalism – is apparent to Thoreau, for he has come to live in a node of the railroad network. *Walden* proposes a different way to work and a different, more critical way to observe America. Nationalism, in Thoreau's estimation, invades too far the lives and thoughts of citizens. The legal and economic force of the U.S. state – a disorganized mob phenomenon – pushes for a federal network that "lives too fast" in its commercial and communicative outreach. Nationalism is a roughly sketched and nearly fictive association, one that monopolizes the citizen's focus from his own life to that of the nation.[63] The strongest example of this immobilization is, again, the railroad worker. Imagining one's life is improved merely by speed and connection ignores lives overrun and immobilized while laying the track for mobility.

The slave is not as readily apparent in Thoreau's national spaces. It seems as though the distance between him and the slave, unlike that between him and the rail workers (among whom

[63] "Our life," he writes, "is like a German Confederacy, made up of petty states, with its boundary forever fluctuating, so that even a German cannot tell you how it is bounded at any moment" (*W* 395).

he lives), is too great to be bridged. But the other mention of slavery early on in *Walden* does gesture towards how Northern and Southern labor systems are connected. After describing the plight of the railroad workers and their families, Thoreau notes, "I hardly need refer now to the laborers in our Southern States who produce the staple exports of this country, and are themselves a staple production of the South. But to confine myself to those who are said to be in *moderate* circumstances" (*W* 350). In the context of the rail network, with its visible outcropping of exploitation at Walden, Thoreau still does not quite travel to the Southern plantation, but he thinks about how the exploitation there is linked to national commerce before confining himself to the more local, moderate sufferers.[64] The rail network introduced the industrial laborer to Thoreau, while the abolitionist network introduced the slave; but as the 1854 text makes clear, the former is a visible neighbor, the latter an almost abstract topic of concern. *Walden*, then, is not an abolitionist work, but it is a work written by an author exploring the issue of slavery and working out how the national network connects all citizens to the issue – and how what might appear avenues of access entrap participants in immobility.

The Thoreau who narrates his experience at Walden Pond during 1845-1847 (as opposed to the Thoreau of, say, the Concord Lyceum fight of March 1845) makes a sustained effort to leap out of the way of the nineteenth century, and this entails leaping from the topic of slavery. But the railroad network unavoidably evident during that experience binds him to issues of labor and liberty, fresh topics in the mid-century U.S., and the trains at Walden operate upon his senses and the rhythms of his life in a way that makes the issue of shared national "crimes" equally

[64] It is noteworthy that Thoreau (mostly) gestures towards abolitionism. He arrives at the topic only to "almost say" and to "hardly need refer." As with conversations of England and the Indies, Texas and California, and Georgia and Texas, there is plenty of evidence that Thoreau supported and participated in conversations about ending slavery. But he seems content to stand behind the words of Emerson, Rogers, and Phillips, or perhaps he is unwilling to turn his attention too far from direct observations in *Walden*. This makes it all the more interesting when trains carry his gaze elsewhere.

unavoidable.[65] When Thoreau declares his independence in *Walden*'s opening lines, he also makes certain territorial declarations. To be sufficiently alone in the woods he measures himself "a mile from any neighbor." But when Thoreau takes account of the sensorium from his cabin's doorway, in the fourth chapter, "Sounds," a different map emerges:

> As I sit at my window this summer afternoon, hawks are circling about my clearing; the tantivy of wild pigeons, flying by two and threes athwart my view, or perching restless on the white-pine boughs behind my house, gives a voice to the air; a fishhawk dimples the glassy surface of the pond and brings up a fish; a mink steals out of the marsh before my door and seizes a frog by the shore; the sedge is bending under the weight of the reed-birds flitting hither and thither; and for the last half hour I have heard the rattle of railroad cars, now dying away and then reviving like the beat of a partridge, conveying travellers from Boston to the country. For I did not live so far out of the world as that boy, who, as I hear, was put out to a farmer in the east part of the town, but ere long ran away and came home again, quite down at the heel and homesick. He had never seen such a dull and out-of-the-way place; the folks were all gone off; why, you couldn't even hear the whistle! I doubt if there is such a place in Massachusetts now: —
>
> "In truth our village has become a butt
> For one of these fleet railroad shafts, and o'er
> Our peaceful plain its soothing sound is – Concord."
>
> The Fitchburg Railroad touches the pond about a hundred rods south of where I dwell. (*W* 413-414)

The passage relays sensory detail in a fashion typical of *Walden*, particularly in the way Thoreau layers direct observation of sights and sounds with the circulation of oral and written discourse. The cumulative effect is to create a third variety of sensory information, sense-of-place, a kind of geographic proprioception, or sense of the body in political space – explicitly within the state of

[65] Richardson offers three reasons for Thoreau's move to Walden: his awareness of Horace Greeley's National Reform Movement which championed the small, independent farmer and Thoreau's associated efforts to buy his own farm; the example of reformed living offered by the Transcendentalist led communities at Brook Farm and Fruitlands; and the political events of March 1845 – the signing of the bill to annex Texas, the inclusion of Florida as a slave state, and Wendell Phillips's speech at the Concord Lyceum. *Thoreau*, 152. I would add to these the impact of the railroad on the Concord community, both in the direct effect of conceptions of property that seem to have influenced Emerson and John Thoreau's land purchases of 1844 and the growing sense of how communities and individuals are networked together across a national territory of law and trade. Richardson sees the Walden experience as a "small scale social reformation," and Thoreau had always been interested in individualism, but performing it in the midst of a newly connected (and, so, enlarged) Concord means that the leap was always in relation to passing trains.

Massachusetts, which, in turn, implies the broader federal map.[66]

Thoreau initially positions himself by muting the railroad in favor of an array of animal activity: hawks, wild pigeons, mink, and pond-dimpling fishhawk. But then he admits the train and admits, too, that it has been there all along ("for the past half hour") in the land- and soundscapes.[67] Although he folds the train-sounds into the bird-sounds, describing its intermittent noise "like the beat of a partridge," unlike the birds the train draws from Thoreau a locational confession. "I did not live so far out of the world," he tells us, and he measures just how not-so-far-out: "a hundred rods" from cabin to track, less than a third of the mile previously measured to his "nearest neighbor." The ensuing reference to local lore about a modernized boy – a version of the country-mouse/city-mouse story – not only places Thoreau within the discursive radius of Concord, but within the range of the shared experience of "all of Massachusetts," making his country cabin a suburb, even, of Boston.[68] Additionally, in the lines of poetry, from a contemporaneous poem written by his friend and walking companion Ellery Channing, the sound of the train is translated into the very name of Concord, the locale spoken into being in the new

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[66] For Buell, the "Sounds" chapter evokes what he calls Thoreau's "place-sense," the experience of self as "continuous with place." "Selective though it is," he writes, "Thoreau's catalog of sound effects is so unhurried and protracted as to create a certain plenitude. From this time forth Walden is solidly established as a place." In reading *Walden* into an American canon of ecologically minded literature, Buell finds that Thoreau, in "perceiving this place-sense for himself," moves from egocentrism towards ecocentrism and encourages the reader, for whom the "place-sense" is also created, to come along with him. *The Environmental Imagination*, 268. Buell's focus is selective: he looks mostly at the first set of scenes in the chapter, leaving the railroad passages out. I do agree with him, however, about the way cataloging can produce a plentitude and about the way sensation gives the observer-listener a locating sense of him- or herself.

[67] "Soundscape" is a term taken from the interdisciplinary field of sensory studies. It describes the collection of sound descriptions in order to produce a historical field recording of a particular place or time. For example, Dell Upton conjectures an audio shape of the antebellum U.S. city in "Sound as Landscape," *Landscape Journal* 26.1 (2007): 24-35. See also the groundbreaking work by Alain Corbin on France's "auditory landscape, *Village Bells: Sound and Meaning in the 19th-Century French Countryside*, trans. Martin Thom (New York: Columbia University Press, 1998), ix. In "Sounds" the visual and aural working together to produce impressions of a scene.

[68] For an examination of the origins and development of the country/city cultural divide in British culture see Raymond Williams, *The Country and the City* (New York: Oxford University Press, 1975). For the ways the railroad network tied small towns to metropolitan centers in the postbellum U.S. see John R. Stilgoe, *Metropolitan Corridor* (New Haven, CT: Yale University Press, 1985).

national language of the railroad.[69] Though he does not join the passengers but sits thoughtfully aside while they go past, the sound of the cars links him to Concord, to Boston, to Massachusetts, and so evokes – or, perhaps, demands – his citizenship to city, state, and nation. *Walden* does not offer a description of the pond or woods from the moving train, but in terms of the mass communication of a new national sound-effect (rattle and whistle of moving citizens and freight) the Fitchburg Railroad is an irrepressible force of sensory information.[70] It assimilates the Walden locale and, consequentially, Thoreau's sense-of-place into a feeling of national connectedness.[71] By forcing Thoreau to measure himself in relation to it, the pond-side train leads the surveyor-author into an exploration of the networked nature of his own citizenship. Thoreau feels the assimilative powers of the railroad sensorium in two ways: one is an effect on his cartographic imagination, whereby national distances are shortened and a concept like the "foreign" South is challenged; the other is a temporal effect, the drawing of Thoreau's daily habits into the rhythm of railroad activity. Each entangles Thoreau and his narrative into nationalist networks, forcing him to confront the involvement between individual and state.

In terms of re-scaling the map, what contemporary observers called the "annihilation of space," the effect is noticeable graphically on Thoreau's 1846 of Walden Pond, printed in

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[69] Channing's language is a wonderful example of how the railroad might be assimilated and appropriated in the maintenance of local boundaries, even as those boundaries are being spectacularly overrun by an unfamiliar (i.e., foreign) force. The two-tone sound (which could be the whistle or the chug-chug of the train) offers itself to Channing's ears – which listen locally across the Concord soundscape – as the sound of the arrival into his locale. The implications for a new railroad nationalism are profound and will be explored below.

[70] Thoreau does, however, imagine the effect of Walden Pond on the commuters and railroad workmen: "The cars never pause to look at it; yet I fancy that the engineers and firemen and brakemen, and those passengers who have a season ticket and see it often, are better men for the sight. The engineer does not forget at night, or his nature does not, that he has beheld this vision of serenity and purity once at least during the day. Though seen but once, it helps wash out State-street and the engine's soot. One proposes that it be called 'God's Drop'" (*W* 477). The train does not wholly disrupt the centrality of the pond in Thoreau's sense-of-place, but it does draw Thoreau into a consideration of how his sense of place is formed by economic, political, and social networks.

[71] I am influenced in reading sensory description for political valences by sensory histories such as Mark M. Smith, *Sensing the Past: Seeing, Hearing, Smelling, Tasting, and Touching in History* (Berkeley: University of California Press, 2007).

Walden in the "Pond in Winter" chapter.[72] The map is offered as the first of the pond, with depths marked to the half-foot, Thoreau having taken the measurements during the first winter with plumbing rope from atop the frozen lake. Also mapped are two hillocks along the shore ("Bare Peak" and "Wooded Peak"), the "House," and the "Railroad to Concord & Fitchburg." Thoreau's Walden Pond map exerts its focus on the isolated locale that calls, almost like a frontier space, for the discovery of its bottom, and his personal relation to the site is a small lonely point in the midst of blank space on the bottom right corner. But even limiting the line of the railroad from running its full stretch of the top right corner and failing to mention the Boston connection to the south and west do not contain its greater geographic implications of the line dashing across the image.[73]

The expansion of the Walden map and associated shrinking of the national map are even more profound in an extended passage on the sensations of trade that pass Thoreau's way station in "Sounds." As soon as the train appears on the Walden scene, with its piercing whistle, the

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[72] See Schivelbusch, *Railroad Journey*. The house's back was to the rail line as it ran northwest to Concord, but by facing the water the tracks would also have been on the western side of the pond view, where they skirted the shore. As many of the trees on that side had been cut during construction, it is likely the train itself – along with the broadcast sight of smoke rising into the sky and sounds rumbling and shrieking across the five-hundred yards – was within the house's sensory field. See "Walden Pond: A Reduced Plan," *Walden*, 550.

[73] Drawing on Leo Marx, H. Daniel Peck reads the railroad's position on the map, "aslant," "deflected away," as indicative of a larger "pastoral strategy" on Thoreau's part to "contain" the forces of technology in order to preserve the garden, "The Crosscurrents of Walden's Pastoral," 82. Walls picks up on Peck's reading to find Thoreau forcefully maintaining a "fiction" of a "magic circle" against the intrusions of railroad, ice-cutters, and woodchoppers, an effort that she extends to the *Walden* project, to Thoreau's creation of the fictive year cycle after nine years of revision, *Seeing New Worlds*, 158. While I read Thoreau's relation to the railroad as not untroubled – particularly in his continuous efforts to cross it like a "cart-path" – it is too often the grounds of observational and imaginative delight to lead to the single-minded map-readings of Peck and Walls. Peter J. Bellis calls *Walden* a "counterhistory" by reading the pond as its center-point, "one that may yet culminate in a renewed vision of unalienated labor and community." (He carries on to differentiate the *Walden* vision from that of disunion and division in Thoreau's abolitionist essays.) By making the pond the center of his reading, Bellis makes the railroad a troubling specter on the periphery, threatening Thoreau's organic vision with its linearity and regimentation. The "deep cut" is, in this view, a violent one. *Writing Revolution: Aesthetics and Politics in Hawthorne Whitman, and Thoreau* (Athens: The University of Georgia Press, 2003), 14, 138-42. While I agree that *Walden* proposes an alternative vision of the U.S., I find his reading of the railroad a partial one due to his ignoring the passages in which Thoreau and the railroad come into a mutual rhythm. More importantly for the direction my reading will take below, I find that reading *Walden* with the Fitchburg Railroad in its proper place as (along with pond and cabin) one of the main characters – however troubling – makes the 1854 narrative more continuous with the direction he takes in the abolitionist essays.

"hundred rods south" connection links up with the Concord – "I usually go to the village along its causeway, and am, as it were related to society by this link" – and from there the farther reaches of the rail network come rumbling into (auditory) view:

> The whistle of the locomotive penetrates my woods summer and winter, sounding like the scream of a hawk sailing over some farmer's yard, *informing me* that many restless city merchants are arriving within the circle of the town, or adventurous country traders from the other side. As they come under one horizon, they shout their warning to get off the track to the other, heard sometimes through the circles of two towns. Here come your groceries, country; your rations, countrymen! Nor is there any man so independent on his farm that he can say them nay. And here's your pay for them! screams the countryman's whistle; timber like long battering rams going twenty miles an hour against the city's walls, and chairs enough to seat all the weary and heavy laden that dwell within them. With such huge and lumbering civility the country hands a chair to the city. All the Indian huckleberry hills are stripped, all the cranberry meadows are raked into the city. Up comes the cotton, down goes the woven cloth; up comes the silk, down goes the woolen; up come the books, but down goes the wit that writes them. (*W* 414-15; emphasis added)

The whistle carries Thoreau's thoughts across space, not only beyond his woods to a neighboring farm, but to Concord and towns beyond – "heard sometimes through the circles of two towns." It carries, too, a catalog of commercial information, a chain of objects and activities that construct a network of trade and a networked national populace: city merchants, country traders, groceries, wages, timber, chairs, huckleberries, cranberries, cotton, cloth, silk, woolen, books, wit. Thoreau sees down the track, sees where the train goes and where it comes from.[74] He knows that a

[74] The sensory immersion involved in reading the train is even more evident in the journal entry the passage draws from, written in April, 1846:

> I am refreshed and expanded when the freight-train rattles past me on the rail road—and I smell the stores which have been dispensing their odors from long-wharf last—which remind me of foreign parts of coral reefs & Indian oceans and tropical climes—& the extent of the globe— I feel more a citizen of the word at the sight of the palm leaf which will cover so many new England flaxen heads the next summer—the manila cordage—& the cocoanut husks—d The old Junk & scrap iron, and worn out sails—are full of history more legible & significant now these old sails than if they could be wrought into writing paper. / Here goes lumber from the Maine woods which did not go out to sea in the last freshet—risen 4 dollars on the thousand by reason of what *did* go out or was split up—pine spruce cedar—1st 2nd—3d & 4th quality so lately all of one quality, to wave over the bear & moose & caribou. / —next rolls of Thomaston lime a prime lot which will get far among the hills before it gets slacked— These rags in bales of all hues & qualities the last and lowest conditions of dress—of patterns which are now no longer cried up those splendid articles—poplin & muslin de laines—& pongees-from all quarters both of fashion & of poverty—

broadening circle of trade removes a greater amount of regional produce – particularly perishable goods that require speed to reach outlying consumers – from nearby hills and meadows.[75] And he knows the train is the link not only between country and city but between raw resource (cotton) and commodity (woven cloth) as well, the energizing link that has drawn in the activities of the nation, the "countrymen," among whom no farmer is so independent as to avoid participating. Although Thoreau concludes his analysis of the rail network with literary criticism, punning on "up" and "down" to imply the effects of trade on intellectual activities, there is the more glaring commodity that stands without editorializing: "up comes the cotton, down goes the woven cloth."[76] The nation becomes evident in the freight train, drawing North and South into a much tighter connection, a chain of movements up and down, north and south. Thoreau, even as adamant bystander, has his senses assimilated into the new national network.

Thoreau is resistant to the assimilation, however, and turns immediately to a critique of railroad nationalism. "When I meet the engine with its train of cars moving off with planetary motion," he writes, of the "travelling demigod," "it seems as if the earth had got a race now worthy to inhabit it. If all were as it seems," he continues, "and men made the elements their

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> going to become paper of one color—or a few shades / This closed car smells of salt fish the strong scent—the commercial scent—reminding me of grand banks & the fisheries & fish flakes / A hogshead of molasses or run—directed by John Brown—Cuttingsville Vt.—some trader among the growers who imports for the farmers near his clearing and now perchance stands over his bulk head and thinks of the last arrivals on the coast / Is telling his customers perhaps—has told the next arrivals— It is advertised in the cuttingsville Times. *Journal* 2, 237-38.

Reading the passage, it is hard not to think of Whitman, in terms of the cataloging of course but also the sensory pleasure and the pace – it runs along like a locomotive. Also much more evident in the first-blush record of the freight train is the global quality of trade, "the extent of the globe," which gives Thoreau the *feeling* of being a citizen of the world. For the passage in *Walden* that assesses global trade in a passing train see *Walden*, 417.

[75] This aspect of Thoreau's network-awareness, which not only pops up repeatedly throughout *Walden*, but which is a major concern in other works like *Maine Woods* (1864), "Succession of Forest Trees" (1860), and "Wild Apples" (1862) provides the basis for Thoreau's adoption into the canon of ecocritcism.

[76] For a study that expands greatly on the role of cotton and cloth in the history of slavery and capitalism, see Beckert, *Empire of Cotton*. It is worth considering, for example, the fact that Massachusetts cloth, made of slave-harvested cotton, found its way back to the plantations in the form of cheaply-made clothes for slaves: "So common did Lowell cloth become among slaves that 'Lowell' became the generic term slaves used to describe coarse cottons." Ibid., 147.

servants for noble ends! If the cloud that hangs over the engine were the perspiration of heroic deeds, or as beneficent to men as that which floats over the farmer's fields, then the elements and Nature herself would cheerfully accompany men on their errands and be their escort." When he watches "the passage of the morning cars with the same feeling as … the rising of the sun," Thoreau follows the description with, "If the enterprise were as innocent as it is early!" And when he is awakened at midnight and imagines the iron horse "front[ing] the elements incased in ice and snow," he follows with, "If the enterprise were as heroic and commanding as it is protracted and unwearied!" (*W* 415-16).[77] The railroad running across the landscape with a new kind of power and reach is a bewitching sensory spectacle. Thoreau, however, has a sense of the beginnings and ends of the spreading tracks, and knows it is neither innocent nor heroic in its actual functioning. The sunlit steam clouds captivate him, "stretching far behind and rising higher and higher, going to heaven," but he escapes nationalistic pride by remembering the earthbound cars are merely "going to Boston" (*W* 416). These train descriptions begin as occasions of Thoreau's observing "what is to be seen," in concert with the rest of the train-observing nation, the steam puffing from the engine, which gets transformed into clouds and then into metaphysical phenomena. Thoreau, however, is well versed in the facts of the railroad economy and its cost. He has a sense of the rail network's actual effects on U.S. citizens and on their place within a broader economy, and this knowledge anchors every description.

The second, more taxing way the railroad assimilates Thoreau is in terms of time. What Concord witnessed in the dark-to-dark workdays of the rail laborers laid the tracks for industrial rhythm. By the time the trains were running through Concord in March 1845, their schedule drew the rest of Concord into the mechanical workings of the rail network. "All day the fire-

[77] This passage follows directly after the celebration of trade in *Walden*, and like that one it is drawn from a journal entry. The two journal entries were recorded in 1846, the first in April the second in December. For the second, see *Journal* 2, 358-59.

steed flies over the country," Thoreau describes, seeming at once comically annoyed and mythically inspired, "and I am awakened by his tramp and defiant snort at midnight, when in some remote glen in the woods he fronts the elements incased in ice and snow…. Or perchance, at evening, I hear him in his stable blowing off the superfluous energy of the day" (*W* 416). The train thus marks the times of the day with a new, sleepless rhythm and imparts that schedule upon the body of the observer.[78] For an author engaged in close observations of circadian rhythms and, indeed, in experimenting with reforming his own, the following is a profound statement: "I watch the passage of the morning cars with the same feeling that I do the rising of the sun, which is hardly more regular" (*W* 415).[79] And his evenings are measured by the same rhythmic occurrence, when "[r]egularly at half past seven … after the evening train had gone by, the whippoorwills chanted their vespers for half an hour, sitting on a stump by my door, or upon the ridge pole of the house." The "evening train" is a temporal frame, and it communicates a profound effect. When the birds "begin to sing" Thoreau hears them do so with "almost with as much precision as a clock, within five minutes of a particular time, referred to the setting of the sun, every evening" (*W* 421). He calls this a "rare opportunity to become acquainted with their habits," but the mechanical presence of the railroad has not only taken on an organic quality for Thoreau, its regulation acts as a composer of an evening ritual. Of course, to some degree, Thoreau's careful listening (the cabin functioning, as it does when the train rattles past, like an audio receiver for the small sounds around its periphery) provides him the "opportunity." But the relation of train, birds, and sun impresses upon the scene not just the sense of the clock-time ("at

[78] See Schivelbusch, *Railway Journey*, 33-44.

[79] "Circadian" is the mid-twentieth-century neologism describing the body's activity during a 24-hour span. "Proprioception" – see my use above – similarly appeared in scientific discourse and moved to popular usage during the twentieth century. The development and popularization of such terms reveals the ways that Thoreau's project remains relevant in an array of disciplinary and anecdotal studies linking social stimuli and physiological response. For a reading along these lines of Thoreau's attention to sleep patterns, and of *Walden* as "neurological dissent," see Benjamin Reiss, "Sleeping at Walden Pond: Thoreau, Abnormal Temporality, and the Modern Body," *American Literature* 85.1 (2013): 5-31.

half past seven"; "for half an hour"; "with as much precision as a clock"; "within five minutes of a particular time") but the sense of railroad-time as well ("the evening train").

The two, as Thoreau knows, had become inextricably linked by the 1840s.[80] "The startings and arrivals of the cars are now the epochs in the village day," he explains. "They go and come with such regularity and precision, and their whistle can be heard so far, that the farmers set their clocks by them, and thus one well conducted institution regulates a whole country" (*W* 416). Insofar as Thoreau's experiment, his "rare opportunity," is his sowing attention and harvesting sensation, he too finds his farmer's clock set by the evening train and his observations regulated by the resultant shape of the time and space of Walden Pond – after all a node linked into the network of the restless world of the Nineteenth Century.[81]

Imbued with a new sense of America as mechanically oriented and linked by trade – assimilated, to some degree, to railroad nationalism – Thoreau exercises a new mode of citizenship in the summer of 1846. The episode is briefly related in *Walden*'s "The Village" chapter, but Thoreau gave it his full attention in a Lyceum lecture delivered in January and February of 1848 and in a written form that came to be published as "Resistance to Civil Government" (later, "Civil Disobedience") in a short-lived periodical called *Aesthetic Papers* run by a member of the Transcendentalist coterie, Elizabeth Peabody.[82] While the essay can be read

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[80] See Schivelbusch, *Railway Journey*, 33-44. See also Michael O'Malley, *Keeping Watch: A History of American Time* (New York: Penguin, 1990).

[81] The impression left by the regulated farmers, befitting the back-and-forth of tone across the chapter, has Thoreau at once celebratory and cautious. "Have not men improved somewhat in punctuality since the railroad was invented?" he asks rhetorically. "Do they not talk and think faster in the depot than they did in the stage office? There is something electrifying in the atmosphere of the former place." He is impressed, if alarmed: "To do things 'railroad fashion' is now the by-word; and it is worth the while to be warned so often and so sincerely by any power to get off its track. There is no stopping to read the riot act, no firing over the heads of the mob, in this case. We have constructed a fate, an *Atropos*, that never turns aside" (*W* 416). Much of Thoreau's writing (for publication) sounds an alarm – which is one reason he fits the role of a proto-environmentalist so well. What strikes my interest in the passage is the way Thoreau conceives of "'railroad fashion'" as political (or at least a challenge to governing agency) and as nationalistic (it being our collective "fate"). In both cases the populace, as mob or national body, has come to move with the steadfastness and momentum of a steam-driven train.

[82] Packer, *Transcendentalists*, 189.

as an off-loading of the half-mentioned asides about slavery in *Walden* and as Thoreau's most memorable activist moment, it also gives evidence of how, having left Walden Pond, Thoreau continued to think about machines, nationalism, and liberty.[83]

Late one summer afternoon, Thoreau walked into Concord, undoubtedly by the Fitchburg Railroad causeway, to retrieve a mended shoe. While in the village he was jailed for failure to pay a poll tax. He spent the night in jail before someone paid the tax on his behalf. He was released in time to go huckleberrying and returned to his pond-side retreat. The events are rife with network activities missing from the *Walden* text. But in the context of "Resistance to Civil Government," (which is referenced in *Walden*[84]) Thoreau uses them to set about determining how the individual should participate in the political network with linkages to town, state, and nation. Notice, however, the whiff of railroad nationalism evident in the essay:

> This American government … never of itself furthered any enterprise, but by the alacrity with which it got out of its way. *It* does not keep the country free. *It* does not settle the West. *It* does not educate. The character inherent in the American people has done all that has been accomplished; and it would have done somewhat more, if the government had not sometimes got in its way…. Trade and commerce, if they were not made of India-rubber, would never manage to bounce over the obstacles which legislators are continually putting in their way; and, if one were to judge these men wholly by the effects of their actions … they would deserve to be classed and published with those mischievous persons who put obstructions on the railroad.[85]

Trade, western expansion, and the notion of the unimpeded racing locomotive are all attributed to American spirit. Falling in line with the laws and the political actions of the state, on the other hand, make soldiers of citizens – or machines: "The mass of men serve the state thus, not as men mainly, but as machines, with their bodies. They are the standing army…. In most cases there is

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[83] Richardson ties the concept of non-resistance to Garrisonian abolitionism. *Thoreau*, 175-79.
[84] "I was seized and put into jail because, as I have elsewhere related, I did not pay a tax to, or recognize the authority of, the state which buys and sells men, women, and children, like cattle at the door of the senate-house." *Walden*, 459.
[85] Thoreau, "Civil Disobedience," *Essays*, 204.

no free exercise whatever of the judgment or of the moral sense." Like the railroad worker with no leisure time and effectively mechanized hands, the politically passive citizen wholly lacks independent selfhood. So, Thoreau poses the question, "How does it become a man to behave toward this American government today?" And he answers: "I cannot for an instance recognize that political organization as *my* government which is the *slave's* government also."[86] The vehemence with which he takes up the issue, recording that "a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves" along with what he sees as an unjust war in Mexico over the violent acquisition of Texas (to be a slave state) from Mexico, shows the way Thoreau has developed a political conscience through the events and movements of the 1840s. He has been listening closely after all to talk of Texas and Georgia, and he has been thinking about how a national legal network links his poll tax to the upholding of slavery.

The Thoreau calling for resistance to civil government finds the need for illegal acts, and for emotional commitment, in the *closeness* of slavery. It is no longer a foreign institution but virtue of the nation's political network. He does not "quarrel … with far-off foes," "a hundred thousand politicians at the South," "but with those who, near to home, cooperate with, and do the bidding of those far away, without whom the latter would be harmless." Thoreau blames the continuation of the related systems of slavery and acquisition by force on "a hundred thousand merchants and farmers" in Massachusetts, "who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, *cost what it may*." Political action and even economic action are not the solution. The individual must, like Thoreau refusing to pay the poll tax, "break the law." "Let your life be a counter friction to stop the machine." By this assessment, being "locked up in the county jail" is the route

[86] Ibid., 205, 206.

to abolition, the only way for all American to effectively "*cease*[] *to hold slaves*."[87] To be an abolitionist, the Massachusetts citizen must immediately oppose the government of Massachusetts.[88]

III. 1850-1854

"This is a delicious evening," Thoreau begins "Solitude," the chapter that follows the railroad commotion of "Sounds," "when the whole body is one sense, and imbibes delight through every pore. I go and come with a strange liberty in Nature, a part of herself" (*W* 425). What follows is a list of "elements" sensed there, the stirrings of flora, fauna, and natural phenomena along the pond-shore: bullfrogs, whippoorwill, alder, pond-waves, wind, fox, skunk, rabbit. Thoreau's liberty is a freedom of movement, the liberty to walk in the evening, but it is equally a freedom of sensation, to "imbibe … through every pore" with his "whole body" a natural scene undisturbed by his presence, each porous to the other.[89] The *strangeness* of the liberty, it would seem, is due to Thoreau's being "a part" of nature – as opposed to a civilized interloper.[90] The solitude necessary for such freedom is won by removing himself from the sensory static of the social world. Thus, Thoreau sets up "Solitude" by leaving the railroad behind at the end of "Sounds": "I cross [the tracks] like a cart-path in the woods. I will not have

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[87] Ibid., 207, 211, 212.

[88] The terms of Thoreau's call to arms – the demand for liberty overwhelming the state's right to law and order – play out in the *Plessy* decision. By the end of the nineteenth century fear of popular revolt, sparked by economic turbulence and a rash of assassinations of heads of state, had positioned the legal order above personal liberty.

[89] Thoreau literally presents his skin to nature: "I walk along the stony shore of the pond in my shirt sleeves, though it is cool as well as cloudy and windy" (*W* 425). For a reading of Thoreau's somatic relation to the air as an avenue of sensuous spirituality, see Mary Thomas Horton, "Embodiment, Spirituality, and the Tactile Perception of Air in Thoreau's *Walden*," *The Concord Saunterer* 19/20 (2011-12): 223-48.

[90] In the "Higher Laws" chapter of *Walden*, Thoreau gives equal credence to the (opposing) tendencies of spirit and body: "I found in myself, and still find, an instinct toward a higher, or, as it is named, spiritual life, as do most men, and another toward a primitive rank and savage one, and I reverence them both." "[A] strange liberty" has become in this passage "a strange abandonment" (*W* 490).

my eyes put out and my ears spoiled by its smoke and steam and hissing" (*W* 420).[91] He moves away from the railroad scene in order to free his body for the sight, sound, and somatic reception.

If Thoreau can engage his sharp senses with the passing train in order to document (and celebrate) the distances and details of modern trade, active participation within this network carries a similar threat to personal liberty. Modern consumerism causes men to "spend[] their lives like serfs" by drawing wages for commodity goods and sending the poor into debt (*W* 488). More than this, like the merchant or farmer too concerned with business and agriculture, the consumer who feeds wages into the system not only undermines his or her own freedom, but underwrites American slavery. When Thoreau takes cover from the rain in the house of his neighbor John Field, an Irish rail-worker, he finds commodities like coffee, tea, and meat on the shelf. These expensive non-necessities seem to the Field family staple goods, but Thoreau sees them as excessive; and he sees further: across trade routes intimately bound up with a national commercial network that undergirds the institution of slavery.[92] The "only true America," Thoreau argues, "is that country where you are at liberty to pursue such a mode of life as may enable you to do without these [tea, coffee, etc.], and where the state does not endeavor to compel you to sustain the slavery and war and other superfluous expenses which directly or indirectly result from the use of such things" (*W* 486).[93] Thoreau thus maps the railroad economic

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[91] A fear of the loss of sense-receptivity is a profound phobia for Transcendentalists, as it would mean getting cut off from the spiritual experience of nature. Emerson writes in his first book, *Nature* (1836): "In the woods, we return to reason and faith. There I feel that nothing can befal me in life, —no disgrace, no calamity, (leaving me my eyes), which nature cannot repair), *The Selected Writings of Ralph Waldo Emerson*, ed. Brooks Atkinson (New York: The Modern Library, 1968), 6.

[92] Spending even for philanthropic ends casts Thoreau's thoughts southward: "There are a thousand hacking at the branches of evil to one who is striking at the root, and it may be that he who bestows the largest amount of time and money on the needy is doing the most by his mode of life to produce that misery which he strives to relieve. It is the pious slave-breeder devoting the proceeds of every tenth slave to buy a Sunday's liberty for the rest" (*W* 382).

[93] In the case of cotton and woven cloth, Beckert shows how global capital drove the mass output of cotton products that became affordable to poorer consumers – who were drawing low wages working in the mills and factories spreading on the strength of their own market participation. See *Empire of Cotton*. For a reading of the American Revolution as mobilized, in part, by cross-class and cross-gender involvement in boycotts against increasingly

network from laborer's shelf to sites of transportation to sites of production to the policies of the governing state. In "Resistance to Civil Government" he recommends extreme political action – revolutionary acts – to disrupt the political network that enslaves and invades, but in *Walden*, with its measure of home economics, Thoreau celebrates the freedom of the low-impact consumer by demonstrating how one can take one's own time, move freely, and imbibe pleasure through every pore.

In terms of mobility, liberty means forgoing rail travel for self-locomotion. "I have learned that the swiftest traveller is he that goes afoot," Thoreau announces (*W* 364).[94] It is the conclusion to a calculation that finds a day's wages consumed by a train ticket, which means the independent walker outpaces the rail-passenger by twelve hours. The effects of living in a railroad nation regulated by "one well conducted institution," Thoreau argues, distract citizens from alert observation practices. From where he sits, or walks, the train's reordering of space and time prevent even the outlying hunter or farmer from retaining independence. For all its mobilizing, sensory potential, the railroad offers, from Thoreau's perspective, a "questionable liberty" (*W* 364). In the midst of national debates about immigration, race, and citizenship, Thoreau questions the role of technological innovation – producing, most spectacularly perhaps, the thirty-mile-per-hour citizen-passenger – in the production of liberty. His answer, as always in

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affordable British imported commodities see T.H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York: Oxford University Press, 2004).

[94] Spending money on luxury is immobilizing and draws from Thoreau a xenophobic lashing out (something similar happens in "A Yankee in Canada" [1853]): "It is the luxurious and dissipated who set the fashions which the herd so diligently follows…. I think that in the railroad car we are inclined to spend more on luxury than on safety and convenience, and it threatens without attaining these to become no better than a modern drawing room, with its divans, and ottomans, and sunshades, and a hundred other oriental things, which we are taking west with us, invented for the ladies of the harem and the effeminate natives of the Celestial Empire" (*W* 351). Manliness means, for Thoreau, independence – economic and sensory – which ties into his adherence to national ideals from the Revolutionary era, as against perceptions of ideals in other nations. "I would rather ride on earth in a an ox cart with a free circulation," he declares, "than go to heaven in the fancy car of an excursion train and breathe a *malaria* all the way." The embodied nationalism in the passage coordinated by the presence of "oriental" figures carries from this passage in *Walden* to Justice Harlan's dissent in *Plessy* (and Charles Chesnutt's extension of the dissent in *The Marrow of Tradition*) wherein a "Chinaman" intrudes anti-nationalistically on the white car while a black citizenry is excluded.

Walden, is that one step aside, make one's own path, and organize a nation around one's alert observations.

In the face of the railroad's assimilative forces, Thoreau appropriates the railroad for the purposes of his strange liberty by simply walking along its right-of-way. In the first part of the epigraph above, from an 1851 Journal entry, the tracks give Thoreau a clear path to the pond during a nighttime walk – and a clear view, too, of the not-quite-full moon. Liberties of movement and sensation are likewise on display in "Economy," *Walden*'s first chapter, when Thoreau narrates the beginning of his "experiment." The seasons are in transition. Thoreau writes, "There were some slight flurries of snow during the days that I worked there; but for the most part when I came out on to the railroad, on my way home, its yellow sand heap stretched away gleaming in the hazy atmosphere, and the rails shone in the spring sun, and I heard the lark and pewee and other birds already come to commence another year with us" (*W* 355). Thoreau appropriates the railroad right-of-way for his own use, for ease of travel between the building site and his Concord home, and in the process he watches spring commence from atop its causeway. The train is absent, leaving the tracks open for his movement, and he employs the open railway, using it for direct travel, for cleared access to the spring landscape, for its open lines of sight and sound.[95]

While Thoreau regularly used the causeway during his Walden years, his journal during the 1850s makes repeated reports from atop the railway. There is a marked increase in his journal writing activity during those years, which also saw the second major period of revising *Walden*. A sampling of the observations reveals a sensitivity to detail encouraged by the cleared space:

[95] Schivelbusch is convincing in his suggestion that train travel produced a new "mobility of vision," that he names "panoramic." *Railway Journey*, 64, 52-69. What Thoreau adds to Schivelbusch's study – built on first-hand observations – is the way new ways of seeing extend outside of the train car to the track-walker or track-side observer.

"Saw the first wild rose to-day on the west side of the railroad causeway. The whiteweed has suddenly appeared, and the clover gives whole fields a rich and florid appearance, —the rich red and sweet-scented white"; "Saw the first bee of the season on the railroad causeway, also a small red butterfly and, later, a large dark one with buff-edged wings"; "I hear this morning, in the pine woods above the rail-road bridge, for the first time, that delicious cool-sounding *wetter-wetter-wetter-wetter-wet´* from that small bird (pine warbler?) in the tops of the pines. I associate it with the *cool, moist, evergreen spring* woods."[96] Thoreau often reports his routes at the outset of Journal entries, and so the railroad appears again and again as conduit to Concord-area sites of exploration (Walden, of course, but also the White Cliffs and elsewhere), becoming a continuous site of observation itself. The overall effect is the construction of a Thoreauvian rail-network, the Fitchburg Railroad remade with a new set of arrival and departure locations and a new time schedule. The local effect – of each stop – is Thoreau's measuring into the rail-space the gentle shifts of season, a series of firsts, data point by data point: wild rose and whiteweed, bee and buff-edged butterfly, the *wetter-wetter* sound of a yet-to-be-identified bird that translates into wet-woods in spring.

In the accumulation of rail-side data, Thoreau demonstrates how a citizen might travel national space freely by rail – he is a hobo, after a fashion. At one level this amounts to a reconstruction of rail-space, his reforming it for other uses than those imagined by the engineers. But it also demonstrates the way Thoreau considers the railway a public site. Such repurposing makes the rails a free-space. "As I walked over the long causeway made for the railroad through the meadows," he writes of a winter walk, "I encountered many a blustering and nipping wind,

[96] Thoreau, *Journal* 3, 271 [15 June 1851]; *Journal* 4, 409 [1 April 1852], 485 [23 April 1852].

for nowhere has it freer play" (*W* 534).[97] The long causeway has been "made for the railroad," of course, but by clearing a swath of land it becomes a space for free play, for liberated movement and sensation. In opposition to the mechanized citizen entrapped by commercial and political webs, Thoreau positions the solitary rail-walker – *not* the mass of rail travelers – as representative of ideal citizenship. In this view, Walden Pond and the cabin offer a free state, an escape from the bonds of market and state. In the "Visitors" chapter Thoreau describes callers to his Walden cabin as "runaway slaves with plantation manners, who listened from time to time … as if they heard the hounds a-baying on their track."[98] Then, without fanfare, he adds to the list: "One real runaway slave, among the rest, whom I helped to forward toward the northstar" (443). Here the surveyor measures out from the private and personal space of the cabin to the national map, across which he tracks (and guides) the slave fleeing to extra-national liberty in Canada.

Although Thoreau's Walden residency ran from 1845-47, and would seem to situate the runaway slave incident during those years, it bears noting that *Walden* imposes a fictional time structure by roughly ordering the chapters by the cycle of a season and includes passages written up from journal entries and field notes taken down after 1847. The published work is the product of Thoreau's years of revision before publishing the text in 1854. The early 1850s, then, as much as 1845-1847, are evident in *Walden*, and the brief aside about housing a fugitive slave appears

[97] Coming as it does in the winter part of *Walden*, in the chapter "Winter Visitors," the line describes the chill of a winter walk. But early in the narrative Thoreau describes the wind as a form of valued communication: "So many autumn, ay, and winter days, spent outside the town, trying to hear what was in the wind, to hear and carry it express! I well-nigh sunk all my capital in it, and lost my own breath into the bargain, running in the face of it. If it had concerned either of the political parties, depend upon it, it would have appeared in the Gazette with the earliest intelligence" (*W* 336). String of puns aside, Thoreau demonstrates here the way a shareable, natural sensory phenomenon like the wind is preferable to reading the newspaper. It falls, as well, within the reader/alert-seer dichotomy, by which Thoreau favors immersion in nature's sensorium to fleeting, trivial civilization's sensorium.

[98] Elsewhere Thoreau uses the slave able to purchase freedom as a metaphor for the worker who earns enough to do the same: "Those who would not know what to do with more leisure than they now enjoy, I might advise to work twice as hard as they do, —work till they pay for themselves, and get their free papers" (*W* 378).

to be one such case.[99] What is certain is that Thoreau's aid to the fugitive slave would have struck a strong note of law-breaking protest for his 1854 readership, a jail-able act of justice. The Fugitive Slave Law came into effect in August of 1850 as part of a collection of laws referred to as the Compromise of 1850. Brokered by, among others, Massachusetts senator and hero of rhetoric Daniel Webster, the Compromise soothed tension between free and slave states by parceling out new territories between them. California was admitted as a free state, the Utah and New Mexico territories were left to decide by popular sovereignty. And all American citizens were required, by law, to aid in the recovery of fugitive slaves. Like the emancipation of the British West Indies and the annexation of Texas, this political news event circulated through the newspapers and Lyceums of New England – and it drastically shortened the legal and moral distance between Georgia and Massachusetts.

