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“Never in my life did I live as free as now”: Unbalanced Sex Ratio and Temporary Female Empowerment

A comparative study of the seventeenth-century Chesapeake and Gold Rush California

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Introduction

Soon after the settlement of Jamestown, Virginia in 1607 by the Virginia Company of London, tobacco became the colony's cash crop. The demand for tobacco was high in Europe, where smoking had become fashionable, and Virginia's climate was suitable to its cultivation. After its creation in 1632, the Province of Maryland developed similarly to Virginia: like Virginia, Maryland made tobacco its cash crop, was settled by English immigrants whose great majority was young, male and came as indentured servants. The opportunities that these colonies offered were bright enough for people to leave England and risk their lives during a long and dangerous journey across the Atlantic. The Chesapeake colonies were described as lands of opportunities, where one could make fortunes by growing tobacco. The reality was more contrasted but it is true that migrating involved significant opportunities these immigrants never would have had access to if they had stayed home. They hoped to set up a plantation, and through hard work, to acquire wealth and upward social mobility. The economic potential of tobacco cultivation attracted tens of thousands of English immigrants who were hoping to make fortunes out of the tobacco trade.

Approximately two centuries later, in 1848, James Marshall discovered gold flecks in Coloma, California. When the news spread about Marshall's gold discovery, hundreds of thousands of men from all over the world left their homes and rushed to California, hoping to rise in society by making a fortune out of gold mining. Whether they moved to Virginia in the seventeenth century or to California in the mid-nineteenth century, migrants left everything behind to seize the opportunities that the land had to offer.

Although two centuries apart, these two mass migrations have significant similarities, and were both marked by the creation of very unsettled societies. Both societies were confronted to political instability: California was in a process of transition from centuries of Spanish rule and decades of Mexican rule to the creation of a new American society while settling the Chesapeake involved the establishment of a new political system. Efficient political institutions could not be recreated overnight and thus these societies were in a process of transition toward political stability. In both cases, migrants were attracted by economic

opportunities which their homes could not offer them: a chance at quick wealth and social mobility. As a result, immigrants prioritized hard work and the acquisition of wealth over the creation and development of stable, permanent societies. Social mobility, upward or downward, was constant: immigrants' economic situation was unstable and could change very rapidly. The prioritization of their economic objectives led immigrants to base their whole lives on their accomplishment, which delayed the establishment of societies as they had known in England or in the Eastern United States. They failed to develop strict religious practices, weakening the power of the church, as well long-lasting communities. Even the composition of the population had its part in unsettling Chesapeake and California societies. First, immigrants had to face an uncertainty of life: they put their lives at risk both during their migration and once in the receiving society. Moreover, these two societies were mostly growing through immigration: the Chesapeake remained a land of immigration throughout most of the seventeenth century, and California experienced a dramatic population growth in a short amount of time starting from Marshall's discovery. Another factor of instability was the presence of very unbalanced sex ratios: the opportunities offered by the Chesapeake colonies and Gold Rush California were primarily attractive to men, resulting in an overwhelmingly male population, which actually threatened the survival of the Virginia colony.

Although men represented the majority of the population, women migrated as well, whether they were following their husbands or going after opportunities for themselves. Their prospects differed from men's but were attractive as well, and less of a gamble. Indeed, these areas offered men better chances at advancing in society than they had at home through growing tobacco and gold mining, but positive results were less than certain. However, the small number of women guaranteed a brighter future for the majority of them. The unbalanced sex ratio was at the source of the presence of opportunities for women and resulted in putting the women who migrated to these areas in a favorable position. These unstable contexts, associated with the scarcity of women, created ideal societies for an empowerment of the few women present, who gained more power and independence in marriage and courtship, in the family, their daily and professional lives. Instability and female empowerment were very tightly related

in both the seventeenth-century Chesapeake and Gold Rush California. Indeed, when these societies started to evolve into more settled environments, women's advantages and opportunities gradually disappeared. During the transitory period from instability to stability occurred an interruption of traditional standards of behavior and morality which would reappear as soon as these societies gained in stability. It was during these transitory periods that women could access significant opportunities and enjoy much more freedom than they would have had if they had stayed home. The migration patterns of these two areas resulted in the development of temporarily abnormal societies in terms of sex ratio. It put women in a position of power, notably in the marriage market. Both in the Chesapeake and California, they were certain to marry quickly and were very likely to rise in society through marriage. Financially, getting married was crucial for a woman, especially in the seventeenth century. Those who were struggling to find a husband at home, or who wanted better marriage prospects had the option of moving to the Chesapeake or to California. The unbalanced sex ratio gave them a significant power of decision. Other than marriage opportunities, many forty-niner women became extremely successful in different professions. The demand for domestic work allowed them to make careers out of their skills. Others made fortunes by performing in theaters as singers, dancers or actresses, which was made possible by the importance of entertainment in California. These women gained independence in their daily and professional lives, from their husbands as well as financially. Women, in the Chesapeake and in California, benefited from an increased authority within the household, linked to their financial contribution to the family income in California and their involvement in tobacco cultivation in the Chesapeake. The presence of women was crucial, and was a key factor in the survival of the Chesapeake settlements. As a result, women's presence was desired, valued and celebrated: they benefited – compared to their peers who had stayed home – from a preferential treatment. Their behaviors in general were much less regulated. Women could expect more freedom in courtship, in their social lives and activities, as well as more sexual freedom. The advantageous position of women cannot only be attributed to the unbalanced sex ratio. The unsettled nature of these two societies participated in creating a favorable environment to the empowerment of women.

This master's thesis argues that Gold Rush California and seventeenth-century Chesapeake societies, marked by predominantly male and social mobility-induced migrations which resulted in instability and a strongly unbalanced sex ratio, were favorable environments to multi-faceted female empowerment which gradually disappeared along with the establishment of more stable societies. Its purpose is to study the specific opportunities which Gold Rush California and the seventeenth-century Chesapeake had to offer to the women who migrated there and how they positively affected their lives, as well as how female empowerment, unbalanced sex ratio and instability interacted with one another. Historians, and notably Lois Green Carr and Lorena Walsh, have established that seventeenth-century Chesapeake women enjoyed a favorable position in society compared to their peers who had stayed in England. Glenda Riley, Nancy Taniguchi and Albert Hurtado all have focused on gender during the Gold Rush. This master's thesis endeavors to compare the different forms of female empowerment which arose in the seventeenth-century Chesapeake and Gold Rush California and to link them with defining factors which greatly influenced these societies. A comparison of these two societies is relevant as it allows the identification of key factors in the creation of opportunities for women. It provides a specific description of the opportunities and forms of empowerment women benefited from as well as their gradual decline and proposes new ways to explain this phenomenon. This master's thesis creates a link between two societies in American history which have never been compared from the angle of gender roles and provides proof that exceptional and temporary opportunities leading to migrations can have positive effects on women's empowerment and provide them with significant opportunities in the receiving societies.

This master's thesis is centered on seventeenth-century English immigrants who moved to the Chesapeake and forty-niners from the American East, as not all women benefited from the same advantages as white women. It is based on a variety of sources. For the Chesapeake region, normative sources allow us to understand the colonies' preoccupations and what issues they were attempting to regulate. Court records are useful for this purpose but also provide important information regarding standards of morality and behavior between men and women, which are significant for a study of female empowerment.

Promotional literature and descriptions from immigrants are helpful in understanding the opportunities which attracted immigrants and daily life in the Chesapeake colonies, and help us to identify the Chesapeake's main sources of instability. Unfortunately, writings from Chesapeake immigrants are exclusively from men as finding writings from women turned out to be extremely challenging. The use of court records, which include many testimonies from women as well as descriptions of some of their experiences, participates in meeting this lack of female voices. Censuses reveal the composition of the population and its evolution throughout the century. They are also useful in studying California society, as the composition of the population changed dramatically in a matter of months and continued to evolve throughout the 1850s. They are also significant when studying sex ratios. California's more recent historical period allows for the availability of sources written by women, in this case letters whose informal nature provide an authentic outlook on these women's experiences, opinions and feelings. Memoirs offer valuable information about the events that marked women's lives over significant periods of time. This master's thesis also includes correspondences between men and their wives or children. It incorporates historical sources on these periods as well as sociological studies as a way to explain certain phenomena.

This master's thesis begins with a description of the social, economic and political contexts of Gold Rush California and the seventeenth-century Chesapeake and lists the different forms of empowerment that these contexts allowed women to access, starting from economic opportunities and their influence on women's authority within the household, to independence and power in their relationship to men, sexuality and everyday life. Finally, it analyzes the decline of these opportunities and advantages along with California and the Chesapeake's evolution into more stable societies.

The first part provides a description of the Chesapeake and California's opportunities, the history behind them and the immigrants they attracted. It also analyzes the different factors participating in the perpetuation of an unstable society which in turn had an influence on gender roles. In both cases, immigrants were moving from East to West to exploit the land's resources by mining for gold

or cultivating tobacco. All one needed to start a tobacco farm was land, which one would be given at their arrival or at the end of their servitude. To start gold mining in California, one simply had to purchase the necessary tools. Both activities were open to anybody: they did not demand any kind of experience in the field and could lead to significant social mobility. Given the potential fortunes tobacco cultivation and gold mining could lead to, many young, single men left their homes to access these opportunities. Moving to the Chesapeake did not necessarily require money: one could trade a few years of labor in exchange for passage. Anyone could move to the Chesapeake colonies: gentry and established people hoping for upward social mobility, but also the poor and even criminals. Taking part in the California Gold Rush was however not accessible to everyone: there was no system similar to indentured servitude and everyone had to pay for the journey, whose cost was significant. Forty-niners were thus mostly from a middle-class background. In both cases, immigrants risked their lives by moving to California or the Chesapeake: the journey was long and dangerous and many died on the way. Once and if they arrived, they were faced with even more danger: California was known for its numerous floods and fires, and arriving in crowded cities such as San Francisco facilitated the spread of diseases. Life in the Chesapeake was even more dangerous and was marked by a very high death rate and low life expectancy. In addition, all would have to face low standards of living. This was related to the fact that immigrants saw these places as temporary homes, which they would leave when they had made enough money. As a result, they did not bother building permanent houses. Their goal was to make as much money as possible in a short amount of time, and thus they prioritized hard work and wealth over anything else, which prevented the establishment of a stable society. This was reinforced by the fact that these opportunities had an expiration date: gold was rapidly running out and the more tobacco was grown, the less profit could be made from its trade. Because they were still in a process of development, these societies were considered as unsophisticated. Their political systems were temporary, simpler versions of England's and the Eastern states', there was no strong social hierarchy, they struggled to develop long-lasting communities and strict religious practices. In addition to that, they suffered from extremely unbalanced sex ratios, which made life even more difficult, and in the

case of the Chesapeake, threatened the survival of the settlements. All of these factors interacted with one another to allow female empowerment.

The second part discusses women's motivations for migrating and how their scarcity disrupted traditional gender roles. It also examines their opportunities related to marriage, work, and authority in the household. While most female Chesapeake immigrants migrated alone and through indentured servitude, many female forty-niners moved with their husbands. In both cases, they had a significant power of decision: forty-niner women made the decision along with their husbands and in the case of female Chesapeake immigrants, the final decision was theirs. As soon as they arrived, women were given preferential treatment by men. Immigrants came with ideas about gender roles, which they inherited from living in their native societies. However, these gender roles would be impossible to recreate immediately in such unsettled and overwhelmingly male societies. The unbalanced sex ratio gave women a significant amount of power in the marriage market: if they wanted to get married, a quick marriage was certain and it was very probable that she would rise in society through that marriage. Marriages were unstable as well. In California, getting married did not mean that one would stay married forever: both men and women enjoyed an easy access to divorce, but divorces were in most cases sought by women. In the Chesapeake, the low life expectancy meant that marriages were short, and in the majority of cases, women outlived their husbands. Women were very often married more than once, and because they brought children, property, and experience in their new marriage, they benefited from a stronger voice in the household. This was reinforced by Chesapeake women's participation in tobacco cultivation. The prioritization of work led to a looser division of labor, and women, in addition to their household tasks, often participated in the family's main source of income. Chesapeake men's trust in their wives was visible in their wills: widows were given significant independence and property, and more often than not named executrixes of their late husbands' estates. In California, women acquired independence and authority through work: they had access to a variety of very profitable activities. The high demand for domestic work and entertainment enabled women to have their own version of the Gold Rush: they too were making fortunes. If they were married, their direct contribution to the family income

improved their position in the family. If they were not, they had the opportunity to be financially independent. In the Chesapeake colonies and California, the scarcity of women, making them more valuable in men's eyes, the instability of marriages and women's participation to the family income participated in delaying the establishment of strictly patriarchal families.