In a Journal entry pinpointed to October 1, 1851, 5pm, Thoreau narrates his illegal efforts on behalf of a fugitive slave. The "5pm" is significant because it marks a train departure. "Just put a fugitive slave, who has taken the name of Henry Williams, into the cars for Canada," he writes, before moving on to discuss the details of Williams's situation. The description of events sketches an Underground Railroad route (from Virginia's Stafford County to Boston); an abolitionist economy that helps employ escaped slaves ("Cornhill Coffee-House" in the post formerly held by Shadrach Minkins[100]) and bargain with former-masters for free papers ("his master asking $600, but he having been able to raise only $500"); and a genetic network within

[99] In "Brute Neighbors" Thoreau gets transfixed by a battle between red and white ants, which he compares to battles in the *Iliad* and from the Revolutionary War. He concludes by historicizing the event: "The battle which I witnessed took place … five years before the passage of Webster's Fugitive-Slave Bill" (*W* 508).

[100] Minkins was one of the first Boston-area former-slaves captured under the aegis of the Fugitive Slave Act. He was secreted to Canada by the Boston Vigilance Committee – which included figures in Transcendentalist circles like Theodore Parker and Thomas Wentworth Higginson. See Sandra Harbert Petrulionis, "Antislavery Reform," in *The Oxford Handbook of Transcendentalism*, eds. Petrulionis, Laura Dassow Walls, and Joel Myerson (New York: Oxford University Press, 2010), 210-22, 215.

Southern slavery that makes an aside necessary: "his master, who is his father."[101] The entry does not make it into *Walden*, but it gives further evidence for Thoreau's awareness of how a national network of slavery law linked the South to the so-called free North, connecting Virginia to Boston by federal law – just as railroad lines linked cotton cloth to Massachusetts mills.

The Fugitive Slave Act forces Williams to re-board the Underground Railroad, which is how Thoreau comes to encounter him:

> [Henry Williams] [h]eard that there were two writs out for two Williamses, fugitives, and was informed by his fellow-servants and employer that Augerhole Burns and others of the police had called for him when he was out. Accordingly he fled to Concord last night *on foot*, bringing a letter to our family from Mr. Lovejoy of Cambridge and another which Garrison had formerly given him on another occasion. He lodged with us, and waited in the house till funds were collected with which to forward him.[102]

The networked nature of the Underground Railroad and abolitionism are clear: the fugitives, under extreme pressure, escape surveillance by their own bold mobility – liberty taken on foot – accompanied by abolitionist paperwork that ensures their protection from agents of abolition down the line. And the Fugitive Slave Act likewise produces a circulation of extralegal writs and police-agent involvement.[103] The boundary line between Free and Slave states has been overrun by the law, which limits the free movement of citizens of Massachusetts.[104] And it has become necessary that resettled former-slaves (fugitive and otherwise) all the way to Canada to avoid capture.

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[101] Thoreau, *Journal* 4, 113-14 [1 October 1851].
[102] Ibid.
[103] Passed on September 18, 1850, the Fugitive Slave Act established a special court and adjudication process. It "created a new category of federal official," a U.S. commissioner, who was appointed by a federal judge and was the only official "authorized to hear the case of an accused fugitive and to issue a certificate of removal, a document that could not be challenged in any court." The hearing excluded the fugitive's testimony and "conclusive" proof was essentially only a matter of establishing the identity of the fugitive. See Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York: Norton, 2015), 125.
[104] Eric Foner writes that the law "embodied the most robust expansion of federal authority over the states, and over individual Americans, of the antebellum era," as it overrode numerous state and local laws and legal procedures and 'commanded' individual citizens to assist, when called upon, in rendition. It was retroactive, applying to all slaves who had run away in the past, including those who had been law-abiding residents of the free states for many years. It did nothing to protect free blacks from kidnapping," *Gateway to Freedom*, 125.

Thoreau is alert to the heightened danger, especially at the Concord train station: "Intended to dispatch him at noon through to Burlington, but when I went to buy his ticket, saw one at the depot who looked and behaved so much like a Boston policeman that I did not venture at that time."[105] Thoreau spies on a (possible) surveillant in the heightened public space of the train station, and he does so against the law. One imagines an anxious Thoreau at the station – over-alert, perhaps – it is a tense scene. Notably, the author of *Walden*, a few years removed from the cabin but continuing to work on the manuscript, knows how to look across a modernized space and read a crowd. Thoreau does not suspect the man solely for being a stranger but because he seems to know how to recognize the behavior and appearance of a "Boston policeman." It is the observational acuity of someone used to living in the new network along the Boston-Concord-Fitchburg line (Boston-Walden-Concord-Fitchburg).[106] Further, although it goes unmentioned, Thoreau himself risks arrest and imprisonment under the Fugitive Slave Act, and his caution indicates the constraints put upon his own movements through public spaces since its passing.[107]

While the danger of identification at the rail station reveals how U.S. law can immobilize the site of mobilizing train travel, Thoreau's conversation with Williams shows how other travel by rail is possible – something Thoreau himself experiences as a rail-walker. Williams reports having used the north star to make his way north from Virginia, but he also tells Thoreau of directing himself by rail-lines – following the public right-of-way – and that fugitive slaves "frequently followed the telegraph when there was no railroad."[108] The transportation and

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[105] Thoreau, *Journal* 4, 114.
[106] Here again is an extension of Schivelbusch's "panoramic vision" – citizens adjusting to the railroad network acquire new ways to read a crowd at a train station.
[107] "The act included severe civil and criminal penalties for anyone who harbored fugitive slaves or interfered with their capture, as well as for marshals and deputies who failed to carry out a commissioner's order or from whom a fugitive escaped." Foner, *Gateway to Freedom*, 125.
[108] Thoreau, *Journal* 4, 113.

communication network, then, functioning beyond the control of railroad companies or government agencies or even U.S. law, offered a mobilizing infrastructure to be appropriated by men and women across state and national boundaries: Virginia to Massachusetts; Boston to Concord; Concord to Canada. The path to citizenship for someone like Henry Williams was obstructed at every pass – the unclaimed son of a plantation owner escapes slavery to a free state where he finds friends and employment, is hounded by police officers of that state before settling in Canada as a Canadian citizen. His use of the American railroad created a route to an alternate kind of national belonging, something that fits Thoreau's *Walden* project even if the connections are not made explicit in the 1854 work.[109]

Indeed, working through the network of texts Thoreau produced from 1843-1854 (and beyond, to the John Brown triptych) is the best way to get a sense of how the American railroad and American slavery are linked, and how each made demands on Thoreau's project of recasting American citizenship. These include "Slavery in Massachusetts," one of Thoreau's angriest works, read at a Framingham, Massachusetts Lyceum on July 4, 1854 and published three weeks later in William Lloyd Garrison's *The Liberator*. As in "Resistance to Civil Government," Thoreau implicates Massachusetts citizens in the "crimes" committed on Southern plantations. The Fugitive Slave Law has made this link a legal reality, and efforts on behalf of captured slaves in Boston have made the conflict palpable. After one such event, in 1851, Thoreau wrote in his journal, "Let us entertain opinions of our own—let us be a town & not a suburb—as far from Boston in this sense as we were by the old road which leads through Lexington. Concord

[109] Thoreau is struck, talking to Williams, by the superstitious practices of escaping slaves, noting that they place a "turf" under their hats for luck. He turns his attention abruptly to his own sense-of-place in a short paragraph that closes the Journal entry: "These days when the trees have put on their autumnal tints are the gala days of the year, when the very foliage of trees is colored like a blossom. It is a proper time for a yearly festival, an agricultural show." Thoreau, *Journal* 4, 113. Because the Journal does not tend to contain the sort of connections so prevalent in *Walden*, he does not make any connections between his sense-of-place and that of Williams.

has several more bridges left of the same sort which is taxed to maintain— Can she not raise men to defend them?"[110] Thoreau evokes the Revolutionary War in order to call Concordians to arms. The spatial and economic concept of the suburb, the link between Boston and Concord, is a product of the railroad age.

American citizenship, he writes in "Slavery in Massachusetts," should be cast off in favor of humanity: "I would remind my countrymen, that they are to be men first, and Americans only at a late and convenient hour. No matter how valuable law may be to protect your property, even to keep soul and body together, if it do not keep you and humanity together."[111] The idea that citizenship guarantees freedom is an assumption challenged once again by Thoreau – "We have used up all our inherited freedom" – and the answer is to resist. But between the late 1840s and the mid-1850s, Thoreau has come to see the need for not only active opposition but violent opposition: "If we should save our lives, we must fight for them…. My thoughts are murder to the state, and involuntarily go plotting against her."[112] One way Thoreau acted against the state during this time was to house a fugitive slave. And in this regard he made use of an undeclared citizen's right: the right to move freely among national spaces. This was a concept formed during the same years of Thoreau's political militancy, when he increasingly saw the world from the point of view of the American railroad. In a March 1852 Journal entry he declared: "The r-road is perhaps our pleasantest & wildest roads. It only makes deep cuts into & through the hills—on it are no houses nor foot travellers. The travel on it does not disturb me. The woods are left to hang over it— Though straight is wild in its accompaniments—all is raw edges." Trains have taught him, after a fashion, how to move. And the railroad network has taught him how to see out-of-the-way suffering: "Even the laborers on it are not like other laborers— Its houses if any

[110] Thoreau, *Journal* 3, 206.
[111] Thoreau, "Slavery in Massachusetts," *Essays*, 342.
[112] Ibid., 346.

are shanties—& its ruins the ruins of shanties shells where the race that built the R R dwelt--& the bones they gnawed lie about."[113]

The Fitchburg Railroad taught Henry Thoreau how to communicate direct, sensory observations across the federal connections of a growing U.S., how to expand at pace his sense-of-place from the local to the regional to the national.[114] It exposed the linkages in the American commercial network, weaving U.S. slavery into Northern cloth. His project, in response, was to re-make the nation out of a network of individual beliefs:

> I learned this, at least, by my experiment; that if one advances confidently in the direction of his dreams, and endeavors to live the life which he has imagined, he will put some things behind, will pass an invisible boundary; new, universal, and more liberal laws will begin to establish themselves around and within him; or the old laws be expanded, and interpreted in his favor in a more liberal sense, and he will live with the license of a higher order of beings. (*W* 580)

Life, for Thoreau, is a call for liberty that requires the establishment of freeing acts of self-government. The exercise of such license in advancing confidently and crossing boundaries is, in some ways, an act of walking the right-of-way.

This dissertation now turns to the perspective of Americans like Henry Williams, to the expressive acts of fugitive slaves. Their narratives add to maps begun in *Walden*, giving much greater depth of detail to the U.S. railroad network and further exposing its two trains running: the one that imposes constraint and the one that offers mobility. The stories told by escaped American slaves during the 1840s and 50s, stories of the Underground Railroad, are stories of locomotion and liberty.

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[113] Thoreau, *Journal* 4, 382.

[114] And beyond: Thoreau watches the ice of Walden Pond harvested for shipment elsewhere: "Thus it appears that the sweltering inhabitants of Charleston and New Orleans, of Madras and Bombay and Calcutta, drink at my well…. The pure Walden water is mingled with the sacred water of the Ganges" (*W* 559). This is a Transcendental take on the shipping power of steam and a prescient imagining of a global commercial network. And it shows, once again, a Thoreau willing to look down the tracks.

CHAPTER TWO

Tickets to Freedom:

Mobility, Authorship, and Race on the Abolition Circuit

In an 1844 letter from Concord, Massachusetts published in Nathaniel Rogers's New Hampshire-based periodical the *Herald of Freedom*, Anne Whiting describes her town's celebration of the tenth anniversary of the British parliament's vote to end slavery in its territories. An active member of the Concord Female Anti-Slavery Society, Whiting proudly reports to a far-flung readership the roles played that first of August by Concord's luminary, Ralph Waldo Emerson, who gave his first public testimony against American slavery, and by the up-and-coming Henry Thoreau, who brazenly rang the Unitarian church bell to call the town to the assembly.[115] Whiting shifts her focus in the last third of the letter, however, noting that Emerson's momentous address "will speak for itself when you read it from the printed copy which will soon appear." She turns instead to Moses Grandy, a formerly enslaved activist touring the abolition lecture circuit to raise funds for the liberation of family members still in bondage. Grandy's oratory and autobiography, which had gone through several printings in the United States since first being published in London in 1843, made an impression on Whiting. "Why has not more been said of him?" she asks her readers (and editor). Whiting does more than discuss Grandy, however; she works to "picture" him: "See this great, noble heart *three times* achieving its freedom…. See him there in the woods, alone, lying by his camp fire, with no companions but the snakes, bears, and panthers." Whiting also quotes liberally from Grandy's autobiography,

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[115] August First celebrations had been going on across the Atlantic since the originary events in 1834, but they gained in importance among American abolitionists in 1842, after letters in the June 24 issue of William Lloyd Garrison's *The Liberator* proposed grander public festivals. The Female Concord Anti-Slavery Society had attempted one in 1843, but weather and lack of venue caused its cancellation. Sandra Petrulionis, *To Set This World Right: The Antislavery Movement in Thoreau's Concord* (Ithaca, NY: Cornell University Press, 2006), 41-42. Petrulionis's important work, which first drew my attention to Whiting's letter, gives a full account of the Society's overlooked role in advancing the abolitionist cause in Concord and beyond.

demanding that the reader "Hear this from his own narrative" and "Listen to him." Although not the subject of her letter, or a speaker at Concord's August First event, Grandy receives as much attention as Emerson. "Here's a hero *worth* immortalizing," she writes. "Here's a man for you. My whole soul reverences the sublimity of his unconscious greatness."[116]

Whiting's language captures essential elements of second-wave abolitionism, the print and lecture-circuit phenomenon that had been building momentum in the decade since William Lloyd Garrison began publishing *The Liberator* in Boston at the start of 1831. Garrisonian abolitionists demanded the immediate end of slavery, and, before a series of factional breaks in the 1840s, they favored convincing the citizenry with moral suasion rather than the slow work of political consensus building. It was a grassroots movement that relied on the conversion of audiences and readers through emotional appeals. This method of spreading enthusiastic engagement – whole-soul reverence – followed the pattern of the Second Great Awakening's evangelism, while Whiting's notion of the "sublimity" of Grandy's "unconscious greatness," her expression of the emotional experience of antislavery discourse, derived from European-American Romanticism, especially its Concord-centric offshoot, Transcendentalism.[117] In broadcasting her sensibilities Whiting acts as an agent of the movement: mobilizing forces, with Emerson, to wage a "holy war"; ringing a tocsin, with Thoreau, as a "summons to Church and State" to extinguish the "fire" of American slavery. Moreover, her letter performs cultural work

[116] *Herald of Freedom*, 16 August 1844.

[117] Although Garrison's approach built on – and was inspired by – the work of the Quaker activist Benjamin Lundy, who embodied the mobility of his antislavery message in the 1820s by crisscrossing the United States with a printing press on his back, the new movement broke with the Quaker abolitionism of the early Republic, which relied on legislative acts, constitutional reform, and court cases to advance its cause. Although some second-wave abolitionists would turn to political reform in the 1840s, those under the immediatist banner generally stood in direct opposition to the segregationist (and often outright racist) approach of American Colonization Society, which sought to resettle free blacks and former slaves in a region of West Africa that became Liberia. See James Stewart, *Holy Warriors: The Abolitionists and American Slavery* (New York: Hill and Wang, 1976); Richard S. Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill: The University of North Carolina Press, 2002); Robert Fanuzzi, *Abolition's Public Sphere* (Minneapolis: University of Minnesota Press, 2003); John Mac Kilgore, *Mania for Freedom: American Literatures of Enthusiasm from the Revolution to the Civil War* (Chapel Hill: The University of North Carolina Press, 2016).

akin to literary criticism. She advertises, in pre-order fashion, a pamphlet-version of Emerson's speech, and she argues that Moses Grandy deserves more notice from newspapers and lecture programs. In particular, Whiting's pivot to Grandy and his narrative points to a crucial transition for abolitionism during the late 1830s and early 1840s, when formerly enslaved activists began to play an increasingly visible and vocal role in the communication of immediatism.[118] As African Americans moved onto platforms and into print – an exercise of discursive mobility – they were necessarily moving through public venues in order to be seen and heard – an exercise of physical mobility. And they were doing so during a time when discourse and travelers were speeding to audiences and destinations with a new intensity wrought by the transportation revolution and its expanding infrastructure.

As discussed in the previous chapter, the August First celebration was held in a Concord in the midst of transformation, a month after the Fitchburg Railroad linked the village to Boston and, from there, to all the inland, Atlantic seaboard, and transatlantic locations of the newly steam-powered transportation network. Because the abolition movement relied so heavily on the timely circulation of its immediatist ideology, the era's transportation technologies were integral to its social and political momentum, producing faster moving orators, letters received more efficiently, newspapers broadcast farther. By the early 1840s the American rail network was generating significant motive power and clearing the way for the transmission of abolitionism: attendees and speakers in Concord in August 1844 arrived by train, Frederick Douglass among

[118] The role of free blacks in the North and South, along with former slaves who settled in northern states, Canada, and other "free" places in the antebellum Atlantic world, was fundamental to abolitionism, as recent scholarship has begun to fully document. Benjamin Quarles produced the seminal work, *Black Abolitionists* (New York: Oxford University Press, 1969). For recent work that further illuminates the role of black abolitionists see Newman, *The Transformation of American Slavery*; Patrick Rael, *Black Identity and Black Protest in the Antebellum North* (Chapel Hill: The University of North Carolina Press, 2002); and Manisha Sinha, *The Slave's Cause: A History of Abolition* (New Haven, Connecticut: Yale University Press, 2016). For revised histories of the Underground Railroad, see Fergus M. Bordewich, *Bound for Canaan* (New York: Amistad, 2005) and Eric Foner, *Gateway to Freedom*. See also *The Black Abolitionist Papers*, eds. C. Peter Ripley, Jeffrey S. Rossbach, et al. (Chapel Hill: The University of North Carolina Press, 1985-1992).

them; Anne Whiting's letter traveled to New Hampshire by mail car; issues of the *Herald of Freedom* were dispersed along railways. Moses Grandy followed these same routes as an abolitionist orator, as did his narrative, and Anne Whiting's letter was in part an effort to encourage greater circulation of his voice. Communication channels necessarily overlay transportation channels, a history that has been well documented.[119] What this chapter will show is how physical movement factored *directly* into acts of self-expression. As historian Richard Cullen Rath reminds us, media means "ways between," and, "well into the nineteenth century, communication referred to routes, roads, and bodies of water in addition to the now-disembodied information we usually associate with the term," which "made perfect sense in a world where information … could travel no faster than the humans who carried it."[120] From this perspective, trains and boats functioned as media technologies, sites of information transfer carrying not just print matter but passengers who themselves conveyed information.

Indeed, although the notion of "print culture" has been applied to show how print cooperates with an array of expressive modes, "communication culture" is a more accurate term for my concerns here.[121] This chapter will explore how the communication of abolitionists of color along antebellum transportation networks – lecture circuits as well as Underground Railroad escape routes – was interwoven with their communications of abolitionism. In doing so,

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[119] See, among others, Taylor, *Transportation Revolution*; Richard R. John, *Spreading the News: The American Postal System from Franklin to Morse* (Cambridge, MA: Harvard University Press, 1995); Daniel Walker Howe, *What God Hath Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007).

[120] Richard Cullen Rath, "Sensory Media: Communication and the Enlightenment in the Atlantic World," in *A Cultural History of the Senses: In the Age of Enlightenment*, ed. Anne C. Villa (London: Bloomsbury, 2014), 203-24, 205, 214.

[121] Declaring the need to distinguish among different scholarly approaches to "print culture," Harold Love calls one "Print as a culture of communication," which focuses questions on "how the transmissional tasks performed by print stand in relationship to those performed by speech, manual inscriptions of all kinds, pictorial signs, non-linguistic sound (including music), demonstrative gesture, the semaphore, the heliograph, the telegraph, and the entire field of messages transmitted in the form of or with the aid of electromagnetic energy." As with similar lists, Love does not name the railroad as a media form, though he does note that a study of early modern communication culture (his period of research) "would need to invoke a geography of information," a "consideration of the ways in which information moved, by whatever channel or medium – its range, its speed, its routes." Love, "Early Modern Print Culture: Assessing the Models," *Parergon* 20.1 (January 2003): 45-64, 64, 61.

I am following the "emerging media" approach of Sandra Gustafson, who recognizes a gap between communication studies scholarship, which tends to start with the rise of cinema and broadcasting at the turn of the twentieth century, and book history scholarship, "which most often relates print culture to manuscript and oral forms." Gustafson offers a list of "older new media": the daguerreotype and photograph, the electric telegraph, the telephone, the phonograph, and the electric light. Studying how these media coevolved with developments in printing, writing, and reading offers a more thorough engagement with the archive by resisting media hierarchies and activating static texts.[122] By adding steam-powered transportation to Gustafson's list I am arguing that we expand our notions of text, literacy, and media to include the information carried by passengers, so that we might better understand the embodied experience of antebellum communication culture – one form of which is the circulation of knowledge required for such travel, which, in the case of fugitive slaves, by its very nature eludes the printed record.

Imagining the discursive mobility produced by the American railroad, Richard Zboray writes, "After the train departed, new faces appeared on the street, letters and messages were rushed to be opened in homes and businesses, packages were carted for delivery – all bearing witness to the outside world."[123] But what if the traveler, the author, or the reader were herself an outsider? What impact did arrivals and departures have on Americans bearing witness to the immobilizing experiences of Southern slavery and Northern segregation? While there are many topics that might benefit from connecting discursive and physical mobility, the abolition circuit and its racial politics is among the most important to address.

Recent book history scholarship has deliberately taken up the writing, printing, and

[122] Gustafson, "Emerging Media," 344, 342.
[123] Ronald J. Zboray, *Fictive People: Antebellum Economic Development and the American Reading Public* (New York: Oxford University Press, 1993), 71.

reading practices of African Americans during the colonial, early, and antebellum periods. This has not simply entailed diversifying the print culture canon, however, but also adjusting some of the tendencies of African American literary historiography. Following Leon Jackson's call to address the lacuna in a 2010 state-of-the-discipline essay, the editors of *Early African American Print Cultures* write that "many of the earliest African American texts … beckon to much recent scholarship in book history, which has shown how abstract concepts central to literary study – authorship, readership, intellectual property, textual integrity, literary professionalism, and, indeed, literature itself – were very much in flux during the eighteenth and nineteenth centuries." Despite an emphasis on print, the print culture approach of the volume's essays attends to "the ways that print affects … personhood, circulates to unintended readers, is subject to reiteration and reappropriation, solicits publics that may not yet recognize themselves as such, and allows equally for representation and misrepresentation." Likewise, passengers' experiences on ship decks and in train cars, the reiterative journeys that communicated travelers and offered modes of discursive communication, produces the effects of print: self-expression and personhood (literally) in flux; circulation; and opportunities for (re)appropriation and (mis)representation.

This chapter is written in the spirit of *Early African American Print Culture*, though through a return to some familiar works of antebellum African American literature: the narratives of Moses Grandy, Frederick Douglass, and William and Ellen Craft. I argue that materials produced and consumed at the gateways of communication, what I call "tickets to freedom," function in analogous ways, and reading the information exchanged in contested sites of transportation (slave passes, train tickets, and Underground Railroad missives) helps map new ways to analyze contested sites of expression (slave narratives and their prefaces). These readings are intended to show the "wider and more complex ways that slavery inflected early

African American print culture, and … American culture more broadly."[124]

Among the actions Anne Whiting celebrates in Moses Grandy is his method of escaping slavery. "See him," she writes, "being twice balked by the diabolical wickedness of the white man," "robbed of his beloved wife and children," and "treated with every indignity which soul and body could endure"; and, "yet," she again directs our gaze, "[see him] still preserving his sweet, patient spirit, loving his masters when it was possible, faithful till the death, not even *taking* the freedom which with his intellectual capacity he could easily have achieved, but preferring to *buy* it by extra toil!" Whiting's reading of Grandy's narrative should sound familiar. It echoes the prefatory material introducing many of the autobiographical works produced by former-slave authors that circulated the official channels of transatlantic abolition, adding another layer to what John Sekora calls the "white envelope" that contains the "black message" of slave narratives.[125] Whiting tells potential readers and audience members what to look and listen for in the man she reveres: sweet patience, loving faithfulness, and work ethic. She points to Grandy's economic mobility (*buying* freedom) while lauding his embodied constancy (not *taking* it), undervaluing his extreme geographic mobility in the process.

Like Frederick Douglass, Grandy attained physical mobility in slavery by hiring his own time in the antebellum shipping economy of the Atlantic coastal plains.[126] He did indeed have opportunities for escape given his "intellectual capacity," as Whiting describes, but she fails to

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[124] Cohen and Stein, Introduction, 2, 8. See also, Jackson, "Talking Book Historian."
[125] John Sekora, "Black Message/White Envelope: Genre, Authenticity, and Authority in the Antebellum Slave Narrative," *Callaloo* 32 (1987): 482-515.
[126] Both men experienced the relative freedom of maritime labor during the early Republic and antebellum periods. These occupations, for free and enslaved laborers, "were a primary means of earning the money that would bolster a masculine ego and affirm a respectable black manhood. Black seamen, who often interacted with white sailors and earned the same wages as they did, experienced more racial tolerance and egalitarianism aboard ship than onshore." Andreá N. Williams, Introduction, Moses Grandy, *Narrative of the Life of Moses Grandy* in *North Carolina Slave Narratives*, ed. William L. Andrews (Chapel Hill: The University of North Carolina Press, 2003), 133-45, 135. See also, David S. Cecelski, *The Waterman's Song: Slavery and Freedom in Maritime North Carolina* (Chapel Hill: The University of North Carolina Press, 2001), 30-56.

explain that Grandy was specifically knowledgeable about navigating the waterways of the Chesapeake as a ferry and barge captain and as schooner deckhand, knowledge he used to bargain his way out of slavery despite a limited ability to read the paperwork being exchanged. Understanding Grandy's movements in slavery and freedom – by reading his *Narrative of the Life of Moses Grandy; Late a Slave in the United States of America* – means expanding our notion of literacy in order to fully address the nature of black mobility in the antebellum South and North.

Following the groundbreaking work of Frances Smith Foster, Robert Stepto, Houston Baker, Henry Louis Gates, Jr., William Andrews, and Valerie Smith (among others) that established African American literary studies during the 1970s and 1980s, a profoundly important debate has unfolded concerning the roles of orality and literacy in African American literary history – and in the history of citizenship and subject formation in the U.S. more broadly. Recently, scholars have unsettled definitions of literacy and literature to include a wider array of transmission practices and "texts," similar to my shifting attention from print to communication culture. Building on the research of Elizabeth McHenry, Heather Williams, and Janet Duitsman Cornelius, Sandra Elaine Jones argues that the literate/illiterate binary derived from the notion of "European-based written textuality as the exclusive and universal standard by which knowledge is produced and measured … ignores the very real conditions under which African Americans existed in the Americas [and] denies the rich intellectual production and exchange rooted in oral knowledge production systems." Instead, Jones suggests, "African-American intellectual processes are more accurately understood as existing on a literacy continuum with an equal level of utility for both oral literacy and textual literacy." "Alternative" literacies, or "other 'ways of knowing,'" include "listening, information gathering, memorization, and articulation skills,"

communication strategies that "made it possible to pass on information from person to person and from one generation to the next."[127] This means accounting for other forms of knowledge transfer, to which I would add geographic movement, with its dual valences of physical and discursive mobility. Moses Grandy calls for such an analytic, for by the time he arrived in Concord he had been nearly constantly on the move, as a pilot hiring his time in North Carolina and Virginia, as a free seaman moving back and forth across Atlantic shipping lanes, and as an abolitionist orator working the platforms and printing presses of Britain and America.

Grandy learned to bargain for the value of his labor when he was a teenager, piloting ferries and flat-bottomed boats, or lighters, on the Dismal Swamp Canal and back and forth along the Atlantic coast. When the British blockaded Chesapeake Bay during the War of 1812, Grandy invested in a shipping operation to exploit the extra business. "I got some canal boats on shares," he explains in his *Narrative*, "one-half of all I received for freight: out of the other half, I had to victual and man the boats, and all over that expense was my own profit."[128] Grandy puts the profit towards his freedom, but his master tears up the receipts of payment and sells him to another, who, after more years of labor and saving, does the same. Along the way, Grandy discovers the precarity of his position when he brings a court case against his first master by proxy (through the man's sister). He learns that a slave cannot exert contractual rights, take any action, or make any declaration until he has been "taken … to the Court House and given … free papers, and until [he has] been a year and a day in the Northern States."[129] At the same time as he

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[127] Sandra Elaine Jones, "Reading Under the Cover of the Veil: Oral and Textual Literacies in Antebellum America," *Community Literacy Journal* 8.2 (2014): 69-80, 70, 73. See also, Elizabeth McHenry, *Forgotten Readers: Recovering the Lost History of African-American Literary Societies* (Durham, NC: Duke University Press, 2002); Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill: The University of North Carolina Press, 2005); and Janet Duitsman Cornelius, *"When I Can Read My Title Clear: Literacy, Slavery, and Religion in the Antebellum South* (Columbia: University of South Carolina Press, 1991).
[128] Grandy, *Narrative*, 161.
[129] Grandy, *Narrative*, 164. Jeannine DeLombard identifies a pattern in "entrepreneurial slave narratives' portrayals of black contractualism" that she calls "the trope of the self-purchase fraud." Grandy's *Narrative* is one of her

was becoming literate in the communication culture of shipping – keeping accounts, making commercial decisions, keeping abreast of international news, and managing a crew – Grandy's discursive mobility, his ability to move via transactional paperwork, was strictly limited by his lack of a particular ticket: free papers. The North Carolina court furthermore makes clear that his physical mobility is at the mercy of other gatekeepers: he must be *taken* to the courthouse to be *given* free papers, and he must spend a year and a day in the North before he gains standing in the Southern court.

Grandy nonetheless utilizes his measure of physical mobility, negotiated through slave pass and seaman's papers, and eventually manages to work within the regulations of his legal mobility to obtain his free papers.[130] "I went to master," he writes, "and told him that if he would give me a paper, I would go and fetch the 600 dollars; he then gave me a paper, stating that he was willing to take that sum for my freedom; so I hired an old horse and started for Norfolk, fifty miles off." Having only a small part of this price, Grandy goes to secure a loan of sorts: a bargain for him to change hands to an owner he trusts, Captain Minner, a former business connection in Norfolk. After he gets the money, his master tries to back out of the agreement, but another figure in the shipping industry, a brutal overseer of canal-cutters, speaks up on Grandy's behalf

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examples, and reading that text alongside Whiting's celebration of work ethic fits her notion that the self-purchase fraud "blocks the narrative trajectory wherein the slave becomes a free man through virtuous industry … effectively affirm[ing] the slave's civil incapacity and, by extension, his ineligibility to join the larger social compact as an autonomous legal person." Rather than a meeting of minds, in the parlance of contract law, "these subsidiary agreements turn out to be status relations in disguise." Even when successful, as in Grandy's third try, contracts exchanged under the conditions of slavery "perpetuate rather than terminate the black subject's identification with property." DeLombard, *Shadow of the Gallows*, 74-75. I am interested here in the way these obstacles to personhood were constructed by the very channels of communication – such as the abolition circuit – and in the effects of formerly enslaved negotiators proactively implemented disguises as strategies for accessing physical and discursive mobility.

[130] Seaman's papers were neither passport nor free papers, but created an interstitial mobility for the seamen of color who were necessary for maritime trade. See W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge, MA: Harvard University Press, 1997).

and sways the man to agree to take the money.[131] The "paper" communicated out of the hermetically sealed plantation circulates with decisive force in the communication culture of Norfolk's shipping economy – though it requires an interpretive act from a figure of (exploitative) authority. Despite being bound to slavery's property status, Grandy's ability to bargain, to obtain texts and make them effectuate what he has been promised, reveals his commercial literacy as a captain of goods, labor, and geographic mobility.

When Anne Whiting hears Grandy, over ten years later, and is moved to publish her support, she quotes one of the *Narrative*'s most dramatic passages, about Grandy's sleeping among "snakes, bears, and panthers." Notably, the section is from Gandy's time as a pseudo-slave, when he is working to pay back the loan and purchase his freedom. He is not on the run from slave-catchers, but the distinction is unclear in Whiting's quotation – in part because it remains essentially true. Grandy has fallen ill and becomes "anxious … to be earning something towards the repayment of Captain Minner, lest any accident unforeseen by him or me, should even yet deprive me of the liberty for which I so longed, and for which I had suffered so much." Grandy again uses business connections to arrange to be "carried in a lighter up a cross canal in the Dismal Swamp, and to the other side of Drummond's Lake," where he lives in a hut, among wild animals, using what strength he has to fell juniper trees and convert the wood into "cooper's timber."[132] What Whiting expresses as an escape – within the expectations of the slave narrative form – is much more complex. Grandy reads between the lines of his agreement with Captain Minner, knowing he has no legal standing to ensure its being carried out, and exerts physical mobility in order to achieve discursive mobility (seeing the contract through) in a commercial

[131] As William Andrews puts it, "In a southern court of law, Grandy had no voice, of course, but his narrative shows how effectively he appealed to the court of public opinion, even in the South. Because he skillfully mobilized white male peer pressure on his master, the slave ultimately won the verdict he sought – freedom." Introduction, *North Carolina Slave Narratives*, ed. Andrews (Chapel Hill: The University of North Carolina Press, 2003), 1-11, 10-11.
[132] Grandy, *Narrative*, 164.

network where he circulates at the mercy of masters and master-like authority figures. His time in the swamp is a kind of marronage in a zone of counter-communication. The traffic on the Dismal Swamp Canal moved through isolated communities of "swampers," and the Dismal Swamp "was a frequent refuge for slave runaways." David Cecelski writes, "watermen like Grandy provided those fugitives with a link to the world beyond the swamp." One imagines the favor returned during Grandy's respite.[133]

After a few weeks, Grandy is well enough to resume his shipping enterprise, and after three years of working the canal boats, he pays back the loan – the credit – granted by Captain Minner. "During this time," Grandy writes of Minner, "he made no claim whatever on my services; I was altogether on the footing of a free man, as far as a coloured man can there be free."[134] Grandy takes his free papers and moves north, to Rhode Island and then Massachusetts; the footing he finds *there*, as a free man, proves uneven as well. He labors in timber and coal industries, and on the docks as a stevedore. He also experiences transatlantic mobility, working on ships moving to and from Puerto Rico, the Mediterranean, and the East Indies; and he buys his wife's freedom with the earnings.

It is at this point that Grandy begins work as an abolitionist orator. Unlike many of the famous cases of former-slave activists who traveled overseas, Grandy already had experience in this kind of travel.[135] Nonetheless, like Whiting, the abolitionist agents who worked with him along the lecture circuit shaped his movement by the interpretive mandates of their ticket-regulated commercial network. Though the former-slave narrative's plot (and existence) required

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[133] Cecelski, *Waterman's Song*, 34. See also Sylviane A. Diouf, *Slavery's Exiles: The Story of the American Maroons* (New York: New York University Press, 2014), 212-13.
[134] Grandy, *Narrative*, 171.
[135] For work related to this chapter that focuses on reading slave narratives as travel literature see Lisa Brawley, "*My Bondage and My Freedom* and the Fugitive Tourist Industry," *Novel: A Forum on Fiction* 30.1 (1996): 98-128; John D. Cox, *Traveling South: Travel Narratives and the Construction of the American Identity* (Athens: University of Georgia Press, 2005); and Stephen Lucasi, "William Well Brown's 'Narrative' and Traveling Subjectivity," *African American Review* 41.3 (2007): 521-39.

the narrator-author's geographic mobility to create the crucial status shift – movement from Southern slavery to Northern freedom – the physical and discursive mobility of the men and women who had escaped immobility often relied upon further passages approved by, to borrow from Underground Railroad nomenclature, various ticket-taking conductors. The bargaining that Grandy accomplished as a person literate in commercial shipping found an analog in the abolitionist sphere, where agreements, forums, and access to printing presses required similarly aggressive acts of self-assertion coupled with the signed approval of authority figures.

Narrative of the Life of Moses Grandy was first published in London in 1843, having been transcribed by British abolitionist George Thompson in 1842 when Grandy was on a lecture tour there, and was reprinted three times in Boston in 1844, after his return to that city. Because of his limited ability to read and write, enforced by law and racial politics in the southern states, Grandy's circulation in print – his discursive mobility – *required* his physical presence. He spoke his narrative into existence, and he sold the text to audiences during lecture tours.[136] Thompson's preface speaks to the immediacy and openness of abolitionism's print pathways while recording the obstructions formed by racial prejudice: "About a fortnight ago, the subject of the following brief Memoir came to me, bearing with him a letter from a dear friend and distinguished abolitionist in the United States." Thompson prints parts of the letter: "'I seize my pen in haste to gratify a most worthy coloured friend of mine, by giving him a letter of introduction to you [Thompson], as he intends sailing this week (August 8th, 1842) for Liverpool and London, *via* New Orleans.'" The surprising New Orleans stop, the reader learns, was an attempt to find his children, who had been scattered by slavery, and shows Grandy's confidence in his ability to move within the transportation network of passenger ships and port towns – and to bargain for freedom. Nonetheless, the preface partially immobilizes Grandy by producing a reputation that

[136] Andrews, Introduction, 9.

precedes him. “He knows what it is to have been a slave,” the American abolitionist writes. “His history is not only authentic, but most extraordinary, and full of thrilling interest.”[137]

Thompson provides further gatekeeping: two more character-references, and a list of donations “by American friends,” “the names and certificates of persons of the highest respectability,” which he also prints for the reader. “Being satisfied by these indubitable vouchers of Moses Grandy’s title to credit,” Thompson explains, “I listened to his artless tale with entire confidence.” Not only has Grandy’s travel required a letter of introduction, of admission into the offices of British abolitionism (in addition to his free papers) but the materials authenticating his story are required for gaining a hearing. Grandy’s history highlights his transatlantic mobility and his vocal ability to circulate his story, but the recording of that history was conducted through an abolitionist pass system, the open ears of publishers, and the open coffers of patrons. Grandy finds his own way into print but has to present tickets to do so. “‘Just get him to tell you his narrative,’” the American abolitionist tells Thompson, “‘and if you happen to have an Anti-slavery Meeting, let him tell his tale to a British audience.’” The permission to speak granted by abolitionists to former slaves – the extension of “title to credit” – often prefaced expressive acts like Grandy’s, making for a continual process of freedom by paperwork, even as abolition’s communication culture offered an open platform for self-expression. “I leave,” Thompson concludes before signing off, “the touching story of the self-liberated captive to speak for itself.”[138]

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[137] Grandy, *Narrative*, iii-v.

[138] Ibid., 157. Nancy Kang employs the phrase “system of the pass” to describe the “immediacy and authority” of the slave pass “as material object.” She argues this system “was an occasion for the expression of radically-conceived textual desire predating (and yet making the way for) the slave narrative.” Kang thus links slave pass and slave narrative, but mostly to illustrate the literary power of passes, which “foreground the importance of understanding freedom not simply as a mental state or a geographically-determined construct, but [also as] a series of deliberate discursive practices that required neither the legitimization of publication nor the contingency of white editorship to have existed as a largely unacknowledged part of early black insurgent writing.” Nancy Kang, “‘As If I Had Entered a Paradise’: Fugitive Slave Narratives and Cross-Border Literary History,” *African American Review* 39.3 (2005):

If Moses Grandy resembles a fugitive slave in his narrative of self-purchase, in which his escape tactics operate as the attainment of discursive mobility via entrepreneurial literacy, the resemblance continues into the space of the abolitionist office where suspicion about the authenticity of his freedom lingers. The fugitive nature of his movements in and out of slavery expresses the extent of the slavery network and the pervasive racist logic that contributed to its persistence. The gateways of communication culture were policed by an array of quasi-officials who worked as agents for commercial interests – on both sides of the proslavery/abolition divide. I do not mean to undervalue the multifaceted mobility granted by abolitionist circuits and presses – and the accompanying safe(r) passages – but simply to point to the complicated relation between various tickets to freedom and the ever-checked nature of black mobility. Slave passes, seaman's papers, letters of introduction, receipts, and prefaces allow movement while simultaneously regulating it, all functioning as passports, as tickets to "free" passage. Indeed, the very movement granted by antislavery networks generated repeated narrative scenes of spatial confrontations: to the tropes of the talking book and the self-purchase fraud we can add the trope of northern segregation.[139]

Along with Frederick Douglass's 1855 autobiography, William and Ellen Craft's *Running a Thousand Miles to Freedom*, and Harriet Jacobs's *Incidents in the Life of a Slave Girl*, Grandy's conclusion does not, like others in the genre, "rhapsodize over life in the so-called Free States."[140] Grandy thanks "many friends … who have encouraged and assisted me," but in the following paragraph, he describes the immobilizing force of Northern prejudice:

431-57, 438-39. The forged pass works especially well in her reading, but the more common officially sanctioned pass creates a more fraught setting of *interpretation*, highlighting other forms of black literacy and, at the same time, pointing us to the ticket-taking role of abolitionists who grant mobility to the "free" speakers and authors of narratives.

[139] Henry Louis Gates, Jr., *The Signifying Monkey: A Theory of African-American Literary Criticism* (New York: Oxford University Press, 1989), 127-69; and DeLombard, *Shadow of the Gallows*, 73-80.

[140] Andrews, Introduction, 11.

> When I first went to the Northern States, which is about ten years ago, although I was free by law, I was made to feel severely the difference between persons of different colours. No black man was admitted to the same seats in churches with the whites, nor to the inside of public conveyances, nor into street coaches or cabs: we had to be content with the decks of steam-boats in all weathers, night and day,—not even our wives or children being allowed to go below, however it might rain, or snow, or freeze; in various other ways, we were treated as though we were of a race of men below the whites.