Finally, the third part revolves around the change in standards of behavior and morality experienced by women at their arrival in the Chesapeake or California. Women gained significant independence in courtship: their scarcity meant that they often had several suitors and therefore had a genuine choice to make. The absence of their parents meant that they were free to make their own decision and to abandon the strict rules and norms surrounding marriage in seventeenth-century England or mid-nineteenth-century America, and to decide themselves what qualities made a good husband. Young, unmarried couples were not supervised and thus had the opportunity to get to know each other and sometimes even to love each other before getting married. Both the seventeenth-century Chesapeake and nineteenth-century California had looser norms around romantic relationships in general: more sexual freedom, less stigma around pre or extramarital sex, unofficial marriages and, in California, prostitution. Even though such behaviors were legally sanctioned in the Chesapeake, they were very common. Sanctions were not harsher on women and did not have long-lasting negative consequences on their lives. In their daily lives, California women benefited from much more independence than they had at home. Their behaviors were much less regulated and they enjoyed very full and free social lives, had many opportunities to entertain themselves, to such an extent that some were reluctant to go home when the gold rush came to an end. This independence – added to their professional experiences – led them to question traditional roles and took pride in having qualities typically associated with men. Finally, the third part also demonstrates that along with the decline of male opportunities – the declining profit that could be made from the tobacco trade and the decreasing availability of gold – these societies gained in stability, which led to the decline of female empowerment. Sex ratios were more balanced, people lived longer lives, cities developed, religion and communities became stronger. This meant the end of female empowerment: their behaviors became increasingly regulated and

sanctioned along with the establishment of stricter religious practices and the creation of long-lasting communities. They had a weaker power of decision in courtship and marriage and their marriage prospects became less attractive. In California, work opportunities for women started to decline. The Chesapeake's looser division of labor according to gender became stricter. Women reunited with the strict gender roles which regulated their lives in seventeenth-century England and nineteenth-century America.

Part 1

Lands of opportunities and instability

Chapter 1 – Lands of opportunities

"The land will make them rich": opportunities for quick wealth and social mobility

When forty-niners went all the way to California from the eastern states to search for its gold, they were – like the people who left England for the Chesapeake region in the seventeenth century – looking for better economic opportunities than their homes in the East had to offer. They were Easterners migrating westward to exploit these new areas and their potential, hoping to make a fortune by mining for gold in California or by exploiting the Chesapeake region's fertile and available land to grow and export tobacco. They were starting over in strange, western places, trying to recreate from scratch the complex eastern societies which they had decided to leave. Indeed, seventeenth century Chesapeake region and Gold Rush California did have attractive opportunities for newcomers. Promotional literature from the seventeenth century gave idealistic versions of what life in the Chesapeake was like, and described Virginia as an "earthly paradise," inhabited by kind, helpful and harmless natives. Once there, one could find anything one could ever need: an unlimited amount of fruitful land, all types of food, and other kinds of rich and useful resources, as well as a "sweet and wholesome climate," more pleasant than England's. The notion of abundance is omnipresent, emphasizing what England was missing: food, woods and, more importantly, work.[1] One could make fortunes out of growing tobacco, but all kinds of workers were also needed for the colony to survive. Virginia offered chances that anyone who was struggling to get by in England was free to take: "the place will make them rich."[2] Although the truth may have been more nuanced, the Chesapeake region was indeed particularly fit for the cultivation of tobacco, providing immigrants with major economic opportunities to make a living, become landowners and sometimes even to make a fortune out of growing and trading tobacco. The English being particularly fond of tobacco after its

[1] Quotations from the previous lines are all from the following source. Johnson, Robert. *Nova Britannia: Offering Most Excellent Fruits by Planting in Virginia, Exciting All Such as Be Well Affected to Further the Same*. Rochester, G. P. Humphrey, 1897. *Internet Archive*, http://archive.org/details/novabritanniaoff00john. Accessed 15 February 2019.
The spelling and syntax of quotations from primary sources have not been modernized in order to preserve the texts' authenticity.
[2] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. UNC Press Books, 2012. 251.

introduction in England at the end of the sixteenth century, John Rolfe saw a chance to make the colony successful by exploiting the existing market and turning tobacco into a "profitable commodity that could be sold in England and thus promote the success and prosperity of the settlers and the London Company."[3] In 1610, the quantity of tobacco imported by Great Britain was worth £60,000, and the amount exported by the Chesapeake would only grow with the years.[4] Making tobacco Virginia's cash crop would supply England with the tobacco it needed and the economic potential of its cultivation in the Chesapeake would attract settlers to the colony, guaranteeing its survival and thus making Virginia a permanent settlement. There were many perks to choosing tobacco as a cash crop: growing it was inexpensive in the area and, since it was considered a luxury good at the time, could be sold in Europe for a significant profit.[5] Virginia's land and climate, as well as Maryland's, suited its cultivation: it was common at the time for writers to describe the growth of tobacco in the Chesapeake as natural to the land and thus requiring very little work, although in reality it demanded hard labor. Tobacco was also easy to store without affecting its quality[6] and the quantity of product its cultivation yielded per acre was particularly advantageous: according to G. Melville Herndon "the amount of tobacco produced by one man's labor was worth about six times the amount of wheat that one man could grow and harvest."[7] Not only was tobacco's yield per acre higher than wheat's, it could also be sold at a much higher price. In addition, the cultivation of tobacco did not require much resources: a single man could very well move to the Chesapeake, set up and run a tobacco plantation by himself.[8] The simplicity and economic potential of growing tobacco in the Chesapeake offered immigrants a chance at quick wealth. As opposed to English immigrants who moved to the northern colonies, those who chose the Chesapeake were not in search of religious freedom, but hoping to climb the social ladder. In 1666, George Aslop described Maryland, where he arrived as an indentured servant, as a

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[3] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* CreateSpace Independent Publishing Platform, 2016. 1.
[4] Ibid.
[5] "Tobacco and the Peopling of Virginia." *Major Problems in American Colonial History*, Third Edition, Wadsworth Cengage Learning, 2012, pp. 80–87. 82.
[6] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 141.
[7] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* 2.
[8] Horn, James. "Tobacco and the Peopling of Virginia." 83.

place where one could simply "Dwell here, live plentifully and be rich."[9] The title of a pamphlet from the beginning of the century aimed at attracting future settlers to the Chesapeake read: "Nova Britannia: Offering Most Excellent Fruits by Planting in Virginia." It seemed as though the only obstacle was leaving England. According to James Horn, seventeenth century Virginia offered "a degree of social mobility unthinkable in England."[10] Even if most promotional posters and pamphlets exaggerated the fortunes that could be made by growing tobacco in the Chesapeake, the area did provide immigrants with better opportunities than England. It was unlikely that an indentured servant for instance would make a fortune soon after the end of his servitude, but he could still manage to acquire land, own a farm, or earn a decent living, which was much easier there than in England. According to the headright system, every settler would be given land, around fifty acres, at his arrival.[11] In his comparison of Chesapeake and English societies, James Horn noticed that former servants in the Chesapeake were much more likely to advance in society than those who stayed in England: it was not only easier for them to acquire land, but they also had an easier access to important positions. "Of 158 ex-servants who had entered Maryland before 1642, at least 90–92 (57 percent) eventually acquired land in the Chesapeake, 75–76 (48 percent) served in local office, and 22 (14 percent) became major officeholders, as justices, sheriffs, militia officers, and even councillors."[12] In his description of the province of Maryland, George Alsop exposed his vision of servitude and the opportunities it could bring servants:

> "They whose abilities cannot extend to purchase their own transportation into *Mary-Land* (and surely he that cannot command so small a sum for so great a matter, his life must needs be mighty low and dejected), I say they may for the debarment of a four years sordid liberty, go over into this Province and there live plentiously well. And what's a four years Servitude to advantage a man all the remainder of his dayes, making his predecessors happy in his sufficient abilities, which he attained to partly by the restrainment of so small a time?"[13]

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[9] Alsop, George. *A Character of the Province of Maryland*. 1666. *Project Gutenberg*, http://www.gutenberg.org/ebooks/57811?. Accessed 19 January 2019. 36.
[10] Horn, James. "Tobacco and the Peopling of Virginia." 86
[11] Hawke, David F. *The Colonial Experience*. Macmillan Publishing Company, 1990. 116.
[12] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 154.
[13] Alsop, George. *A Character of the Province of Maryland*. 56.

The opportunities that moving to the Chesapeake could provide were often presented as accessible to anyone who was willing to work. This chance at a new start was taken by many struggling English citizens suffering from England's growing poverty and unemployment, as well as established men hoping to make a better living on the other side of the Atlantic. It also provided England with an opportunity to "get rid of unwanted elements of society (vagrants, the poor, criminals, and political prisoners) by transporting them overseas."[14]

Gold Rush California offered the same kind of opportunities to those who were willing to leave the East of the United States to start searching for gold in the West. It also attracted people from all over the world: Europe, China, Mexico, Chile… Like growing tobacco, mining for gold seemed accessible to anyone who was willing to work hard: the tools used to mine were easy to use and the different techniques did not demand any kind of experience.[15] One simply had to buy a washing pan, a cradle or a sluice box, and start searching for gold. In January 1848, a man called James Marshall found gold while working at a saw mill in what is now El Dorado County. He saw golden particles on the ground, which had been left by water. He then found a bigger piece, confirming that he had indeed found gold.[16] For centuries, some had been convinced that there was gold in California but no important quantity of gold was ever found there before 1848.[17] The reason for the sudden appearance of gold is believed to be the use of the saw mill, introduced to California for the purpose of moving from adobe houses to wooden houses. Saw mills, requiring water power, would agitate the water, stirring the earth in a way that could reveal the gold concealed underneath.[18] The news started to spread through California and within a few months, the press informed the Eastern States of this discovery. It is President James Polk's confirmation of the rumors in December 1848 that led to the "frenzy of 1849."[19] The news were indeed true: the gold and silver found in California in 1848 and

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[14] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 4.
[15] Billington, Ray Allen, and Martin Ridge. *Westward Expansion: A History of the American Frontier*. Albuquerque: University of New Mexico Press, 2001. 260.
[16] Bancroft, Hubert Howe. *History of California*. San Francisco: History Co., 1883. *Internet Archive*, http://archive.org/details/worksofhuberthow23bancrich. Accessed 8 January 2019. 26-37.
[17] Ibid. 36.
[18] Hine, Robert V., and John Mack Faragher. "Mining Frontiers." *The American West: A New Interpretive History*, Yale University Press, 2000, pp. 234-73. 235.
[19] Ibid. 238.

the following decades would end up exceeding the quantity of gold that had been previously mined in America and the rest of the world.[20] Around 346 million dollars' worth of gold were found in California between 1848 and 1854.[21] Newspapers published stories about fortunes being made in a matter of days, and others warned easterners about "filthy lucre".[22] Not only were easterners attracted by the quick wealth that gold mining in California could bring them, lots of money could be made by selling supplies to miners or performing one's former occupation, badly needed there. Miners, often inexperienced, had to buy mining tools at their arrival, and businessmen took advantage of the lack of supplies to sell them at high prices.[23] This worked for tools but also clothes, food, tents, and all necessary items. Because most of those who rushed to California in 1949 became miners, workers such as carpenters or blacksmiths were in demand.[24] Any type of work requiring skills was valued and thus very well paid. An article from the *New York Daily Herald from 1848* stated an important rise in skilled workers' wages: "Clerks' wages have risen to a thousand a year. Carpenters, blacksmiths, and teamsters, who in April received three dollars a day, now refuse ten", "I am informed that one blacksmith makes ten to fifteen small picks, and sells them as a favor at $6 each."[25] In the same article, the author deplores the desertion of workers from their jobs, attracted by the "sordid cry of 'gold, gold, gold'."[26] The numbers of men who left the eastern states for California at that time were so high – the Gold Rush attracted an estimation of 300,000 people between 1848 and 1854[27] – that the Gold Rush was often described as an epidemic, a fever that would haunt people and lead them to move to California. In a letter to her daughter, Mary Jane Megquier described an irrepressible "thirst for gold," making

[20] Ibid. 240.
[21] Eifler, Mark A. *The California Gold Rush: The Stampede That Changed the World*. Routledge, 2016. 116.
[22] *American Alchemy: The California Gold Rush and Middle-Class Culture*. Chapel Hill: University of North Carolina Press, 2000. 20.
[23] Hine, Robert V., and John Mack Faragher. "Mining Frontiers." *The American West: A New Interpretive History*. 238.
[24] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. Chapel Hill: University of North Carolina Press, 2000. 20.
[25] "1848 Gold Rush News: 'Continuance of the Gold Excitement; Extraordinary Condition of Affairs.'" *New York Daily Herald*, 27 Sept. 1848. Accessed 15 February 2019. 4.
[26] Ibid. 4.
[27] Eifler, Mark A. *The California Gold Rush: The Stampede That Changed the World*. 116.