He credits abolitionists with helping change Northern segregation laws. But the way had been opened only partially: "Now, we may sit in any part of many places of worship[;] many public conveyances now make no distinction between white and black. We begin to feel we are really on the same footing as our fellow citizens. They see we can and do conduct ourselves with propriety, and they are now admitting us in many cases to the same standing with themselves."[141] *Many places*, *many public conveyances*, *many cases*: Grandy sums up his ten years of freedom in terms of incomplete progress, marked by his incessant mobility and incessant efforts to secure liberty for himself and his family members and to spread the message of abolition on behalf of slaves, fugitive or otherwise. His quest for social mobility – with its political and expressive valences – continued his original quest for the "footing" of a free man, for the right to "standing" equal to his fellow Americans. And the most dramatic sites of limited freedom encountered by people of color in the antebellum were the ticketed sites of public transportation.

In the early-1830s, Moses Grandy stood on the deck of a ship in Chesapeake Bay and gazed upon the shore. He had returned to Norfolk, Virginia to buy his son's freedom and had ventured into the city against a law typical of port towns in the South that made it illegal for free blacks simply to go ashore, much less bargain for the freedom of slaves. The outlaw scene belies

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[141] Grandy, *Narrative*, 181. The notion of "propriety" is a complicated one. On one hand, it is white society that "now see[s]" the preexisting ability of black society to share public spaces, but it is also another indication of the way white authorities demand free papers of black Americans, even those working on the abolitionist circuit. William Andrews finds "Grandy's ability to perform certain speech acts 'with propriety'" as part of "this mode" of narrative's "own literary contract of confidence between narrator and reader." Andrews, *To Tell a Free Story: The First Century of Afro-American Autobiography* (Urbana: University of Illinois Press, 1986), 114.

the notion that Grandy has legal standing granted with free papers and a year in the North. He takes the risk of arrest but fails to free his son, and he faces an increasing danger when headwinds keep his boat in harbor. Edlie Wong, in her archive-opening work on freedom suits brought by traveling slaves, points out that "movement or flight was not the antithesis of immobilization in the fugitive slave narrative but was the expression of a profound yearning for stasis." Like fugitives and traveling slaves, Grandy, though he holds free papers, is drawn back into the steel trap of the slave states through a strong desire to free and reunite with his family members. "Mobility and stasis," Wong writes, "emerge as two powerfully intertwined forces in early African American life and cultural expression."[142] As the scene unfolds, the headwinds relent only to pick up again off the coast of New Jersey, where the ship stalls a second time. Grandy tells the captain, "'Let me have a boat, and set me on the free land once more; then I will travel home overland; for I will not run the risk of going back to Virginia any more.'" After the captain complies: "I once more touched the free land[;] the burthen of my mind was removed: if two ton weight had been taken off, the relief would not seem so great."[143] Grandy moves to achieve familial stasis, hoping commerce and courts can aid his efforts. Even from atop the powerfully mobilizing sailing ship, he prefers to feel solid ground under his feet – the sensation of the status of a free person – rather than wait anxiously under the limp sails.

From the ship in the bay, Grandy describes seeing "the jail full of coloured people, and even the whipping post, at which they were constantly enduring the lash." It is a counterview to Frederick Douglass's famous sighting of the white-sailed vessels from the Maryland shore of the

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[142] Of the "negro seaman acts," Wong writes, "This history offers one of the starker illustrations of the racial moorings of police power, as lawmakers redefined these free blacks, regardless of national allegiances, into 'foreigners' subject to punishment. They became stateless persons as officials stripped them of their legal personhood as either citizens of northern states or subjects of Western nations." Wong, *Neither Fugitive nor Free*, 10, 187.

[143] Grandy eventually succeeded in buying his son's freedom, but he had six other children who were sold to New Orleans. Two daughters bought their freedom in an economic position roughly analogous to their father's, as stewardesses on a Mississippi River steamboat. Grandy, *Narrative*, 173-74.

Chesapeake, a mirrored image of Douglass aboard one of the ships he longs to embody, the image of freedom distorted by the immobilizing force of a federal system of slave law. In *Narrative of the Life of Frederick Douglass, An American Slave* (1845), Douglass writes of his year under the slave-breaker Covey, also in the early-1830s, that he would stand on the high banks of the Chesapeake on Sundays, during his only leisure time, and "trace[], with saddened heart and tearful eye, the countless number of sails moving off to the mighty ocean." "O! That I were free!" he tells the ships. "O, that I were on one of your gallant decks, and under your protective wing." It is a misleading vision when taking into account Grandy's perspective on a ship stalled by headwinds, but Douglass gazes upon a *steam*-powered transportation infrastructure – one that inspires him to travel to freedom: "It cannot be that I shall live and die a slave. I will take to the water. This very bay shall yet bear me into freedom. The steamboats steered in a north-east course…. I will do the same; and when I get to the head of the bay, I will turn my canoe adrift, and walk straight through Delaware into Pennsylvania. When I get there, I shall not be required to have a pass; I can travel without being disturbed."[144]

Douglass imagines escape and subsequent freedom as movement without constraint. Mobility beyond the slave pass system is a signifier of freedom, a shedding of the identifying documents of enslavement. From that point in the narrative, the slave pass is a significant object, for it figures into a failed escape undertaken by Douglass and some of the "scholars" in his "Sabbath school": "They were ready to hear, and ready to act…. We met often and consulted frequently." Their planning is limited – "We knew nothing about Canada. Our knowledge of the north did not extend farther than New York" – and fraught with anxiety: "At every gate thorough which we were to pass, we saw a watchman – at every ferry a guard – on every bridge a sentinel

[144] Frederick Douglass, *The Narrative of the Life of Frederick Douglass, an American Slave*, in *Autobiographies* (New York: The Library of America, 1994), 59-60.

– and in every wood a patrol." The information that circulates among them maps the treacherous travel routes surveyed from the immobilizing prospect of the plantation, where "any one having a white face … could stop us, and subject us to examination." As a result, they choose to take a "water route," hoping "to be regarded as fishermen." The surveillance system operating along the public transportation routes between plantations functioned in a way that constantly obstructed black mobility, subjecting people of color to examination, requiring slave passes (or free papers or seaman's papers), and empowering any white person to police the roads and waterways. Douglass and his group develop a method of counter-mobility, one that relies on disguise and dissemblance, enabled by knowledge transfer like that learned by Moses Grandy through literacy in littoral and maritime commerce – donning the identity of someone whose rightful place is in the midst of transportation channels. Additionally, Douglass, who had taught himself to read and write, is able to produce slave passes for the group. These too dissimulate by naming Baltimore as their destination: "We were not going to Baltimore; but, in going up the bay, we went toward Baltimore, and these protections were only intended to protect us on the bay." When the plot fails, and they are caught, the "protections" become evidence of wrongdoing and threaten their being sold into the harsher conditions of the Deep South. Douglass throws his into a fire and tells the others to eat theirs with their biscuits.[145]

Two years later, in 1838, Douglass is living in Baltimore and hiring his time as a ship-caulker. All of his profits go toward procuring the implements of his escape, but he has turned his vision from the shipyard to a new engine of mobility. Baltimore began investing in railroads as early as 1827, and in 1837 the city had made a significant connection with the completion of the Philadelphia, Wilmington, and Baltimore line, though the journey required ferry rides at

[145] Douglass, *Narrative*, 71, 73-75.

several points.[146] Douglass would ride as a passenger from Baltimore to Philadelphia and on to New York, eventually setting up a home in New Bedford, Massachusetts. However, in his 1845 *Narrative* and on the lecture circuit in the early-1840s Douglass reports, "on the third day of September, 1838, I left my chains, and succeeded in reaching New York without the slightest interruption of any kind. How I did so,—what means I adopted, —what direction I travelled, and by what mode of conveyance,—I must leave unexplained." It is a dramatic moment, leaving a mystery at the moment readers like Anne Whiting and George Thompson would have been on the edge of their seats. Douglass had already given his reasons for withholding, however. "I deem it proper to make known my intention not to state all the facts connected with the transaction," he warns two pages prior. He does not want to implicate those who helped him – having, like Grandy, made free use of actual names throughout the narrative – and he does not want to "induce greater vigilance on the part of slaveholders," which would "be the means of guarding a door whereby some dear brother bondman might escape his galling chains."

On this point he briefly elaborates, in a slight detour from the narrative: "I have never approved of the very public manner in which some of our western friends have conducted what they call the *underground railroad*, but which, I think, by their open declarations, has been made most emphatically the *upperground railroad*." These, he explains, "do nothing towards enlightening the slaves escaping, whilst they do much towards enlightening the master." Douglass also underscores the potential power of black mobility as underground discursive mobility, made physically and psychologically palpable: "I would leave [the slaveholder] to imagine himself surrounded by myriads of invisible tormentors, ever ready to snatch from his infernal grasp his trembling prey. Let him be left to feel his way in the dark; let darkness commensurate with his crime hover over him; and let him feel that at every step he takes, in

[146] Foner, *Gateway to Freedom*, 1.

pursuit of the flying bondman, he is running the frightful risk of having his hot brains dashed out by an invisible agency." The language is the *Narrative*'s most militant and violently threatening, evoking Nat Turner and the Southern paranoia of slave revolt – and in doing so runs counter to Garrisonian abolition's strict notion of nonviolence. But the potency of the passage is more akin to David Walker's *Appeal* than Turner's revolt, describing a weaponized literature triggering Southern readers' fear. Importantly, Douglass delivers the statement of black mobility at the moment the narrative diverges from the expectations of abolitionist discourse: how he made his thrilling escape.[147]

Douglass's experience of exposure in Talbot County and the necessity of destroying a paper trail seem to have convinced him of the necessity of maintaining a measure of cover, even when seeking ever-larger audiences on the lecture circuit of the 1840s. Keeping in mind Douglass's reasons for the omission, it is productive to read the events and methods of his escape back into the lacuna of the 1845 *Narrative* (and, below, into the 1855 revision), which requires drawing his autobiography of 1881, *Life and Times of Frederick Douglass, Written by Himself*, into a discussion of his antebellum experiences. The narrative of escape by train, at a primary level, helps us obtain a more complete picture of Douglass's early years as abolitionist and author – especially in terms of his use of tickets to freedom for the sake of discursive and physical mobility as against the obstructing forces of white supremacy.[148] It is also valuable precisely in the way Douglass found it dangerous: we gain insight into the machinations of the Underground Railroad, particularly, in this case, how information flowed among free blacks and

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[147] Douglass, *Narrative*, 84-85. William Andrews notes the similarity between slave narratives and "the capture-flight-and-pursuit plots of [popular] romances by James Fenimore Cooper, William Gilmore Simms, and Robert Montgomery Bird." Where Douglass leaves "a hiatus" is "where the customary climax should have been." Andrews, *To Tell a Free Story*, 129.

[148] See also Frederick Douglass, "My Escape from Slavery," *The Century Illustrated Monthly Magazine* 23.1 (November, 1881): 125-31. *The Century* is one of the subjects of Chapter 3.

slaves in Baltimore. Finally, the train-escape narrative serves as a useful lens for reassessing some of the most discussed aspects of the *Narrative* and *My Bondage and My Freedom*: Douglass's literacy, the preface shift between 1845 and 1855, and his critique of uppergrounding the Underground Railroad.

"My success," Douglass writes in his 1881 autobiography, "was due to address rather than to courage; to good luck than to bravery." His success relied on his learning a system of address, however, and his good luck was due to his mastery of that system – a kind of railroad literacy. The early trains running in and out of Baltimore were open to black passengers but the seating arrangement segregated black travelers from white. Free people of color were also required to carry passes while moving through slave states: "It was the custom in the State of Maryland to require of the free colored people to have what were called free papers. This instrument they were required to renew very often, and by charging a fee for this writing, considerable sums from time to time were collected by the State." Like other channels of public transport, the railroads were under white surveillance, with the railroad companies' ticket agents and conductors assuming the role of police. In this case, the analogous tickets of freedom were exchanged in the same transaction: a train ticket for passage to a destination down the line and free papers for the right to leave the station. As with his slave-pass forgery, however, Douglass insists the system "provided" him his "means of escape." Beyond being able to write passes, Douglass taps into a communication culture that called on covert information transfer whereby enslaved people and free people of color helped one another move – like Grandy among the maroons in the Dismal Swamp.

"Escape by personating" the owner of free papers put both parties at grave risk and relied on an economy of trust and credit that operated beyond the purview of white men, abolitionist or

slaveholder. "It was," Douglass states, looking back, "an act of supreme trust on the part of a freeman of color thus to put in jeopardy his own liberty that another might be free. It was, however, not unfrequently bravely done, and was seldom discovered."[149] Despite the limits exposed by Grandy's efforts to free his son, free papers could be used by multiple people and empowered the holder to exploit the American infrastructure: not just trains, as will be seen, but Douglass also mentions sending back the papers from a free state by mail.[150] Such use appropriated systems of racial control in the antebellum U.S.: the system of requiring identification papers of any non-white person traversing public roadways; and the systematic generalization of black appearance by the white gaze.[151] Passes described the bearer but could be used by more than one person, and the underground network of Baltimore abolitionists, primarily free blacks, transmitted the information: how to ride the American railroad. Just as Douglass imagines a weaponized slave narrative that leaves the means of escape mysterious, his 1881 recollections describe how he and others weaponized a broader communication culture that included the tickets to travel by public conveyance. Douglass writes that he "was not so fortunate as to sufficiently resemble any of my free acquaintances as to answer the description of

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[149] Frederick Douglass, *Life and Times of Frederick Douglass, Written by Himself*, in *Autobiographies* (1881; 1893; New York: Library of America, 1994), 643. James Horton and Lois Horton describe this kind of abolitionist network as a way to chart the reality of fugitive slave escapes, as against the myth of an organized system of white-run "stations": "There was an organized [Underground Railroad] run by black and white abolitionists, but at least as important was the loosely coordinated or individual efforts of thousands of blacks and many whites who acted out of personal compassion. Most runaways could not count on encountering organized assistance until they left the South, and initially, escape depended on the personal resources and inventiveness of the fugitive and the aid of the friends, relatives, and associates immediately at hand." James Oliver Horton and Lois E. Horton, *In Hope of Liberty: Culture, Community, and Protest Among Northern Free Blacks, 1700-1860* (New York: Oxford University Press, 1997), 230. For the first work to puncture the myth of the Underground Railroad see Larry Gara, *The Liberty Line: The Legend of the Underground Railroad* (Lexington: University of Kentucky Press, 1961).

[150] The most famous exploitation of the antebellum infrastructure for these purposes was Henry "Box" Brown, who with the help of friends in Richmond, Virginia, shipped himself express to Philadelphia, surviving twenty-seven hours in a shipping crate. See Henry Brown, *Narrative of Henry Box Brown, Who Escaped from Slavery, Enclosed in a Box 3 Feet Long and 2 Wide* (Boston: Brown and Stearns, 1849); Henry Box Brown, *Narrative of the Life of Henry Box Brown, Written by Himself* (Manchester, U.K.: Lee & Glynn, 1851); and Jeffrey Ruggles, *The Unboxing of Henry Brown* (Richmond: The Library of Virginia, 2003).

[151] For a reading of the stereotyped woodcut images of fugitive slaves and how the image of the running figure with a hobo bindle proved difficult for Douglass and others to escape in freedom, see Marcus Wood, *Blind Memory: Visual Representations of Slavery in England and America, 1780-1865* (New York: Routledge, 2000).

their papers." Instead, he calls on a favor from a friend, "who owned a sailor's protection, which answered somewhat the purpose of free papers – describing his person and certifying to the fact that he was a free American sailor." But even this paper did not describe Douglass "very accurately," "and close examination of it would have caused [his] arrest at the start."[152]

Moses Grandy's ability to work as a captain in a thriving maritime economy had given him entry into a social group whose pressure he called on to finally push his way into an economic exchange for his freedom; similarly, Douglass's knowledge of maritime culture, from his time on the docks and on boats traveling in and out of Baltimore, coupled with his knowledge of Baltimore's rail system to speed him on his way to freedom. He calls on a sailor friend for the use of the papers, and he calls on a hackman friend, appropriately named Isaac Rolls, to give him a running start: "I had arranged with [Rolls] to bring my baggage to the train just on the moment of starting, and jumping upon the car myself when the train was already in motion. Had I gone into the station and offered to purchase a ticket, I should have been instantly and carefully examined, and undoubtedly arrested." Neither the *Narrative*, nor *My Bondage and My Freedom*, nor the more expansive *Life and Times* gives any idea of Douglass's knowledge of train travel leading up to this moment. Each describes the young man's consistent movement by boat (between Baltimore, the Wye plantation, and St. Michael) and among commercial shipping vessels (as a caulker and as an observer of free sailing ships in Chesapeake Bay), but we are left to intuit his contact with the increasing activity in Baltimore's depot. According to the 1881 narrative, the escape was carefully planned with the help of Baltimore's free black community, including Douglass's wife Anna Murray,[153] and so it was most likely the case that Douglass knew

[152] Douglass, *Life and Times*, 643.
[153] "In the privacy of the family, it was always said that Anna sold a featherbed to finance the journey, and having suggested that Frederick impersonate a sailor, altered his clothing to make it look like a seaman's." William S. McFeely, *Frederick Douglass* (New York: Norton, 1991), 70.

what to expect at the station, on the platform, and in the train – but there is no evidence that any of this was from first-hand knowledge. Based on the fact that passenger trains were still relatively new to the city – and the line to Philadelphia through Wilmington only a year old – the overlapping communities of enslaved and free blacks acclimated quickly to the process of boarding and ticketing, keeping up with the trains themselves: "In choosing this plan upon which to act, I considered the jostle of the train, and the natural haste of the conductor in a train crowded with passengers, and relied upon my skill and address in playing the sailor as described in my protection, to do the rest."[154] The fast-pace of train mobility enhances Douglass's flight. He boards at a run, with luggage just arrived, and finds a seat during the unsettled departure, when the identities of passengers and conductors jostle in uncertainty. We must assume that Douglass has been prepared for the journey, its pitfalls and demands, by the same network that provided him the sailor's papers – discursive mobility overlapping with physical mobility through the exploitation of the multifaceted pass system.[155]

Once seated, Douglass continues to perform a casual air of practiced mobility. He gives credit to his "address" rather than "courage" for the success of the journey, a matter of voice, comportment, and costume:

> In my clothing I was rigged out in sailor style. I had on a red shirt and a tarpaulin hat and black cravat, tied in sailor fashion, carelessly and loosely about my neck. My knowledge of ships and sailor's talk came much to my assistance, for I knew

[154] Douglass, *Life and Times*, 643-44.

[155] As John Cox points out, "the significance and meaning of literacy has been the single issue around which almost all Douglass criticism has revolved…. But [he] is not solely a language-user…. It is, in fact, his status as a traveler that makes Douglass most representative as an American." *Traveling South*, 69-71. My reading here agrees with Cox's in that literacy as such is too confining to understand how Frederick Bailey became Frederick Douglass, but I am interested in the institutional "literacy" he attained during this process (i.e., learning to ride trains) rather than reading him alongside Crèvecœur and William Bartram. For notable studies of Douglass's "journey" into literacy see, Houston Baker, *The Journey Back: Issues in Black Literature and Criticism* (Chicago: The University of Chicago Press, 1980); Henry Louis Gates, Jr., *Figures in Black: Words, Signs, and the 'Racial' Self* (New York: Oxford University Press, 1987); Rafia Zafar, "Franklinian Douglass: The Afro-American as Representative Man," in *Frederick Douglass: New Literary and Historical Essays*, ed. Eric J. Sundquist (New York: Cambridge University Press, 1990), 99-117.

> a ship from stem to stern, and from keelson to cross-trees, and could talk sailor like an "old salt." On sped the train, and I was well on the way to Havre de Grace before the conductor came into the negro car to collect tickets and examine the papers of his black passengers. This was a critical moment in the drama. My whole future depended upon the decision of this conductor. Agitated I was while this ceremony was proceeding, but still, externally at least, I was apparently calm and self-possessed. He went on with his duty—examining several colored passengers before reaching me. He was somewhat harsh in tone and peremptory in manner until he reached me, when, strangely enough, and to my surprise and relief, his whole manner changed. Seeing that I did not readily produce my free papers, as the other colored persons in the car had done, he said to me in a friendly contrast with that observed towards the others: "I suppose you have your free papers?" To which I answered: "No, sir; I never carry my free papers to sea with me." "But you have something to show that you are a free man, have you not?" "Yes, sir," I answered; "I have a paper with the American eagle on it, that will carry me round the world." With this I drew from my deep sailor's pocket my seaman's protection, as before described. The merest glance at the paper satisfied him, and he took my fare and went on about his business.[156]

Douglass's performance of self-possession, of confident assertion of his right to move station to station and across state lines in a speeding rail car, calls on his vocal approximation of "talking sailor," his cravat, and the document he pulls from a deep pocket. These performances of an alternative identity demonstrate the importance of Douglass's discursive mobility among free blacks and sailors in Baltimore.

Boarding the train is only the first of Douglass's performances. He calls the exchange with the conductor "one of the most anxious [moments] I ever experienced," but the escape proceeds through Maryland, Delaware, and Pennsylvania, always under the surveillance of acquaintances, employers, and strangers who might be slave-catchers. "I saw on the train several persons who would have known me in any other clothes," Douglass writes, which gives him a policed sense of self: "Though I was not a murderer fleeing from justice, I felt, perhaps, quite as miserable as a criminal. The train was moving at a very high rate of speed for that time of railroad travel, but to my anxious mind, it was moving far too slowly. Minutes were hours, and

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[156] Douglass, *Life and Times*, 643-44.

hours were days during this part of my flight." Modern speed – if it is his first train ride, he would not have traveled faster before – cannot keep up with his desire for escape, though it involves situations of continual surveillance.[157] After several changes between trains, ferries, and steamboats, Douglass arrives in Philadelphia, where he finds out how to get to New York from a black porter – another sign of the workings of the Underground Railroad near the train depot in a major hub for runaways and free blacks. Douglass stays in motion, catching a night train and reaching New York the following morning, "having completed the journey in less than twenty-four hours."[158]

At the end of the *Narrative*, Douglass quickly sums up the events and activities that took place between 1838, when he settled in New Bedford, Massachusetts, and 1845. He begins reading *The Liberator* weekly, after an agent made contact with him and put him on the subscriber list on credit. "The paper became my meat and my drink," Douglass writes. "My soul was set all on fire; [it] sent a thrill of joy through my soul, such as I had never felt before!" His, like Whiting's, is a whole-soul reverence. And, at least in this telling, the reading-practice drives him to attend meetings, where he "seldom had much to say … because what I wanted to say was said so much better by others." Then comes a moment of climactic transition, which rhymes with his declaration preceding his fistfight with Covey – "You have seen how a man was made a slave; you shall see how a slave was made a man":

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[157] Douglass, *Life and Times*, 644-45. The train windows, too, contribute to his feeling of near-constant exposure: "Once across the river I encountered a new danger…. On the meeting at this point of the two trains, the one going south stopped on the track just opposite the one going north, and it so happened that [a ship-yard owner Douglass had worked for] Captain McGowan sat at a window where he could see me very distinctly, and would certainly have recognized me had he looked at me but for a second. Fortunately, in the hurry of the moment, he did not see me, and the trains soon passed each other on their respective ways." Ibid., 646.

[158] Ibid. Of the black porter, William McFeely writes, "no profession has done more for the mobility of black America than his." *Douglass*, 72. Eric Foner fails to mention porters, but echoes the point with an expanded list of professions: "Ironically, many of the occupations to which blacks were restricted—mariners, dock workers, cooks and waiters at hotels, servants in the homes of wealthy merchants—positioned them to assist fugitive slaves who arrived hidden on ships, or slaves who accompanied their owners on visits to New York and wished to claim their freedom." *Gateway to Freedom*, 47. See also Leonard P. Curry, *The Free Black in Urban America, 1800-1850: The Shadow of the Dream* (Chicago: The University of Chicago Press, 1981).

> But while attending an anti-slavery convention at Nantucket, on the 11th of August 1841, I felt strongly moved to speak, and was at the same time much urged to do so by Mr. William C. Coffin, a gentleman who had heard me speak in the colored people's meeting at New Bedford. It was a severe cross, and I took it up reluctantly. The truth was, I felt myself a slave, and the idea of speaking to white people weighed me down. I spoke but a few moments, when I felt a degree of freedom, and said what I desired with considerable ease.[159]

Speaking in public requires the sensation of freedom. Douglass recounts being drawn out of a primarily black public sphere to speak before a primarily white crowd, apparently for the first time, and it is this "degree of freedom," requiring mobility and voice, that transforms him from "[feeling] himself a slave" to becoming an author of and authority on that feeling. As with Grandy's accessible but limited discursive mobility, the scene contains both the authorizing presence of white intermediaries and the insistent expression of a liberated speaker. The notion of regulated liberty is captured in Douglass's feeling "strongly *moved*" and, at the same time, being "much *urged* to do so" by Coffin. And like Grandy's *Narrative*, Douglass's contains the distinguishing characteristics of former slave narratives of the era: prefatory letters crediting the author with the license of self-expression. These were written by William Lloyd Garrison and the Boston lawyer Wendell Phillips, both engaged in the high offices of the American Anti-Slavery Society (AASS).

Douglass challenges the form of the slave narrative that follows by leaving out his thrilling escape, exercising an author's discursive mobility.[160] Reading that scene back into the narrative provides a glimpse of an author who had learned to express himself, had earned a wide-

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[159] Douglass, *Narrative*, 60, 96.

[160] According to Lisa Brawley, "Douglass's refusal to narrate his journey as a spectacular adventure forms part of his rejection of the way abolitionist production made a spectacle of the fugitive's escape." "Fugitive Tourist Industry," 116. Such a reading runs counter to Dickson Bruce's sense that "issues" such as the prefaces' "white envelope" effect "should not obscure what was, within abolitionism, the more important concern…. [T]he narratives were used, by white and black abolitionists alike, to authenticate the movement itself … a role that involved giving credence to abolitionist perspective on slavery and on African Americans themselves." Dickson D. Bruce, Jr., *The Origins of African American Literature, 1680-1865* (Charlottesville: University Press of Virginia, 2001), 241. Thinking of the movement as a series of actual *movements*, however, reveals the way authentication was a system of ticket-taking checkpoints that allowed mobility at the cost of creating interpretive obstacles to its full expression.

ranging literacy among free and enslaved people whose communication (counter)culture relied on a freedom granted by going, and speaking, undercover. In his preface Garrison promises, "I am confident that [the *Narrative*] is essentially true in all its statements; that nothing has been set down in malice, nothing exaggerated, nothing drawn from the imagination."[161] Abolition's anxiety about authenticity (a rehashing of slavery's anxiety about personhood[162]) calls for Garrison's stamp of approval to ensure the truth and character of the text that follows. Thompson and Whiting perform similar functions for Grandy. Douglass, however, freely imagines the slaveholder's "hot brains dashed out" by an invisible network of mobile blacks. That passage, which covers up his escape, marks his discursive mobility against the grain of the licensing white authorities, and in doing so briefly illustrates his preferred version of the "underground railroad" – one that signifies and operates beyond the publication network of white abolitionists.[163] In refusing to reproduce his ticket exchange to freedom on the train, Douglass challenges – to a degree, at least in 1845 – the ticket exchange to freedom on the abolition circuit.

During the ten years between the publication of his *Narrative* and the expanded revision of his autobiography, *My Bondage and My Freedom* (1855), Frederick Douglass experienced increasing mobility as an abolitionist lecturer. Critics and biographers have especially noted the

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[161] Douglass, *Narrative*, 7. William Andrews points out that other deviations in the narrative speak to Douglass's power as a writer: "Today, questions about whether Douglass imagined or exaggerated matters in the *Narrative* continue to be researched by historians. What is more to our purpose is Douglass's employment of his imagination, his ability to portray images in language and thereby evoke sensations in his reader, as a means of influencing his reader's perceptions and response to him and his world." Andrews, *To Tell a Free Story*, 135.

[162] For a study of the way the "mixed character" of slaves under slavery law would continue to trouble legal issues after emancipation – namely the mixed character of intellectual property – see Stephen Best, *The Fugitive's Properties: Law and the Poetics of Possession* (Chicago: The University of Chicago Press, 2004).

[163] Grandy, at the end of his *Narrative*, mentions fugitive slaves, but no escape network: those "quitting, through many dangers and hardships, the land of bondage," who "suffer many privations in their attempts to reach the free states." He gives a broad description, keeping the methods underground: "They hide themselves during the day in the woods and swamps; at night they travel, crossing rivers by swimming, or by boats they may chance to meet with, and passing over hills and meadows which they do not know; in these dangerous journeys they are guided by the north-star, for they only know that the land of freedom is in the north." Grandy, *Narrative*, 182. Such chanciness was the nature of these escapes, but there is a record – thanks to the uppergrounding announcements criticized by Douglass – of increasing systemization by the end of the 1830s. See Bordewich, *Bound for Canaan*, 238-39.

importance of his two-year trip to the British Isles, 1845-1847. "Revision," Robert Levine writes, "rather than completion, was among Douglass's highest values as an autobiographer."[164] This was, at least in part, a product of Douglass's increased circulation among groups other than the Garrisonians. While his experiences in slavery continue to be the focus and motivation of *Bondage and Freedom*, Douglass adds a short section – though half of the title – "Life as a Freeman," in which he describes his early years on the abolition circuit, the events that followed his inaugural speech.[165] The way he writes about his experiences as an abolitionist indicates the critical power of discursive mobility, of continuing to move and gain perspective, which were perhaps as important as the freeing acts of his ideological break with Garrisonians and his beginning his own abolitionist newspaper, *The North Star*. Just as donning the identity of a sailor helped Douglass escape into the personal liberty of a free laborer, so adopting the identity of a Garrisonian abolitionist helped Douglass move among lecture circuits and express himself in print. Taking yet further steps toward discursive mobility, his subsequent assumption of the identity of an editor, with the support of British allies, allowed Douglass an even greater degree of self-expression. In this way, "Life as a Freeman" illustrates an important overlap between train travel and free speech: bodies had to be mobile for ideas to circulate.

Douglass's membership among the ranks of New England abolitionists is at first exhilarating – provoking enthusiastic excitement about the prospects of citizenship, a brief time during which he "was made to forget that my skin was dark and my hair crisped." The initial feeling dissipates, however; he finds his "enthusiasm had been extravagant" and that "hardships

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[164] Robert S. Levine, *The Lives of Frederick Douglass* (Cambridge, MA: Harvard University Press, 2016), x.
[165] Robert Levine finds "a wealth of new material about Douglass's life" in this "short concluding section." He takes issue with David Blight and John Stauffer's assessments of the section's literary limits. For Levine, "Life as a Freeman" "helps us to better understand why Douglass has written a second autobiography just ten years after the first: he wants to address the political transformation that led to his break with Garrison." *Lives*, 168. See also John Stauffer, Foreword, Frederick Douglass, *My Bondage and My Freedom* (New York: Modern Library, 2003), xix-xxix; David W. Blight, Introduction, Frederick Douglass, *My Bondage and My Freedom* (New Haven, CT: Yale University Press, 2014), ix-xxx.

and dangers were not yet passed."[166] These terms of movement – feeling that goes too far, obstacles yet to be outrun – are appropriate, for Douglass's "first duties" included traveling "to secure subscriptions" for antislavery publications with fellow AASS agent George Foster. Despite exercising new mobility on the lecture circuit, he continues to perform the persona of a fugitive slave, which is to say, the persona of one whose enslavement still defines him: "I was generally introduced as a '*chattel*'—a '*thing*'—a piece of southern '*property*'—the chairman assuring the audience that *it* could speak." His presence draws curious onlookers as was intended by the Massachusetts Anti-Slavery Society ("Fugitive slaves, at that time, were not so plentiful as now; and as a fugitive slave lecturer, I had the advantage of being a '*brand new fact*'—the first one out"), but the objectification is sharply felt. "Up to that time," he writes, "a colored man was deemed a fool who confessed himself a runaway slave, not only because of the danger to which he exposed himself of being retaken, but because it was a confession of a very low origin!" And it is this origin, Douglass's connection to the experience of slavery that was encouraged by his colleagues:

> "Let us have the facts," said the people. So also said Friend George Foster, who always wished to pin me down to my simple narrative…. Just here arose some embarrassment. It was impossible for me to repeat the same old story month after month, and to keep up my interest in it[;] and to go through with it night after night, was a task altogether too mechanical for my nature. "Tell your story, Frederick," would whisper my then revered friend, William Lloyd Garrison, as I stepped upon the platform. I could not always obey, for I was now reading and thinking. New views of the subject were presented to my mind. It did not entirely satisfy me to *narrate* wrongs; I felt like *denouncing* them…. Besides, I was growing, and needed room…. It was said to me, 'Better have a *little* of the plantation manner of speech than not; 'tis not best that you seem to learned. These excellent friends were actuated by the best of motives, and were not altogether wrong in their advice; and still I must speak just the word that seemed to *me* the word to be spoken *by* me."[167]

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[166] Frederick Douglass, *My Bondage and My Freedom*, in *Autobiographies* (1855; NY: Library of America, 1994), 366.
[167] Ibid., 366-67.

The record of speeches delivered by Douglass in those early years shows that he in fact did not obey often, managing to denounce as well as narrate.[168] He cites his "reading and thinking" as the cause of his divergence from the formal demands of his abolitionist friends, but because he was repeating "the same old story month after month" while traveling the North, his critical apparatus was surely influenced by his experience on the road. The dual nature of physical movement and self-expression are inextricably linked in Douglass's discursive mobility. His faculty for expression carried him onto circuit roads and railways, into town halls and meetinghouses. The importance of the free exercise of self-expression to his sense of self is clear in the last line, in the simplicity of the formula (speaking the word that seems the word to be spoken) and the doubly emphasized *me*. But the public in which Douglass sought to find himself was resistant, not just the formulas demanded by the Garrisonians, but because finding his voice subsequently cause him to be "denounced as an imposter."

"After becoming a public lecturer," he explains in *Bondage and Freedom*, "I was induced to write out the leading facts connected with my experience in slavery, giving names of persons, places, and dates—thus putting it in the power of any who doubted, to ascertain the truth or falsehood of my story of being a fugitive slave." This strategy of documentation, in turn, created a new level of danger by authenticating his identity as a fugitive slave, at a time when the *Narrative* "soon became known in Maryland, and [he] had reason to believe that an effort would be made to recapture me." Douglass's work as an abolitionist lecturer put him especially at risk, for his lecture dates and locations were published ahead of time, and, he remembers, "In traveling about from place to place—often alone—I was much exposed to … attack." In short, traveling by train as an exercise of discursive mobility put Douglass at significant risk of public surveillance, particularly when the *Narrative* expanded his orbit. His initial flight continued into

[168] See Levine, *The Lives of Frederick Douglass*, 119-178; and DeLombard, *Slavery on Trial*, 101-2.

the train stations of northern towns, for, he writes, "though I had reached a free state, and had attained a position for public usefulness, I was still tormented with the liability of losing my liberty."[169] In response, Douglass, like Moses Grandy, crossed the Atlantic to obtain greater freedom of self-expression.

After the *Narrative* increased the chance of capture, Douglass spent two years touring the British Isles. Though he remained in correspondence with – and under the watch of – Garrison and the Massachusetts Anti-Slavery Society, Douglass's account of the experience communicates a feeling of finding the room to grow. This meant forging his own tickets to freedom. Douglass preceded the prefatory material of Garrison and Phillips with an introduction of his own in the second Dublin edition of the *Narrative*; and he formed friendships with benefactors who bought Douglass his legal freedom and, as importantly for his sense of self, a steam-powered printing press.[170] When he returned to New England, he exercised his new mobility by moving to Rochester, New York and setting up the *North Star*.

My Bondage and My Freedom revises and expands the *Narrative* from this new discursive and physical perspective. Notably, the 1855 autobiography calls on the Northern-segregation trope and does so in the midst of Douglass's critique of abolition's racial hierarchy. Both experiences are drawn from travel on the lecture circuit. He does so almost demurely, claiming to "bring up a thread left behind for the sake of convenience, but which, small as it is, cannot be properly omitted altogether; and that thread is American prejudice against color," from which, he explains, "abolitionists themselves were not entirely free."[171] Douglass's first years of travel from northern town to northern town took place during a period of racial regulation under

[169] Douglass, *Bondage and Freedom*, 368-69.
[170] Levine, *Lives*, 76-91; Patricia J. Ferreira, "Frederick Douglass and the 1846 Dublin Edition of His *Narrative*," *New Hibernia Review* 5.1 (2001): 53-67.
[171] Ibid., 393.

the "custom of providing separate cars for the accommodation of colored travelers," which was exercised then "on nearly all the railroads of New England." "Regarding this custom as fostering the spirit of caste," Douglass tells his readers in 1855, "I made it a rule to seat myself in the cars for the accommodation of passengers generally. Thus seated, I was sure to be called upon to betake myself to the '*Jim Crow car*.' Refusing to obey, I was often dragged out of my seat, beaten, and severely bruised, by conductors and brakemen."[172] He recounts a journey from his home in Lynn to Newburyport on the Eastern Railroad, during which he goes "into one of the best railroad carriages on the road":

> The seats were very luxuriant and beautiful. I was waited upon by the conductor, and ordered out; whereupon I demanded the reason for my invidious removal, [but] they remained as dumb as death. I was soon waited on by half a dozen fellows of the baser sort … and told that I must move out of that seat, and if I did not, they would drag me out. I refused to move, and they clutched me, head, neck, and shoulders. But, in anticipation … I had interwoven myself among the seats. In dragging me out … it must have cost the company twenty-five or thirty dollars, for I tore up seats and all.[173]

As a free passenger Douglass does not attempt to travel unobserved but makes a scene; the fact

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[172] Ibid., 393-94. Like "Underground Railroad," "Jim Crow" was a recent formulation. The editors of the *Douglass Papers* note, "The term *Jim Crow* derives from the refrain of a popular nineteenth-century plantation song, 'Wheel about and turn about and jump Jim Crow.' The term refers to a stage presentation of a song and dance first performed by Thomas D. Rice and later used in minstrel shows. A 'Jim Crow car' was a railroad car for the exclusive use of African Americans, and seems to have been first used in Massachusetts in 1841." John W. Blassingame et al., Historical Annotation, Frederick Douglass, *The Douglass Papers*, *Series Two: Autobiographical Writings* (New Haven, CT: Yale University Press, 2012), 394-95. See also Mitford M. Matthews, *Dictionary of Americanisms* (Chicago: The University of Chicago Press, 1951), 1:907.

[173] Douglass, *Bondage and Freedom*, 394. Stagecoach, steamboat, and railroad companies tended to segregate passengers into "white" and "Jim Crow" sections during the 1830s and early-1840s. By that time, abolitionists had gained in strength and volume, publicizing the harassment of black passengers in a state that prided itself on progress toward racial equality. Additionally, "black passengers staged numerous protests against separate accommodations, particularly on Massachusetts railroads." Douglass's physical struggle "was a common tactic used by blacks and their supporters." Although the state legislature was unable to pass a bill barring segregation on public conveyances, the volume of court cases brought against the individual companies and boycotts led by abolitionist, led to the abandonment of the practice by 1843. John W. Blassingame et al., Historical Annotation, 395. See also, Charles Lenox Remond, "The Rights of Colored Citizens in Traveling," in *The Abolitionists: A Collection of Their Writing*, ed. Louis Ruchames (New York: Putnam, 1963), 179-84; James Oliver Horton and Lois E. Horton, *Black Bostonians: Family Life and Community Struggle in the Antebellum North* (New York, 1979), 67-70; Leon Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: The University of Chicago Press, 1961), 106-8. George Pierce Baker, *The Formation of the New England Railroad Systems: A Study of Railroad Combination in the Nineteenth Century* (Cambridge, MA: Harvard University Press, 1937), 147-49, 36-37.

of movement is not enough; to recall Wong, Douglass desires mobility as a passenger in order to achieve stasis as a rightfully positioned citizen. He "battles" for the right to *go into* the luxurious car and *remain* there.

The passage on Jim Crow cars directly follows Douglass's discussion of the lack of freedom experienced in the abolitionist ranks. The "small thread" of Northern prejudice links the overall atmosphere of regulated black mobility in the antebellum North. In this way Douglass criticizes the supposedly emancipatory rhetoric of antislavery societies in relation to the systematic limits on the movement of black travelers on Northern trains.[174] Black and white abolitionists did work together, though, to challenge the segregation practices (what would later be known as de facto segregation) through grassroots activism like Douglass's as well as print and legislative campaigns. The boycott route proved effective, at least in Massachusetts, for by 1844 the railroad companies had abandoned the practice despite lack of legislative action.[175]

As with Grandy's paperwork, it is the *interpretive* act of a white authority figure that authorizes the exchange of ticket for passage. Beyond the transactional dynamic of granting passes or tickets, someone empowered to prevent or allow a person's passage exerts power at the gateways of communication: whether a white neighbor approving a slave pass (or helping enforce similarly nonbinding contract), a port official accepting or ignoring seaman's papers, a conductor accepting a train ticket, or an abolition agent granting room on a platform or pages on a printing press. White passengers, orators, and authors, of course, submitted to a related process,

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[174] The first time Douglass speaks in Concord, October 12, 1841, one of the day's topics was "the recent outrages" on segregated trains in Massachusetts, specifically those experienced by Douglass and other traveling abolitionists. See Petrulionis, *To Set*, 29; McFeely, *Douglass*, 92-93.