Americans "[pour] in from all parts of the States."[28] One can find in the diaries and letters of forty-niners a sense of invasion, with steamers arriving in California every day crammed with Americans. The 1850 California census revealed that just under 75 percent of all workers were miners, demonstrating the significance of the Gold Rush on the population of California.[29]

"Honest, wise and painful men"[30]: Chesapeake and California immigrants

When Eastern Americans migrated to California, they were, in a way, reproducing the same process started by the English when they colonized America: they were starting over, rebuilding a society in the West.[31] In his book on the history of migrations, Guy Richard outlines the similarities between these two cases and states that migrations within a country, in the case of the United States, given its size and diversity in terms of climates, landscapes, resources and cultures, can be considered as a form of immigration. Forty-niners, like those who left England for the Chesapeake in the seventeenth century, found themselves in a similar situation to that of immigrants, having to start over in a strange place, and in this case, devoid of strong social, cultural and economic structures. [32] If, as stated before, the two groups were attracted mostly by the opportunity to improve their economic situations in a short amount of time, the profiles of those who left for California and those who went to the Chesapeake two centuries before were quite different. The main similarity between the two groups is that in both cases, the immigrants were in majority young men. Most of those who went to California were in their twenties or thirties.[33] Those who went to the Chesapeake

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[28] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. University of New Mexico Press, 1994. 21.

[29] *California Census of 1850.* 1850. *United States Census Bureau,* https://www2.census.gov/library/publications/decennial/1850/1850a/1850a-47.pdf?#. Accessed 18 January 2019.

[30] Johnson, Robert. *Nova Britannia: Offering Most Excellent Fruits by Planting in Virginia, Exciting All Such as Be Well Affected to Further the Same*.

[31] Billington, Ray Allen, and Martin Ridge. *Westward Expansion: A History of the American Frontier*. 2.

[32] Richard, Guy, Dir. de publication. *Ailleurs, L'Herbe Est Plus Verte : Histoire Des Migrations Dans Le Monde*. Paris : Arléa. 1996. 213.

[33] Clay, Karen, and Randall Jones. "Migrating to Riches? Evidence from the California Gold Rush." *The Journal of Economic History*, vol. 68, no. 4, Dec. 2008, pp. 997–1027. *Cambridge Core*, doi:10.1017/S002205070800079X. 997.

tended to be even younger, as most were in their twenties.[34] Very few of them came in groups. Some went to California with a brother, a brother in law or perhaps a neighbor, but scarcely came with their wives and children, although many of them had families of their own in the East. Contrary to those who moved to the northern colonies, the English men who migrated toward the Chesapeake in the seventeenth century were in great majority single. When comparing the immigrants who chose to migrate to Virginia and those who went to Massachusetts in 1635, James Horn found that while the majority of latter moved with their families, it was the case for only 7 percent of those who arrived in Virginia the same year.[35]

Although the idea that forty-niners tended to be from the middle class can be contested using the argument that middle class people were more visible because they were more likely to write and publish diaries, the cost of the trip steers us toward the idea that most had a rather comfortable situation before the journey. The cost of the trip was usually between $100 and $300, which varied depending on whether they chose to cross the country or to go by boat.[36] In both cases, they were important sums of money at the time, as it represented a significant part of or more than the average American's annual wage.[37] The range of individuals who would join the Gold Rush was therefore limited. It was unlikely that those from the upper classes would give up their lives in the East to move to the West to start mining for gold. It was also improbable that the poorest would be able to gather enough money for the trip. Those who managed to join the Gold Rush had to have the money available or to have family, friends or neighbors who would be able to lend them the money, or part of it. If they were not in a comfortable financial situation, they had to be close to people who were. The English people who moved to the Chesapeake in the seventeenth century

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[34] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." The William and Mary Quarterly, vol. 34, no. 4, 1977, pp. 542–71. JSTOR, doi:10.2307/2936182. 544.

[35] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 30-31.

[36] Clay, Karen, and Randall Jones. "Migrating to Riches? Evidence from the California Gold Rush." 1000-1001.

[37] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 33.
Daniel Cornford. "'We All Live More like Brutes than Humans': Labor and Capital in the Gold Rush." *California History*, vol. 77, no. 4, 1998, pp. 78–104. *EBSCOhost*, doi:10.2307/25462509. 83.

represented a more diverse range of individuals from different economic backgrounds. In the years following the settlement of both the Virginia and Maryland colonies, an important part of the settlers were members of the gentry. In Jamestown's first census from 1607, listing the 105 original settlers, 48 are described as "gentlemen," 6 were members of the "Councell." The rest were workers such as carpenters, blacksmiths or laborers.[38] The census from January of the following year shows a more balanced breakup of workers and gentlemen, but gentlemen still represented a significant part of arrivals.[39] An important part of Maryland's first settlers was "wealthy Catholic gentry."[40] Other settlers were "impoverished gentry who gambled on Virginia to recoup dwindling fortuned at home."[41] Immigrants were not all wealthy or from the gentry, some were interested in the opportunity to become landowners in the New World, something that was particularly difficult in England, as the majority of the land was owned by a small part of the population. When the Chesapeake was settled, huge amounts of new land became available and land was more easily acquirable for new immigrants. These people were not necessarily struggling in England given that most of the population did not have access to land ownership, however, indentured servants would represent the great majority of those who moved to the Chesapeake colonies during the seventeenth century. Since growing tobacco required hard labor, both colonies needed people who were willing to perform this hard labor for the tobacco trade to develop and the colonies to be successful. Their social status can be deduced from whether they were able to pay for their passage or not. Most of those who accepted the significant risks and the hard work associated with such a migration were likely to be, free or servants, from the working and lower classes. If one could not afford to pay for the trip – which was the case of at least three fourths of all immigrants[42] – one could become an indentured servant and work for a few years – from four to more than seven, depending on the servant's age[43] – for the person who paid for their passage.

[38] "Original Settlers (May 14, 1607) at Jamestown, Listed by Occupation." 14 Mary 1607. *Virtual Jamestown*, http://www.virtualjamestown.org/census2a.html. Accessed 19 January 2019.
[39] Ibid.
[40] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 27.
[41] Ibid. 52.
[42] Ibid. 25.
[43] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 544.

Many of them were unskilled workers or farmers, and tended to come from areas that were particularly affected by overpopulation.[44] This issue led to unemployment and a rise in prices which made it harder for people to earn a living and to live decently.[45] Many of those affected by those issues – vagrants, unemployed people, young people without parental support[46] – would opt for migrating, being in such distress that they did not seem to have any other choice. This was seen not only as an opportunity for struggling English citizens, but it would also help England solve certain issues. If many people left for the New World, the issue of overpopulation would be alleviated, which would then lead to less poverty and unemployment.[47] England could also get rid of its unwanted population: the poorest citizens, vagrants, criminals…[48] Some were given a choice, between for instance a prison or death sentence and moving to the Chesapeake, and some were transported against their will.[49] At the time, it seemed like the perfect solution for everyone involved: the Chesapeake needed to be peopled, tobacco needed to be grown and traded, the poor in England needed opportunities, and England could improve its situation by reducing the number of struggling citizens from whose work England would benefit. It is poverty that led most future servants to migrate, but the hope of owning land was also a significant factor. In both cases, immigrants were taking significant risks: the risk of not making the desired amount of money, but migrating also meant that they were risking their lives.

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[44] Horn, James. "Servant Emigration to the Chesapeake in the Seventeenth Century." *The Chesapeake in the Seventeenth Century: Essays on Anglo-American Society*, Chapel Hill: University of North Carolina Press, 1979, pp. 51–95. 77-79.
[45] Horn, James. "Servant Emigration to the Chesapeake in the Seventeenth Century." 75.
Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 49.
[46] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 62.
[47] Ibid. 131.
[48] Ibid. 62.
[49] Ibid. 62-63.

Chapter 2 – Dangerous endeavors

"A long route, and a dangerous one": difficult and risky journeys

In an attempt to attract immigrants to the Chesapeake, Robert Johnson, in his promotional pamphlet about the Virginia colony, described the voyage as "not long or tedious," he claimed that six weeks were enough to reach Virginia from England by ship, and that the trip was particularly safe.[50] This was, according to immigrants, far from the truth. Whether they were moving to the Chesapeake or to California, immigrants were risking their lives during the voyage. Most immigrants were aware of those risks, but they accepted them, knowing that those risks could lead them to wealth.[51] Those who migrated from England to the Chesapeake seemed to be the ones taking the greatest risk. The information that is missing from Johnson's pamphlet is that the voyage would only last six weeks in the best-case scenario.[52] There were many factors that could extend the duration of the journey. George Alsop, who experienced it, described a "five months dangerous passage" which also appears to have been risky and uncomfortable:

> "We had a blowing and dangerous passage of it, and for some dayes after I arrived, I was an absolute Copernicus, it being one main point of my moral Creed, to believe the World had a pair of long legs, and walked with the burthen of the Creation upon her back. For to tell you the very truth of it, for some dayes upon Land, after so long and tossing a passage, I was so giddy that I could hardly tread an even step; so that all things both above and below (that was in view) appeared to me like the Kentish Britains to William the Conqueror, in a moving posture."[53]

Indeed, according to Gail Collins, "there were plenty of reasons to avoid the trip," among which, other than the possibility of the ship sinking, she cites the various diseases which could be contracted aboard (dysentery, typhoid, cholera). Since the length of the journey could not be precisely evaluated before the ship's departure,

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[50] Johnson, Robert. *Nova Britannia: Offering Most Excellent Fruits by Planting in Virginia, Exciting All Such as Be Well Affected to Further the Same*. 9.
[51] Limerick, Patricia Nelson. *The Legacy of Conquest*. W.W. Norton, 1987. 42.
[52] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. Perennial, 2004. 1.
[53] Alsop, George. *A Character of the Province of Maryland*. 93.

running out of food was a possibility.[54] The risks apparently dissuaded many from moving to the New World. In his description of Virginia and Maryland, aimed at promoting migration to the Chesapeake, John Hammond attempted to reassure potential immigrants who were deterred by the dangerous journey:

> "When ye go aboard, expect the Ship somewhat troubled and in a hurliburly, untill ye clear the lands end; and that the Ship is rummaged, and things put to rights, which many times discourages the Passengers, and makes them wish the Voyage unattempted: but this is but for a short season, and washes off when at Sea, where the time is pleasantly passed away, though not with such choise plenty as the shore affords."[55]

The voyage was not only dangerous, it could also be very unpleasant. Many had to sleep on the floor, the food could go bad if the trip was longer than expected, and many were seasick, making the journey very uncomfortable.[56]

Contrary to those who moved to the Chesapeake, forty-niners had a choice regarding the journey they would take. There were different ways of going from the East of the United States to California: the degree of risk and comfort depended on the choice they made. The cheapest option was the overland journey, but it was also long and particularly challenging. Luzena Stanley Wilson described the journey in her memoirs:

> "Nothing but actual experience will give one an idea of the plodding, unvarying monotony, the vexations, the exhaustive energy, the throbs of hope, the depths of despair, through which we lived. Day after day, week after week, we went through the same weary routine of breaking camp at daybreak, yoking the oxen, cooking our meagre rations over a fire of sage-brush and scrub-oak; packing up again, coffee-pot and camp kettle; washing our scanty wardrobe in the little streams we crossed; striking camp again at sunset, or later if wood and water were scarce. Tired, dusty, tried in temper, worn out in patience, we had to go over the weary experience tomorrow."[57]

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[54] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines.* 1.

[55] Hammond, John. *Leah and Rachel, Or, the Two Fruitfull Sisters Virginia and Maryland.* 1656. *Virtual Jamestown*, http://www.virtualjamestown.org/exist/cocoon/jamestown/fha/J1026.

[56] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines.* 1.

[57] Luzena, Stanley Wilson. "Luzena Stanley Wilson '49er Her Memoirs as Taken Down by Her Daughter in 1881." *PBS*, https://www.pbs.org/weta/thewest/resources/archives/three/luzena.htm. Accessed 27 Dec. 2018. Chapter 1.

Forty-niners would have to go through this routine for a long time, as the trip would take at least four months, and they needed to be very healthy to endure it.[58] There were rarely enough wagons for everyone, so many would end up making the trip on foot.[59] The journey was so tiring that many ended up staying in Salt Lake City to rest during the winter and resume the route in the spring, or giving up.[60] Luzena Stanley Wilson also mentioned coming across men who were going home, unable to complete the journey: "We frequently met men who had given up the struggle, who had lost their teams, abandoned their wagons, and, with their blankets on their back, were tramping home."[61] In addition, the risks involved made the overland journey especially difficult. Contracting and dying of cholera was a possibility, and since they spent a large amount of time in the wilderness, there were chances of being attacked by animals such as coyotes, rattlesnakes or vultures.[62] The famous and ill-fated Donner Party left for California just a few years before the beginning of the Gold Rush. The same year, Frances Anne Cooper, who would soon after her arrival in California become Mrs Van Winkle, made the voyage with her father, who "led his party of about eighty people across trackless plains and mountains for five months, simply with the sun and the stars as guides, and came west almost as straight as the crow flies." She explained that the first thing about the route that her parents were worried about was being attacked by Indians ("father told us it was a dangerous trip and that Indians might kill all of us on the way"), which happened to them at one point in their journey: "Five hundred Cherokees swooped down upon us on horseback and surrounded our wagon train. They rode around and around us." The party ended up giving them flour and tobacco and got out of the situation safely. She described constantly having to hurry and worrying about being delayed. The Donner Party's route ended up taking more time than expected, and they ended up stuck by snow for a whole winter, causing the death of a significant part of the group. Some of the survivors resorted to cannibalism to stay alive, which made the group and their story particularly notorious. Not moving fast enough could indeed have terrible