[175] Grandy in 1844 and Douglass in 1855 both acknowledge the fact of integrated train travel (Grandy cites "most" conveyances to be so), which is typical of the Northern-segregation trope. In her historical survey of antebellum civil rights protests, however, Elizabeth Pryor notes: "the reality was that Jim Crow segregation remained a contest between radical men and women and those white people who reviled black freedom before, during, and after the Civil War…. Indeed, racial segregation on public conveyances remained a central weapon of white supremacy throughout the nineteenth century and for much of the twentieth. Consequently, public vehicles proved a site of renewed activism on which radicals mobilized for more than 100 years." Pryor, *Colored Travelers*, 102.

but the regulation of black mobility – born of the slave-pass system and the correlated, broad police powers of the white, male citizenry – meant that the interpretation of black movement and expression forced Americans of color into a continual state of contingency, precarity, and fugacity. Between the early 1840s and 1855 Frederick Douglass worked to achieve the status of interpreter/conductor – and to share it with other African Americans.[176] *My Bondage and My Freedom* begins with a letter penned by Douglass himself and with an introduction by Dr. James McCune Smith, a physician and activist of color. These documents signify a shift in the gatekeeping of abolition's communication culture, as does, in a more subtle way, Douglass's expanded critique of fugitive slave narratives.

In 1845 Douglass took clearest authorial control of his *Narrative* when he left out his escape and called for keeping the "underground railroad" underground. In 1855, he repeats his disapproval of "the very public manner, in which some of our western friends have conducted what *they* call the '*Under-ground Railroad*'" making the clandestine communication system the "'*Upper*-ground Railroad'" as a result. And his reasoning remains that the information about routes, stations, and conductors is more easily accessed and communicated by slaveholders than by abolitionists and those attempting escapes. "In publishing such accounts, the anti-slavery man addresses the slaveholder, *not the slave*; he stimulates the former to greater watchfulness, and adds to his facilities for capturing his slave."[177] Douglass articulates an even stronger statement of violent threat against the slaveholder in 1855, insisting that he "should be left to imagine himself surrounded by myriads of invisible tormentors, ever ready to snatch, from his infernal grasp, his trembling prey … left to feel his way in the dark." "[L]et him be made to feel," Douglass continues, "that, at every step he takes, with the hellish purpose of reducing a brother man to

[176] Jeannine DeLombard considers this transformation, in the terms of the trial, "from testimonial to prosecutorial posture." *Slavery on Trial*, 103.
[177] Douglass, *Bondage and Freedom*, 340.

slavery, he is running the frightful risk of having his hot brains dashed out by an invisible hand." As in the *Narrative*, such language deviates from the rhetoric of Garrisonian moral suasion, with greater emphasis in this version ("agency" becomes "hand"), again right at the moment the reader expects a climactic adventure. The passage should be understood as an exercise in discursive mobility – in which cover and disguise offer future fugitives *physical* room to maneuver.

It is as author, editor, and activist – he consistently helped fugitives pass through Rochester on their way to Canada[178] – that Douglass questions the public accounts of those who followed similar paths to freedom and fame: "The practice of publishing every new invention by which a slave is known to have escaped from slavery, has neither wisdom nor necessity to sustain it." Here Douglass offers two specific examples, explaining, "Had not Henry Box Brown and his friends attracted attention to the manner of his escape, we might have had a thousand *Box Browns* per annum. The singularly original plan adopted by William and Ellen Craft, perished with the first using because every slaveholder in the land was apprised of it."[179] All three escaped by train to Philadelphia in the late 1840s, from farther away than Douglass: Brown had himself shipped from Richmond, Virginia; the Crafts traveled as passengers all the way from Macon, Georgia. It is unknowable how many slaves would have been captured emulating Douglass had he given more information about his train journey dressed as a sailor, or how many would have been able to safely emulate Brown's use of mail cars or the passenger performances of the Crafts had their journeys not been made public.[180] Nonetheless, these narratives of undercover use of

[178] See Foner, *Gateway to Freedom*, 181-182.
[179] Douglass, *Bondage and Freedom*, 339.
[180] Eric Foner focuses *Gateway to Freedom* on the operation of the Underground Railroad in New York City, drawing on Sydney Howard Gay's Record of Fugitives, a recently discovered account book of two-hundred fugitives who passed through the New Yorker's abolition network between 1855 and 1856 – through the especial help of black abolitionist Louis Napoleon. Douglass's route from Baltimore to Philadelphia to New York, in fact, models the most typical escape by train in the record. Foner names a few of these: "Charles Holliday left Baltimore

public communication systems do give us insight into the way discourse operated within the transportation networks of the antebellum U.S. and how the transportation networks continued to impact the discursive mobility of formerly enslaved activists.

We have tracked the overlapping circulations of Moses Grandy and Frederick Douglass in abolition's communication culture, and adding William and Ellen Craft to the discussion offers fine-tuned details of what it meant to journey from the Deep South through to the antislavery circuit in New England and Britain. While Henry "Box" Brown gives an insider's view of the postal system from his experience inside of a shipping crate, and his narrative (spectacularly) offers the opportunity to think carefully about what slavery, railways, and commodification have to do with one another, the Crafts' narrative depicts a detailed experience of train travel that reveals how ticketing varied depending on the racial and gendered status of passengers – and how these statuses could be overwritten.

William and Ellen Craft used a sequence of public conveyances to escape from bondage in December 1848, and they almost immediately began circulating the abolition circuit, William as a lecturer and Ellen as the subject of a popular engraving depicting her in disguise as an ailing white slaveowner. Their lecture tours overlapped with Douglass's in 1849, in Massachusetts and Connecticut, and they, like many others, escaped to England following the passage of the Fugitive Slave Law of 1850. It was not until 1860 that their narrative, *Running A Thousand Miles*

'by the cars' (as Gay referred to the railroad) and 'came through immediately' to Philadelphia. Nathaniel West, who worked in Barnum's City Hotel in Baltimore, 'bought a ticket at the depot, and came off in the cars like a gentleman.' Harriet Eglin and her cousin Charlotte Giles of Baltimore borrowed five dollars 'on the credit of Charlotte's mistress' and arranged for a white man, who had been told they were free, to buy their train tickets to Little York, Pennsylvania. Eglin and Giles traveled wearing large mourning hats and veils to conceal their appearance…. In May 1856, seven fugitives boarded a train in Mt. Pleasant, Maryland, hoping to reach Wilmington. They 'were questioned but not stopped' and soon made their way to Philadelphia and New York." Even when other modes of transport were used, the railroad was frequently one of the legs, as with horse and carriage, ferryboats, afoot, etc. *Gateway to Freedom*, 206-8. See also Gay's Record of Fugitives (Columbia's Rare Book and Manuscript Library), April 3, May 28, September 1, December 5, 1855, January 4, June 5, March 27, May 15, 26, 1856; *The Baltimore Sun*, May 22, 24, 28, 29, 1856; and William Still, *The Underground Rail Road* (Philadelphia: Porter & Coates, 1872), 114-15, 214, 219, 222.

for Freedom; Or the Escape of William and Ellen Craft from Slavery, was published abroad, but by that time they had become famous because of the tours and circulating images of Ellen in her disguise. Because they escaped as white master and black slave and later traveled as wife (of indiscernible race) and husband, their narrative starkly illustrates the related features of black immobility and white mobility along U.S. transportation channels.

As much as a travelogue, *Running a Thousand Miles for Freedom* reads like a ticket-book. It begins with a preface written by the primary author, William Craft. He establishes its value within the abolitionist public sphere, showing how the commercial success of the Crafts' performances, which led to the production of the text, contributed to the liberation of their family members. William's mother, for example, has informed him that his sister was found in Mississippi, and "partly by lecturing occasionally, and through the sale of an engraving of my wife in the disguise in which she escaped, together with [funds raised from benefactors], I have nearly accomplished this." Douglass attests to their fame with his reference to them in *Bondage and Freedom*, five years before the publication of *Running*. If Douglass underestimates the self-expressive value of publicly recounting the trials of escape (the power of the heroic details of success stories, for example), he also underestimates the way the upper-grounding of the Underground Railroad was exploited by formerly enslaved activists to free their loved ones: reproductions of Ellen Craft's image operated as tickets to freedom for their family members.[181]

William and Ellen were married in the commercial hub of Macon, Georgia, in the pseudo-legal arrangements of slave marriages, enforced only when convenient for their masters (like Grandy's self-purchase contracts). Ellen's master was known to be her father, a fact

[181] William and Ellen Craft, *Running A Thousand Miles for Freedom* (1860; Athens: University of Georgia Press, 1999), 9-10. In her introduction, Barbara McCaskill points out that the gender-blurring costume used by Ellen was not unique to her: "As William Still's compendious *Underground Rail Road* (1872) shows, men escaped disguised as women, women escaped dressed as men." Introduction, Craft, *Running*, vii-xxv, xvi.

demonstrated by her ambiguous racial appearance. This connection also produced what was surely her and William's inspiration for escape, as recounted in the first pages of *Running*. Ellen's aunt had married *her* master, who granted her and her children freedom, but when he died, an opportunistic neighbor, Slator, successfully exerted ownership over the intestate family. Two of the children, Frank and Mary, managed to flee by carriage when Slator passed out drunk. He was slow to sound the alarm because, as William notes, "there were no railroads in that part of the country at that time." It is a profound statement given the modern speed exploited by the Crafts later in the narrative. Ellen's aunt had died in the meantime, but her cousin Frank returned to Macon to free his younger siblings, enhancing his light skin with further disguise: he "cultivated large whiskers … cut off his hair, put on a wig and glasses, and went down as a white man" and was so completely disguised … that his little sister did not know him, and would not speak till he showed their mother's likeness." The story reaches William, not through Ellen as one would expect, but because, as he explains, "I saw Frank myself, when he came for the little twins. Though I was then quite a lad, I well remember being highly delighted by hearing him tell how nicely he and Mary had served Slator."[182] The scene highlights both the expressive silence of an enslaved person under scrutiny and the way an alternative discourse – the mother's likeness – provided a ticket for covert communication – all of which is publicly rendered in *Running*, where the inspirational power of witnessing the escape of others and the importance of the transmission of liberation stories are both operational.

When William and Ellen put their minds towards escape, finding "plan after plan … crowded with insurmountable difficulties," they settle on the disguise offered by Ellen's ambiguous racial appearance, which, like Frank's, might be enhanced by costume. Crucially, the Crafts have access to long-distance mobility unavailable to Ellen's wagon-riding cousin. In the

[182] Ibid., 18-19.

years since Frank's rescue, the railroad network had stretched across Georgia, from inland commercial centers like Macon to the coast, which linked the state to all the channels of the Atlantic world. When Ellen moved to Macon in 1837, given as a wedding present to her original master's daughter – her sister – she joined the household of Robert Collins, who three years later contracted to build a thirty-three-mile stretch of track that joined Macon to Oconee and on to the port of Savannah and all the shipping destinations beyond.[183] These geographic possibilities were almost certainly the topic of conversation in the house where Ellen toiled as a seamstress. She married William around the same time Collins helped link Macon to the Georgia Coast.

In addition to family lore, then, during the 1840s the Crafts came to know the operations of the locale-expanding trains, benefitting from either direct knowledge or the information circulating among slaves, free blacks, and white citizens of Macon. As with many journeys on the Underground Railroad, the Crafts were their own agents of escape, but they created a plan out of information circulating beyond the knowledge of the enforcers of slavery – and outside the imagined effect. Their knowledge of railway customs maps the opportunities and limits for slaves' mobility in public spaces: "We knew it was unlawful for any public conveyance to take us as passengers, without out master's consent"; "slaveholders have the privilege of taking their slaves to any part of the country they think proper"; "it was not customary in the South for ladies to travel with male servants; and "slaveholders will sometimes give their favourite slaves a few days' holiday at Christmas time."[184] Accordingly, Ellen and William obtain free papers in order to collect the necessary costume materials for Ellen to pose as the master of William and to make

[183] Eight years later, as the Fugitive Slave Law was allowing masters to weaponized the communication system to capture freed people back into slavery, Collins brought the telegraph system to Macon – an aid to his and other slaveowners' efforts. R. J. M. Blackett, "The Odyssey of William and Ellen Craft," in William Craft, *Running a Thousand Miles for Freedom: The Escape of William and Ellen Craft From Slavery* (Baton Rouge: Louisiana State University Press, 1999), 55-102, 56.
[184] Craft, *Running*, 19-22, 24.

the preparations necessary to appropriate the freeing force of the nation's transportation infrastructure. They also rely on skills developed in the slightly looser interstitial zones of slave labor likewise exploited by Grandy and Douglass: Ellen was an expert seamstress; William hired his own time as a carpenter and had accumulated funds for the tickets required for their freedom journey. William also worked as a waiter at a Macon hotel, where more travel information would have reached his ears.[185]

In order to use the tickets, Ellen Craft needed to disguise her illiteracy and feminine bearing. She had to pass the sensory scrutiny of the public – fellow passengers and railroad agents – and had to adopt a mode of address that guaranteed her the right to her place on the train, like Douglass as a sailor. The Crafts' tickets to freedom were allowances made for an "invalid" white slaveholder who demands the liberty to move a slave freely through the country. William creates this effect by going as he is, disguised only in terms of association; Ellen by muffling her voice with a poultice-wrap, masking her eyes with green-lensed glasses, and incapacitating her writing arm with a sling.[186] Lindon Barrett focuses his reading of the Crafts' narrative on what he calls "scenes of writing": moments in slave narratives and their prefaces when the literacy/illiteracy divide carries consequence for the plot, including the present-time authentication claims of the formerly enslaved author introduction to her or his audience. These include, for Barrett, the exchange of passes and the preemptive arm-sling that allow the Crafts to tap into the power of writing for accessing mobility exhibiting, that is, alternative literacies.[187] I

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[185] Blacket, "Odyssey," 57.
[186] For important readings of the Crafts' narrative through the lens of Disability Studies, especially the way illiteracy was disguised through the assumed correlation between well-dressed whiteness (as abled), see Ellen Samuels, "'A Complication of Complaints': Untangling Disability, Race, and Gender in William and Ellen Craft's *Running A Thousand Miles for Freedom*," *MELUS* 31.3 (2006): 15-47; and Dea Boster, "'I Made up My Mind to Act Deaf and Dumb': Displays of Disability and Slave Resistance in the Antebellum American South," in *Disability and Passing*, eds. Jeffrey A. Brune and Daniel J. Wilson (Philadelphia: Temple University Press, 2013), 71-98.
[187] Lindon Barrett, "Hand-Writing: Legibility and the White Body in *Running a Thousand Miles for Freedom*," *American Literature* 69.2 (1997): 315-36.

would add that the Crafts' physical mobility proves crucial to their accessing scenes of writing, which is not to ask which comes first, movement or discourse, but is simply to explore the way railroad literacy worked in conjunction with discursive acts to open communication pathways – and created harrowing encounters with white officials/interpreters/conductors at the gateways.

The Crafts' plot relies heavily on railroad knowledge, the facilitating use of the transportation infrastructure, without being detected as those barred from such use. Their first step is to board the train at the Macon depot separately. William arrives early, knowing "the nearest possible way" and getting "into the negro car in which [he] knew [he] should have to ride." It is at this point, while in motion, that the narrative describes Ellen's transformation: "my *master* (as I will now call my wife) took a longer way round, and only arrived there with the bulk of the passengers. He obtained a ticket for himself and one for his slave to Savannah, the first port, which was about two hundred miles off. My master then had the luggage stowed away, and stepped into one of the best carriages."[188] *Running* thus circulates a reenactment of the escape: William writes the Crafts explicitly into the roles of master and slave, and the reader becomes a member of the train-traveling public, asked to believe the disguises and approve the tickets – starting with William's preface. In the process, the Underground Railroad narrative depicts the operation of the transportation network's gender, class, and racial order – the Upperground Railroad – but also depicts the fictions of identity that undergird the system.

As in Douglass's 1881 account of his escape, *Running* shows how a moving train blurs identities and participates in the disguises. When a cabinet-maker who hires William's time appears, searching the train for signs of him, William sees the man through the window, allowing him to turn his body into a corner of the car; the bell rings and the train departs before the cabinet-maker finishes his search. Ellen matches her costume with the first-class seat, and feigns

[188] Craft, *Running*, 28.

deafness to avoid conversation with an acquaintance, "an old friend of [her] master, who dined with the family the day before, and knew [her] from childhood—sitting on the same seat." She too escapes detection, aided by the recognition-blurring effects of her costume as rightful train passenger – just another stranger appropriately placed.[189] Once the train reaches Savannah, they take an omnibus and board a steamer for Charleston, where the Crafts' knowledge of regional transportation is challenged. "When we left Macon," William explains, "it was our intention to take a steamer at Charleston through to Philadelphia; but on arriving there we found that the vessels did not run during the winter." They nonetheless "had also heard of the Overland Mail Route," which supplied service to Wilmington, year-round.[190] From here they are able take trains to Richmond and Fredericksburg, and a steamer to Washington. The adjustment they make, by the mail route, exhibits how travel and commerce produced opportunities for continued mobility. Though exposed to the risk and insecurities of movement, the Crafts are ticketed through a variety of available compartments, covered by the anonymity of American passengers in a generic pair: slave and master on the move through the U.S.

Their anonymity while passing through the gateways of communication, however, is under constant threat from gatekeepers policing communication culture. The Charleston steamer's last voyage of the season, they learn later, had a fugitive on board, who was discovered and "sent back to slavery." The aside indicates the danger the Crafts faced on each transfer of the journey – each conveyance a new enclosed space exposed to the surveillance of passengers and employees. Frederick Douglass recalls the constant public surveillance of white southerners empowered to arrest him on the trains and ferries out of slavery; the Crafts, too, narrate the surveillance exerted on various phases of a piecemeal journey from South to North, revealing

[189] Ibid., 34.
[190] Ibid., 36.

along the way the mobility of white identity and the immobility of black identity. On the mail route, for instance, a fellow-passenger vouches for them when an official demands proof of Ellen's identity; saying that she, as slave-owning Mr. Johnson, was his "kin." There was no reason to extend the access to the unidentified stranger, but his whiteness – reinforced by the presence of a slave – acts as a ticket for the presumed master and slave duo. Later, a white woman on the train to Richmond mistakes William for her own runaway slave as he passes below her window.[191] The opposite is true for him: racial markings elide William with another slave, and he is presumed a runaway, walking freely along the side of the train. She would have detained him but for Ellen's claim.

After arriving by train in Baltimore, where the transportation officials are "especially watchful" for fugitive slaves, they are taken off the train and into the station. This time, the demand is for evidence that Ellen owns William, but her whiteness again proves her right to movement with her property; her race combined with her weakened condition prove the cruelty of the detainment. And "Mr. Johnson's" status as passenger – granted by the mere fact of his movement – also functions as a right to carry on: the conductor of the train to Philadelphia vouches that they had earlier been on the train from Washington, where he was conductor, and so the detaining officer relents. The bell rings during the inquiry ("the sudden shock of an earthquake … could not have given us a greater thrill"), and helps hurry them along to the departing train.[192] The trains themselves offer a consistent form of travel – Ellen goes into the "best carriage," William the "negro car" – that conforms to their disguises. But the piecemeal system required for the thousand-mile journey forces transfers and unexpected obstacles, as with the repeated demands for proof of identity that force them to improvise, requiring luck and a

[191] Ibid., 37, 40.
[192] Ibid., 46-47.

general attitude towards the free movement of white "gentlemen."

On the final leg, William falls asleep, "not being aware of a stopping-place of any consequence." The crossing of the Susquehanna River requires a ferry, but William is not awoken in a luggage-van, which is "rolled onto a boat" and "tumbled … over with the luggage."[193] The baggage-handlers mark him, whether as slave or free black, as a piece of luggage unnecessary to communicate with. His unconscious state fits, for them, his status. On the train that crosses from Delaware to Pennsylvania, however, William is encouraged to escape his master in Philadelphia, and he meets "a coloured gentleman … who recommended me to a boarding-house that was kept by an abolitionist, where he thought I would be quite safe, if I wished to run away from my master."[194] Once on the move, William Craft accesses the increasingly mobilizing discourse of abolition and the tickets to freedom along the Underground Railroad, even as he experiences the immobilizing property-status afforded the slave presumably moving without will. The narrative juxtaposes his immobility with Ellen's free movement as a white male carrying her slave into the North – different discourses activated by different sets of tickets.

Arriving at last in Philadelphia – at a speed that would have astounded Frederick Douglass or Moses Grandy in the 1830s – the Crafts shed their identities as slaves as quickly as Ellen sheds her costume. They are immediately married, shuttled to New Bedford, and begin to learn to read and write. But their identities as fugitive slaves – motive power for their movements on the abolition circuit – continue to function as tickets around the abolition circuit. Although

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[193] Ibid., 48. The scene connects William Craft's experience to that of Henry "Box" Brown, though the latter was not known to be traveling by shipping contain. Both experiences evokes the records of many early train travelers, in which the passenger describes feeling more like a "living parcel" than an active traveler. Wolfgang Schivelbusch uses this John Ruskin quote – by which the British art critic laments the hurry and blurred landscape – to represent similar language throughout the accounts of early travelers. Schivelbusch, *Railway Journey*, 120-22.
[194] Ibid., 49.

she participates in free labor – earning necessary funds for her family by sewing – Ellen finds herself circulating in disguise as a popular engraving, which is distributed during William's lectures, through which he returns the two of them again and again to the identity of fugitive slaves, master and servant rather than wife and husband. The uppergrounding of their Underground Railroad journey creates only so much discursive mobility. The narrative, indeed, continues to describe their flight in their alternative identities.

When the Fugitive Slave Law returns the Crafts to the surveillance of slavery's police force and drives them from Boston in 1850 (though the Vigilance Committee drives from town two slave-catching agents sent from Macon), William and Ellen travel north to Newfoundland to catch the *Cambria*, the same ship Douglass crossed the Atlantic on in 1845.[195] *Running* turns here to the Northern-segregation trope, depicting how Ellen is repeatedly given hotel rooms on the assumption she is white, before facing the racist responses of whites living in the "free" states and Canada, when William unsettles their assumptions. The narrative does not mention train travel in the North after the escape, and Massachusetts trains, at least, no longer had Jim Crow cars in the late 1840s, but the hotel system was closely linked to travel by public conveyance, and the inequality and mistreatment that faced the Crafts adds to the immobilizing experiences of others attempting to travel for work on the abolitionist circuit. The confusion caused by Ellen and the double-standard extended to William persist, producing repeated scenes of ticket

[195] Passed on September 18, 1850, the Fugitive Slave Act established a special court and adjudication process. It "created a new category of federal official," a U.S. commissioner, who was appointed by a federal judge and was the only official "authorized to hear the case of an accused fugitive and to issue a certificate of removal, a document that could not be challenged in any court." The hearing excluded the fugitive's testimony and "conclusive" proof was essentially only a matter of establishing the identity of the fugitive. Eric Foner writes that the law "embodied the most robust expansion of federal authority over the states, and over individual Americans, of the antebellum era," as it overrode numerous state and local laws and legal procedures and 'commanded' individual citizens to assist, when called upon, in rendition. It was retroactive, applying to all slaves who had run away in the past, including those who had been law-abiding residents of the free states for many years. It did nothing to protect free blacks from kidnapping." Foner, *Gateway to Freedom*, 125. Michael Klarman notes, of the impact on African American migration, "Growing legal proscription and the heightened risk of kidnapping under the 1850 Fugitive Slave Act induced as many as 10 percent of the 200,000 blacks living in the North to migrate to Canada in the 1850s." *Unfinished Business: Racial Equality in American History* (New York: Oxford University Press, 2007), 44.

interpretation where black mobility is checked and regulated and white mobility ticketed through.[196]

If Douglass was right, and the publicity generated by the Crafts closed such an escape route from others, they do manage to generate other kinds of mobility as a result. William concludes with a clear statement of *Running*'s purpose, a reminder of abolition's purpose: "I have often seen slaves tortured in every conceivable manner. I have seen them hunted down and torn by bloodhounds. I have seen them shamefully beaten, and branded with hot irons. I have seen them hunted, and even burned alive at the stake, frequently for offenses that would be applauded if committed by white persons for similar persons." He and Ellen carry these images with them, communicating their evidence against slavery. But their movements, as with the transatlantic journeys of other fugitive slaves, served also to send a message about the political and social failings of the U.S. as a whole: "In short, it is well known in England, if not all over the world, that the Americans, as a people, are notoriously mean and cruel towards all coloured persons, whether they are bond or free."[197]

Frederick Douglass, "an American Slave," followed Moses Grandy, "Late a Slave in the United States of America," into freedom – then to England in search of more substantial freedoms. Ellen and William Craft followed them, northward and across the Atlantic. Abolitionists, and the loosely connected agents of the various Underground Railroads, offered them partial discursive mobility: information and guidance that aided their bold movements towards freedom, help finding safer ground in the North, the free papers to pass through abolition's public sphere – all of which meant economic freedom, expressive freedom, and

[196] For detailed surveys of the discriminatory, often forcefully segregationist, atmosphere that faced African Americans living in the "free" North of the antebellum period, see Litwack, *North of Slavery*; and Pryor, *Colored Travelers*.
[197] Craft, *Running*, 67-69.

physical mobility on the trains, ferries, and ships of the Atlantic world. These freedoms, and the accompanying mobility, were partial, however, and their narratives reveal the ways formerly enslaved activists continued to work for greater freedom of movement, which was a precondition for greater access to opportunities for self-expression.

Grandy, Douglass, and the Crafts pursued their freedoms by exploiting the American transportation infrastructure in the early years of its regional connections. Reading their narratives for details about such movement offers an array of first-hand accounts of antebellum rail travel and discursive mobility. The narratives also, as Douglass worried, reveal much about the working of the Underground Railroad and its associated subterranean information networks. Taken together, we have a chance to witness the experience of Americans of color seeking full inclusion: the right to move and communicate with their fellow Americans. William Craft's conclusion in 1860 marks the results: Americans had become notorious for cruelty to African Americans, free and enslaved alike; but, it was an infamy communicated across the Atlantic by the Crafts and their fellows. Most notably, the narratives read above show the way abolitionist frames functioned like ticket-takers along antebellum roadways: black mobility required interpretation of pass papers, which, to varying degrees stultified the process of self-expression. Douglass's critique of Upperground Railroad, read in this light, exhibits the mobilizing value he gained by maintaining underground possession of his tickets to freedom: an interpretive power he continued to exert as an editor, author, and activist into the Civil War years, Reconstruction, and, like a train returning to a station, into the implementation of Jim Crow segregation. It is to these periods of American rail travel that this dissertation now turns.

CHAPTER THREE

"A person of lady-like appearance and deportment": Ida B. Wells and the Postural Politics of Segregated Train Travel in *The Century Illustrated Monthly Magazine*

> Only the BLACK WOMAN can say "when and where I enter, in the quiet, undisputed dignity of my womanhood, without violence and without suing or special patronage, then and there the whole *Negro race enters with me*."
>
> —Anna Julia Cooper, *A Voice from the South*

> Metaphorically and in fact, Americans had become a nation of passengers.
>
> —Barbara Young Welke, *Recasting American Liberty*[198]

Ida B. Wells was nineteen years old in 1881 when she moved to Memphis, Tennessee to live with her aunt. Born into slavery and raised in Holly Springs, Mississippi in an upwardly mobile family, Wells lost both parents and a baby brother to the yellow fever epidemic of 1878. She found work teaching at a local school so she could keep her family together, becoming the head of a household of two brothers and three sisters. After moving to Memphis with her sisters, she commuted to teach at a rural school in Shelby County – where she was called "Miss Wells" – riding a streetcar to the depot and then the Chesapeake, Ohio & Southwestern railway ten miles out to Woodstock. Wells could afford a first-class ticket, along with which her attire, demeanor, and position as a schoolteacher earned her the right to ride in the "ladies' car" rather than the "smoking car." She regularly chose the company of middle-class women and accompanying men in the ladies' car rather than the smoking car's zone of liberality, where men could smoke, spit,

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[198] Anna Julia Cooper, *A Voice from the South* (Xenia, OH: The Aldine Printing House, 1892), 31; Welke, *Recasting*, 179.

and speak profanely, where a cheaper ticket bought a seat, and where conductors would shunt away passengers deemed unladylike.[199]

Wells was sitting in the ladies' car reading a book on the evening of September 15, 1883, when the conductor walked down the aisle to collect tickets. "[H]e took my ticket," she remembers forty years later in her autobiography *Crusade for Justice*,

> then handed it back to me and told me that he couldn't take my ticket there. I thought that if he didn't want the ticket I wouldn't bother about it so I went on reading. In a little while … he came back and told me I would have to go in the other car. I refused, saying that the forward car was a smoker, and as I was in the ladies' car I proposed to stay. He tried to drag me out of the seat, but the moment he caught hold of my arm I fastened my teeth in the back of his hand. I had braced my feet against the seat in front and was holding to the back, as he had already been badly bitten he didn't try it again himself. He went forward and got the baggage-man and another man to help him and of course they succeeded in dragging me out. They were encouraged to do this by the attitude of the white ladies and gentlemen in the car; some of them even stood on the seats so that they could get a good view and continued applauding the conductor for his brave stand. By this time the train had stopped at the first station. When I saw that they were determined to drag me into the smoker, which was already filled with colored people and those who were smoking, I said I would get off the train rather than go in – which I did. Strangely, I held on to my ticket all this time, and although the sleeves of my linen duster had been torn out and I had been pretty roughly handled, I had not been hurt physically.[200]

Scholars of American literature and history mark this moment as a significant precursor to Wells's work as a civil rights activist, particularly her fierce protests against southern lynching.[201] Her prominent position as a black feminist aligned her with Anna Julia Cooper and others, and the violence of the train-car scene reveals the difficulties these women faced trying to "enter" into full citizenship, potently symbolized by the "dignified" space of the ladies' car. Scholars of

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[199] Ida B. Wells, *Crusade for Justice: The Autobiography of Ida B. Wells*, ed. Alfreda M. Duster (Chicago: The University of Chicago Press, 1970), 7-20; James West Davidson, *"They Say": Ida B. Wells and the Reconstruction of Race* (New York: Oxford University Press, 2007), 12-69; Mia Bay, *To Tell the Truth Freely: The Life of Ida B. Wells* (New York: Hill and Wang, 2009), 15-45; Linda O. McMurry, *To Keep the Waters Troubled: The Life of Ida B. Wells* (New York: Oxford University Press, 1998), 3-27. For descriptions of ladies' and smoking cars, see Welke, *Recasting*, 281-82.

[200] Wells, *Crusade for Justice*, 18-19.

[201] See Ida B. Wells, *Southern Horrors: Lynch Law in All Its Phases* (New York: New York Age Print, 1892); and *The Red Record* (Chicago: Donohue & Henneberry, 1895).

American legal history draw evidence from the encounter and the legal cases that followed – culminating in *Chesapeake, Ohio & Southwestern Railroad Company v. Wells* (1887) – to highlight the way Jim Crow regimes developed in the post-Reconstruction South as mixtures of de facto and de jure racial segregation policies.[202] The common ground of inquiry among these approaches is the identification of gender, race, and class as overlapping dynamics in Wells's self-expressive performance and the aggressive response of the railroad employees and passengers.[203]

The key historiographic analytic for readings of Wells's activist travel is the "politics of respectability," the African American uplift ideology established before emancipation that continues to register in debates about racial politics and protest. During and after Reconstruction, "respectability" rhetoric and "respectable" behavior made radical claims to social and political inclusion for people of color, while at the same time reinforcing a bourgeois code of exclusivity.[204] These dual aspects are apparent in Wells's proposal to stay in the ladies' car. She demands inclusion behaviorally (by wearing a linen duster, buying a first-class ticket, reading a

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[202] The rise of Jim Crow did not begin after the end of Federal Reconstruction in 1877. Black mobility has always come under legal and social scrutiny, and the use of "Jim Crow" to describe passenger cars began in Massachusetts in the late-1830s (as discussed in Chapter 2). See Pryor, *Colored Travelers*.

[203] For culturally focused analyses see Mia Bay, "From the 'Ladies' Car' to the 'Colored Car': Black Female Travelers in the Segregated South," in *The Folly of Jim Crow: Rethinking the Segregated South*, eds. Stephanie Cole and Natalie Ring (College Station: Texas A&M University Press for University of Texas at Arlington, 2012), 150-75; Caroline C. Nichols, "The 'Adventuress' Becomes a 'Lady': Ida B. Wells' British Tours," *Modern Language Studies* 38.2 (2009): 46-63; Gary Totten, "Embodying Segregation: Ida B. Wells and the Cultural Work of Travel," *African American Review* 42.1 (2008): 47-60; and Patricia A. Schechter, "'All the Intensity of My Nature': Ida B. Wells, Anger, and Politics," *Radical History Review* 70 (1998): 48-77. For legal analyses of Wells's trial history see Welke, *Recasting*; and Kenneth W. Mack, "Law Society, Identity, and the Making of the Jim Crow South: Travel and Segregation on Tennessee Railroads, 1875-1905," *Law & Social Inquiry* 24.2 (1999), 377-409.

[204] Evelyn Brooks Higginbotham, *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880-1920* (Cambridge, MA: Harvard University Press, 1993). For analyses of the role of respectability in the abolition movement of the early and antebellum periods, see DeLombard, *Shadow of the Gallows*, 119-63; and Eddie S. Glaude, Jr., *Exodus! Religion, Race, and Nation in Early Nineteenth-Century Black America* (Chicago: The University of Chicago Press, 2000), 107-67. In her discussion of African American protests against segregation on public conveyances in the antebellum North, Elizabeth Pryor connects protests on steamboats and early railroads as important precedent for the civil rights activism of Ida Wells's era into the mid-twentieth century and beyond – including the present-day Black Lives Matter movement. The through-line is, in part, efforts to "reframe[]" and "revise[]" the politics of respectability. Pryor, *Colored Travelers*, 9, 3, 7.

book, and sitting quietly in the ladies' car) and rhetorically (proposing to stay, refusing to leave) before exerting physical force to maintain her seat – putting her teeth to radical use in the process. And because Wells refuses to ride at all if she must ride in the smoker, she excludes herself from a car "filled with colored people" when she excludes herself from a car filled with "those who were smoking." Thus the framework of respectability politics helps focus attention on the entanglement of gender, race, and class politics within the scene of tangled and disordered bodies in the Chesapeake & Ohio ladies' car. On trains running in the South during the transition from Reconstruction to statutory Jim Crow, how one was seated was how one was seen, and how one was seen was how one was seated. Reading Ida B. Wells's protest and case history calls for a deeper understanding of the connections between bodily position, visibility, and appearance – the politics of making a "brave stand" and getting a "good view" in the communication culture of passenger travel and print.

This chapter analyzes the contested space of Wells's interrupted train journey by addressing the *postural politics* at work in passenger cars and print iterations of encounters among passengers and conductors during the 1880s. "Posture" is an especially useful concept because it signifies several things at once. Posture connotes physicality and its socially constructed meanings: the way an individual body is arranged or moves (bearing/deportment); how that arrangement or movement is situated in relation to other bodies (stance/position); and how those related arrangements or movements are viewed by observers whose perspectives are calibrated by prejudiced expectations (rules of conduct/propriety). Additionally, posture carries an important symbolic resonance with the law. A case's "procedural posture" refers to its position in the litigation process – whether it is under first review or appeal – and, in order to bring suit in the first place, a plaintiff must have "legal standing" before the court. As with the

notion of the "body politic," the connotations of posture in legal discourse indicate the physical presence of bodies: a person's right to be seen and heard before a tribunal, the choreography of a courtroom in which various people are asked to "please rise" or "be seated." The unifying element across physical, legal, and political senses of posture is the relation between a bodily action and the interpretation of that action by an empowered authority: conductor, judge, or polis.[205]

Viewing the gender, class, and racial politics of segregated train travel through the lens of posture captures a range of ways the U.S. and the American public policed bodies and voices during the 1880s. This chapter follows Ida B. Wells's circulation in and out of train cars, courtrooms, and print media, as she continued to exert her legal standing as a ticket-holder and her social position as a seated lady. As in the previous chapter of this dissertation, the railroad again functions as a significant mechanism within American communication culture. Wells held important printed materials – a ticket and a book: one conveying legitimacy, the other social standing – during her struggle to maintain her seat in the ladies' car, and the sequence of events was repeatedly translated into print in court documents, news articles, magazine essays, and, eventually, autobiography. Tracking Ida Wells's encounter with the C&O conductor from Tennessee courtrooms and Memphis newspapers into a national debate between George Washington Cable and Henry W. Grady in the pages of *The Century Illustrated Monthly*

[205] According to Sander Gilman, "Posture represents inherently entangled discourses." It is a "fluid concept that moves regularly between 'statics' (the position of the body in rest), 'mechanics' or 'gait' (how the body moves in space and time) and those activities such as 'sport,' dance,' 'drill' (that culturally organizes both static and mechanic movement)." Posture is furthermore "impacted by the rules by which one should sit, stand, and present oneself in social situations in order to become 'human' and then a 'modern,' civilized citizen." Sander L. Gilman, "'Stand Up Straight': Notes Toward a History of Posture," *Journal of Medical Humanities* 35 (2014): 57-83, 58. See also Gilman, *Stand Up Straight! A History of Posture* (London, UK: Reaktion Books, 2018). My work here shares the basis of Gilman's observations, but I am interested in isolating elements in the discourse of posture that have less to do with standing up straight (the culturally inflected "nature" of "good" or "bad" posture) and more to do with the connections between bodily positions and rhetorical stances, between bodily statics and social status, and between a body's movement in space and a lawsuit's movement through various procedural postures. That is, the postural identity – the legal and social standing – of a citizen.

Magazine contributes a crucial missing piece to the scholarship on Wells's activism against the rise of Jim Crow segregation.

The ladies' car was only one of multiple intertextual frames used to judge physical, social, and legal posture. The hypervisuality of encounters between standing men and seated women became an important meme within communication culture, and I will trace its salience in several cartoons and a literary text far removed from the Chesapeake & Ohio line but published in close proximity to the debate over Wells's appearance and deportment – all influencing judgments of lady-likeness. The postural politics at stake in segregated train travel played out in various scenes in the issues of the 1885 *Century* – in the Cable-Grady essays, W. H. Hyde and E. W. Kemble's cartoons, and Henry James's serialized novel *The Bostonians* – giving a sense of how cultural productions of the period trained readers to police the postures of black female mobility. Seeking explanations for Wells's defiant posture and the violent response across media forms reveals repeated efforts to contain the notion of a "lady" within the postural politics of whiteness and privacy, all concepts informed by observational techniques of the 1880s.[206]

Indeed, one of the most significant impacts of railroad travel on nineteenth-century communication culture was the way the train window altered the visual experience of passengers.[207] Barbara Welke's important point about Americans becoming a "nation of passengers" – highlighting how rail travel enforced passive vulnerability for male and female

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[206] James Cook identifies a field of "visual studies" within cultural history, work that "differentiate[s] the multiple historical dimensions of seeing: a sensory activity as well as a culturally mediated form of perception, a spectrum of representations as well as a diverse mix of observational techniques." His point that "for many groups of … Americans fighting to see and be seen in their own terms, the only *real* choice was how to combat one mode of public visibility with another," evokes the anxiety located by Evelyn Higginbotham in her research on respectability discourse in black Baptist churches: "From the public spaces of trains and streets to the private spaces of their individual homes, the behavior of blacks was perceived as ever visible to the white gaze." James W. Cook, "Seeing the Visual in U.S. History," *The Journal of American History* 95.2 (September 2008): 432-441, 435, 424; Higginbotham, *Righteous Discontent*, 196.

[207] See Schivelbusch, *Railway Journey*; Lynne Kirby, *Parallel Tracks: The Railroad and Silent Cinema* (Durham, NC: Duke University Press, 1997); and Anne M. Lyden, *Railroad Vision: Photography, Travel, and Perception* (Los Angeles: Getty Publications, 2003).

travelers alike – also means that "America" was becoming a landscape produced by the frames of train-car windows. As is clear in the 1881 Currier and Ives print "A Kiss in the Dark" (fig. 1), passenger-readers were also becoming practiced observers of the train's interior landscape.[208]

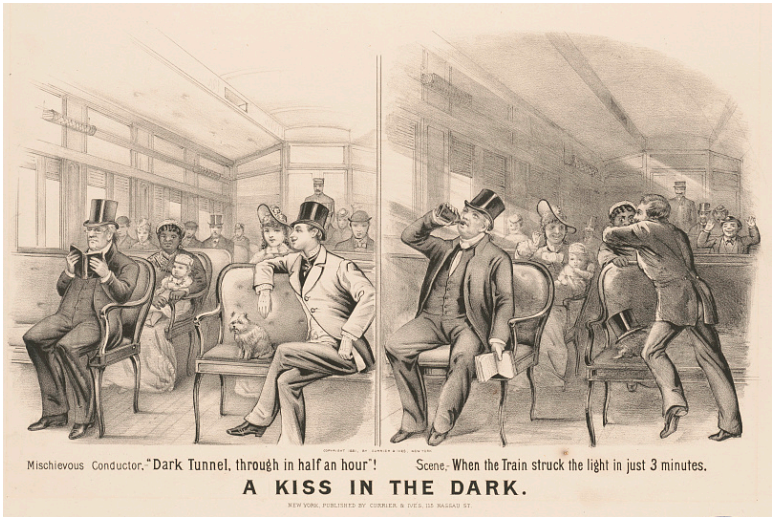

Figure 3.1

The bodies on display constitute an arena of postural politics, relational poses struck in a venue that moves through national space – and therefore represents the nation. The cartoon also captures the way train travel destabilized temporal order: the two frames track the "half hour" expected in the tunnel shrinking to "three minutes." The sudden daylight catches some of the passengers by surprise, to the delight of an audience of onlookers, those depicted and those looking at the depiction. The before-and-after images create the "comic" action: the "gentleman" on the left of the frame exchanging a book (again a marker of dignified class) for an unrestrained swig of alcohol; the "gentleman" on the right exchanging polite conversation for a violent kiss. The punch-line switch of victims from a young white "lady" to a black nurse – culturally marked

[208] "A Kiss in the Dark," *Currier & Ives* (1881). Courtesy of the Library of Congress, LC-USZ62-1382. In his monograph on the printmaking house, Bryan F. Le Beau writes that cartoons involved in the formation of racial stereotypes "have special power to sway public opinion because they capture the passions and presumptions that shape the minds and actions of the people." "Cartoonists," Le Beau continues, "work within culture; they live and practice that culture's ideology, drawing literally and figuratively on prejudices that already lurk in their audiences. Such was the case with Currier and Ives's depictions of African Americans." Bryan F. Le Beau, *Currier & Ives: America Imagined* (Washington, D.C.: Smithsonian Institution Press, 2001), 216-17.

with the posture of an asexual "mammy"[209] – safely offloads the assault onto a figure of gentle ridicule. Everyone seems to enjoy the scene except for the shocked woman being kissed (and, requiring a closer look, a shocked middle-aged woman among the faces in the background).

The frame of the cartoon shows how easily a train car fits the medium, as well as how rail companies attempted to fit the private parlor into the public first-class car with its upholstered benches.[210] Both frames, cartoon and car, serve to reinforce the exclusivity of the ladies' car: the passengers are all white and sartorially marked as middle-class or wealthier. The agents of chaos are the "gentlemen" not accompanying ladies, who have brought alcohol, a dog, and unrestrained desire into what is meant to be a safe haven for ladies. But it is the conductor, watching over the scene in the background, whose "mischievousness" demonstrates the degree of control he has over the behavior in the car. He is the only standing figure, until the man in the foreground creates disorder by leaving his position. The audience in the background mirrors the audience gazing at the print, performing the appropriate posture of sitting up straight and enjoying the show. We too have been under the authority of the conductor – along for the ride.

"A Kiss in the Dark" exhibits the choreography of segregated travel's postural politics, setting a *mise-en-scène* in which a white "lady" is signified by her position of protected privacy, a black nurse is signified by her position of protective public-ness, and a conductor orchestrates the positions of all on board through his authoritative voice as standing overseer. The year

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[209] Patricia Hill Collins calls this a "controlling image" produced by white supremacist ideology that serves to control behavior and social expectations – creating what we might think of as an oppressive postural norm. "The mammy image buttresses the ideology of the cult of true womanhood, one in which sexuality and fertility are severed. 'Good' White mothers are expected to deny their female sexuality. In contrast, the mammy image is one of an asexual woman, a surrogate mother in blackface … devot[ed] to her White family." Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 2000), 74. The scene itself is a stereotype. A black nurse mistakenly kissed on a train had previously appeared in *The Railway Anecdote Book* (1871) and would later appear in an early film, Edwin Porter's *What Happened in the Tunnel* (1903). As Amy Richter observes, "These anecdotes are clearly not only about black women's gentility but also about concerns over racial confusion and 'sex across the color line.' Rather than white men being lured into intimacy with black women, black women were subject to the insults, sexual and otherwise, of white men." Richter, *Home on the Rails*, 185-186 n. 79, 22.

[210] On rail-company efforts to furnish and advertise "parlor cars," see Richter, *Home on the Rails*, 59-85.

Currier and Ives printed the image, 1881, was the same year Ida Wells moved to Memphis, and the year the Tennessee legislature reinforced the choreography of segregation by passing the nation's first separate-car statute. Kenneth Mack notes that the law's language was "vaguely worded" and "ambiguous" compared to the wave of legislation that swept the southern states during the rise of de jure Jim Crow in the late-1880s and 1890s. It required railway companies to furnish cars of equal quality for passengers charged the same fare: a first-class ticket required a first-class car. While the law on its face did not *require* companies to segregate passengers by race, it was intended to allow companies to assort passengers by race, to use the preexisting cars designated for ladies or smokers as a way to protect the customary practice of de facto segregation from the Civil Rights Act of 1875, which required "equal accommodations" for all passengers regardless of race.[211] This meant the policy of racial segregation was left to individual rail lines, and its enforcement was up to the conductor, acting as the rail company's representative. As Ida Wells's recollection implies, she had become accustomed to riding in the ladies' car for her commutes, though doing so required a conductor taking her first-class ticket in the first-class white car, in the absence of a first-class car for black passengers. The conductor involved in the 1883 lawsuit went to great length to avoid the transaction altogether.[212]

Evident in the assault against Wells, and the imagined assault against the nurse in the print, is the fact that the status of an individual is only ever ideally *static*, an idealism further

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[211] Tenn Acts 1881, chap. 155, §1; Civil Rights Act of 1875, 18 Stat. 335-37. See Mack, "Law, Society, Identity," 382-83. Even after the Civil Rights Act was overturned by the Supreme Court in 1883, the language of Jim Crow laws passed in the late 1880s and 1890s – the rise of de jure segregation – continued to emphasize the requirement of "equal" accommodations when explicitly mandating "separate" accommodations.

[212] One of the lawsuits collected in the *Civil Rights Cases* – decided by the Supreme Court just two months after Wells's protest – stemmed from an 1879 rail journey undertaken by Sallie Robinson on the Memphis and Charleston Railroad. Late at night Robinson boarded the train with her nephew, a young man of a light complexion and blue eyes. The conductor blocked the entrance to the ladies' car based on his "character judgment" – he thought they were an interracial couple – grabbing Robinson by her arm and bruising her severely. *Robinson v. Memphis & Charleston Railroad Company* (1879); qtd. in Mack, "Law, Society, Identity," 389. The Court found the Civil Rights Act of 1875 unconstitutional on the grounds that Congress was not empowered by the Fourteenth Amendment to force private parties (like rail companies) to provide racially integrated accommodations.

unsettled by the very nature of train travel, which increasingly put bodies and identities in motion during the Reconstruction and post-Reconstruction decades. Railroad construction accelerated rapidly following the Civil War, as Northern capital invested in Southern infrastructure to exploit the resources of the former Confederacy. Track mileage grew from 30,000 to 52,922 in the 1860s; to 93,267 in 1880; 163,597 in 1890; and 193,346 miles by 1900. During the particularly explosive decade of the 1880s, as the South reinstituted regimes of white supremacy and the economic exploitation and political disenfranchisement of African Americans, southern states "built railroads faster than the nation as a whole," and by 1890 "nine out of every ten Southerners lived in a railroad county."[213] This meant formerly isolated Southerners began to fully experience what Baltimoreans like Frederick Douglass had in the 1830s and Concordians like Henry David Thoreau in the 1840s: the socially disruptive arrival of the American locomotive. Increasingly, railroad passenger cars became contested grounds for the related rights of free movement and free self-expression. The postural politics of segregated train travel formed in response to these contests.

The emergence of the public space of the train introduced more and more travelers in the South to an "unfamiliar" mode of transport, and the station and rail cars produced more and more encounters among strangers. As railroads wrought economic growth in the region, opportunities grew for African Americans to capitalize on socioeconomic and physical mobility. Ida Wells and her adopted community of Memphis, Tennessee exemplify this process. Her expulsion from the train was a physical collision representing the broader racial conflict between the New South's mobilizing and policing forces. Tennessee's separate-car law was an effort to impose the

[213] John F. Stover, *The Routledge Historical Atlas of the American Railroads* (New York: Routledge, 1999), 20-49; Edward L. Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 2007), 9.

sociolegal order of white supremacy to soothe the shocks of modern mobility.[214] Read in light of "A Kiss in the Dark" we can see the way print culture participated in the national dialogue about regional reconciliation and racial politics. The sight of African American exclusion was repeatedly given shape in legislative text, popular print image, and daily experience – the postural politics of who sits where. As many cultural commentaries have shown, *The Century Illustrated Monthly Magazine* offered a multi-genre (and multimedia) stage for these debates. Of the *Century*'s editors, Amy Thomas writes, "Rather than choosing one position, [they] published works by authors whose diverse perspective mirrored those of their readers, northern as well as southern."[215] Among the most famous of these national conversations was a series of three back-and-forth essays published in 1885 between George Washington Cable, an anti-segregation journalist-author from New Orleans, and Henry Grady, a pro-segregation journalist-editor from Atlanta. The essays were embedded in issues of the *Century* alongside writings on popular science, history, art, an array of visual material, and installments of serialized novels. Embedded as well was an unnamed figure who had recently made the news for winning her lawsuit in a Tennessee circuit court against the Chesapeake & Ohio railroad: Ida B. Wells.

[214] Mack, "Law, Society, Identity," 381.
[215] Amy M. Thomas, "Literacies, Readers, and Cultures of Print in the South," *A History of the Book in America Volume 3: The Industrial Book, 1840-1880*, ed. Scott E. Casper et al. (Chapel Hill: The University of North Carolina Press, 2007), 373-90, 390.

Figure 3.2

The reader of the January 1885 issue of the *Century* would have come across articles on architecture, the history of Christianity, "The Making of a Museum," a serialized segment of William Dean Howells' *The Rise of Silas Lapham* (1885), an illustrated extract from Mark Twain's *Adventures of Huckleberry Finn* (1884), and W. H. Hyde's cartoon "Literal" (fig. 2), among other material.[216] In the midst of these was George Washington Cable's boldest public statement of his anti-segregation sentiments, "The Freedman's Case in Equity." Like the dominant, downward gazing gentleman in "Literal," Cable positions himself and his "case" in relation to a seated woman. Although Cable would not cite Ida Wells's lawsuit in the Tennessee courts until his September 1885 response to Grady's April 1885 rebuttal (which perhaps drew Cable's attention to it), the most detailed passage of his essay, and the only real evidence levied

[216] W. H. Hyde, "Literal," *The Century* 29.3 (1885): 479. Courtesy of the Cornell Digital Library Collection. The cartoon appears in the "Bric-à-Brac" section, with an accompanying caption: "Miss Angelica: 'I suppose you have been going out a good deal lately, Mr. McFamish?' Mr. McF: 'No. I have only been to one dinner in two weeks.' Miss A.: 'Dear me! You must be hungry!'" I am primarily interested in the immediate visual impression made by the image, though the captioned joke and overdetermined names play on (and reinforce) class and gender stereotypes of gentlemanly restraint and "angelic" femininity. As will be seen, pretention is a favored source of comic material for *Century* cartoonists.

against the "everyday workings" of the color line, involves an encounter with a female passenger on a Southern train. "I shall not bring forward," Cable announces, "a single statement of fact from them [the freedmen] or any of their white friends who, as teachers and missionaries, share many of their humiliations, though my desk is covered with them." Instead, he reprises a "citation" from his "own experience" on an Alabama railway in September 1883.

After setting the scene on a "hot night" at "rather late bed-time," Cable describes "a young mother and her little daughter," noting that they "were neatly and tastefully dressed in cool, fresh muslins" and that "they sat together very still and quiet."[217] Cable's observations, at once from a restrained distance and intimately attentive to the details of the two passengers' deportment, produce the figures of his train-scene in their proper postures, not least himself as overseeing gentleman. Cable's message to the reader, the thrust of his case, is that class distinctions provide sensory evidence of ladylike postures: sitting still, being quiet, and wearing clean, tasteful clothes. By visually interpreting "ladies" as such, the observing man becomes a "gentleman" by putting himself in the position of protector. Because the setting is amid the flux of train travel, the observing man further relies on a spatial ordering that reinforces the postures of "ladies" and "gentlemen." The logic of class-based segregation rolled out in "The Freedman's Case in Equity" relies on a concurrence of class-sensation and spatial order.

The postural politics undergirding Cable's logic – premised upon the gentlemanly protection of ladies – comes into sharpest relief, as with Ida Wells's episode on the C&O train and "A Kiss in the Dark," when thrown into disarray. The essay goes on to track disruptions to gender and class stability, which Cable narrates as trespasses by other men (of notably lower-class status) into the sensory/spatial calm. The first disruption occurs when the train takes on "a most melancholy and revolting company." Penitentiary convicts, chained together in two rows,

[217] George Washington Cable, "The Freedman's Case in Equity," *The Century* 29.3 (1885): 409-19, 415-16.

assault the "cool" and "fresh" "quiet" of the scene with "filthy rags," "vile odors," and "clanking chains." The prisoners "pack [the car] full," pinning the seated (and thus immobile) mother and child "in one corner." The sensorial juxtaposition primarily highlights the spatial outrage of racial segregation, whereby the women come to be essentially chained to the convicts. Of greater concern to Cable, despite the fact that the article had begun as research into the very convict-lease system on display,[218] is the way his protective and proprietary position – his gendered and class-based posture – gets unsettled as a result of the intrusion. "My seat," he explains, "was not in that car, and I staid in it but a moment. It stank insufferably. I returned to my own place in the coach behind, where there was, and had all the time been, plenty of room." Announcing his seat's position in the rear car, also known to all aboard as the "ladies' car," Cable explains away his retreat with an air of proprietary interest, a right to return to his "own place." Cable's standing as a gentleman has been undermined by an inability to protect the women's social and sensory propriety, an inability, further, to maintain a proprietarily interpretive relation over them. In short, he is made to sit down.

What Cable calls the "rear" and "forward" cars on the train were analogous to the two classes of coach predominant on postbellum American trains: the ladies' car and smoker. Because the forward car was situated directly behind the engine, it buffered the rear car from the smoke, ash, and sparks emanating from the smokestack. Like the nurse in "A Kiss in the Dark," passengers positioned in the smoker absorbed the shocks of chaotic travel. Meant to allow its passengers to sit in calm and quiet repose, the ladies' car, on the other hand, was a manufactured

[218] Ibid., 416. At the end of the essay, after giving a mostly statistical report on the convict-lease system in the South (indicating, for example, the vast racial majority of black convicts but refraining from a description of conditions in the camps), Cable asks, "If this be a dark record, what shall we say of the records of lynch law?" "But," again he withholds, "for them there is not room here." Ibid., 417. Cable had, however, found room for a more thoroughgoing engagement with the convict-lease system nearly a year before in the same publication, and so the leading ladies of "Freedman's Case" present a shift in argument from "dark records" of suffering working-class black men to the perhaps more rousing appeal of middle-class ladies in distress. See Cable, "The Convict Lease System in the Southern States," *The Century* 27.4 (1884): 582-99.

and advertised zone of "privacy," a dynamic site of postural politics because of its structural capacity to decipher – indeed, to produce – gentlemen and ladies out of a mass of strangers.[219] The ladies' car made class, gender, and race visible through the same spatial markings as the parlor in Hyde's "Literal": well-appointed seats, lighting, and furnishing. From his seat in the ladies' car, Cable is left to imagine the scene in the smoker ("The mother and child sat on in silence in that foul hole"), having ceded interpretive authority over the situation to another disruptive male figure, the conductor, who "distinctly refused them admission elsewhere." And here Cable delivers the crux of his argument: racial segregation, overseen by a conductor solely attentive to "African blood," wrongfully ignores the class status of white and black passengers. "The Freedman's Case in Equity" argues that conductors – and passengers – should look again.

Race nonetheless hovers uncomfortably around Cable's argument, despite his effort to show the stronger "sense" of class hierarchy. In quick succession he links "menial labor," skin color, and one of the raw resources extracted by convict-labor – albeit to highlight the illogic of racial segregation: "Had the child been white, and the mother not its natural but its hired guardian, she could have sat anywhere in the train, and no one would have ventured to object, even had she been as black as the mouth of the coal-pit to which her loathsome fellow passengers were being carried in chains." While unable to avoid the unpleasant racialism of the statement, Cable critiques the exclusive inclusion of the segregation system: the status-reducing exception for women attending white patrons and children, the same exception that creates the scene in "A Kiss in the Dark."[220]

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[219] Amy Richter refers to the rise of public locations sold as protective in the Victorian era consumer culture as sites of "public domesticity." *Home on the Rails*, 9. See also, Welke, *Recasting*, 281-82.

[220] Cable, "Freedman's Case," 416. Jeannine DeLombard describes the shift in status from slave to punished criminal – captured in the confessions and case histories of eighteenth-century "gallows literature" – as the move from a position of "inclusive exclusion" to "exclusive inclusion." *Shadow of the Gallows*, 81. The phrase is useful here for thinking about the position of the African American female servant permitted entry (legal or customary) to

Cable argues that such a system is inequitable because it fails to account for the exchange of social cues between gentlemen and ladies. It is, as Cable puts it, "sentiment [gone] blind," "creat[ing] the confusion it pretends to prevent" by "blunt[ing] the sensibilities of the ruling class" and "waiv[ing] all strict demand for painstaking in either manners or dress of either master or menial." In spatial terms, the result is that "the average Southern railway coach [is] more uncomfortable than the average of railway coaches elsewhere."[221] The "equity" called for by Cable's case, viewed through his postural politics, is as much about Cable's right to observe the mother and child sitting quietly as it is about their right to safety and comfort. Their absence from his car disrupts the equitable exchange whereby a man stands up for women, designating them ladies, who confer on him, in return, the status of gentleman. In a final accounting, Cable condemns a region of "gentlemen," himself presumably included, for a failure of "manliness."[222] His class anxiety appears inextricably tied up in a deeper gender anxiety. Run out by convicts and restrained by a conductor, Cable is prevented from assuming a manly stance.[223] Thus the postural politics diagrammed in "Freedman's Case" figure clothing, hygiene, and quiet deportment ("painstaking in manners and dress") as the currency of class, requiring a white male

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the status-bearing space of the first-class car because of a proximal relation to ladies and gentlemen that, as a result, always excluded her from full membership.

[221] Cable attributes this discomfort to a kind of overcompensation, whereby sensitivity to racial markings allows the sensory and spatial boundaries of class to be overrun: "[Racial segregation] prompts the average Southern white passenger to find less offense in the presence of a profane, boisterous, or unclean white person than in that of a quiet, well-behaved colored man or woman attempting to travel on an equal footing with him without a white master or mistress." Cable, "Freedman's Case," 415.

[222] Cable cites for his region "southern ancestors" who were "a manly and noble people." National (and regional) origins are thus given postural (and evolutionary) resonance, the ancestors "springing from some of the most highly intelligent, aspiring, upright, and refined nations of the modern world." Ibid., 411.

[223] My use of the term "manliness" in the specific context of the late-nineteenth-century U.S. follows Gail Bederman, who writes, "by the end of the century, a discourse of manliness stressing self-mastery and restraint expressed and shaped middle-class identity." Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: The University of Chicago Press, 1995), 12. Barbara Welke identifies the nineteenth-century railroad train as particularly threatening to "manliness," a site where the middle-class male passenger found his "ability to protect the women in his life" undermined by his equal share in a dependency on the train's various mechanisms: the machine itself; the conductors and engineers; and the distant, controlling corporate structure. Welke, *Recasting*, 285.

arbiter who receives, in exchange, his gentlemanly social standing.

Figure 3.3

A similar economy of social order, with an alternative calculus, is at stake in Henry W. Grady's April 1885 response to "The Freedman's Case in Equity," "In Plain Black and White." Gender, race, class, and sitting/standing remain the crucial elements. Indeed, at the outset of his reply, Grady volunteers himself to "stand up" and "speak the mind of the South." The risk of not doing so is on display in the postural politics of W. H. Hyde's "Changing the Subject," a cartoon printed in the same issue (fig. 3). The caption reveals the older gentleman to be a professor, who addresses the young lady, "'To change the subject, Miss Daisy, is the Delessaria common in this vicinity?'" "'Dear me!,'" she replies, "'Change it again, Professor.'"[224] The comedy, such as it is, turns on the pretention of the professor (using the Latin name for seaweed and "vicinity" rather than colloquialisms) and his ineffectualness, his inability to captivate his audience. He should be the authority figure, but Miss Daisy dominates the conversation – undercutting his manly position.

Grady's stand is to strike a rhetorical posture that will show himself more authoritative on

[224] Henry W. Grady, "In Plain Black and White: A Reply to Mr. Cable," *The Century* 29.6 (April 1885), 909-18, 909. W. H. Hyde, "Changing the Subject," *The Century* 29.6 (April 1885): 959. Courtesy of the Cornell Digital Library Collection.

the subject of racial politics in the South than Cable. Grady in part positions himself aboard the troubled train of "Freedman's Case," where, after all, Cable has impotently taken a seat. Grady writes in support of the spread of white control and racial segregation undertaken across Southern communities during the eight years since the end of Federal Reconstruction, and, unlike Cable, he "see[s] nothing but cause for congratulation." As the editor of the Atlanta *Constitution*, Grady was a leading spokesman for the economic development of the "New South." He assesses train travel in commercial terms rather than in Cable's sensory terms, declaring it "manifestly wrong to make a negro pay as much for a railroad ticket as a white man pays, and then force him to accept inferior accommodations." This is the rhetoric of the law, the posture of a judge, an interpretation of policy. Grady declares a need for physical expansion of railroad space, where Cable saw "plenty of room" – and declared a need for the expansion social categories to include ladies of color. For Grady, it is "wrong to force a decent negro into an indecent car, when there is room for him or for her elsewhere." His version of postural politics matches the language of Tennessee's separate-car law, whereby two racially segregated first-class cars puts all passengers in their appropriate places – and railroad employees are empowered to implement the scheme. He thusly supports the economic strivings of the New South by insisting the "decent" black Southerner be neither forced into an "indecent" car – the smoker – nor allowed into the "decent" car – the ladies' car – but that space be made *elsewhere*.[225]

For Grady it is the duty of "the railroad managers" to "provide cars for the negroes equal in every respect to those set apart for the whites" and to see "that these cars are kept clean and orderly." He imagines a way to settle the fraught space of the train by simply tacking on another car, to solve Cable's problem with an economic solution. Grady's argument reorganizes Cable's confrontational scene, making the disarray forced on the bodies of the mother and child the fault

[225] Grady, "Black and White," 912, 914.

of the railroad company for failing to provide a car for them. Further, Grady blames the absence of such a car on demands, like Cable's, for trains organized by class rather than race: "There are a few roads that make no separate provision for the races but announce that any passenger can ride on any car. Here the 'assortment' of the races is done away with, and here it is that most of the outrages of which we hear occur."[226] Noticeably, Grady disassociates himself from such outrages, merely having heard of their occurrence, but as he proceeds to discuss them he assumes a position for himself on the train, noticeably turning his attention to the policing African American men.

Where Cable is the attendant of the ladies misplaced in the smoking car, and a harried and superseded one at that, Grady asserts a more dominant pose structured by a noticeably different postural politics, shifting focus to the mobile African American male. "On these [integrated railroads] the negro has no place set apart for him," Grady writes. "As a rule, he is shy about asserting himself, and he usually finds himself in the meanest corners of the train. If he forces himself into the ladies' car, he is apt to provoke a collision."[227] The ladies' car provides discretionary distance for Grady here, allowing him to conjure the stereotype of the black male as sexual threat while keeping him textually away from the ladies, focusing instead on the provoked collision between men.[228] Explicit class distinctions are absent, though Grady's use of "shy," "meanest corners," and the image of the black passenger "forcing himself into the ladies' car" depict an interloping figure of specious financial and social standing. The passive threat of

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[226] Ibid., 914.
[227] Ibid.
[228] A tangential figuration to be kept in mind, especially while reading Grady, is the ladies' car as the projection of white male anxieties about white female sexuality. "Forced entry," here is not pushed very far beyond Grady's stated meaning to include the specter of rape. Returning to Bederman, we might read the bizarre labeling of the black male as both "shy" and "forceful" into broader cultural anxieties about the value of "manly" restraint in the face of cultural change. An open site of social conflict like the nineteenth-century train, where the gentleman, however manly, was merely another a passive passenger, represented one of a "variety of challenges to traditional ways of understanding male bodies, male identities, and male authority." Bederman, *Manliness and Civilization*, 16.

"collision" promises a standing-up in defense of the white ladies in the car, an assurance that the "shy" passenger will remain seated in the train's margins. Grady rhetorically positions himself as the protector of the ladies' car – even protecting the "ladies" from public notice in the *Century* by refraining from mentioning them, veiling the white women of the South in privacy. As for Cable's mother and child figures, Grady writes only: "It is on just one of these trains where the assortment of the passengers is left to chance that a respectable negro woman is apt to be forced to ride in a car crowded with negro convicts."[229] Labeled at a semantic distance from "lady," the "respectable negro woman's" entry into the ladies' car is left unimagined. She functions for Grady as another victim ("apt to be forced") of his rhetorical specter of threatening black men ("apt to provoke").

Insofar as the railroad represents an open field of social encounter, Grady insists on the strict spatial ordering of strictly conceived postures of racial deportment – "plain black and white": "On the railroads, as elsewhere, the solution of the race problem is, equal advantages for the same money, – equal in comfort, safety, and exclusiveness, – but separate." Crucial to his scheme is the role of the railroad company's economic responsibility to create these spaces, in favor of which he cites Ida Wells and her lawsuit. "In Tennessee a negro woman lately gained damages by proving that she had been forced to take inferior accommodation on a train," Grady writes. "The railroads have, with few exceptions, come up to the requirements of the law. Where they fail, they quickly feel the weight of public opinion, and shock the sense of public justice."[230] Again Grady refuses to grant a "negro woman" the posture of a "lady," excluding her spatially and semantically from the status. He also makes a crucial misstatement about Wells's

[229] Grady, "Black and White," 915.
[230] Ibid. Grady is not the originator of the soon-to-be dominant notion of "separate but equal." He is drawing on early segregation laws on the books in Georgia and Tennessee in 1885, which demanded that railroad companies provide "equal" accommodations for black passengers. Grady is also drawing, of course, on the de facto segregatory practices at work in southern society, such as demonstrated on Cable's Alabama train.

experience.

Cable alerts the *Century*'s readers to the injustice of consigning middle-class women of color to the cars used for rough men – even, in his extreme case, a chain gang of convicts. He presumes the readership has not witnessed such a scene, just as he presumes readers know how to recognize the markers of class status, as in the social cues on display in Hyde's cartoons. Grady flatters his public by putting the reader-passengers in the role of arbiters of justice. We know from Wells's account of her expulsion and the Currier and Ives print "A Kiss in the Dark" that the public is accustomed to seeing scenes of assault on African American women as entertainment. Wells remembers in *Crusade for Justice* that the three men who wrenched her from her seat and tore her dress were "encouraged to do this by the attitude of the white ladies and gentlemen in the car" and that "some of them even stood on the seats so that they could get a good view and continued applauding the conductor for his brave stand."[231] Grady imagines that railroad officials "quickly feel the weight of public opinion" when their failures "shock the sense of public justice," but Wells makes clear that the passenger-public sides with the expulsion of women of color from ladies' cars. The public's participation in the disorder of the scene frames the assault, giving order to the socially destabilizing (de-status-ing, unseating) postural politics of racial segregation. They stand where they should be sitting and cheer the violent removal of a ticket-holding customer, making "ladies and gentlemen" an ironic formulation – if technically accurate because of the location of the scene. Wells's use of "brave stand" is also clearly ironic in its accuracy, again showing how the perception of postural propriety weighs against women of color like herself, excluding them from status-bearing seats. The standing conductor's refusal to honor her ticket forces Wells into the status of interloper, the posture of misfit, a framework reinforced by the audience's participation. Presented with these circumstances, Wells removes

[231] Wells, *Crusade for Justice*, 19.

herself from a position of mobility when she finds her rightful place blocked, still holding the ticket as evidence of her right to be a lady.

She did indeed win the initial case before a circuit court judge, who awarded her $500 in damages, largely due to the contractual power of the first-class ticket. "I can see to this day," Wells writes in *Crusade for Justice*, "the headlines in the *Memphis Appeal* announcing *Darky Damsel Gets Damages*."[232] The full headline in the December 25, 1884 *Appeal* – made into an eye-catching image in the enlarged font – is "A DARKY DAMSEL OBTAINS A VERDICT FOR DAMAGES AGAINST THE CHESAPEAKE & OHIO RAILROAD – WHAT IT COST TO PUT A COLORED SCHOOL TEACHER IN A SMOKING CAR – VERDICT FOR $500." Wells savored her victory, but the tone of the article fits the segregationist economics of Henry Grady rather than the integrationist class politics of George Washington Cable. The columnist notes that the "suit has attracted a good deal of attention," before giving an abbreviated account of the expulsion:

> The plaintiff … took a seat in the ladies' coach, and when approached by the conductor after the train left the depot handed him the ticket. He refused to accept it, and ordered her to go to the other coach, which was similar to that in which she was seated, but which was occupied exclusively by white men and negroes, many of whom were smoking. The plaintiff refused to go, and the conductor, seizing her by the arm, attempted to force her into the other coach. She continued to resist, and was finally put off the train.[233]

Wells is called a "darky damsel," a "colored school teacher," and the "plaintiff" – not a "lady." This is notable because the judge, James Pierce, refers to her in his opinion as "a person of lady-like appearance and deportment, a school teacher, and one who might be expected to object to traveling in the company of rough or boisterous men, smokers and drunkards."[234] In another

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[232] Wells, *Crusade for Justice*, 19.
[233] *The Memphis Appeal-Avalanche*, 25 December 1884.
[234] Opinion, Statement of Facts, Judge James O. Pierce, 24 December 1884, *Record in Wells*, 61-62. Qtd. in Welke, *Recasting*, 335.

divergence from Pierce's opinion, the *Appeal* fails to give the smoker its chaotic due, describing it as a car where "many" of the occupants smoke, and where the passengers are all either "white men" or "negroes." The details of the article's framing of the scene and the monetary award further portray the postural politics of segregated rail travel in which assault is entertaining: *what it cost to put a colored school teacher in a smoking car*.

Although the *Appeal* article quotes at length the "Opinion of the Court," it cuts the portion that describes the injustice of forcing a "lady-like" person into the smoking car, focusing instead on the parts of Pierce's opinion that support separate accommodations under the law so long as they are equal.[235] The sneering tone of the *Appeal*'s "Darky Damsel" headline – making light of her demand for the status of "lady" – turned out to be a harbinger of the eventual decision in the case in its final posture before the Tennessee Supreme Court in *Chesapeake, Ohio & Southwestern Railroad Company v. Wells* (1887). The details of the event matter little to Grady, however, for "In Plain Black and White" offers his economic vision of equity, whereby a passenger who has been made uncomfortable receives damages for the railroad company's commercial (and legal) failure, erasing the sensory details so important to Wells's case of inequity.

Cable accordingly responds to Grady in "The Silent South," published in the *Century* in September 1885, by giving Wells's case a more carefully descriptive treatment – though, significantly, she remains as anonymous a figure as the "mother" on the Alabama train. Once again disorder reigns under regimes of racial segregation for Cable, a challenge to Grady's sense of stabilizing order. The civil rights of black passengers "are tossed from pillar to post with an ever-varying … and intolerable capriciousness." And once again, the system's inequity is especially evident in the uneven treatment on Southern trains, on which "a white man may ride

[235] *The Memphis Appeal-Avalanche*, 25 December 1884.

in the 'ladies' car,' while a colored man of exactly the same dress and manners – nay, his wife or daughter – must ride in the notorious 'Jim Crow car,' unprotected from smokers and dram-drinkers and lovers of vile language." As for Tennessee's separate-but-equal law, cited by Grady as a measure to be celebrated, Cable cynically declares it is "only the law."[236] He turns instead to the "the history" of Wells's case in order to trace "an outrage so glaring that only a person blinded to the simplest rights of human beings could cite it in such a defense."[237] "The Silent South" argues that most southerners know racial discrimination is inequitable but fail to verbally oppose the cruelties on display – they need only be called as witnesses. A system that enforces the expulsion and exclusion of ladies in need of protection, "sentiment gone blind" in "Freedom's Case," could only be defended by someone "blind" to human rights. Wells's description, however, shows the full sensory participation of a public shaped by such a system.

Cable finds much in common with Judge Pierce, whom he quotes frequently. Wells, if unnamed, is a "'person of lady-like appearance and deportment'"; the ladies' car is a site where "'quiet and good order were to so great an extent the rule that it was rarely if ever that any passenger gave annoyance by his conduct to his fellow-passengers'"; and the conductor is described as having "'by force removed her from her seat and carried her out of the car.'" The case provokes Cable to extend his critique against conductors insensitive to sensory information denoting class status. Wells's ladylike appearance provided no protection from the conductor's assault, a failure of interpretation. The trial addressed the company's failure to provide a first-class car for African American passengers, but it failed to punish the violence of racial hierarchy. As in "Freedman's Case," Cable marshals sensory descriptions meant to shock the conscience of

[236] Tennessee's railroad segregation statute was the nation's first, though de facto segregation was widespread in the South by the time such statutes were passed, making for a more or less continuous regime of segregation on public conveyances. Kenneth W. Mack, "Law Society, Identity, and the Making of the Jim Crow South: Travel and Segregation on Tennessee Railroads, 1875-1905," *Law & Social Inquiry* 24.2 (1999): 377-409, 377.
[237] George W. Cable, "The Silent South," *The Century* 30.5 (September 1885): 674-92, 685.

his reader, but in "The Silent South," he goes even further to unsettle Grady's vision of racial order.[238]

In direct affront to Grady's protection of the white "lady" – protected to the point that such a figure goes unmentioned in "In Plain Black and White" beyond her presumed presence in the ladies' car – Cable explicitly invokes her in a counterfactual. "Imagine her, on insisting upon her wish to stay, drawn from her seat by force, and lifted and carried out by a black conductor."[239] Wells's expulsion, a woman of color carried out by a white conductor, is a violent one for Cable because it illustrates how a railroad employee is allowed to "lay hands" on the body of a middle-class woman without fear of restraint from his employer or from other gentlemen on the train. Such an occurrence disrupts the civil order created by a space where well-dressed and well-mannered equals might share one another's quiet company, where gentlemen might rest assured their interventions will not be needed. The counterfactual is thus meant to impart Cable's sense of overrun boundaries to the "mind of the South" as represented in Grady's essay. And again it is the conductor who is the disruptive force – most directly of the lady's comfortable seat but also, by extension, of the gentleman who stands guard. The conductor is for Cable the unrestrained force of havoc that the "apt to provoke" mobile black male is for Grady, and nowhere is this more apparent than in Cable's overdetermined counterfactual, in which he poses the two together in the same violent figure.

The postural politics of each essayist registers not simply the relation of men and women, but much more complex entanglements[240] created by the flux of bodies grappling for status on

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[238] Ibid., 685.
[239] Ibid., 686.
[240] I am drawing this usefully diagrammatic term from Sharp, Routledge, Philo, and Paddison's work on geography and power, a term "suggesting an image of knotted threads," which they "intend[] to underline the deep 'spatiality' of [the] pinning together of domination and resistance within power." More than metaphorical, "entanglements" "is supposed to flag the countless material spaces, places and networks which sustain." Joanne P. Sharp et al., Introduction, *Entanglements of Power: Geographies of Domination/Resistance* (New York: Routledge, 1999), 1.

speeding trains, identities coming into view in the midst of disorder. Returning the melee to an appropriate set of positions means, for Cable and Grady, deciding the role of the white southern male, for whom the ambiguous category of "lady" is the basis for manly measurement. This means defending one's proprietary position against other men: Cable grapples with conductors; Grady ignores the conductors and grapples with black male passengers. Grady is much more evasive than Cable in his treatment of railroad employees, but he is deferential to them in so far as he assigns blame for railroad "collisions" to their (and their employers') failure to establish order. For example, when he quotes an open letter written by a Northern white woman teaching in a Southern black school. Discovered in a car "set apart exclusively for the negroes," the conductor presumes her to be a "quadroon." She writes of hearing this: "'This *great autocrat* had pronounced me as not only in sympathy, but also one in blood, with the truest, tenderest, and noblest race that dwells on earth.'"[241] Grady wants to show the perversity involved in the intermixing of races, but Cable would agree with the woman's use of "autocrat" to describe the conductor, who is, after all, the standing man whose judgments trump those of the gentlemen, even to the point of granting him the right to expel "gentlemen" from the "ladies' car."

Grady's economic perspective reinforces the power dynamic introduced by the expanding railway system, in which "passengers were understood to be the railway's wards, subject to the railway's rules and under the railway's protection."[242] His New South vision encourages corporate mobility at the expense of passenger mobility. Law and policy – in the hands of New South legislatures, elected by Redeemer electorates from which African Americans were violently excluded – are the rightful agents of order in Grady's regime. Cable, from the perspective of a passenger, is uncomfortable being the ward of the railway because he has

[241] Grady, "Black and White," 913; emphasis added.
[242] Welke, *Recasting*, 179.

witnessed disorder offensive to his sense of social decorum. The conductor's role in exerting control over the passenger car, indeed, produces a snarl[243] of gendered, classed, and raced bodies in Wells's expulsion: gentlemen stand alongside women and cheer men wrestling with women, bystanders are mustered into the melee, all status boundaries erased in a mayhem of postural relations.

The true sparring in Cable and Grady's essays occurs in accusations meant to undercut each other's manliness. Cable uses the notion of "Southern sentiment" in "Freedman's Case" to disparage the carrying over of racist feeling from slavery into the New South. A charge of sentimentalism would have meant a charge of unrestrained emotion and, so, of unmanliness, and Grady responds in kind. "Mr. Cable is sentimental rather than practical," he writes.[244] Cable responds in "The Silent South" by accusing "the gentlemen" representing the other side of mistaking the difference between social and civil rights, asking, "Is it not part of good breeding to know it?"[245] Whether standing on practicality or "good breeding," these insults carry signs of an overriding anxiety about the assortment of bodies that plays out across the essays. Cable and Grady's rhetorical rearrangements of other bodies – of women, of the lower class, of southern blacks – betray insecurity about how their own white gentlemanly bodies should be positioned.

A debate about the proper role of white men on southern trains does not leave room for

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[243] Saidiya Hartman uses "snarl" to describe the interweaving of race and class that followed slaves into freedom. In her reading of Cable's "Freedman's Case," she argues this snarl of statuses ties the New Orleanian to a "more … nefariously 'egalitarian' mode of social incarceration targeted at the lower classes." Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 167, 166.

[244] Grady, "Black and White," 909. Another charge delivered against Cable by Grady concerns Cable's "southern" posture and his right to stand up and speak for the South: "It is not my purpose to discuss Mr. Cable's relations to the people for whom he claims to speak. Born in the South, of Northern parents, he appears to have little sympathy with his Southern environment, as in 1882 he wrote, 'To be in New England would be enough for me. I was there once, – a year ago, – and it seemed as if I had never been home till then.' It will be suggested that a man so out of harmony with his neighbors as to say, even after he had fought side by side with them on the battle-field, that he never felt at home until he had left them, cannot speak understandingly of their views on so vital a subject as that under discussion." Ibid.

[245] Cable, "The Silent South," 78.

Ida Wells, even as she is drawn into the discussion. Her expulsion is either a failure of the South's civility and gentlemanly protection – as in Cable's judgment – or a failure of the railroad to provide her a first-class car separate from the (white) ladies' car – as in Grady's judgment, which is also the framing of the Tennessee law that Judge Pierce found the C&O to have violated. The postural politics of New South segregation can be summed up by Grady's sense that passengers of color should be seated "elsewhere." The visual framing of such a position is clear in "A Kiss in the Dark" and the two *Century* cartoons (fig. 1-3). The first conceives of white femininity as a protected quality, kept away from the chaos of public transportation and black femininity as a public, *moveable* quality.[246] The bodies in the second frame of the "A Kiss in the Dark" are positioned accordingly: the white woman is where she should be (with her baby, away from the "masher") and the black woman is suddenly elsewhere, smothered in the man's embrace. To be uprooted from a rightful position, like Ida Wells reading quietly on her way to Woodstock, is be positioned elsewhere. More subtly, W. H. Hyde's cartoons play on the gag that a white male of elevated position is put in his place through the verbal play of a properly seated white woman. Black bodies and voices are absent from these parlors, positioned elsewhere. Such a posture not only marks the distance between women of color like Ida Wells and the racialized status of "lady," but also the distance between African American citizens and their constitutionally granted citizenship. Being held at a visual remove from the American public reinforces this distance.

[246] For a reading of the film version of "A Kiss in the Dark," *What Happened in the Tunnel* (1903), that connects the fungibility of personhood on film to the counterfactuals at play in *Plessy v. Ferguson* (1896), see Stephen M. Best, *The Fugitive's Properties: Law and the Poetics of Possession* (Chicago: The University of Chicago Press, 2004), 219, 228-37.

Figure 3.4

The segment of the American public reading "The Silent South" in the September 1885 issue of the *Century* would have seen the above Hyde cartoon, "A Study in Finance" (fig. 3). Like the "Literal" and "Changing the Subject," the male figure is the butt of a joke delivered by a woman:

> *Fond Sister:* "Why so dejected, Alan?"
> *Alan:* "'I shall never marry!'"
> *F. S.:* "Never marry! How about Alice?"
> *A.:* "That's all off."
> *F. S.:* "What! Is she tender no longer?"
> *A.:* "Aw, yes; tender enough; but no money."
> *F. S.:* "Ah! I see! The trouble is, *you* desire *legal tender!*"[247]

Here, the humor turns on the brother's mixture of laziness and practicality and the sister's mixture of proactivity and sentimentalism, where the double meaning of "tender" draws affection and capital into punning relation. The postural politics of the scene reinforces the unmanliness of the reclining brother (posed like the reclining woman in "Literal" and passive professor in "Changing the Subject") and the directness of the critical sister who attends him. While maintaining the gender divide referenced by Grady when he calls Cable "sentimental

[247] W. H. Hyde, "A Study in Finance," *The Century* 30.5 (September 1885): 815. Courtesy of the Cornell Digital Library Collection.

rather than practical" for the sake of imposing his own authoritative standing, the cartoon makes clear the impropriety of the connection between women and money. Legal tender is the currency of gentlemen, tenderness the currency of ladies.

These socioeconomic associations play heavily into the decision of the Tennessee Supreme Court to overturn the lower court's monetary award in *Chesapeake, Ohio & Southwestern Railroad Company v. Wells* (1887). After the original September 1883 incident, Ida Wells again refused to change seats on May 4, 1884 – and again sued the railroad company. The two suits were combined in the 1887 *Wells* case, concluding the litigation and reversing the outcome of Wells's protest. Although Grady cited the earlier decision as evidence of the South's path toward a separate-but-equal policy on public transportation, the "posture" here fits the Georgian's vision of the New South: the state supreme court has agreed to review the case, under appeal from Pierce's decision, in order to assess the authority of the conductor to remove Wells from the ladies' car. It is effectively a restaging of the encounter. In rejecting the circuit court judge's opinion, the Tennessee Chief Justice Turney's opinion hews closely to the interpretation of the original conductor, whose actions he condones by overlooking them.