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[58] Bancroft, Hubert Howe. *History of California*. 148.
[59] Ibid. 145.
[60] Ibid. 151.
[61] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 1.
[62] Bancroft, Hubert Howe. *History of California*. 149, 153.
Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 213.

consequences. Frances Anne Cooper was fortunate enough to travel in a wagon, which would still be very unpleasant: "We rode all the way except up the slopes of the Rocky mountains and the Sierra Nevada. It was awful coming up those mountains. There were great rocks, waist high, that the wheels had to bump over, and it was all the poor oxen could do to drag the lightened loads."[63] Those who could avoid the overland journey and could afford the voyage through Central America tended to choose this option which appeared to be safer and much more comfortable, although very long as well. Sea voyages to California were much less risky than voyages to the Chesapeake: sea travel had become safer by the mid-nineteenth century. They could take a boat that would go around Cape Horn, making it a very long journey or a boat could take them to the East coast of Panama, then they would have to get to the West coast, where another boat would take them to California. In both cases, the journey was very long: going around South America took about as much time as the overland journey. A lengthy trip meant a favorable environment for the spread of diseases, decreasing quality of food and water, and limited availability of fresh fruit and vegetables. Since the duration of the trip was uncertain, running out of provisions was a possibility. The trip through Panama might appear to be shorter, but one could never know when a steamer might take them from Panama to California and thus they could remain stuck there for a very long time. Mary Jane Megquier left Maine for California with her husband in 1849, both hoping to make a fortune there. They chose to go through Panama, a journey she described in a letter to her friend J. Milton Benjamin as: "a long route, and a dangerous one."[64] They endured what appears to be a very unpleasant journey, as they had to take many different means of transportation: first a propeller (a steam-powered ship), then a steamer, then mules, and finally another steamer, having to wait several days or weeks between each step.[65] In addition to the many steps to this journey, they had to deal with all kinds of inconveniences, among which she mentioned scorpions in her sleeping room in Panama and her husband being stung by one, and being bitten by

[63] "Gold Rush Stories of Women Pioneers." *The Virtual Museum of the City of San Francisco*, http://www.sfmuseum.net/hist5/foremoms.html. Accessed 18 Jan. 2019.
[64] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 7.
[65] Ibid.

mosquitoes to the point of being unrecognizable.[66] During the sea voyages, she mentioned bad weather, particularly frightening when aboard a boat, bad, insufficient food, having to sleep while sitting. While in Panama, getting a steamer to take them to San Francisco appeared to be very difficult. She described "about 2,000 Americans all anxiously waiting for a passage to the gold regions," a number that did not seem to be decreasing, even after some managed to reach California: "[vessels] are coming in now every day, and taking the passengers off, but they continue to pour in from the states so there does not seem to be any less here." Given the thousands of people trying to reach California from Panama, it is not surprising that it was taking a long time for people to get a spot on a steamer, which Megquier described as "crowded tremendously."[67] Indeed, it was common for the staff to let on way more people that the boat was intended for. Hubert Bancroft, in his history of California, used the example of a steamer, made for 100 passengers, which left Panama for California on January 30, 1849 with about 400 people aboard.[68]

Whether they were going from England to the Chesapeake in the seventeenth century, or from the eastern states of the United States to California mid-nineteenth century, migrants not only inflicted themselves an unpleasant, difficult journeys but also put themselves at risk. The risks did not stop at their arrival, they exposed themselves to all kinds of dangers in the Chesapeake or in California.

"Death is in the pot": uncertainty of life

Both places were known as dangerous, for different reasons. In July 1849, William Swain, who left New York in 1849 hoping to make a fortune by mining for gold in California, wrote his wife about the place.

> "There was some talk between us of your coming to this country. For God's sake think not of it. Stay at home. Tell all whom you know that are thinking of coming that they have to sacrifice everything and face danger in all its forms, for George, thousands have laid and will lay their bones

[66] Ibid. 22, 80.
[67] Ibid. 24.
[68] Bancroft, Hubert Howe. *History of California*. 133-134.

> along the routes to and in this country. Tell all that 'death is in the pot' if they attempt to cross the plains and hellish mountains. Say to Playter never to think of the journey; and as for you, stay at home, for if my health is spared, I can get enough for both of us."[69]

The very constitution of California houses put their inhabitants at risk: wood and canvas are particularly flammable. In his article about urban places in Gold Rush California, Robert Phelps stated that: "Four fires destroyed major portions of San Francisco between 1849 and 1851. A large portion of Marysville burned in 1851. […] Nevada City burned to the ground for the first time in March 1851, […] Nevada City burned to the ground a total of three times during the 1850s."[70] These fires were caused, according to him, by different causes such as the use of cigars, or "late nights of heavy drinking illuminated by lantern."[71] The materials used to build houses being particularly flammable would cause a fire to spread very easily, sometimes destroying entire cities. Mary Ackley, who left for California as a child in 1852, explained that in the fall of that year, "Sacramento was almost destroyed by fire," causing people to live in tents or houses entirely made of canvas.[72] Mary Jane Megquier wrote about the same event and its consequences in a letter to her father: "You have no idea the distress in this country now, a fire in Sacramento city, then a flood, has bankrupted many, & has deprived the farmers of putting in their wheat crops early, which may prove an entire failure, so you perceive this country depends entirely on circumstances."[73] The same women wrote about the frequent floods in their respective cities, San Francisco and Sacramento. In December 1852, Mary Jane Megquier wrote to her daughter about the city of San Francisco being "flooded which renders it impassable for man or beast, and the miners are nearly starving." Not only did floods make the city "desolate and gloomy," they, as Megquier explained, genuinely threatened the lives of its inhabitants.[74] Mary Ackley described the "heavy rainstorms" which took place in Sacramento in November 1852, and the

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[69] Swain, William. *William Swain Letter Written from "The Diggings" in California*. July 1849. *PBS*, https://www.pbs.org/weta/thewest/resources/archives/three/swain1.htm.
[70] Phelps, Robert. "'All Hands Have Gone Downtown': Urban Places in Gold Rush California." *California History*, vol. 79, no. 2, 2000, pp. 113–40. *EBSCOhost*, doi:10.2307/25463690. 134-135.
[71] Ibid.
[72] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. Archon Books, 1977. 230.
[73] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*.110.
[74] Ibid. 106.

following month: "The Sacramento and American rivers overflowed their banks in December, flooding Sacramento and the lowlands on the Marysville road. Our house, high up on the knoll, was entirely surrounded by water, but was not flooded." She mentioned her family's food supplies shrinking and the impossibility of going outside safely, as "a storm was raging."[75] Luzena Stanley Wilson made it through the Sacramento flood of 1849 with her husband and children, and described the life-threatening and traumatizing event.