The physical – and racial – altercation is left out entirely. Instead, Wells is "politely assisted from the car by a colored porter."[248] The harassing presence of the white conductor and the violence of Wells's efforts to maintain her seat, as she remembers them in her autobiography, have been excised from the legal record. In his in depth analysis of postbellum segregation law in Tennessee, Kenneth Mack notes the confusion created by Wells suing twice for similar incidents, in September 1883 and May 1884 respectively. Wells, writing *Crusade for Justice* forty years after the events, "fails to make clear that she was ejected twice and brought two lawsuits." She nevertheless vividly describes the fact-pattern from more violent September 1883

[248] *Chesapeake, Ohio & Southwestern Railroad Company v. Wells*, 85 Tenn. 613 (1887), 614.

ejection. The state supreme court, on the other hand, "for reasons that are unclear," Mack writes, "only references the lawsuit growing out of the 1884 ejection."[249] We have witnessed the way Southern law and national sentiment produce the postural politics of segregated train travel, however. Turney likewise produces an encounter that suits his sense of who sits where. His opinion in *Wells* narrates an incident that suits his sense of racially hierarchized rail-car order, working to reframe – to set aright – the postural politics of the encounter.

The Tennessee Supreme Court never uses the designations, so important to Wells, of "ladies' car" and "smoker," referring instead to "rear" and "forward" cars. Turney notes the former had been lawfully "set apart for white ladies and their gentlemen attendants" and insists that the two cars were "alike in every respect as to comfort, convenience, and safety." The court's recasting of train-car terminology reveals the way "separate but equal" logic gets drafted onto the blueprint of ladies' car and smoker, leading eventually to the upholding of southern states' segregation regimes in *Plessy v. Ferguson* (1896).[250] While ignoring the visible differences between cars, Turney reframes the postural politics of Wells and her lawsuit. He refers to her as "a mulatto" and "a woman," refusing the "lady-like in appearance and deportment" description of the lower court. Thus, in his telling, "a colored porter" "politely assist[s]" "a mulatto woman." The chief justice calls Wells's determination to sit in the ladies' car – her proposal to stay – a "disposition" to "arbitrarily determine" where she sits. After undercutting her right to sit in a first-class car, Turney undercuts her right to legal standing by framing her lawsuit as an effort "to harass with a view to the suit" with bad faith "persistence."[251] In short, Turney accuses Wells of malingering – of pretending to be a lady and pretending a lady's injury of expulsion from the ladies' car. Her case arose out of an active – and activist –

[249] Mack, "Law, Society, Identity," 377 n. 1.
[250] See Welke, *Recasting*; and Bay, "'Ladies' Car.'"
[251] *Wells*, 615.

attempt to physically position herself as an upwardly mobile woman whose right to ride in the ladies' car was overrun by the forceful assaults of railroad employees. Turney repositions her as a litigant pursuing legal tender and renders her un-lady-like – unsentimentally concerned with the $500 award – in the process.

Chief Justice Turney joins the other white men who function to some degree interchangeably as conductors, judges, essayists, and gentlemanly attendants: Cable, Grady, Judge Pierce, and the conductors from the C&O and "A Kiss in the Dark." The drama of each scene unfolds through the postures of authority and manliness struck by men anxious to prove themselves in the presence of women and men of various racialized class statuses, and through the responsive interpretations of audiences of strangers (readers, passengers, constituents, etc.) poised to reinforce or undermine those positions of authority. Issues of the *Century* framed these kinds of encounters in notably visual terms, mimicking in their repetitive and publicly circulating manner the rail cars and courtrooms of the U.S. North and South – and training readers how to assign public and private roles to women in ways that align race and class. In concluding, this chapter turns to another set of discursive conveyances – the blackface comic strip and the serialized novel[252], which further consign African Americans to Grady's "elsewhere."

The postures of the three figures depicted in E. W. Kemble's "At the Capital" (fig. 5) reflect the gendered and racial stances taken in the Cable-Grady debate, which had concluded in the prior month's issue. While George Washington Cable had the final word in September's "The Silent South," Kemble's October scene offers a rejoinder of sorts by reinforcing the

[252] For an essay that reads the failure of the Reconstruction Amendments to protect the constitutional rights of African Americans and the associated rise of the civil lawsuits of tort claims in light of the aesthetic debates between realist novelists like James and romantic novelists like Cable, see Jeannine Marie DeLombard, "The Novel and the Reconstruction Amendments," in *The Oxford History of the Novel in English, Volume 6: The American Novel, 1879-1940*, eds. Priscilla Wald and Michael A. Elliott (New York: Oxford University Press, 2014), 69-85.

postural politics of Henry Grady's "In Plain Black and White."[253]

Figure 3.5

The white gentleman's protective stance between the white lady behind him and the black laborer before him strikes a similar pose to Grady's guarded stance in the ladies' car. The objects held by the figures further emphasize these postures: a protective parosol, a sword-like cane, and a manual laborer's broom. The title, "At the Capital," heightens the explicit political inflection of the three relational stances. Such a setting gives their postures national bearing and sets up the dialogue in the caption, between tourists visiting Washington, D.C. and a resident groundskeeper – the third's speech captioned in blackface dialect with muddled pretension about the nature of the building's architecture. It is one of many cartoons featured in the *Century*, usually created by Kemble, that depict racial stereotypes drawn from the minstrel stage.[254] These, of course, factored into the postural politics of the segregation debate discussed above, part of a broader material culture that prepared audiences to exclude African Americans like Wells from shared national spaces – not least because the participants in the segregation debate relied so much upon the spatial and visual components at play in railroad cars. The national love story that joins

[253] E. W. Kemble, "At the Capital," *The Century* 30.6 (October 1885): 875. Courtesy of the Cornell Digital Library Collection.
[254] See Earl F. Briden, "Kemble's 'Speciality' and the Pictorial Countertext of *Huckleberry Finn*," *Mark Twain Journal* 26.2 (1988): 2-14.

Americans in matrimonial union and thereby draws them into the embrace of the state excludes the uneducated black worker who stands alone and, in Kemble's depiction, whose gaze evades that of the white couple.

Just such a love story had been unfolding in the *Century* issues following Cable's salvo in January 1885. Basil Ransom, a struggling lawyer and aspiring essayist from Mississippi who has decamped to the North, and Verena Tarrant, a traveling orator of a questionable background, cross paths in 1870s Boston and New York in Henry James's *The Bostonians*. The novel, first published in a series of thirteen installments in the *Century* between February 1885 and February 1886, depicts the American women's rights movement, but gives very little information about the movement's history.[255] Instead, the work brims over with detailed descriptions of settings and the movements of characters' bodies through a variety of private and public spaces. The thorough attention paid by James's characters and narrator to manners, mannerisms, and bearing calls for similarly thorough attention to these postural details. Although the novel did not contain illustrations of James's scenes and characters, the reader would have come across standalone cartoons like "At the Capital" along with the essays in the Cable-Grady debate. And despite the fact that *The Bostonians*' does not take an explicit stance in the debate, the absence of black characters from the narrative's metropolitan action effectively exiles African Americans and their voices to Grady's "elsewhere."

Like Cable and Grady, Basil's gentlemanly status is repeatedly put at risk during the narrative due in part to his destabilized relations to women: his upper-class feminist cousin Olive

[255] For a reading of the novel as a misfit for the serialized form, see Rachel Ihara, "'Rather Rude Jolts: Henry James, Serial Novels, and the Art of Fiction," *The Henry James Review* 31.2 (2010): 188-206. For a reading of the way James depicts the feminist movement, see Lynn Wardley, "Woman's Voice, Democracy's Body, and *The Bostonians*," *ELH* 56.3 (1989): 639-65. And for a reading of the novel's critique of New England Reform through the movement's connection to ineffectual sentimentalism, namely Harriet Beecher Stowe's fiction, see Kenneth W. Warren, *Black and White Strangers: Race and American Literary Realism* (Chicago: The University of Chicago Press, 1993), 71-108.

Chancellor and Verena, for whose company and attention he and Olive grapple. And, again like the southern essayists whom he would like to join in print, Basil finds himself bound to a passive role among a "nation of passengers." In scenes spread throughout the novel, Basil attempts to enforce his sense of order on the excessive mobility of the transportation revolution to suit his sense of his social role as a gentleman. James's attention to architecture and interior design is often discussed, and *The Bostonians* contains many scenes ripe for such readings.[256] Indeed, insofar as the *Century* readership might be represented in "At the Capital," the gentleman tourist's question about architecture fits with Jamesian themes of cultural taste, outsiders seeking inside knowledge, and pretentious faux pas. Indeed, a pivotal scene in the narrative takes place at Memorial Hall, a building at Harvard commemorating students killed fighting for the Union in the Civil War. For the plot that eventually joins Basil and Verena in marriage, the intimacy generated by the semi-private setting is an important step towards the characters' union, but as critics have noticed the scene also turns on the reunion of a southern soldier with his fallen enemies.[257] Left out of the conversation – and the union – are the millions of African Americans who attained freedom and citizenship status in the aftermath of the war. Although not the object of ridicule as in Kemble's cartoon, James relocates Americans of color to locations outside the frame of the novel – despite the fact that much of *The Bostonians* occurs in public.

Basil, unfazed by the tour of Memorial Hall, is put in a trying spot when Verena tours the

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[256] See, for example, Janet Wolf Bowen, "Architectural Envy: 'A Figure is Nothing without a Setting' in Henry James's *The Bostonians*," *The New England Quarterly* 65.1 (1992): 3-23.

[257] Again, the cartoon "At the Capital" serves as a postural reference point, with the educated, wealthy status of the married or courting tourists set in relief against the uneducated, working class black figure. In addition to the material discussed above, the *Century* expanded its popularity through a series that ran between November 1884 and November 1887 on Civil War reminiscences by soldiers for the Confederacy and the Union – a post-Reconstruction cultural reunion of North and South that left out the African American citizenry. See Ann Bingham, "Touring Memorial Hall: The State of the Union in *The Bostonians*," *Arizona Quarterly* 62.3 (2006): 5-29. Timothy Paul Caron, "'How Changeable Are the Events of War': National Reconciliation in the *Century Magazine*'s 'Battles and Leaders of the Civil War," *American Periodicals* 16.2 (2006): 151-71; and David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA: Harvard University Press, 2001), 164-87.

recently opened Central Park with him in New York City, in the ninth and tenth installments in the October and November 1885 issues of the *Century*. Basil wants to move his relationship with Verena forward, towards the bonds of marriage, and he envisions their afternoon together in terms of conveyance, where he is the master of motion: he "want[s] to take possession of Verena, to carry her a distance." They instead take public transportation, one of the elevated railroads that lead to the park. Verena highly values the apparent democracy of the ride, its temporal conveyance, and modern rhythm: "The beauty of the 'elevated' was that it took you up to the Park and brought you back in a few minutes, and you had all the rest of the hour to walk about and see the place." Basil, meanwhile, preoccupied with his inability to propose marriage owing to his lawyerly and authorial financial failures, feels forced to admit, "'Of course, I haven't a vehicle to drive you in; but we can sit on a bench and talk.'" The two thus strike a postural imbalance, whereby Verena's sense of self (and of independence to "see the place") is heightened by a seat on a train, and Basil's sense of self (specifically as a failing gentleman) is diminished by his having to trade a private carriage seat for a public park bench.[258]

They are seated this way when Basil, following his announcement of an inability to get published, has his (oft-cited) outburst expressing a desire to save men "'[f]rom the most damnable feminisation!'" during "'a feminine, a nervous, hysterical, canting age.'" Basil is not only blocked by financial circumstance from "carrying" Verena, she herself blocks him from even "seeing" her safely home.[259] "'Alone, do you mean? Really I can't let you do that,'" Ransom insists, "extremely shocked," according to the narrator, "at this sacrifice being asked of him." Her request to go on alone directly challenges his postural – and proprietary – position: "'I

[258] Henry James, *The Bostonians*, *The Century* 30.6 (October 1885): 861-81, 877, 879, 878.
[259] John Kasson shows how etiquette manuals enforced men's right to be accepted in just such a situation and to, thereby, "encourage [women's] subservience to men" in *Rudeness and Civility: Manners in Nineteenth-Century Urban America* (New York: Hill and Wang, 1990), 132-37.

have brought you this immense distance, I am responsible for you, and I must place you where I found you.'"[260] Basil's extreme shock – a symptom, after all, of modern nervousness brought on by increased mobility[261] – is brought on by his inability to purchase private conveyance and by his subsequent inability to convince a lady to allow him to position himself between her and the uncertainties of movement through public space. Verena has already proved her ability to keep up to a modern rhythm – her delight at the elevated train's speed – and her insistence on walking home, keeping Basil from "at least … put[ting] her into a car," produces before him the "image of her 'streaking off' by herself." This image is a product of their postural dynamics, her pulling away and his attempt to hold onto her. Basil, however, eventually assents to the situation, "feel[ing]" the force of a "feminine mystery which must be allowed to take its course."[262]

The scene highlights the way modern mobility unsettles social order built on gender and class. Conspicuously absent from *The Bostonians* is the issue at the heart of the debate carried on simultaneously in the pages of the *Century*. Nonetheless, Basil Ransom, representative of southern gentlemen and Confederate veterans, demonstrates the same anxieties of Cable and Grady over the impact of a daily life increasingly disordered by unplaceable strangers. In conjunction with Hyde and Kemble's cartoons and Grady's "In Plain Black and White," the repetitive –stereotypical – message is that a "lady" is produced by the postural politics of whiteness and privacy. The serial installment, like the train car and cartoon image, offers no room to "ladies" of color. When Chief Justice Turney decides against Ida Wells, giving shape to her case's final "procedural posture," he further asserts an alternative space, Grady's "elsewhere," for middle-class African Americans seeking dignity and citizenship.

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[260] Henry James, *The Bostonians*, *The Century* 31.1 (November 1885): 85-98, 87, 89, 89.
[261] See Welke, *Recasting*, 139-202.
[262] James, *The Bostonians*, 89.

Figure 3.6

Figure 3.7

E. W. Kemble produced two other cartoons in the range of *Century* issues under review here. "Biblical Reminiscences" (fig. 6) appeared in the July 1885 issue and "The First Bicycle in Remusville" (fig. 7) in the November 1885 issue.[263] They carry the tones of "local color" fiction – explicitly in the latter's reference to Uncle Remus, the narrator of Henry Grady's colleague at the Atlanta *Constitution* Joel Chandler Harris's short stories, which were drawn from African American folklore and published in the *Century* and *Harper's Magazine*. Given the broader

[263] E. W. Kemble, "Biblical Reminiscences," *The Century* 30.3 (July 1885): 494; E. W. Kemble, "The First Bicycle in Remusville," *The Century* 31.1 (November 1885): 159. Courtesy of the Cornell Digital Library Collection.

discourse in which these were printed, Kemble offers the cartoons as views from elsewhere, black mobility framed by segregation's postural politics. The images give the lie to Grady and Turney's arguments that the alternative space for African Americans would make equal dignity accessible. Removed to picturesque locales away from urban centers and any sign of a cosmopolitan or racially intermingled citizenry, the figures are posed to draw comic attention to modes of transport in working-class African American communities. "Aunt Patty" tells "Uncle Abram" in "Biblical Reminiscences" that he reminds her of Baalam going to Jerusalem, and Uncle Abram, whom we are told has "a weakness for Aunt Patty," calls her the angel Balaam meets on his way. The donkey he rides further casts the scene into a pre-modern setting, and the viewer is alerted to the fact that they are unmarried – signaling, along with her attire, that Aunt Patty fits the asexual mammy stereotype. The immobility of these two gets echoed in "First Bicycle," in which the berry-pickers are frozen in terror at the speed of a bicyclist, who appears to them to be the devil. The bicyclist is lampooned as a misfit; the terror of the other three casts them outside modernity, its speed, and its machine-driven imagery.[264]

The multimedia effects of the New South's white supremacist regimes were neither novel nor regionally exclusive, but relied on the history of segregation at work in the Jim Crow Massachusetts of the 1840s and on a cultural tradition that recast the suffering of slaves as the slapstick of the minstrel stage. As Jim Crow segregation – terminology drawn from the antebellum North's overlapping communication culture of transportation and minstrelsy – took hold across the southern states in the years that followed Reconstruction's demise in 1877 and

[264] The "bicycling craze" was heating up in the 1880s in northern cities like Boston, and the "ordinary," with its oversized front-wheel, had debuted over nine years earlier at the centennial celebration in Philadelphia. Charles Pratt, who published the first handbook for cyclists in 1881, *The American Bicycler*, argued bicycles should not be ridden on public roadways, and bicycling clubs created new zones of debates about mobility and status, about gender roles and racial inclusion. Robert A. Smith, *A Social History of the Bicycle: Its Early Life and Times in America* (New York: American Heritage Press, 1972), 8-9. See also, Lorenz J. Finison, *Boston's Cycling Craze, 1880-1900* (Amherst: University of Massachusetts Press, 2014).

found federal sanction in *Plessy v. Ferguson* (1896), the national habit of soothing the shocks of modern mobility by acquiescing to social orders organized by racial exclusion continued across national media forms. African American activists like Ida B. Wells continued to build and motivate movements apace, and individual protestors and performers sought physical and expressive mobility in daily struggles to find a place in the sympathy of national audiences – and to achieve the stasis of full citizenship. African American resistance to late-nineteenth-century white supremacy included efforts to resituate the postural politics forced upon citizens of color by a history of images, legal cases, and literature that exiled them from the nation's sympathy.

CHAPTER FOUR

It's lookin' fer Railroad Bill:

Circulation and Capture in the Narratives of Homer Plessy, Morris Slater, and Charles Chesnutt

In a photograph taken in March 1896, two months before the Supreme Court handed down its *Plessy v. Ferguson* ruling, a white man with a mustache, his hat tipped back, holds a gun above the body of a slain black man. His gaze is steadily aimed at the dead man's face, but he holds the rifle pointed away (his finger on the trigger), toward the feet of the prone figure, which, though he wears a suit, are bare. There is another strange detail. The body lies on a makeshift table – a piece of scrap wood supported unevenly by two boxes – and appears to be tied down with leather straps. On closer inspection, the straps wind their way to two guns: a revolver, posed in the figure's right hand where it rests on his chest, and a rifle, placed along his left side where his left arm is propped up by a stick – as though still a threat to pull a trigger. The setting looks to be a backyard or courtyard of a worn-looking brick building; there are crates lying around, and broken pieces of lumber litter the ground. On the left margin of the frame a group of black boys stand or sit alongside the building. One crouches beneath the porch that runs its length. Only his and one other boy's faces are visible, and their eyes look sharply away from the camera, toward the man with the gun and the man lying on the table. A caption reads: "Railroad Bill on the Cooling Board."[265]

Circulated as a postcard before newspapers were able to affordably print photographs,

[265] I have omitted the photograph itself for overlapping methodological and ethical reasons. In its modern-day settings (a popular history book, a cultural history article, blog posts, online encyclopedias, and, where I first came across it, the liner notes for rereleased folksongs), "Railroad Bill on the Cooling Board" reasserts the fiction of a closed case, even when the text surrounding it allows for nuance. I am interested here in transcription as a mode of historiography, in which the staged photo itself participates to some degree, but particularly in the way vocal expression is captured by or escapes the official record. In ethical terms, I find the violence of the image – especially that enacted, collaterally, on the youthful bystanders – greatly troubles recirculation, and I have chosen, as more appropriately fits one of this chapter's driving themes, textual transcription. I have drawn valuable guidance in this matter from Hartman, *Scenes of Subjection*, 3; and Fred Moten, *In the Break: The Aesthetics of the Black Radical Tradition* (Minneapolis: University of Minnesota Press, 2003), 2-7.

"Railroad Bill on the Cooling Board," at one level, announced the conclusion of a manhunt for a regionally famous railroad bandit. Newspapers in and around Montgomery, Alabama had been reporting on the manhunt for an outlaw named Railroad Bill for nearly two years when the image was captured; it was a visual addendum to the final round of news reports. More profoundly, however, the details of the staging evoke two strains of extralegal violence that mark late-nineteenth-century America: the Wild West shootout and the racially motivated lynching.[266] The photograph reveals a deliberate effort by the newsmakers to present the shooting death as heroic (the posture assumed by the "lawman") and justified (the guns attached to the bullet-riddled "outlaw"); it is the product of concurrent news-reporting and myth-making. When greater context for the image is culled from a partial and inconsistent news record – the dead man was said but never proven to be a railroad bandit named Morris Slater who had escaped from a convict-labor camp in the Florida Panhandle; the man standing above him was one of three who shot "Slater" to death after ambushing him in a store in a small south-Alabama town and was one of many more white men who shot, killed, and imprisoned African Americans between 1894 and 1896 in pursuit of a reward for "Railroad Bill" – the scene comes to exhibit the turn-of-the-century tensions between black and white American citizens, between local communities and nationalizing forces, and between the legal regimes of southern states and the protections granted by the Thirteenth, Fourteenth, and Fifteenth Amendments.

While these were not solely affairs of the 1890s, it was during that decade when relatively flexible systems of governance and social interaction locked into political and legal

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[266] Amy Louise Wood writes of lynching postcards, a genre "Railroad Bill on the Cooling Board" roughly fits, that the "morbid popularity" for them "coincided with a larger postcard craze in the United States between the late 1890s and World War I." "[B]ecause many newspapers did not have the technology to print high-quality images until the 1920s, postcards … presented for the public a visual record of newsworthy events. Most Americans witnessed significant events, places, and people through the production and circulation of postcards." Beyond this, they were "totemic relics that allowed the collector to feel an exclusive connection to the emotive power of the event." *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (Chapel Hill: The University of North Carolina Press, 2009), 108, 76.

hierarchies that stitch the era of slavery to our ongoing struggle for equity among citizens. The decade marks the full ascendance of the Jim Crow South, with white-supremacist Redeemer-Democrats taking the place of the more moderate Reconstruction-Republicans at most levels of government, or in other cases pushing Republicans to politically expedient abandonment of African Americans. Reformed state legislatures, from the late 1880s to the early 1900s, enacted statutes that explicitly organized public space into racially segregated zones – paying lip service to a crying need for racial reconciliation while effectively blaming black southerners for the unrest by forcing their removal at the hands of white authorities from favored places (first-class train cars, schools, voting booths).[267] The political revolution fed and was fed by conflagrations of violence across the southern states, race riots and lynchings and everyday threats, intimidations, and disenfranchisements. It is, then, the heartrending terror evident in the audience of boys on the margin of "Railroad Bill on the Cooling Board" that communicates an un-posed historical reality of the 1890s U.S. They cannot be summed up as *punctum* or accident but silently perform the stifled restraint of a subjugated and disenfranchised citizenry.[268]

This chapter addresses the challenge of looking for – and listening to – Americans living

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[267] These events followed the end of the federal government's involvement in overseeing political and economic operations in the South, with the conclusion of Reconstruction in 1877 and the overturning of the Civil Rights Act of 1875 in 1883, and they took place in an atmosphere of economic progress as the South experienced increasing inclusion into the nation's booming network of industry, commerce, and transportation. See Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988); Joel Williamson, *Crucible of Race: Black/White Relations in the American South Since Emancipation* (New York: Oxford University Press, 1984); Grace Hale, *Making Whiteness: The Culture of Segregation in the South: 1890-1940* (New York: Pantheon Books, 1998); Michael Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York: Oxford University Press, 2004), 10-17.

[268] Though the way they are half-hidden and crowded at the periphery indicates the photographer may not have purposely included them. Roland Barthes coined the term *punctum* in his seminal work on reading photographs to describe a seemingly stray detail or "accident" in a photo that "bruises" the viewer with a personal poignancy. While there is something of a *punctum*-effect in the boys' presence in "Railroad Bill on the Cooling Board," the angling back to the *studium* (cultural, political, central subject matter) caused by their sharply turned eyes disrupts Barthes's binary, making the boys' presence a public, political matter, fully entwined with the two figures posed in the photo's center – indeed creating the possibility of seeing the scene from an alternate perspective. See *Camera Lucida: Reflections on Photography*, trans. Richard Howard (New York: Hill and Wang, 2010), 25-27. For an application of Barthes to nineteenth-century American photography, see Shawn Michelle Smith, *At the Edge of Sight: Photography and the Unseen* (Durham: Duke University Press, 2013).

on the margins during the 1890s, the decade at the heart of what has come to be called "the *Plessy*-era." *Plessy v. Ferguson* (1896) sanctioned the spread of state segregation laws, bestowing a broad police power for the states to exercise over the movement of citizens within their borders. The majority and dissenting opinions in the case, and the legal activism that led to them, reveal the limits of American liberty and the struggles undertaken for equal access to American locomotion. The *Plessy* texts offer a narrative of marginalization while rendering a central conflict into abstract terms, transforming the "news" of police reports into a static mythology of equity and justice. In these ways the Supreme Court case echoes "Railroad Bill on the Cooling Board." Each focuses on a showdown between an immobilized black train traveler and an immobilizing force of white authority – a paradigmatic encounter in the history of the United States. By the 1890s this kind of conflict was increasingly taking place in train cars, at train stations, and alongside train tracks, as nine out of ten southerners had come to find their home county linked into the national rail network.[269] The fact of such familiarity with trains and train travel during *Plessy*'s historical moment means the case bears reconsideration as an item of railway news. This chapter argues that, in addition to the case's crucial role in in the realm of race and rights, *Plessy v. Ferguson* calls for close attention to its quotidian features: the individual passenger's experience of movement and restraint in the face of the state's police power. Such an approach draws attention to the potent cultural meanings attached to train travel in the U.S. during the turn of the twentieth century. The railroad has always been appropriated as a means and symbol of expressive freedom, particularly in the mode of folklore, but juxtaposing Homer Plessy and Railroad Bill reveals it to be a site of restraint and capture as well.

Reading *Plessy* as the narrative of an American rail passenger sets up my more pressing

[269] As Edward Ayers notes, "From the end of Reconstruction to the end of the century the South built railroads faster than the nation as a whole. Different lines raced from one subregion to another, competing for key territories." *Promise*, 9.

inquiry – addressing the marginalized citizenry of African Americans living in the South during the spread of de jure segregation. It does so for linked methodological reasons. On one hand, thinking carefully about Homer Plessy as a train traveler re-centers him as an individual of his place and time – not just a name attached to a case or a symbol of protest – which, in turn, exposes his absence from the *Plessy* archive. The first section below describes how Plessy goes missing from *Plessy*, but it does so to set up a more searching historiography. Other narratives are needed to address the linkages between movement and self-expression in the annals of American mobility. The second section, following from the gruesome echoes of *Plessy* in "Railroad Bill on the Cooling Board," looks for Morris Slater, the traveler behind the alleged alias. He too presents an absence, though a composite figure of mobile identity – Morris Slater/Railroad Bill – emerges from a composite record of news reports and folksongs. The lore of "Railroad Bill" complements the legalese of *Plessy*, drawing attention to the violence condoned by the Supreme Court in the name of "custom" and "order" while simultaneously creating a mode of response for those oppressed by the federally sanctioned police power of the Jim Crow South. The third section tracks the sometimes peripatetic author Charles Chesnutt, from an early experience of segregated train travel to his discursive response to the Wilmington, North Carolina "Race Riot" of 1898. Chesnutt's long-form masterpiece, *The Marrow of Tradition* (1901), represents an attempt to broadcast the perspective of the city's black community, those who were overrun and silenced by a Redeemer coup. A member of the Ohio bar and a courtroom stenographer – a court reporter – Chesnutt conducted interviews with those who had been marginalized in the official record, making their stories central to his historical-fiction retelling; he supplemented these stories with the folklore tradition circulating behind the printed record – the reports from the margins of "Railroad Bill" and the like; and he turned this

evidence against the terms offered by the Supreme Court in a sharp rebuke to *Plessy*. *The Marrow of Tradition* exhibits the multi-vocal power of literature in nineteenth-century communication culture, weaving together modes of news report, folklore, and law – and read in the context of *Plessy* and "Railroad Bill" it shows the necessity of such discursive freedom. Taken together as figures negotiating boundaries between the law, the news, and written and oral forms of folklore, Homer Plessy, Morris Slater, and Charles Chesnutt stand in historical relation as train passengers whose locomotive liberties expose the link between freedoms of physical movement and self-expression.

The second methodological reason for reading *Plessy*, and its era, as railway news is the resulting focus on the institution of the American railroad, a primary site for Americans struggling for citizenship recognition, for social mobility, for self-expression. In the readings that follow, train spaces expose real-life police practices while broadcasting the sound effects of folk dissent. I have framed this chapter as a search: "lookin' fer Railroad Bill" is the chorus of one version of countless folksongs that formed in black communities in response to news reports of the bandit. The songs play on the extended manhunt and repeated escapes of Bill, speaking to the relentless pursuit of law enforcement while continually challenging the conclusive narrative of "Railroad Bill on the Cooling Board." What follows is an effort of "looking for" Homer Plessy, Morris Slater, and Charles Chesnutt in this vein; to find them would pin them to strict identities and lend too much credence to the slippery identifications of the archive.[270] In taking the American railroad as a site of inquiry, I am also proposing a method of historiography suggested by the train's dual features of fixity (on a track, operating on a timetable) and effervescence (a tendency to leave the scene, smoke dissipating and whistle fading). The chapter accordingly

[270] Texts, as will be seen, persist with their certain kind of faithfulness, but as transcriptions they are susceptible to the same slippages as vocal transmissions (e.g., "lookin' fer" versus "looking for").

moves back-and-forth across disciplinary boundaries and among partial records and recordings.[271]

Above all, I argue that the history of the American rail passenger tells a particularly meaningful story of the American citizen, a status ever in flux, and that such journeys are best approached from multiple perspectives – to catch them in motion, after a fashion. Because train travel was (and is) simultaneously a situation of regulated restraint and a performance of free movement, accounts of train itineraries vividly communicate the racial paradoxes of American liberty. The train narratives that follow demonstrate the ways tracks and stations operate as zones of surveillance, capture, and economic exploitation, as more and more people flowed into farther and farther reaching channels of relocation. They do so in part because train narratives are built to travel: they arise from zones also equipped for circulation and escape, and they speak to a symbolically accessible experience of mobility that cuts across structures of hierarchy. The American railroad, with its array of legally and culturally hybrid features, is a broadcast station especially well suited to receive and transmit the experience of fettered liberty for those living on the margins of their era's communication culture.

I. Named to a Case: Homer Plessy in the *Plessy* Archive

Homer Plessy is the train passenger who, by lending his name and body to a test-case

[271] The chapter is itself a partial record, as it lacks female perspectives, though, of course, encounters among men are influenced by (and greatly impact) the presence and expressive acts of women – this despite being pushed into an excluded position (twice-excluded and twice-silenced in the case of black women). It is telling that Plessy's legal team departed from the work of women like Ida B. Wells in pressing for relief from a particularly gendered civil injury to a citizen rendered exclusively male, if racially ambiguous (see Chapter 3). This is, of course, an issue of mobility, whereby the male-dominated world of courtrooms is reflected in the male-dominated world of hobos, even if women had begun to make gains in literary and political realms. For the female-plaintiff discussion between Plessy's lawyers, New Orleans-based Louis Martinet and New York-based lead counsel Albion Tourgée, see Otto Olsen, *The Thin Disguise* (New York: Humanities Press, 1967), 9-14; Charles Lofgren, *The Plessy Case* (New York: Oxford University Press, 1987), 56-57; and especially the 7 December 1891 correspondence between Martinet and Tourgée in the *Albion Tourgée Papers* (Westfield, New York: Chautauqua County Historical Society).

challenge of Louisiana's segregated rail-car statute, secured a place in the history of American law and Civil Rights activism. Focusing on his personal experience of train travel, however, reveals the way the law – even the lawyers working on his or her behalf – abstracts the individual citizen. What is known of Plessy is that he was a thirty-year-old shoemaker living in New Orleans when he took a seat in a "Whites Only" car on an East Louisiana Railroad train on June 7, 1892 in order to challenge the constitutionality of Louisiana's separate-car law. He was tapped for the role by the Citizens' Committee to Test the Constitutionality of the Separate Car Law ("Citizens' Committee"), an offshoot of the Citizens' Committee of New Orleans – or, in the French spoken by members of Creole ancestry, the Comité des Citoyens. Of skilled-working-class origins, Plessy did not belong to either group, whose membership included prominent African Americans of professional and landowning classes.[272] But he looked the part. In his famous legal challenge, Plessy represented the social and economic elite by looking like someone who could afford a first-class ticket in his style of dress, manner, and personal hygiene; and, following the scripted legal approach adopted by the Citizens' Committee, he represented the complex racial ancestry of the members by looking as much like a white passenger as a black passenger, or more so, born of one-eighths black ancestry and seven-eighths white. Plessy was of "indiscernible" race, in the language of his lawyers, but he was also of indiscernible social position and, in the court documents of the official record, of indiscernible expressive identity.[273]

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[272] He was said to be a "friend" of one of the leaders of the Citizens' Committee, Randolphe Desdunes, whose son Daniel had attempted an earlier challenge to the segregation law (February 24, 1892). This case was dropped because his interstate ticket engaged a different constitutional issue (undue burden on interstate commerce under the Commerce Clause) than an intrastate ticket which dealt solely with the violation of an individual's constitutional rights under a mandate of "equal but separate cars" (although in the end the Supreme Court upheld segregation on interstate tickets as well). Desdunes, like Plessy, was an "octoroon," of one-eighth black and seven-eighths white ancestry, setting the type of plaintiff sought when the Committee's legal team chose Plessy. See Olsen, *Thin Disguise*, 28-40.

[273] Randolphe Desdunes makes only a single mention of Plessy in his 1911 history of the social world of the Citizens' Committee, *Our People and Our History*, writing, "the Committee engaged Mr. Homere Plessy as its representative." Blair Kelley writes of this notable absence in Desdunes's record: "In a detailed account of the work

His absence reveals the way legal abstractions are made to fit personal identity; that is, the way the law narrates the abstract into real world physicality, smoothing out nuance and ambiguity. Before thinking about how to address the absences in Plessy's record – to address what is lost during the law's abstraction process – it bears investigating how the absence forms, from state law to legal challenge to Supreme Court opinion.

The Louisiana legislature passed the Railway Accommodations Act of 1890 in the wake of similar regulations in Florida and Mississippi. The law required railroad companies "carrying passengers in their coaches in this State" to "provide equal but separate accommodations for the white, and the colored races, by providing two or more passenger coaches for each passenger train, or by dividing the passenger coaches by a partition so as to secure separate accommodations." Not only were the rail companies responsible for accommodating each set of passengers, they were required – and empowered – to determine who belonged in which car:

> the officers of such passenger trains shall have the power and are hereby required to assign each passenger to the coach or compartment used for the race to which such passenger belongs; any passenger insisting on going into a coach or compartment to which by race he does not belong, shall be liable to a fine of twenty-five dollars or in lieu thereof to imprisonment for a period of not more than twenty days in the parish prison; and should any passenger refuse to occupy the coach or compartment to which he or she is assigned by the officer of such railway, said officer shall have the power to refuse to carry such passenger on his train, and for such refusal neither he nor the railway company which he represents shall be liable for damages in any of the courts of this State.

The Accommodations Act imagines three aspects of rail travel: the interchangeability of cars (adding or taking away from a chain of cars as needed) and the divisibility of the space of a train car (by partition) are conditions given to "equal but separate accommodations"; passengers exist in two categories – "the white, and the colored races"; and company agents, specifically

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of the Citizens' Committee, Desdunes offered no details about Plessy's life or praise for his willingness to press the case. None of the extant correspondence between the members of the Citizens' Committee and their lawyer includes any personal, political, or professional reference to Plessy." *Right to Ride: Streetcar Boycotts and African American Citizenship in the Era of* Plessy v. Ferguson (Chapel Hill: The University of North Carolina Press, 2010), 57.

conductors, are equipped to assign seats by race and, thus, to distinguish between "white" and "colored."[274] All three assumptions build on the idea that train travel operates in a static world with sortable, parcel-like passengers under conditions of time and space that make such sorting possible. Beneath this logic is a more abiding, insidious idea that race is likewise static and that citizens, so marked, can be neatly sorted. Because the law focuses on race rather than on other personal features (such as class or gender), it fixes each train passenger traveling through Louisiana to one of the two races described, and it constructs the train as a site of continual encounter between conductors as pseudo-police officers and passengers as potential trespassers.

By boarding the Number 8 train on the East Louisiana Railroad line from New Orleans to Covington, Louisiana, Homer Plessy physically enacted what was essentially a textual challenge to the Accommodations Act, at the very point of encounter between passenger and police. The strategy behind the test case was first developed by Louis Martinet, who led the charge for the Citizens' Committee, then by Martinet and Albion Tourgée, a resident of New York but who was brought on for his celebrity heft in a case meant to be performed before a national audience, and finally by Tourgée and James Walker, a New Orleans lawyer who took over for Martinet as the case work began. They decided to put forward a visibly white train passenger who would be arrested for riding in a car limited to white passengers, challenging the law not only for violating the "badge of servility" language of the Thirteenth Amendment and the equal protection clause of the Fourteenth Amendment, but also for violating the latter's due process clause through a claim that Plessy's removal amounted to a denial of his rights to his seven-eighths white blood – as a species of property.[275] This effort required making Homer Plessy a misfit for the abstract labels of "white or colored" but by making him fit an abstract label of "indiscernible" racial

[274] Louisiana Railway Accommodations Act, 1890 La. Acts No. 111, 153-54.
[275] See Lofgren, *Plessy Case*.

identity, a strategy that had a collateral impact: there is no record of Plessy's vocal participation in the discourse surrounding his performance, neither in the preparations for the case nor in the documents that emerged during the judicial process.[276]

Indeed, due to the lack of self-expression afforded him, Plessy appears in the record as a mere agent of the elites of the Citizens' Committee, a role similar to that of the conductor of the train, J. J. Dowling, who, in the language of the separate-car law, was a "representative" of the executives of the East Louisiana Railroad Company. Because railroad companies operating in Louisiana had a decided interest in challenging the law's assumptions about rail travel and in resisting regulatory invasion of their industry, the East Louisiana Railroad Company actively cooperated with Tourgée and Walker to orchestrate the encounter between passenger and conductor, thereby overstepping the difficulty of identifying Plessy's race by making his scheduled appearance known to Dowling ahead of time. Furthermore, the police officer who took over for Dowling in the arrest, Chris Cain, was hired by the Citizens' Committee to perform his function, thus mitigating against any misstep (overly violent or lenient) in the carrying out of the letter of the law meant to be precisely challenged. Upon his arrest, Plessy spent the night in the parish prison on Elysian Fields Avenue, a half-mile from the Press Street Station where he was taken off the train. These two moments – the arrest of a journey and the arrest of a citizen – enact, with choreographed precision, the infringements on personal liberty of the Louisiana Railway Accommodations Act: Plessy's insistence on remaining in a car for white passengers when assigned by the conductor to a car for black passengers, the railroad company's refusal to

[276] "But this does not mean that the silent litigant did not engage in his own political work," Blair Kelley warns against underestimating Plessy's political consciousness. "Plessy was a registered voter and participant in community-based activism. Working-class Creoles of color were also concerned with contesting segregation, maintaining the franchise, and uplifting the needy through mutual aid and benevolent societies." Kelley also discusses the way the Citizens' Committee, limited not just to elite New Orleanians but only to men as well, rejected the participation of other civil rights groups in the anti-segregation effort. "Even if they did not trust some other local leaders," Kelley writes, "the committee men had a great deal of faith in the 'strong power of the courts' and remained enthusiastic in their support of Plessy after his arrest in June 1892." *Right to Ride*, 57, 79.

carry the trespassing passenger, and the interceding force of local police.[277]

In order to enact this infringement of personal liberty, however, Plessy's legal team had already rendered their client into a textual figment rather than an actual train passenger, his mobility derived from the effort to record the visual ambiguity of his racial ancestry rather than from any social, economic, or personal mobility. It is telling, then, that the narrative scripted by Tourgée and Walker proved susceptible to absences and confusion as the official documents of the account moved up the appellate ladder, especially Plessy's verbal declaration of race to the conductor – the moment when he *identified himself* as the test-case passenger. A crucial affidavit recording the arresting officer's account of the events went missing between arrest and the initial hearing in New Orleans criminal court (where the case was first heard and Plessy ruled against). The record, silent on Plessy's perspective, was also silent on the events of his arrest by the conductor (during which he announced his race, creating the grounds for Thirteenth and Fourteenth Amendment challenges to the law) and his arrest by a police officer (creating basic legal grounds for a citizen to challenge the state's authority). Tourgée and Walker meant to position these documents so as to declare, definitively, Plessy's racial mobility, to transcribe a vocal act to unsettle an impossible law – thus the search for the affidavit. But the absence of the affidavit serves to highlight the impossibility of such a communication within legal abstraction, for as soon as Plessy was "booked," his racial identity, his status under the law, was made static

[277] See Lofgren, *Plessy Case*; Thomas J. Davis, "Race, Identity, and the Law: *Plessy v. Ferguson* (1896)," in *Race on Trial*, ed. Annette Gordon-Reed (New York: Oxford University Press, 2002), 61-76, 67; and Amy Robinson, "Forms of Appearance Value," in *Performance and Cultural Politics*, ed. Elin Diamond (New York: Routledge, 1996), 239-61, 239. The railroad company's cooperation did not arise from a civil rights impulse. In addition to the requirements of accommodation and oversight in the first two sections of the 1890 act, the third section called for misdemeanors to be charged to company *and* agents who refused or failed to segregate passengers, with the former to be "fined not less than one hundred dollars nor more than five hundred dollars" and the latter "not less than twenty-five dollars nor more than fifty dollars for each offense." As Barbara Welke notes, "Railroad corporations were no more inclined to give up power over their property to state governments under Jim Crow than they had been to give up control of their property to state or federal governments or individuals under civil rights statutes or under the common law." Welke, *Recasting*, 345.

– smoothed out by legal language. "[E]ven if the affidavit were a part of the record," historian Charles Lofgren points out, "it identified Plessy simply as a colored person and so did not go to the issue of his racial mixture."[278]

The Accommodations Act exerted Louisiana's police power over train travelers in the state by textually defining the status of each passenger before any journey had been undertaken, muting the passenger's ability to freely express him or herself in the field of public transportation. Tourgée and Walker's legal strategy highlights this effect by positioning Homer Plessy as someone difficult to read by those empowered to police status under the law – the conductor – but someone who nonetheless is meant to be read rather than heard from. In its written opinions, the Supreme Court, removed from the initial incident by nearly four years, does not strain to consider the personal experience of Plessy but merely follows the strictures of legal challenge by considering the muted record before it. Indeed, the Court allows Tourgée and Walker's version of the confrontation between Plessy and Dowling to enter the record as the official fact pattern. Justice Henry Billings Brown, who wrote the majority opinion, gives the following account of the train ride, in the peculiar language of legal narrative:

> The information filed in the criminal District Court charged in substance that Plessy, being a passenger between two stations within the State of Louisiana, was assigned by officers of the company to the coach used for the race to which he belonged, but he insisted upon going to a coach used by the race to which he did not belong. Neither in the information nor plea was his particular race or color averred.
>
> The petition for the writ of prohibition averred that petitioner was seven eighths Caucasian and one eighth African blood; that the mixture of blood was not discernible in him, and that he was entitled to every right, privilege and immunity secured to citizens of the United States of the white race; and that, upon such theory, he took possession of a vacant seat in a coach where passengers of the white race were accommodated, and was ordered by the conductor to vacate said coach and take a seat in another assigned to persons of the colored race, and having refused to comply with such demand he was forcibly ejected with the aid

[278] Lofgren, *Plessy Case*, 55.

> of a police officer, and imprisoned in the parish jail to answer a charge of having violated the above act.[279]

Brown describes the encounters between Plessy and Dowling and between Plessy and Cain with extreme brevity, though the description delivers a measure of violent language: "forcibly ejected with the aid of a police officer, and imprisoned in the parish jail" – language I will return to below. Brown's narrative of the arrested train journey follows the "equal but separate" logic of the law (one coach's accommodations are the same as another's, though assignments are separate), forecasting the eventual judgment in favor of the Accommodations Act. The conversation that took place between Homer Plessy ("the petitioner") and J. J. Dowling ("the conductor") is silenced (not "averred" in the record before the court), rendered a mere "order," as is the fact that such a conversation was necessary. Brown is untroubled by Plessy's racial mobility, for he views the passenger's status as fixed, at the moment of arrest, as trespasser.

In order to rule in favor of the Louisiana legislature's right to empower such immobilization, the Court distinguishes between social and political spaces. Brown finds that trains run solely in the social realm, rather than the political (narrowly defined as encompassing the ballot box and jury booth), and train passengers are therefore barred from challenging segregation requirements under the equal protection clause of the Fourteenth Amendment.[280] To do so, Brown overlooks American common law, which tended to find common carriers, like railway companies, hybrid entities: private businesses (social) engaged in public services (political/civic). His opinion focuses solely on railroads' private character, finding that they only touch on the social life of Louisiana citizens – not their civil lives – which he insists is outside

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[279] *Plessy v. Ferguson*, 163 US 537, 541-42. See also Lofgren, *Plessy Case*, 175.

[280] The Thirteenth Amendment challenge – that being distinguished by race confers a badge of inferiority on black citizens, particularly in light of the separate-car law's exception for black nurses, who can accompany their charges in white cars – is summarily dismissed. According to Brown, "We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it." *Plessy*, 551.

the power of the judiciary to make equitable.[281]

As a result, the case hinges on whether the separate-car statute is a "reasonable regulation" under the police power of Louisiana. In Brown's view, "equal but separate" is inherently equitable, and "white, and colored races" provides a simple operating framework for the regulation's enforcement:

> If he be a white man and assigned to a colored coach, he may have his action for damages against the company for being deprived of his so called property. Upon the other hand, if he be a colored man and be so assigned, he has been deprived of no property, since he is not lawfully entitled to the reputation of being a white man.

The majority is insensitive (in both sympathetic and sensory terms) to Plessy's mobile racial identity and to the history of inequitable treatment of black Americans by white Americans on clear display in a history of slavery, Black Codes, and prejudice. Indeed, Brown finds the Louisiana legislature

> is at liberty to act with reference to the established usages, customs and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order. Gauged by this standard, we cannot say that a law which authorizes or even requires the separation of the two races in public conveyances is unreasonable.

This means a history of inequality provides the very grounds of reasonableness for the separate-car law. The Court refuses to speak against "the established usages, customs and traditions" of Louisiana, as defined by the economically and politically powerful in Louisiana, and finds immobilization of the state's train passengers – into discrete races, into suspects of trespass – reasonable in the pursuit of "public peace" and "good order."[282]

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[281] Justice John Harlan, in his dissent, focuses on the public side of common carriers to draw the conclusion that the right for citizens of any race to ride together is a civil right. He also rightly predicts that such laws will creep across a civic landscape and demarcate so much social space as to be detrimental and dangerous in their own right.

[282] *Plessy*, 550, 550-51, 549. Harlan's dissenting opinion focuses on the violent, chaotic outcomes that will follow from a law that sets citizens in social opposition to one another and the way the social realm slides into the political. He does not doubt that segregation will disproportionately affect the black citizens of the U.S., however they are defined, by a great margin. Brown's logic, on the other hand, rests upon what legal historian Barbara Welke rightly

Tourgée and Walker wanted the scene in the train to show a passenger deserving of economic and social mobility being treated with unconstitutional disregard, but Brown reads unambiguous legal language into Plessy's ambiguous personhood, allowing the discourse to silence individual nuance ("we cannot say"). As a result, the Court refrains from fully considering the encounter between conductor and passenger:

> The power to assign to a particular coach obviously implies the power to determine to which race the passenger belongs, as well as the power to determine who, under the laws of the particular State, is to be deemed a white, and who a colored person. This question, though indicated in the brief of the plaintiff in error, does not properly arise upon the record in this case, since the only issue made is as to the unconstitutionality of the act, so far as it requires the railway to provide separate accommodations, and the conductor to assign passengers according to their race.

The decision to condone the ejection of a passenger from the train and to impose a particular status upon him or her rests fully, then, on legal abstraction. "Equal but separate" is constitutional because *theoretically* reasonable and workable. At the end of the opinion Brown does admit a difficulty with administering the power vested by the law, as Plessy's performance

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identifies as circular reasoning: "To determine the reasonableness of a regulation, a court looked to the social realities, norms, and customs of the area … form[ing] an unbreakable circle: custom led to regulations, and in turn courts determined the reasonableness of regulations by reference to custom." *Recasting*, 325-26. The debate before the Louisiana legislature concerning the bill that passed into law in 1890 focused upon this very issue. The pro-segregation, Redeemer-Democrat organ in New Orleans, the *Times Democrat*, wrote in favor of the law by painting a fearful picture of the "social intercourse" among white and black passengers, "thrown" in …close[] communication," "crowded together, squeezed close to each other in the same seats, using the same conveniences." In this formulation, the threat of disorder and uncomfortable contact is caused by modern train travel and modern emancipated black citizens, acting nearly in concert. The paper expressed, as well, a pervasive sexual anxiety that has been found by historians to be the motivating racial fear and rhetorical flourish of pro-segregation forces. "A man that would be horrified at the idea of his wife or daughter seated by the side of a burly negro in the parlor of a hotel or a restaurant cannot see her occupying a crowded seat in a car next to a negro without the same feeling of disgust…. The man who believes that the white race should be kept pure from African taint will vote against the commingling of the races inevitable in a 'mixed car' and which must have bad results." These gesture towards the "established customs" of Louisiana given credence by the Supreme Court. On the other side, the Citizens' Committee of New Orleans wrote an open letter to the legislature, calling the bill "un-American, unjust, dangerous and against sound public policy." Qtd. in Olsen, *Thin Disguise*, 53, 47. The preamble to the law that passed within weeks of the public debate declared its purpose: "To promote the comfort of passengers on railway trains." Louisiana Railroads Accommodations Act. And the threat of racial violence caused by division appears as some of the strongest language in Judge Harlan's dissent. For a Critical Race Theory critique of the racial assumptions of the "reasonableness test," see Imani Perry, "Occupying the Universal, Embodying the Subject: African American Literary Jurisprudence," *Law and Literature* 17.1 (2005): 97-129.

was engineered to exhibit, but the judge places faith in the power of legal language to deliver equitable outcomes:

> It is true that the question of the proportion of colored blood necessary to constitute a colored person, as distinguished from a white person, is one upon which there is a difference of opinion in the different States, some holding that any visible admixture of black blood stamps the person as belonging to the colored race [North Carolina]; others that it depends upon the preponderance of blood [Ohio]; and still others that the predominance of white blood must only be in the proportion of three fourths [Michigan, Virginia]. But these are questions to be determined under the laws of each State and are not properly put in issue in this case. Under the allegations of his petition it may undoubtedly become a question of importance whether, under the laws of Louisiana, the petitioner belongs to the white or colored race.[283]

The Court declares faith in the abstract language of the law – "equal but separate" and "white and colored races" – to be transformed neatly into the personal encounter, the physical experience of individual citizens. In doing so the majority safeguards Plessy to the hands of a conductor and police officer because so too are white passengers safeguarded. Martinet, Tourgée, and Walker pushed against what they saw to be a failure in legal abstraction – that race was separable in a body like Plessy's – but they did so within a legal system prone to misplacing affidavits and mishearing the brutal experience of black citizens handed over to white authorities set to profit economically and politically from the disenfranchisement and immobility of the emancipated.

Legal historians read the *Plessy* case as unsurprising (even legally inconsequential) given the way the Court had earlier decided in favor of state legislatures in *The Slaughterhouse Cases* (1873) and *The Civil Rights Cases* (1883), strictly limiting the individual rights granted by the Fourteenth Amendment. At the time of its publication, the *Plessy* opinion received little attention, being relegated, for example, to the "Railroad News" portion of *The New York*

[283] *Plessy*, 552.

Times.[284] Despite this, *Plessy* came to garner increasing prominence in cultural histories – most noticeably in the "*Plessy*-era" moniker – because the case spoke to issues crucial to the Civil Rights movement of the mid-twentieth century. Homer Plessy himself came to play a larger role as a test-case hero, and historians have sought to fill in for his absence by overdubbing his voice into the record. What is most striking to me in these accounts is the attention paid to Plessy's encounter with the police power – embodied in conductor Dowling and police officer Cain – an event that, despite being carefully scripted, takes on a kind of representative violence.[285] This has to do in part with the violent language persisting in the record ("forcibly ejected") that was immaterial to Brown, language that projects a startling image of a train passenger being thrown from a moving train – a kind of violence that seems to have been not uncommon, even if it was staged in Plessy's case. Perhaps most importantly, the interest in the encounter between Plessy and the police power of Dowling and Cain has to do with a historical sense of the potential

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[284] The last of the story of Homer Plessy, like his 1890s narrative, presents a mere outline of the man, marked out by legal documentation. Lofgren (who had scoured available records) reports: "On January 11, 1897, over four and a half years after his arrest for attempting to board a white car on the East Louisiana Railway, Plessy entered a plea of 'guilty' in Criminal District Court and paid a twenty-five dollar fine"; then, twenty-eight years later, his death certificate is the next and last record, leaving him "largely lost to history." *Plessy Case*, 208, 253 n. 35.

[285] New Orleans journalist Keith Weldon Medley goes furthest: "Hardly had the train started when … Dowling approached Plessy. 'Are you a colored man?' he asked. 'Yes,' answered Plessy. 'Then you will have to retire to the colored car,' said Dowling. Plessy stated that he had paid for his ticket and intended to ride to Covington. Dowling signaled the engineer to stop. A private detective, Captain Chris Cain … came aboard and warned Plessy: 'If you are colored you should go into the car set apart for your race. The law is plain and must be obeyed.'" "The Sad Story of How 'Separate But Equal' Was Born." *The Smithsonian* (February 1994). Harvey Fireside (relying on Medley): "'I have to tell you that, according to Louisiana law, I am a colored man.'" Lofgren writes: "Plessy's [case] was surely arranged, because despite the allegation in the arresting officer's affidavit that Plessy was 'a passenger of the colored race,' he … was only one-eighth black and, as his counsel later asserted, ' the mixture of colored blood [was] not discernible.'" Lofgren, *Plessy Case*, 41. Mark S. Weiner: "When the conductor asked about his race, he readily admitted that he was 'colored,' and when asked to sit in one of the Jim Crow coaches set aside for blacks, he did not hesitate to refuse." *Black Trials: Citizenship from the Beginnings of Slavery to the End of Caste* (New York: Knopf, 2004), 214. Ron Christie: "As the train gathered momentum, Plessy announced that he was black and that he refused to sit in the car designated for use by blacks only. The train was brought to a halt at the corner of Royal and Press streets" – where a historical marker today announces the arrest's location, just a block north of the former station's site. *Acting White: The Curious History of a Racial Slur* (New York: St. Martin's Press, 2010), 49. Eric Sundquist: "When he boarded a Louisiana railroad car in 1892, … Plessy played a deliberate role…. Light enough to pass for white, Plessy had conspired with his cohorts … to challenge the state's segregated railroad car law…. As soon as he sat down in the whites-only car, Plessy announced himself a Negro to the conductor and was arrested according to prearranged plan." *To Wake*, 234. See also Amy Robinson, "Forms of Appearance," who follows Sundquist's description before arguing that *Plessy* is a passing narrative when read in light of performance theory.

violence involved in a confrontation between black Americans and various incarnations of police power – in 1892 or 1961 or 2014 – which evokes a different kind of railway news.[286]

II. "maybe I am and maybe I ain't": The Trials of Morris Slater, alias Railroad Bill

Much of what lacks detailed accounting in *Plessy v. Ferguson*, what the Court "cannot say," receives expanded treatment in the folklore and news reports surrounding the case of Morris Slater, alias Railroad Bill. Although diverging in important ways from the Supreme Court case, the Slater/Bill narratives help unpack the undercurrent of violence in *Plessy*. He is a figure – or, more appropriately, they are figures – of complex identity, composed of a series of encounters between black travelers mobilized by southern trains and figures of white police power authorized by southern legislatures. Out of this history of communication – an archive of newspaper reports, hearsay evidence, transcribed vocal reports, and folksongs inspired by news and gossip – we can begin to sense the sounds of African American expressive acts in response to the segregating police power wielded in southern states. Slater/Bill's story is as prone to lost evidence and mishearing as Plessy's, but where the law makes events – and bodies – fit its abstract logic, folklore transmits a broader, more nuanced account, which carries with it traces of vocal acts, ingrained with human utterances. Furthermore, a greater body of (admissible) material emerges from Slater/Bill's case than from Plessy's. In these ways, looking for Railroad Bill helps flesh out Plessy's absence in *Plessy*, producing a fuller historiography of race relations

[286] 1961 was the year that Civil Rights protestors embarked on a series of Freedom Rides on buses traveling from northern cities to southern cities, during which police ignored mob violence against the travelers and steadily arrested them for violating Georgia, Alabama, and especially Mississippi segregation laws; 2014 was the year Black Lives Matter protestors coalesced in response to the deaths of Michael Brown and Eric Garner during encounters with police in Ferguson, Missouri and New York City. For the violence used by conductors against resistant passengers see Welke, *Recasting*. For a study of the African American tradition as shaped by the police power, broadly defined, see Bryan Wagner, *Disturbing the Peace: Black Culture and the Police Power after Slavery* (Cambridge, MA: Harvard University Press, 2009).

in the 1890s U.S. than either taken alone. And it is the railroad, as site for inquiry and as broadcast station for communication culture, that leads us into the process of listening for African American expressive acts, voices silenced by records like *Plessy* and "Railroad Bill on the Cooling Board."[287]

An expression of fear and pleasure, "Railroad Bill" came into vocal and textual existence as a nickname. Louisville and Nashville Railroad (L&N) workers on rural stretches of track in northern Florida and southern Alabama, running timber and turpentine to industrial centers like Birmingham and Atlanta and manufactured goods back again, found their freight under repeated nighttime attack. And they identified what could have been multiple shadowy marauders by one nickname: "Railroad Bill." The name, however, was hardly distinctive. "Railroad" and "Railroad Time" were conferred on manual laborers who worked with mechanical efficiency (bringing to mind another folk hero, John Henry, who tested his steal-driving prowess against a steam-run machine). Revealing the link between printed news – hearsay evidence – and the rumor mill of folklore's oral circulation, published reports of a railroad bandit in the region that began in August 1894 followed a similar pattern of suspicion and naming. The first incidents attributed armed holdups of trains to an unnamed "tramp," before reporters picked up on the nickname with a compelling backstory and labeled the suspect "Railroad Bill." But here too the name had broader connections: at the same time as L&N detectives were searching for a bandit who commandeered a train in Hurricane Bay, just outside of Mobile, W. B. Jones, president of the African American Longshoreman's Union, was organizing against the L&N along the docks of

[287] This is another approach to material explored by Albert Murray and Houston Baker. Each proposes that the American railroad train, as a sensory feature of the southern, rural landscape, teaches a song form to black southerners, a form that evolves into the blues. Murray writes, "what may once have been West African drum talk has in effect at any rate long since become the locomotive talk of the old steam-driven railroad trains as heard by downhome blackfolk on farms, in work camps, and on the outskirts of southern towns." *Stomping the Blues*, 118. For Baker, "If desire and absence are driving conditions of blues performance, the amelioration of such conditions is implied by the onomatopoeic *training* of blues voice and instrument. Only a *trained* voice can sing the blues." *Blues Ideology*, 8.

Mobile, where bananas were loaded onto train cars and shipped to northern cities. The perishable product – and a violent labor dispute in nearby New Orleans – motivated a strong-armed response from city police on behalf of the rail company. As a laborer of hardworking prowess, William Jones's nickname was "Railroad Bill."[288]

From the outset, then, the trials of Slater/Bill uncover the motivations and tactics built into the police power system that the *Plessy* Court presumes upholds peace and order. Bryan Wagner writes of nineteenth-century American law that the "discretionary license" granted to states' police power – as applied in *Plessy* among other such cases – "excludes everything that might be known about its object besides its threat potential." This was the approach taken by the Louisiana legislature when it declared the racial assortment of the Accommodations Act a policy "to promote the comfort of passengers on railway trains."[289] And it colors, too, the search for Railroad Bill, who quickly morphed from hobo to thief to armed threat. "Seen from the standpoint of the police power," Wagner continues, "blackness is imperceptible except for the presumed danger it poses to public welfare." For all the ways that emancipation, the Civil War Amendments, and the exercise of railroad mobility made black and white citizens indiscernible one from the other, the expansion of the police power – local acts backed by the federal judiciary

[288] James Penick, "Railroad Bill," *Gulf Coast Historical Review* 10.1 (1994): 85-92, 89-90. Larry L. Massey, *The Life and Crimes of Railroad Bill: Legendary African American Desperado* (Gainesville: University Press of Florida, 2015), 18. Norm Cohen points out that the phrase "railroad bill" would have been common for newspapers readers of the mid-1890s, "refer[ing] to pending congressional legislation for railroad regulations." *Long Steel Rail: The Railroad in American Folksong* (Urbana: University of Illinois Press, 1981), 123-24.

[289] Wagner, *Disturbing*, 6-7. Louisiana Railroads Accommodations Act of 1890. Comfort is promoted in the name of peace and order as opposed to, for instance, ease of movement. Barbara Welke tracks the way states followed the lead of the federal government in regulating the railroad companies in terms of safety (speed, brakes, lights, etc.) and passenger service (segregating by gender and race). These legislative actions answered the need for outside bodies to prevent overreaching corporate action (e.g., the Interstate Commerce Commission, formed as part of the Interstate Commerce Act of 1887), and they found support in a general public that had grown increasingly suspicious of railroad companies and their agents as they found their lives and livelihood increasingly under the control of distant corporate organizations. While the federal moves reveal interests in nationalizing effects (organizing the nation into time zones or unifying track gauge-size), the state moves reveal interests in maintaining states' rights – and "local" – autonomy (by enforcing social "custom"). *Recasting*, 323-75.

– inscribed particularly raced bodies with violent, chaotic "threat potential."[290] The systematic expansion of segregation law, and the parallel efforts at disenfranchising black citizens undertaken by white political and economic leaders of southern communities – particularly in cities like New Orleans, Mobile, Atlanta, Nashville, and Wilmington, North Carolina – highlights the way the threat of black communities went beyond fear of physical violence. The W. B. Jones side-story and the fact that Plessy represented an upwardly mobile skilled laborer who would benefit from an integrated marketplace (presumably volunteering with the elite Citizens' Committee out of such an ambition) speak to the way moneyed interests factored into the deployment of police power in the southern states, especially during the New South decades that followed Reconstruction. The repeated encounter between representatives of the police power – railroad detectives, conductors, police officers, state militia, and, as will be seen, private citizens – and African Americans proved an exercise of social control driven towards economic ends. In some cases this meant avoidance of fines or keeping one's job as a conductor; in others it meant pressuring union groups to drop wage demands. In the case of Railroad Bill it meant the pursuit of a monetary reward.

The characteristics used to identify the railroad bandit who commandeered the L&N train in Hurricane Bay were his skin color and the fact that he held in his hands a Winchester rifle. By the time the word-of-mouth nickname became attached to a citizen's name in March of 1895 – most commonly that of Morris Slater – the search for the hobo bandit had intensified following the shooting death of a deputy in Baldwin County Alabama, James H. Stewart, killed during a shootout. When the sheriff of Brewton, Alabama, E. S. McMillan, was killed in the same manner a few months later, the dead-or-alive reward reached $1,250. This figure was contributed to by

[290] See also Jeannine DeLombard's valuable work on the black criminal in legal and literary texts of the antebellum period, *Shadow of the Gallows*.

the L&N ($350 – along with a lifetimes railroad pass), the states of Alabama ($150) and Florida ($200), and the citizens of Brewton ($300) and Escambia County ($250). The publicity increased apace, in the form of generic, inconsistent wanted posters and descriptions circulated through newspapers and over telegraph wire. The manhunt extended into Florida, Georgia, Mississippi, Louisiana, and as far away as Texas, and, like the reward, it reveals a far-reaching network of police power: law officers and citizens of Alabama and Florida counties, bloodhounds from the Alabama penitentiary, detectives employed by the L&N (Pinkerton agents among them), undercover black detectives hired to infiltrate communities believed to be harboring Railroad Bill, and independent bounty hunters from all over the southern states.[291]

The search for Railroad Bill profoundly illustrates the extent of the discretionary police power condoned by the *Plessy* Court because it draws in the rough edges of violence inherent to the encounter between mobile black citizen and the forces of white authority that sought to immobilize the black traveler. This is due, in great part, to the multiplying effect of prejudicial suspicion and the reach of hearsay evidence. The Dowling/Cain arresting force – in which conductor and officer combine efforts in accordance with the Louisiana law – has expanded in the Slater/Bill case to include local and regional police departments, Railroad employees, and disparate armed white men across the southern states, by one newspaper's account a disorganized hundred-man dragnet sweeping the countryside for a vaguely described black man.[292] Plessy – the indiscernible figure fixed into racial abstraction and trespassing violation by the Louisiana law – has expanded to include, it would seem, any black male traveling in the Deep South. The encounter between police force and black traveler is replicated until it seems any white male is deputized to use lethal force and any black citizen is suspected of trespass. The

[291] Burgin Mathews, "'Looking for Railroad Bill': On the Trail of an Alabama Badman," *Southern Cultures* 9.3 (2003): 66-88, 73.
[292] Brewton (AL) *Pine Belt News*, 6 August 1895. See also, Penick, "Railroad Bill," 90.

scene in the "Whites Only" car of the Number 8 train was the one to receive federal attention, but it had already played out in brutal reality countless times before the 1896 decision – which ignored the violence of local customs. Although the extralegal enforcements sparked by the search for Railroad Bill took place outside of the purview of the Court and were not, chronologically, responses to the police power condoned in that case, they would seem to fall under the "customs" considered the basis for the Court's reasonableness determination. They speak to what the Supreme Court cannot say.

In a similar multiplication effect, Plessy's representative name broadly expands into the many names associated with Railroad Bill.[293] In addition to the names of the companies involved – Louisville & Nashville Railroad Company and Winchester Repeating Arms Company[294] – news reports began to name individual suspects, chasing rumors across the wires. It was a crowded field. After the August 1894 gunfight, a Montgomery paper reported on an armed-and-dangerous outlaw named "Morris Salter," also spelled "Salters," in connection with the first printing of the Railroad Bill moniker. After the deputy was killed, "Morris Slater" was named in Mobile, Pensacola, and Montgomery papers. That name subsequently appeared on Louisville & Nashville wanted posters. But then, the following spring, Birmingham and Mobile papers named a Will Barker in connection with the crimes. Finally, in March of 1896, after Morris Slater was identified as the dead man in Atmore, a Brewton paper reported the dead man's name as Bill

[293] Though, as noted above, Randolphe Desdunes remembers Plessy as Homere Plessy, which either speaks to Desdunes's lack of familiarity with his "representative," or to the erasure of the second French-language "e" in an Anglicized (Common Law) record, allowed to proceed, perhaps, by lawyers who found such an Anglicization to their case's advantage.

[294] Larry Massey draws the conclusion that, Railroad Bill's "most distinguishing characteristic" was his "large-bore .44-caliber Winchester rifle, … typically carried by homemade shoulder strap." *Life and Crimes*, 142. James Penick's conclusion is that "Railroad Bill" was an invention of the L&N and its jittery or bored employees. After all, his excavation of the history of presents only one name with any consistency or clarity – the Louisville & Nashville Railroad, the "dominant economic power in south Alabama." "Railroad Bill," 85. For a history of the Winchester company see Pamela Haag, *The Gunning of America: Business and the Making of American Gun Culture* (New York: Basic Books, 2016).

McCoy and Frederick and Altoona papers as William Brown.[295]

For each of the five reported names there were many more, often nameless suspects thrown into prison, whipped, shot, and killed for perceived connections to the figure of Railroad Bill. An organizing feature of the violence, especially as it stretched into the late summer of 1895 after a couple of near captures of ever-elusive suspects, was the way the railroad became a site of increased scrutiny and arrests. Not only was it a logical place to hunt for a hobo bandit, tracksides and stations and rail cars were governed by the logic of exclusion – a place where white men were empowered by state law to police a racial hierarchy of citizenship. And, too, all of the hearsay materials that fanned the flames of fear and monetary desire – the reward circulars, suspect descriptions, interviews of witnesses – were transmitted along telegraph wires rail station to rail station. A telegraph operator announced in Castleberry, Alabama on August 1: "A number of Negroes have been arrested. None of them will be permitted to go about for fear that they might sneak some information to Railroad." The Sheriff of nearby Conecuh County reported, "We are guarding all trains and arresting all Negroes who come along." Meanwhile, a man in Evergreen, Alabama, having received repeated arrest and harassment, complains in a newspaper interview that he "will have a tough time" even if his name is cleared because, he says, "they say I look just like [Railroad Bill]." Such arrested journeys along rail lines clearly exhibit the immobilizing network – a dragnet – of police forces. Perhaps even more telling is the case of a man killed in Shipley, Georgia during an argument between two white men and two "suspicious looking negroes," as reported by a Montgomery paper, where the corpse of the black man had been sent by train in an effort to claim the reward. "The first thing we did was go through the pockets" of the "wounded darkie," said the father of the killer in an interview.

> In them we found the circular [describing Railroad Bill and naming the reward],

[295] Massey, *Life and Crimes*, 20.

> one or two packs of cards and a ticket for Pensacola [in the Florida Panhandle]…. I then asked him how he came to have the description of Railroad Bill in his pocket, and he became confused asking what description and trying to get out of having it. He was shot at 9 o'clock in the morning and died at 5 o'clock in the afternoon, and during the whole day the only thing he would say when I asked him if he was Railroad Bill was "maybe I am, and maybe I ain't."[296]

That he was eventually cleared of the crimes of Railroad Bill matters little (except for the fact that the reward went uncollected and the search continued). The man was killed for a perceived threat, for being a stranger and for being mobile, in short, for trespassing in public space. Reduced in the eyes of the white Georgians to a "danger to public welfare," to recall Wagner's description of the effect of the police power's wide discretion, his pockets held documents declaring what was already suspected: the man was freely circulating among southern states, on an itinerary that would seem to include Alabama, Georgia, and Florida. That such movement was his citizen's right is utterly ignored by killers, press, and, implicitly, the officers of the law who share the police power with death-dealing citizens.

If *Plessy* tells of impositions for African Americans on trains during the rise of de jure segregation, we hear the extreme version of what the 1890s American railroad communicates about the immobilization of black citizens in the way the men in Shipley used the train to send a dead body for identification, in the hopes of being compensated with reward money. That transaction of August 1895 foreshadows the end of the Railroad Bill search, in March 1896, when the bullet-riddled body of a man declared to be Morris Slater, alias Railroad Bill, was briefly exploited for profit. After no family members claimed the corpse, the police officers transporting it by train through southern Alabama and back to Florida briefly displayed it in an empty freight car in exchange for the money of curiosity seekers. Like the circulation of the "Railroad Bill on the Cooling Board" postcards, the body itself was commercialized by a police

[296] Qtd. in Mathews, "Looking for Railroad Bill," 76, 77-78.

force composed of reward-motivated citizens, union-threatened railroad company officials, and publicly employed police officers inspired to private gain.[297] The economic incentives of immobilizing the threat potential of mobile black citizens appears most vividly, then, at the railroad station, a hub of communication culture where journeys begin and end, where newspapers obtain issue-selling gossip of bandits and violence, and where black bodies are traded for rewards, postcard sales, and ticket prices.

The two-year manhunt, sparked by an offer of reward money concluded with a payout, all largely outside of the legal process. There was no due process granted the many black citizens attacked, jailed, and killed during the process; and the man shot in the store in Atmore was targeted for exercising his Second Amendment rights, carrying a Winchester rifle that was subsequently put on display in order to exhibit his guilt.[298] Read in light of the separate-car legislation and *Plessy* opinion, the scattershot efforts of press, lawmen, and mob of bounty hunters reflect the willingness of southern communities to participate in prejudicial police practices to maintain "good order," as condoned by a general abandonment of black southerners by all three branches of government and as motivated by economic interests of opportunistic white southerners. These features of the era's economic landscape would receive partial expression in the *Plessy* opinion that followed on the heels of the slaying of the man alleged to be Slater/Bill, but viewing the two instances together helps us to make a fuller connection

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[297] Constable McGowan, one of three men who claimed the reward, is the man standing above the body in "Railroad Bill on the Cooling Board." Of the postcard Massey writes: "George W. Turton was scheduled to take photographs, but it is unclear if any of his photographs have survived. The photograph taken in Brewton, however, was being marketed: 'Photos of the Desperado as he appeared after his death for FIFTY CENTS. Per cent goes to children of the deceased Sheriff.'" Ibid., 148. See also, Mathews, "Looking for Railroad Bill." The efforts were eventually cut short by police officers who received the body by train on its way to a grave in northwestern Florida.

[298] That such guns were mass-produced – another generic marker of threat potential – did nothing to offset the sanctioned killing. For an examination of the link between Second Amendment rights and the African American experience of citizenship see Robert J. Cottrol and Raymond T. Diamond, "The Second Amendment: Toward an Afro-Americanist Reconsideration," *Georgetown Law Journal* (1991): 309-61. See also Michael Waldman, *The Second Amendment: A Biography* (New York: Simon & Schuster, 2015).

between the license granted to an expansive police force across a rail network of small towns and cities and the brutal limitations on the liberty of black citizens. Of the Bill/Slater events, the Montgomery Adviser offers a chilling conclusion: "The number of negroes who were killed under the impression that they were Slater will never be known…. Several were shot in Florida, Georgia, Mississippi and even in Texas, [but] only one was brought here to be identified."[299] "Railroad Bill," then, would seem to refer to any armed black man hoboing in southern Alabama, or to any black man in the South.

As important to the history as the hearsay spread by news reports and reward circulars, however, are the more diffuse – and elusive – expressions of African American folklore that coursed through their own unofficial networks. I have shown how the name "Railroad Bill" was an expression of fear, but it is just as crucial to the history of 1890s racial politics to consider the name as an expression of pleasure. The storytelling and song-making that took place off the printed page – but which drew on the news reports – counter to some degree the police power's encroachment on individual rights by performing a form of expression able to evade law enforcement, critique police practices, and playfully obtain a measure of mobility. We have seen the way the news archive offers less a definitive narrative of crime and punishment than an evocative picture of the precarious enjoyment of liberty in a racially segregated population. James Penick, a historian seeking a unified narrative, complains of researching Railroad Bill: "Sources are scanty and riddled with contradictions." From his perspective, looking "[b]eyond [the news] stories" to "the ballads which come in several versions" offers no "help." "They are

[299] Qtd. in Penick, "Railroad Bill," 90. Indeed, three April 1895 descriptions give the man's dimensions as five feet, six or seven inches in height and weighing one-hundred and forty to one hundred and sixty pounds – an undertaker measured the man on the cooling board at five feet, eleven inches and one hundred and sixty-five pounds. Massey, *Life and Crimes*, 17-20.

characteristic blues ballads," he writes, "and do not attempt to tell a coherent sequential tale."[300] But the absences in the *Plessy* record call for a sense of what the experience of traveling through the South as a marginalized citizen was like. And the news reports surrounding Railroad Bill were built out of the same oral materials that fed into the folkloric forms. A full historiographic engagement with the legal landscape of the 1890s U.S. – where the freedom to move and the freedom to express one's complex identity were curtailed – requires assessing incoherent sources. Otherwise, one edges towards the perspective of the *Plessy* Court, which mishears the experience of being black in the Jim Crow South, and which cannot speak to the unreasonableness of a segregating police power.

Looking for Railroad Bill means listening closely to African American voices in the record – such as we have them. The Evergreen man, who explains he will have "a tough time" even upon his release because he has been repeatedly told he "looks like" Railroad Bill, and the Shipley man, who, slowly dying of gunshot wounds, refrains to his assailants pressing for an admission "maybe I am, and maybe I ain't" Railroad Bill, emerge from the record as voices of the oppressed, harried, and immobilized. Their interlocutors – white reporters and, more troublingly, white assailants – are far from credible recorders of such voices, but nonetheless we learn something attempting to hear them speak to their "tough time": to the value of maintaining an elusive identity in the face of the empowered. The folksongs overlooked by Penick offer multiplying effects that match the spread of police power across the southern landscape. This is one reason why they prove difficult to assimilate into a coherent and chronological narrative, but including them has historiographic value.

The common features – trains, guns, and escape-artistry – paint the picture of a highly disordered landscape in the Jim Crow South. Indeed, the songs themselves search for Railroad

[300] James Penick, "Railroad Bill," 86.

Bill, but even in the versions in which he is captured and shot the songs get sung again. The refrains repeat, and the state's police force gets destabilized; so too does segregated train travel get satirized – put under critical pressure by the masterfully elusive exertion of the singer, who charts liberated itineraries across the increasingly rigid southern landscape. These vocal forms, borrowing heavily from an established tradition of "Bad Man" songs and railroad folklore, express their own storytelling pleasure by describing a bandit who carries the song's narrative across space, who is at once hero and villain, who shoots out lanterns and terrorizes lawmen. The songs are full of jokes and wordplay and, they wander off to lyrics from other songs or, just as easily, change setting from southeast to Wild West.[301] They make up an archive of insistently mobile discourse, gesturing to itineraries of transmission from turpentine camps and rail yards, across state borders, from isolated rural locales to transportation hubs, following train lines that inadvertently build a folk, oral network alongside the commercial and information networks.

There are many sources that trace the folk history of "Railroad Bill," but they all lead back to the earliest transcription of the lyrics, Howard Odum's "Folk-Song and Folk-Poetry as Found in the Secular Songs of the Southern Negroes" in a 1911 issue of *The Journal of American Folklore*.[302] In taking Odum's transcribed song lyrics as a commentary on 1890s U.S. law enforcement, I am stretching a temporal boundary, trying to listen backwards ten and fifteen

[301] It was, after all, an era of outlaw tales, most famously of the train-robbing "James Boys," whose histories and fictions overlapped in news reports of the 1870s and popular inexpensive serial paperbacks in the 1880s and 90s. For more on outlaw literature see Michael Denning, *Mechanic Accents: Dime Novels and Working-Class Culture in America* (New York: Verso, 1987); and Richard Slotkin, *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* (Norman: University of Oklahoma Press, 1992), 126-52.

[302] Howard W. Odum, "Folk-Song and Folk-Poetry as Found in the Secular Songs of the Southern Negroes," *The Journal of American Folklore* 24.93 (1911): 255-94. See also, in chronological order, E. C. Perrow, "Songs and Rhymes from the South," *The Journal of American Folklore* 25.96 (1912): 137-55; Dorothy Scarborough, *On the Trail of Negro Folk-Songs* (Cambridge, MA: Harvard University Press, 1925), 250-53; Carl Carmer, *Stars Fell on Alabama* (New York: Farrar & Rhinehart, 1934), 122-25; H. C. Brearley, "Ba-ad Nigger," in *Mother Wit from the Laughing Barrel: Readings in the Interpretation of Afro-American Folklore*, ed. Alan Dundes (Jackson: University Press of Mississippi, 1990), 578-85; Lawrence W. Levine, *Black Culture and Black Consciousness: Afro-American Folk Though from Slavery to Freedom* (New York: Oxford University Press, 1978), 410-11; Cohen, *Long Steel Rail*, 122-31; John W. Roberts, *From Trickster to Badman: The Black Folk Hero in Slavery and Freedom* (Philadelphia: University of Pennsylvania Press, 1989), 171-73.

years for the sounds of the decade that brought *Plessy* and a surge of racial violence and cemented segregation and disenfranchisement of black southerners into American life. And I am listening back through a mediating source, allowing a textual transcription to speak on behalf of oral circulation. This means taking into account Odum's overt censorship practices ("Some of the verses just given are far from elegant; others still less elegant must be omitted") but forging ahead nonetheless. Odum, a white, college-educated southerner moving amongst rural, black communities and recording African American cultural expressions, carries on the tradition of Joel Chandler Harris and others, acting at once as medium and as something like co-author or translator of an oral tradition. He would seem to capture the songs via transcription. But in his "Folk-Song" publication he expresses the slipperiness of the form itself. "The negroes sing different forms of these verses, as they are suggested at the moment," he explains, "they add other[] [verses] or omit parts." Such a comment is at the heart of Penick's decision not to include the songs in his research, yet I would contend that the songs thereby express a symbolic mobility available to Southern blacks within the nation's communication culture – regardless of class or literacy or train fare. These kinds of self-expression, by their very ability to evade the official recordkeeping of the Jim Crow South, offer alternate versions to muted records like *Plessy* and allow a more complete engagement with a riddled history.[303]

Railroad songs, as a matter of course, were not isolated phenomena. Their ubiquity up to the present moment speaks to the reach of their transmission. When workers on railroads sang about working on the railroad, these "tracks" were carried along rail lines as surely as by phonograph grooves or radio signals. "Casey Jones," "John Henry," and "Railroad Bill" (among many others) were popular songs, and their namesakes became national folk heroes by virtue of their railroad subject matter. When *listening* for "Railroad Bill," the full power of the railroad as

[303] Odum, "Folk-Song," 292.

an engine for mobility is unmistakable:

> I went down on Number One,
> Railroad Bill had jus' begun.
> *It's lookin' for Railroad Bill.*
> I come up on Number Two,
> Railroad Bill had jus' got through
> *It's that bad Railroad Bill.*
> I caught Number Three and went back down the road,
> Railroad Bill was marchin' to an' fro.
> *It's that bad Railroad Bill*.
> An' jus' as I caught that Number Fo',
> Somebody shot at me wid a fohty-fo'.
> *It's that bad Railroad Bill*.[304]

Despite the apparent regularity of the counting mechanism, the sound effect of the song is to sing Railroad Bill into motion, his presence just out of reach on the next train. Similarly, the chorus repeats itself, with occasional unexpected twists, in a message of Bill's extralegal excess, a refrain that calls again and again, like a train's whistle, reminding the listener of the figure's ubiquity and potential proximity. Another flexible feature is the speaker's position in relation to the bandit. Searching and shot at in the version above, the speaker is a bystander in another:

> Railroad Bill mighty bad man,
> Shoot dem lights out o' de brakeman's han',
> *It's lookin' fer Railroad Bill*.
> …
> Ole McMillan had a special train,
> When he got there was a shower of rain,
> *Wus lookin' fer Railroad Bill*.
> Ev'ybody tole him he better turn back,
> Railroad Bill wus goin' down track,
> *An' it's lookin' fer Railroad Bill*.
> Well the policemen all dressed in blue,
> Comin' down sidewalk two by two,
> *Wus lookin' fer Railroad Bill*.
> …
> Standin' on corner didn't mean no harm,
> Policemen grab me by my arm,
> *Wus lookin' fer Railroad Bill*.[305]

[304] Qtd. in Odum, "Folk-Songs," 290.
[305] Ibid., 291.

The print record is referenced by McMillan's name (the slain sheriff), but Railroad Bill's identity is much less fixed, if steadily pursued: Morris Slater's name is absent in the folk forms. Depending on the tone of the last verse, the song might blame Railroad Bill's ability to escape for threats posed to a whole community; or it might, with an ironic cast to "didn't mean no harm," indicate the speaker could be Railroad Bill and hiding behind the song, so to speak. Above all, the line "Policemen grab me by my arm" exposes and critiques a technique of law enforcement that attaches a generic name for a criminal, "Railroad Bill," on a bystander – such as the Evergreen man experienced. By song's end, the "mighty bad man" is less a violent threat than the policemen dressed in blue, who operate beyond due process of law. The Shipley man who says again and again "maybe I am, maybe I ain't" echoes the sentiment of the song in which the value of being an outlaw and the value of being innocent are difficult to weigh. In the face of a police power with wide discretion, self-expression would seem to work best in an elusive key. We might even hear Homer Plessy, if we imagine him speaking for his own indiscernibility.

III. "Speaking of dialect": Charles Chesnutt and the Voices of Dissent

By the decade's end, the trials of Homer Plessy and Morris Slater had become nearly uniform across the U.S. South for African Americans. Jim Crow legislation had passed in nearly every southern state and acts of violence swept along in its wake. One such flare-up was the Wilmington Race Riot of 1898, which has since been re-labeled a Redeemer-Democrat "coup." The North Carolina city had been the site of relatively successful economic and political mobility for its growing African American population, and, as a result, it was a holdout for Republicans running on a "fusion ticket" that allied the black middle class with working-class blacks and whites. Charles W. Chesnutt, one of the ablest authors of African American literature of his era,

grew up during Reconstruction in an economically and geographically mobile family that moved from Fayetteville, North Carolina (a hundred miles inland from Wilmington) to Cleveland, Ohio and back again. Chesnutt benefitted from educational opportunities in the South during Reconstruction, and he himself taught in black schools as a young man, before learning stenography, passing the Ohio bar exam, and settling in Cleveland as a court reporter. But it was as a fiction writer – an activity he was never quite able to make into a career – that Chesnutt exerted his most notable mobility, making him a representative and historiographer of the link between movement and expression. His own journeys between South and North describe the cultural connections between regions of publicized hierarchy and supposed democracy, and those undertaken by his characters in a variety of written works, but especially 1901's fictional account of the Wilmington Riot, *The Marrow of Tradition*, further intensify the absences in *Plessy* and the sound effects of "Railroad Bill." The novel offers a pressing critique of the Jim Crow system as a national failure at the expense of black Americans by interweaving news reports, legal analysis, and regional folklore.

I have suggested that reading legal and folkloric records together gives a fuller sense of the links between public policy and personal experience during an era of muted minority voices. The potential for producing such a narrative finds fruition in Chesnutt's fiction, though his writing also reveals the tensions at play in efforts of transcription. An appropriate place to begin, then, is with Chesnutt's fraught relationship to the folk: the working-class blacks for whom he sometimes acted as documentarian. Chesnutt describes a train journey from Fayetteville to Washington, D.C. in an 1879 journal entry. Written in the early years of the post-Reconstruction era, before even the overturning of the Civil Rights Act in 1883, the document predates *Plessy* and "Railroad Bill." It is an observation of de facto segregation, when the train companies'

conductors determined the seat-placement of passengers of varying racial backgrounds, and it marks for Chesnutt a deep ambivalence about race and class, an ambivalence that continues through his major literary period of 1887 to 1905. For my purposes, the passage highlights the way the railroad collects and broadcasts events of social, legal, and political consequence:

> The journey to Washington was about as disagreeable as travelling generally is. The dust and dirt of the R.R. cars, the smoke (of which I had the full benefit, as I traveled second class), the tiresome stoppages, the provoking slowness of some of the trains, the rapacity of porters and luggage boys, all combined to make the journey an infliction which is endured simply because it can't be helped.
> …
> I had bought second-class tickets all along, but thanks to the small number of travellers, or the kindness of the Conductor, or Captain as he is called in the South (such is the mania for titles!) that I was allowed to ride first-class as far as Franklin where we changed cars for Norfolk. But here the passengers were more numerous, and the Conductor more strict, and I was obliged to ride in the 2nd class car. A gentleman from Weldon was in the same predicament, so that I had some company in my exile. It was pleasant enough till we took on about fifty darkies who were going to Norfolk to work on a truck farm. They filled the seats and standing room, and sat in each other's laps for want of seats. As the day was warm and the people rather dirty, the odor may better be imagined than described[.] Although it was nothing to me, I could empathise with my fellow traveller, who stuck his head out of the window, and swore he would never be caught in such a scrape again.
>
> It was a merry crowd however, especially one young fellow who would gravely line out a hymn and then sing it himself, with all the intonations of a camp meeting. His sister, he said, sat in his lap, though the affectionate way in which he embraced her seemed, to our unsophisticated eyes, to render the relationship doubtful, in the least.[306]

Notably, Chesnutt expresses a general aversion to travel. Rather than a sense of liberty, he conveys feelings of restraint and passivity. Moving into the first-class car seems to ease the discomfort, but the forced movement back down the social ladder sharpens the discomfort of the second-class ("smoking") car.[307] Thus, while the encounters with the two conductors do not produce direct conflicts – the traveler simply views the men as "kind" or "strict" – they do

[306] Charles Chesnutt, *The Journals*, ed. Richard H. Brodhead (Durham, NC: Duke University Press, 1993), 113.
[307] For more on this, see Chapter 3 of this dissertation.

display the impact of enforced status on Chesnutt's sense of free self-expression. The conductors, indeed, act as "Captains" and regulate passengers according to whim, despite ticket designation and, possibly, despite racial designation. It was not unheard of during de facto segregation for conductors to allow, unevenly, black travellers to ride in whichever car they were able to buy a ticket for, especially in the Upper South. In addition, Chesnutt's racial ancestry was even less discernible than Homer Plessy's: he was born of one-sixteenth black and fifteen-sixteenths white forebears. Free to express himself as a mobile economic figure (traveling to D.C. to pursue his stenography career, presumably dressed in "gentlemanly" attire, etc.), as a mobile racial figure, and as a mobile expressive figure (describing the scene in his journal for latter use in *Marrow*), Chesnutt is nonetheless cramped by the Captains' power and by the discomfort of racial and class association with the fifty black laborers.

Importantly, however, the young writer does not dissociate himself from the crowd, as does the "gentleman" fellow traveler, who sticks his head (and senses) out the window. Chesnutt, despite his snobbish stance by which he empathizes with the "gentleman," watches and listens, and he reports on their behavior and expressive acts. The passage carries a cruelty – the racial epithet "darkies," seen earlier in the Shipley man's assailant's letter – and there is a distance maintained by the author through his ironic tone, but he also communicates a measured celebration of the "merry crowd." The phrase "it was nothing to me" captures this ambivalence. The folk are familiar to him, as are the intonations of the camp meeting. Their roughness (particularly their "odor") does not trouble him. But it is not a strong case on their behalf; the "nothing" also leaves out potential for sympathetic critique – of the labor system, of the social standing of black Americans, or of the inequity of a second-class train ride that crowds ticket holders into each other's laps. The same is true of his description of the young fellow with the

girl, where Chesnutt knowingly winks at the young man's playful deception while undercutting the couple's freedom with the ironic humor of "our unsophisticated eyes," throwing the unsophistication back on folk behavior.[308] Chesnutt's double view at once adheres to class bias and acknowledges the social life of working class travelers in a passage that complains of immobility while demonstrating the boundary-crossing dynamism of rail travel.

Above all else, simply traveling among the folk and witnessing their efforts for free self-expression – as I read the singing and flirtation to be – pushes against the grain of the harsh labor conditions and unfair travel accommodations, communicating a great deal about the social and economic scene. The railroad, with its closed-off spaces yet relatively open access, produces the scene, which Chesnutt records with sensory fullness. He cares to listen. His receptiveness to, and discomfort with, working-class black folks is key to understanding the drift of his published writing from "The Goophered Grapevine," published in *The Atlantic* in 1887, to *The Marrow of Tradition*, a historical novel published in 1901. This body of writing demonstrates the author's ongoing efforts to address the race crisis of the Redeemer era and to appeal (in both senses) to the reading public. The drift, too, reflects the geographically and racially mobile subject positions of the author and his characters. Although he identified as black (and wanted to make his name as the first great African American writer), Chesnutt looked white and was able to pass if the situation arose. His perspective is an especially apt example of W. E. B. Du Bois's concept of "double consciousness," drawn out two years after *Marrow* in Du Bois's own long-form masterpiece, *The Souls of Black Folk* (1903). Beyond this, Chesnutt largely lived in the North, in Cleveland, Ohio, but had friends and family in North Carolina (the site of his childhood and early teaching career) and so, like Du Bois, had a double consciousness of the regional

[308] It also speaks to an array of cultural meanings attached to the railroad. Cinema, allured by the train from its 1890s beginnings, plays again and again with the erotic potential, sexual symbolism, and social confusion of train travel. See Kirby, *Parallel Tracks*.

experience of race in the U.S.

Chesnutt, a mobile writer, had an ear especially tuned to folk discourse – to the sound of the conversation, music, and storytelling of black southerners. In 1887 he published "The Goophered Grapevine" in the prestigious *Atlantic Monthly*, followed by "Po' Sandy" in 1888, and "Dave's Neckliss" in 1889. The short stories are narrated in two voices: a frame story – or "outside story" as Chesnutt called it – in the voice of John, a patrician white man who buys a former plantation in North Carolina and moves there to cultivate a vineyard and improve the health of his wife, Annie; and an "inside" story in the voice of Uncle Julius, a former slave who continued to live on the plantation. The outside story of "The Goophered Grapevine" sets the formula used for most of the others. When the Ohio transplants, John and Annie, visit the plantation site, they encounter Uncle Julius and carry on a brief conversation in which John makes accidentally ironic statements such as: "'Don't let us disturb you…. There is plenty of room for all of us.'" Julius comes across as part performing caricature, part canny businessman, and part witness to slavery. He answers John's inquiry as to his knowledge of the plot, "'Lawd bless you, suh, I knows all about it. Dey ain' na'er a man in dis settlement w'at won't tell you ole Julius McAdoo 'uz bawn en raise' on dis yer same plantation. Is you de Norv'n gemman w'at's gwine ter buy de ole vimyard?'"[309] When John states his intention to buy the land to cultivate grapes, Julius tells the eponymous story to dissuade him – or, more craftily, to argue for his own right to the land. Most of the stories involve an interruption of one character by another – social and economic collisions – followed by a piece of news about the business affairs of the New South plantation, followed in turn by Julius's telling a conjure tale that is worked to make the business affair come out in his, or his community's, favor. If John and Julius can be said to be in

[309] Charles Chesnutt, *The Conjure Woman and Other Conjure Tales*, ed. Richard H. Brodhead (Durham, NC: Duke University Press, 1993), 34.

confrontation with one another, with John in the role of police officer, the stories nonetheless work the inside/outside narratives in such a way as to make room for the expression of both, and Julius's viewpoints in many cases escape the framing, containment efforts of John's viewpoints.

The stories transmit, often in wily ways, the brutal violence of slavery and that system's link to the economic systems that followed. The transmission marks Chesnutt's multifaceted mobility: he moved by train between rural spaces in North Carolina and northern metropolises, between working-class blacks and professional-class whites; his own public and personal life is emblematic of how physical mobility aids expressive acts. To some degree the 1879 train scene plays out again when Chesnutt reports his decision to move away from folk forms for the sake of career ambitions (a hasty claim[310]) in a September 1889 letter to George Washington Cable (New Orleans-based writer and anti-segregation activist). Although Chesnutt "hope[s]" Cable finds the attached story ("Dave's Neckliss") "the best of the series," he goes on to write: "I think I have about used up the old Negro who serves as mouthpiece, and I shall drop him in future stories, as well as much of the dialect."[311] These are dissociative tones ("used up"; "drop him"), but they once again speak to Chesnutt's role as witness and transmitter of folk expression. The statement

[310] Chesnutt wrote and published "conjure stories" throughout the 1890s, as well, especially at the end of the decade when *Atlantic* editor (and North Carolina-born) Walter Hines Page encouraged Chesnutt to put together a book of them. The *Atlantic*'s publishing house, Houghton Mifflin, put out seven of the stories in *The Conjure Woman* in 1899. In addition to these, there are six stories that more or less follow the conjure formula, all published in journals before 1900 except for one, "The Marked Tree," which was put out in *The Crisis* in 1924. The early conjure stories were published towards the end of the heyday of regional fiction (also known as "local color" writing), which tended to collide insiders and outsiders in a remote location that was in the process of being drawn into the modern, national communication and transportation network. Many of these stories, usually published in nationally circulating magazines, relied on the author's dual knowledge of inside and outside mores – and on the communication of the former through the sounds of dialect made visible in the writing. Richard Brodhead, Introduction, Chesnutt, *The Conjure Woman*, 2-4.

[311] Charles W. Chesnutt, *"To Be an Author": Letters, 1889-1905*, eds. Joseph R. McElrath, Jr., and Robert C. Leitz, III (Princeton, NJ: Princeton University Press, 1997), 44. In a postscript to the letter, Chesnutt expresses his thinking on publishing his racial status: "You said to me that you thought the fact of color would hurt me in literature—the knowledge of the fact rather. Perhaps it might with the public. It has not with the *Independent*—on the contrary I think it has helped me with that journal. I do not think it has hurt me with the *Atlantic*. The editors of both journals are aware of my connection with the colored race. The road to success in literature is not, I imagine, an easy one, and perhaps, if I have the patience and the industry to pursue it, the fact of color may in the course of time prove to be a distinction instead of a disadvantage." Ibid., 45. Of course, in light of *Plessy* seven years later, distinction and disadvantage prove to be thoroughly entwined.

reveals the ambition of a member of a new generation of black Americans, born into freedom, and how the dialect employed in the stories offered him a way to let the older generation ("the old Negro") speak their experiences in slavery.

Chesnutt remained uncomfortable with his folk subject matter, as on the train, even when the conjure stories helped launch his publishing career. On one hand the tales seem committed to a racial kinship, and their author comes across as motivated to listen carefully to marginal voices and to transcribe them in a roundabout effort of social reform. He teaches his reader how to listen to dialect that *speaks* the pain of the disenfranchised. On the other hand, Chesnutt comes across in private writings as an interlocutor who maintains a class-based distance despite an abiding interest in what black folk have to say and sing. "Speaking of dialect," he would write to his editor and fellow-North Carolinian Walter Hines Page, in May 1898, months before the Redeemer coup in Wilmington,

> it is almost a despairing task to write it. What to do with the troublesome *r*, and the obvious inconsistency of leaving it out where it would be in good English, and putting it in where correct speech would leave it out, how to express such words as "here" and "hear" and "year" and "other" and "another," "either" and "neither," and so on, is a "'stractin'" task. The fact is, of course, that there is no such thing as a Negro dialect; that what we call by that name is the attempt to express, with such a degree of phonetic correctness as to suggest the sound, English pronounced as an ignorant old southern Negro would be supposed to speak it, and at the same time to preserve sufficient approximation to the correct spelling to make it easy reading. I have taken the bull by the horns in the case of "you." To spell it "yer" all the time would not be as it would be spoken, and to avoid apparent inconsistency I have spelled it "you" all the way through. I do not imagine I have got my dialect, even now, any more uniform than other writers of the same sort of matter. If you find these stories available, I shall be glad to receive any suggestions in the matter of the dialect or anything else.[312]

Chesnutt comes across as ambitious, fully aware of the difficulties of working with the established tradition of regional fiction – "local color" stories – which presents the reader with distinctive characters from elsewhere, strangers, but not so strange as to make for difficult

[312] Chesnutt, *Letters*, 105.

reading. Yet he also explains something of the mobility of speech itself, its elusiveness from written text, and the larger impossibility of writing for an imaginary caste of people. "Negro dialect" does not exist, only a writer's "suggestion" of sound and a reader's "supposition" about the speaker. Chesnutt knows personally the constraints and difficulties of broad-stroke association, and his literary career pushed towards escaping genre conventions. In shifting form from genre story to historical novel, however, Chesnutt does not abandon the sound of the folk or the potential for truth telling in dialect. The work written at the other end of the 1890s from the early conjure tales particularly exhibits Chesnutt's personal ambivalence about class and race, capturing the relation between freedom of movement and freedom of expression by way of a stereophonic engagement with folk/vocal and legal/textual histories.

The Marrow of Tradition was published two years after violence erupted in Wilmington on November 10, 1898, part of a series of events which stand as one of the clearest examples of Redeemer political tactics – and stand, too, as evidence the nation's indifferent response to the violent disenfranchisement of southern blacks. Scholars have noted the care with which Chesnutt writes from the perspective of the coastal city's black citizens, a community driven from homes, businesses, and political office during the Democratic coup. The narrative operates in the mode of historical fiction, and Chesnutt's desire to correct the record is clear in his distribution of the novel to federal officials, including President Theodore Roosevelt.[313] In order to accomplish the work, Chesnutt conducted a series of interviews with the African American victims of the coup,

[313] As Michael Klarman points out, "In 1898 [President William McKinley] declined to criticize the election riot that year of whites in Wilmington, North Carolina, which killed a dozen blacks and destroyed black political power in that city." *From Jim Crow*, 15. McKinley was assassinated in September of 1901, just before the publication of *Marrow*. Chesnutt appealed to Booker T. Washington, who had influence with Roosevelt, McKinley's successor, but no response is recorded on the part of either. See Chesnutt, *Letters*, 169. Indeed, the lack of reader response (and poor sales) – combined, perhaps, with the negative response of influential reader William Dean Howells who called the novel "bitter, bitter" – served to slow down Chesnutt's literary efforts, turning what had been a steady output in the 1890s to infrequent publication in the early decades of the new century. But, as Wai Chee Dimock teaches, any "bitterness" tasted in *Marrow* might be owing to the "residue" of the law's incommensurability exhibited in the book's many scenes of crime and punishment. Dimock, *Residues of Justice*.

whose voices had been left out of the official record. He engages with both discourses in an effort to make a case for new approaches to racial reconciliation by exposing the unjust violence brought down upon an upwardly striving population. In many ways, the novel stages on a grander scale the confrontation at the heart of *Plessy v. Ferguson* and "Railroad Bill." As a literary evocation of the showdown between police force and marginalized traveler it narrates the action before and after "Railroad Bill on the Cooling Board," and in so doing gives a hearing for the experience of the laid-out victim and traumatized boys.

In *Marrow*, Wilmington becomes the slightly fictionalized Wellington, but the events depicted in the novel are based on firsthand accounts and newspaper reports – some of the latter (and possibly some of the former) transcribed verbatim.[314] By and large, the African American political perspective sounds from two sources: William Miller, a physician who speaks in the tones of the educated middle class; and Josh Green, a dockworker who speaks in the dialect tones of the working class. Three exchanges of dialogue crucial to *Marrow*'s plot pass between the two men, each a discussion of how the black community should respond to increasing

[314] For historical readings see Jae Roe, "Keeping an 'Old Wound' Alive: *The Marrow of Tradition* and the Legacy of Wilmington" *African American Review* 33.2 (1999): 231-43; and Joyce Pettis, "The Literary Imagination and the Historic Event: Chesnutt's Use of History in *The Marrow of Tradition*" *Atlantic Review* 55.4 (1990): 37-48. Eric Sundquist calls *Marrow* "probably the most astute political-historical novel of its day," owing to the novel's "recapitulation of the 1898 [Wilmington] 'race riot' – more accurately the white political coup" and to its "cunning extrapolation from the causal issues of the riot to a complex meditation on post-Reconstruction reunion politics, genealogy and the New South, Jim Crow cultural forms, intraracial 'racism,' and the rise of a black middle class." *To Wake*, 13. Bruce Plourde notes that in addition to reading the news accounts of 1898, Chesnutt "got very different accounts" from "personal interviews conducted with witnesses" and that, as a novelist, Chesnutt freed himself from the official record "which, paradoxically, gave him license to portray a more accurate reality." Bruce Plourde, "Fiction as History: Chesnutt's *The Marrow of Tradition* as Source Material," in *The Limits of Literary Historicism*, ed. Allen Dunn (Knoxville: The University of Tennessee Press, 2011), 57-74, 67. Plourde is interested in the way Chesnutt's novel informed historian Leon Prather, whose 1984 book, *We Have Taken A City*, is the most thorough telling of the events of the riot – which Prather renames a massacre and a coup based on his research. Plourde, as a literary scholar, is also interested in the criticism Prather received from historians, just as I am interested in Penick's cutting out folksong sources. Prather writes, "Historians have unintentionally perpetuated the cover-up by concentrating on newspapers explaining the Democrat's story, of which no single one was trustworthy. Consequently, the few accounts by historians of the era are badly flawed." Consequently too, "most histories are completely silent about it," and Prather has undertaken "to correct the distortions and fill in the glaring omissions." *We Have Taken a City: The Wilmington Racial Massacre and Coup of 1898* (Rutherford, N.J.: Farleigh Dickinson University Press, 1984), 133, 10, 11.

aggression from the white community. These dialect and standard-English back-and-forths (versions, in a way, of the John-and-Julius frame stories) function as versions of the two discursive modes of railroad narratives, bespeaking legal capture and cultural escape. The later two exchanges are out-right debates between Miller and Green, but they echo earlier performances of train travel during the characters first meeting in an early chapter of *Marrow* titled "A Journey Southward."

Revealing Chesnutt's legal training and drawing on his personal experience, the chapter narrates the African American experience of rail travel in the U.S. at the turn of the twentieth century.[315] He describes a train-ride from Philadelphia to Wellington during which Dr. Miller and a white colleague are forcefully separated by a conductor once the "south-bound train" crosses into the jurisdiction of Virginia and becomes bound by the southern state's Jim Crow laws. Chesnutt's purpose is to expose his middle-class, northern readership to the indignities of segregation and to the unjust mechanics of "equal but separate," what Justice Harlan calls in his *Plessy* dissent the "thin disguise of 'equal' accommodations."[316] He shows especially how the liberty granted by *Plessy* to the state for policing its citizens empowers two white men on the train – neither of them police officers. The first is the quasi-public official in the role of conductor who first performs his function as "captain" by asking all of the passengers to transfer to a day coach from a sleeper car, where Miller has been traveling with a colleague, Dr. Burns. "The sleeper has a hot box," he tells them, "and must be switched off here." (This safety regulation also exhibits the interchangeability of train cars and the way passengers sit on a train under the control of the conductor.) When the conductor subsequently attempts to force the

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[315] For readings of Chesnutt's analysis of *Plessy* see Brook Thomas, "The Legal Argument of Charles W. Chesnutt's Novels." *REAL: The Yearbook of Research in English and American Literature.* 18 (2002): 311-34; Stephen P. Knadler, "Untragic Mulatto: Charles Chesnutt and the Discourse of Whiteness," *American Literary History* 8.3 (1996): 426-48.

[316] *Plessy*, 562.

separation of Miller and Burns, Chesnutt's narrator (again directly from Harlan's line of reasoning) describes him as "calmly conscious of his power." He insists, "'The law gives me the right to remove him [Miller] by force. I can call on the train crew to assist me, or on the other passengers. If I should choose to put him off the train entirely, in the middle of the swamp, he would have no redress – the law so provides.'" The "other passengers" have already assisted, however.[317]

The second authority figure empowered by *Plessy* is a private citizen, who exhibits what Chesnutt called in the 1879 journal entry the southern "mania for titles," Captain McBane. Chesnutt draws a connection between McBane's New South role as extralegal law enforcer to his Redeemer-oriented political ambitions built on economic exploitation of convict-lease labor and, in antebellum days, to his occupation as a brutal overseer.[318] McBane is an embodiment of the commercial interests and the self-deputized private citizens who form the reckless mob in pursuit of Railroad Bill. As a citizen of Wellington, McBane serves a surveillance purpose on the train by recognizing Miller (who had escaped the conductor's "keen glance") and exposing his racial ancestry to the conductor, thus instigating the expulsion, in all its violent possibilities. Here, too, is the "local custom"-driven police force the *Plessy* Court refuses to speak against, and a mechanism for assigning race on trains that the Court leaves to state legislatures. When McBane

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[317] Charles Chesnutt, *The Marrow of Tradition* (New York: Bedford/St. Martin's, 2002), 76, 78. The swamp is a meaningful figure in American discourse: Thoreau cites it as a free space in *Walden* and countless African American narratives show the way it offered cover from white surveillance and capture. George Washington Cable's *The Grandissimes* (1880) features a folkloric figure Bras Coupé who threatens plantations from the space of a swamp, and in some versions of "Railroad Bill" he is said to terrorize Louisville & Nashville trains from the swamp. The conductor's threat in *Marrow* uses the swamp as the most threatening place Miller could be subjected to by law. For the injuries to passengers ejected by conductors, see Welke, *Recasting*.

[318] In a fascinating letter to Houghton Mifflin's editors, Chesnutt explains that he has Miller refer to the conductor as "Captain" because of common usage in the South (as in his own railroad narrative quoted above). He accedes to their suggestion however, under the assumption that most readers would also confuse the Captain of the train with Captain McBane – which indeed the law seems to do. "The proximity of the same word as applied to McBane a few lines later doubtless suggested that it might be an oversight. If you think, however, that the reader unfamiliar with Southern conditions, as perhaps most of the readers of the book will be, would be led to think a mistake had been made … there would be no great harm in changing it to read 'Conductor'…. Miller, being an educated and traveled man, might very properly use the word, 'Conductor.'" *Letters*, 161.

follows Miller into the sign-posted "Colored" car, sits down, lights a cigar, announces he has a right to ride where he "damn well pleases," and spits on the floor, he shows himself fully conscious of his post-*Plessy* power. He and the conductor – but especially McBane – indicate by word and gesture the physical and psychological abuse allowed under a system that grants police power to enforce customary prejudice.

Part of this abuse for the middle-class Miller, as for Chesnutt on his 1879 train ride, arrives in the form of a mass of black laborers who crowd into Miller's car at the end of a workday. Chesnutt draws on the ambivalent journal entry of twenty years prior, though with some important differences:

> Toward evening the train drew up at a station where quite a party of farm laborers, fresh from their daily toil, swarmed out from the conspicuously labeled colored waiting-room, and into the car with Miller. They were a jolly, good-natured crowd, and, free from the embarrassing presence of white people, proceeded to enjoy themselves after their own fashion.… They were noisy, loquacious, happy, dirty, and malodorous. For a while Miller was amused and pleased. They were his people, and he felt a certain expansive warmth toward them in spite of their obvious shortcomings. By and by, however, the air became too close, and he went out upon the platform. For the sake of the democratic ideal, which meant so much to his race, he might have endured the affliction. He could easily imagine that people of refinement, with the power in their hands, might be tempted to strain the democratic ideal to avoid such contact; but personally, and apart from the mere matter of racial sympathy, these people were just as offensive to him as to the whites on the other end of the train.[319]

Miller's communitarian sympathy draws him to "his people," but his class sympathies draw him out onto the platform – like the gentleman from Weldon sticking his head out the window – and lumps them in with the prejudicial whites in his feelings of antipathy. The ultimate commentary on segregation laws of the *Plessy*-era comes from the narrator (which is at the very least a Chesnutt-ian voice), who speaks in the tones of anti-segregation figures (such as George Washington Cable, Ida B. Wells, Albion Tourgée, the Citizens' Committee, and Justice Harlan):

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[319] Chesnutt, *Marrow*, 82.

"Surely, if a classification of passengers on trains was at all desirable, it might be made upon some more logical and considerate basis than a mere arbitrary, tactless, and, by the very nature of things, brutal drawing of the color line."[320] The passage ends with Miller breathing "more freely" after the laboring folk depart the train. But it also marks their vocality and gestures as those of free people: "free from the embarrassment of white people"; and free "to enjoy themselves after their own fashion." The passage primarily expresses the limits of Miller's social mobility (limits the novel will carry into economic and political realms by the end of the narrative), but it also makes space for the folk to express themselves through vocal acts and physical freedom won against the grain of Jim Crow's systematic restraints. The narrator, watching and listening through Miller, describes for the reader: "Here an amorous fellow sat with his arm around a buxom girl's waist. A musically inclined individual – his talents did not go far beyond inclination – produced a mouth-organ and struck up a tune, to which a limber-legged boy danced in the aisle."[321] Again the description is drawn from from Chesnutt's journey two decades prior, though the music and dancing take more license than the sounds of the camp meeting. Despite the critical air of the passage, these are the cultural expressions that Miller enjoys. The vagueness of the description, however, makes for a poor transcription. Chesnutt does not relate what the tune is, what it sounds like (other than poorly played), or what the noisy, loquacious people have to say for themselves. They produce sound effects the middle-class interlocutor's ear is not tuned to hear.[322] Chesnutt, however, offers a traveling companion for William Miller who speaks for the folk.

If Miller's freedoms and restraints are those of a passive passenger, anchored to his class-

[320] Ibid.
[321] Ibid.
[322] One possibility (in 1898 or 1901) for the tune is "Railroad Bill," though the various versions of that song borrowed tunes from other songs. The mobility of the folksong form, indeed, might have made the song difficult to identify.

based sensitivity to accommodation, Josh Green performs an active freedom by which he creates his own accommodations on the train, beyond the conductor's and McBane's policing, as a hobo. Like the expressive farmers, he is unconstrained; his is a locomotive liberty. Like Railroad Bill, Josh Green is a manifestation of folk consciousness, a spectacular figure who nevertheless retains a measure of anonymity:

> As the train came to a standstill, a huge negro, covered thickly with dust, crawled off one of the rear trucks unobserved, and ran round the rear end of the car to a watering-trough by a neighboring well. Moved either by extreme thirst or by the fear that his time might be too short to permit him to draw a bucket of water, he threw himself down by the trough, drank long and deep, and plunging his head into the water, shook himself like a wet dog, and crept furtively back to his dangerous perch.[323]

He is a mythically "huge" figure, yet unaccounted for in the Jim Crow train ("off one of the rear trucks unobserved"). Although the narrator's watchful description – from Miller's perspective – notes his fearful movements ("like a wet dog"; "crawled"; "crept furtively"), Green's elusiveness evades all but Miller ("unobserved"). We learn his name later, but he may as well be called Railroad Bill – a threatening anonymous presence – and he functions in "The Journey Southward" in stark contrast to Miller who has been so thoroughly analyzed and positioned in relation to *Plessy*.[324]

When he appears later in the scene, alighting from the train at the same time as Miller, the description again carries mythic and condescending tones: "a great black figure crawled off

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[323] Chesnutt, *Marrow*, 83.

[324] Sundquist, linking Railroad Bill to Josh Green, discusses the railroad as a "ritually saturated location," in terms of its dual symbolism as mobility enabling and, through segregation, suppression enabling. But he does not give the "saturation" effect its full due. Calling the railroad a "field charged with the highest energy of racial meaning," Sundquist measures it only as a site of contestation, reading for *Plessy v. Ferguson* in Green v. Miller: "the railroad is … an appropriate site for Chesnutt's initial contrasting portraits of William Miller and Josh Green, separated by a gulf in class and political ideology … but united in the fact that each of them … must ride Jim Crow. Josh Green, like Railroad Bill, may therefore be read as an alternative answer, one infused with folkloric power and rising toward violent resistance, to the culture of segregation." *To Wake*, 444-45. This does not quite say it though. Neither Josh Green nor Railroad Bill ride Jim Crow – they make other meanings of the railroad besides *Plessy v. Ferguson* – and in this way thinking in oppositions, Green v. Miller or Railroad Bill v. Homer Plessy, misses the fuller implications of the expressive power of the railroad. See also, Maxine Lavon Montgomery, *The Apocalypse in African-American Fiction* (Gainesville: University Press of Florida, 1996), 22.

the trucks of the rear car, on the side opposite the station platform. Stretching and shaking himself with a free gesture, the black man, *seeing himself unobserved*, moved somewhat stiffly round the end of the car to the station platform."[325] Green performs his "free gesture" beyond Jim Crow surveillance, and though he moves like an outlaw, his ability to see himself unseen (like the farm laborers) produces a subject position from which he is equally free to express his knowledge and desire. Chesnutt gives him one motivating desire, an all-consuming vengefulness aimed with a deadeye at his archenemy, Captain McBane – "'I got my job ter do in dis worl', an' I knows I ain' gwine ter die 'tel I've 'complished it'"[326] – but along the way to his fateful end, Green speaks and acts from a self-fashioned subject position, formed outside of the zone of segregation.[327]

Josh Green is an agent of self-expression carved out of the brutally restrictive Jim Crow landscape and so functions as another iteration of the "Railroad Bill" song tradition. Chesnutt employs the character as someone to speak on behalf of the folk, an effort to work against the official record. Importantly, he fills in the gaps of William Miller's reasoning in the sounds of alternate-truth-telling: in the dialect of Uncle Julius and the lyrics of Railroad Bill. One such exchange happens in a chapter that follows "A Journey Southward," when Green comes into

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[325] Chesnutt, *Marrow*, 83; emphasis added.

[326] Ibid. As the novel progresses, Green's physical prowess becomes more apparent, building to the climax of the riot's violence when Green takes revenge for his father's death and his mother's trauma by killing McBane in a final feat of strength despite being shot again and again. It is a scene of folk-heroism.

[327] This includes a tangential relation to southern labor history: Just as Green answers Miller's concern with life's "value" by mentioning wages owed to him by Miller's brother, his having to "ride the rods" on a hobo's "ticket" indicates his counter-position to capital as much as his willingness to break the law. "A Journey Southward" contains, indeed, a paragraph-long history of free black labor in Wellington, in which we learn William Miller's father worked as a stevedore during "the flush turpentine days." Chesnutt, *Marrow*, 75. One son, Josh Green's employer, continues in that trade, the other, Dr. Miller, was educated on the capital saved from the business. One might trace the turpentine days to Morris Slater, who worked in a turpentine camp, and to the convict-labor history of such camps and their fueling "flush days." For a reading of *Marrow*'s connections to convict labor through Captain McBane see Gene I. Gorman, "Awakening a Dormant Appetite: Captain McBane, Convict Labor, and Charles Chesnutt's *The Marrow of Tradition*," *The Southern Literary Journal* 44.2 (2012): 1-18.

Miller's office for medical treatment.[328] Miller advises against Green's folk-hero path, telling him, "'These are bad times for bad negroes. You'll get into a quarrel with a white man, and at the end of it there'll be a lynching, or a funeral. You'd better be peaceable and endure a little injustice, rather than run the risk of a sudden and violent death…. What has any man done to you, that you should thirst for his blood?'" Green counters the speech with a question of his own: "'Does you 'member de Ku-Klux?'" The college-educated, text-minded Miller expresses the value of forgetfulness, responding, "'Yes, but I was a child at the time, and recollect very little about them. It is a page of history which most people are glad to forget.'" And Green replies that he, too, was a child but proceeds to tell the story of Klan-member McBane killing his father, an event that traumatized his mother, and that has bound Green to revenge.[329] Although he has lived near the Greens his whole life, this is Miller's "first knowledge of the real facts of the case," and the facts suggest to him "how inseparable the present is woven with the past."[330] As unwritten news, and customary violence unspoken by the Supreme Court, Chesnutt channels a folk history to speak the horrors of racist southern oppression.

Green recalls this exchange in a later chapter, when the escalating acts of white-supremacy in Wellington increasingly throw William Miller and Josh Green together, and their encounters enact debates about how the black community should respond.[331] During the most

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[328] The narrator describes the encounter in terms of social and economic differences, echoing the differing train rides: "One morning shortly after the opening of the hospital, while Dr. Miller was making his early rounds, a new patient walking in with a smile on his face and a broken arm hanging limply by his side. Miller recognized in him a black giant by the name of Josh Green, who for many years had worked on the docks for Miller's father, — and simultaneously identified him as the dust-begrimed negro who had stolen a ride to Wellington on the trucks of the passenger car." Chesnutt, *Marrow*, 112.

[329] She is called Silly Milly by local children and is often seen "wandering aimlessly about the street, muttering to herself incoherently." Ibid., 218, 113. Green thus speaks on her behalf, making the sounds of suffering coherent and actionable.

[330] Ibid., 113-14.

[331] The debates make for a central concern for scholars of *Marrow*, who read in the characters' divergence a philosophical split analogous to the one between accommodationist Booker T. Washington and politically resistant W. E. B. Du Bois. Some find the binary of Miller/Green amounts not just to alternate politics but to alternate modes of discourse (the legal appeal of the professional and the vocal retort of folklore). See Sandra Gunning, *Race, Rape,*

heated of these, which takes place after a group of armed white men has begun to terrorize Wellington's black citizens near *Marrow*'s climax, Miller entreats a crowd of black men to exercise pacifistic restraint. He asks, "'Who remembers even the names of those who have been done to death in the Southern States for the past twenty years?'" The rhetorical question receives an immediate answer from Josh Green: "'I 'members de name [of] one of 'em … an' I 'members de name [of] de man dat killt 'im, an' I 'spec' his time is mighty nigh come.'" Green twice names his father to Miller in *Marrow* as a way to draw past crimes into a present sense of justice. He refuses to let the upwardly mobile doctor cover over the gaps of a riddled history, keeping, instead, cases open as valid evidence. Being able to name African Americans in the South during the nadir was crucial to prevent being "done to death" and erased from the record.

Because the coup goes forward in the fictional version of events, Chesnutt does not reward Miller's optimism, but he does favor a non-violent compromise over Green's meeting violence with violence. The doctor's son dies during the melee in the town. But Chesnutt keeps open the possibility for reconciliation along the lines of shared middle-class values, ending the novel with an act of forgiveness and potential reunion between Miller and his wife and their rivals (and secret relations) the Carterets. Nonetheless, Green plays an outsize role in the novel, performing a folkloric function as mobile train traveler and carrier of mobile discourse: the forgotten, overlooked, and painful history of injustice against black Americans. *Marrow* draws vocal histories into a re-telling of the official record, finding in the railroad laws and railroad

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and Lynching: The Red Record of American Literature 1890-1912 (New York: Oxford University Press, 1996), 74; Eric Sundquist, *To Wake*, 438-46; Charles Wilson, *Whiteness in the Novels of Charles W. Chesnutt* (Jackson: University Press of Mississippi, 2004), 117-18. Others find the Miller/Green binary a red herring and assert, instead, the heroic status of Dr. Miller's wife Janet. See Susan Danielson, "Charles Chesnutt's Dilemma: Professional Ethics, Social Justice, and Domestic Feminism in *The Marrow of Tradition*," *The Southern Literary Journal* 41.1 (2008): 73-92; Samira Kawash, *Dislocating the Color Line: Identity, Hybridity, and Singularity in African-American Narrative* (Stanford, CA: Stanford University Press, 1997). John Mac Kilgore reads the binary as declaring a false choice that highlights a situation of "economic savagery." See "The Cakewalk of Capital in Charles Chesnutt's *The Marrow of Tradition*," *American Literature* 84.1 (2012): 61-87, 82, 83, 71.

folklore the texts and sounds most conducive to reimagining American citizenship.

Looking for Railroad Bill in the archives of American history means investigating the trials of Homer Plessy, Morris Slater, and Charles Chesnutt. Each is to be found on and alongside the nation's railroad tracks. *Plessy v. Ferguson* may be the dominant narrative of race and rail travel in the postbellum U.S., but a fuller *sense* of how trains functioned culturally exposes gaps in the record and leads to a fuller understanding of the racial tensions surrounding mobility – the related freedoms of movement and self-expression – tensions that persist. Train travel offered a new mode of citizenship by which the traveler could explore social border crossings as they crossed state borders. The implications of the physical restraints applied by Jim Crow legislatures – and upheld by the federal judiciary – come into view in "Railroad Bill on the Cooling Board," and other riddled narratives and interrupted itineraries, as a product of attending to rail narratives – the texts, sights, sounds, and journeys of American discourse.

Conclusion

Liberty after the Age of Locomotives

The railroad continues to have an impact on American life and culture, though railway travel and shipping have been in slow decline since 1900. The transportation infrastructure built during the nineteenth century remained vitally important for the U.S. through the Second World War, and trains featured heavily in cinema and music throughout the first half of the twentieth century – and beyond, though nostalgia, or historical critique in the case of neo-slave narratives, pervades the train stories of the late twentieth and early twenty first centuries. A study of mobility, race, and citizenship that explores the expressive acts of twentieth-century passengers would need to account for locomotives when considering the ever-changing dynamics of liberty. But the focus would necessarily shift to automobility. "By 1915, the affordable, mass-produced automobile had arrived, [followed quickly by] the motor bus and motor truck," write John Jakle and Keith Sculle. Automobiles made available "a mode of transport that empowered the individual, through enhanced convenience and flexibility of movement." And auto ownership "offered the vast majority of Americans a kind of entry into a new modern age not just of personal transport but of personal social enfranchisement, too."[332] The new freedom of automobile ownership and self-operation on the expanding roadways of the U.S. created new opportunities for self-expression and, importantly, new encounters with the law.

W. E. B. Du Bois wrote *The Souls of Black Folk* (1903) in order to "show the strange meaning of being black here in the dawning of the Twentieth Century," decisively stating in "The Forethought" that the "problem of the Twentieth Century is the problem of the color-line." His investigation "Of the Black Belt" requires the reader to ride with Du Bois in the "Jim Crow

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[332] John A. Jakle and Keith A. Sculle, *Supplanting America's Railroads: The Early Auto Age, 1900-1940* (Knoxville: The University of Tennessee Press, 2017), xiii-xiv.

Car" through Georgia.[333] Although his purpose – and his projected audience – differ from David Walker's in his *Appeal* seventy years prior, the need to physically move through the nation in order to learn the truth about race and freedom remains. Autos allowed drivers and passengers to evade the Jim Crow surveillance of conductors and the railway public, and they allowed for greater flexibility in discovering how racial politics shift from state to state and from town to city, but roadways remain sites of discriminatory surveillance and racial conflict. Buses were key battlegrounds for Civil Rights activists involved in the Montgomery Bus Boycott of the mid-1950s and the Freedom Riders of 1961.[334] And in the current era the injustices protested by Black Lives Matter and other organizations have been most directly in response to the killings of unarmed black Americans during traffic stops, stop-and-frisk searches, and encounters between law enforcement and pedestrians on public sidewalks and streets.

In conjunction with new modes of transport, the communication culture of the twentieth and twenty-first centuries created new pathways for conveying experience to American publics. Protesters working to expose the terrorism of white Southerners mobilized journalists and film crews to capture the violence and broadcast it on television during the evening news. An even more flexible and individualized method of communication and social enfranchisement accompanies motorists, pedestrians, and bystanders – the camera-equipped cellular phone. An extension of "Between Stations" to study American passengers claiming liberty since the early twentieth century could delve into the expansive media archive of moving images – caught by camera crews and amateurs – in light of the ongoing contributions of writers and artists invested in bringing attention to the limits and possibilities of personal liberty, those who have carried on in the spirit of Thoreau, Douglass, Wells, and the anonymous singers of "Railroad Bill."

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[333] Du Bois, *Souls*, 5, 76.
[334] Klarman, *Unfinished Business*, 165-82; Raymond Arsenault, *Freedom Riders: 1961 and the Struggle for Racial Justice* (New York: Oxford University Press, 2006).

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