> "The water kept rising, and I concluded to carry my children into the hotel, which we had lately sold, and which stood some three or four feet above the ground. I put them inside the door, and ran back, meeting my husband just come from the levee. […] In an hour more the whole town was afloat, and the little boats were rowed here and there picking up the people and rescuing what could be saved of the property. It was not until later in the night that we began to feel real alarm, for we expected every hour to see the water subside, but it steadily rose, and at midnight we moved to the upper floor. […] At night, when I awoke, I reached down the bed-post till my hand touched the water, and if it had risen above a certain notch, we got up and packed our movables, in preparation for a new misfortune; if it was still below the notch, we went to sleep again. A boat was tied always at the door, ready to carry us away, and we lived in this way for six weeks in constant anticipation of another overflow. […] Many a poor fellow doubtless found his death in the waters, and his grave far out at sea, perhaps in the lonely marshes which lined the river banks."[76]

Another threat, which forty-niners shared with Chesapeake settlers, was that of getting sick. Indeed, many chose to get to California by sea: that meant spending time aboard crowded boats, favorable to the spread of diseases. According to Hubert Bancroft, "The seed of disease was frequently laid during the voyage out."[77] In many cases, those diseases developed in California or worsened due to "new climates and surroundings, unusual and exhausting labor, standing in water or on moist ground under a broiling sun, the insufficient shelter of tents or sheds, beds made upon the damp soil, poor and scanty provisions, excitement and dissipation."[78] Some of these diseases were unpleasant but not life-threatening while others such as "scurvy, cutaneous, syphilitic, and pulmonary diseases,

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[75] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 230.
[76] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 5.
[77] Bancroft, Hubert Howe. *History of California*. 231.
[78] Ibid.

claimed their victims."[79] Dysentery was omnipresent in San Francisco, because the city lacked any kind of drainage or sewage system, which decreased the quality of water.[80] The cholera epidemic which took place at the same time as the Gold Rush also made a lot of victims, both in California and on the way there.[81] Most forty-niners arrived in large cities such as Sacramento or San Francisco, crowded environments in which diseases could spread easily. The unavailability of doctors only increased the number of deaths. There were many doctors in California but many abandoned their profession to mine for gold.[82] "Physicians were few on the coast, and disease stalked abroad in search of victims" wrote Harriett Frances Behrins. This, according to her, was a key factor in her husband, formerly a doctor, finding his own "legitimate gold mine". He started practicing medicine again in San Francisco and after a while, "He actually rolled in wealth".[83] This meant that seeing a doctor or being treated at a hospital was difficult and expensive and that many did not have access to any kind of treatment.[84] Some also struggled to feed themselves properly. Food, even the most basic, was very expensive and many were unable to have a diverse, healthy diet. Although it was not deadly in most cases, in extreme ones, some probably starved.[85] In her account of her life in Gold Rush San Francisco, Harriet Frances Behrins described being worried about the health of her son: "My little son became very thin, and my anxiety sharpened accordingly."[86]

Death was omnipresent in seventeenth century Chesapeake as well, even more so than in Gold Rush California. Jamestown's first years were marked by a very important number of deaths. In 1607, George Percy, who was part of the first group that migrated to Virginia,[87] wrote: "If there were any conscience in men, it

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[79] Ibid.
[80] Roth, Michael. "Cholera, Community, and Public Health in Gold Rush Sacramento and San Francisco." *Pacific Historical Review*, vol. 66, no. 4, 1997, pp. 527–51. *EBSCOhost*, doi:10.2307/3642236. 531-532.
[81] Ibid. 527.
[82] Ibid. 532.
[83] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 39.
[84] Bancroft, Hubert Howe. *History of California*. 232.
[85] Daniel Cornford. "'We All Live More like Brutes than Humans': Labor and Capital in the Gold Rush." 90.
[86] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 31.
[87] "Original Settlers (May 14, 1607) at Jamestown, Listed by Occupation."

would make their harts to bleed to heare the pitifull murmurings and out-cries of our sick men without reliefe, every night and day, for the space of sixe weekes, some departing out of the World, many times three or foure in a night; in the morning, their bodies trailed out of their Cabines like Dogges to be buried."[88] In his book, *Observations by Master George Percy*, in which he described the New World, everyday life in Jamestown, the establishment of the settlement, encounters with Natives, he made a list of every death, at least one taking place every day. He later explained that "Our men were destroyed with cruell diseases, as Swellings, Flixes, Burning Fevers, and by warres, and some departed suddenly, but for the most part they died of meere famine."[89] Indeed, those who moved to the Chesapeake at the beginning of the seventeenth century could not expect a healthy environment. James Horn estimated that about forty percent of immigrants died in the first years they spent in the Chesapeake.[90] All kinds of risks threatened the lives of newly arrived immigrants. As George Percy stated, shortage of food was one of them. In another book, he described in 1609 the "sharp prick of hunger" felt by the settlers of Jamestown, threatening their lives and often causing their death:

> "Then having fed upon horses and other beasts as long as they lasted, we were glad to make shift with vermin as dogs, cats, rats, and mice. All was fish that came to net to satisfy cruel hunger as to eat boots, shoes, or any other leather some could come by, and, those being spent and devoured, some were enforced to search the woods and to feed upon serpents and snakes and to dig the earth for wild and unknown roots, where many of our men were cut off of and slain by the savages. And now famine beginning to look ghastly and pale in every face that nothing was spared to maintain life and to do those things which seem incredible as to dig up dead corpses out of graves and to eat them, and some have licked up the blood which has fallen from their weak fellows."[91]

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[88] Percy, George. *Observations by Master George Percy*. 1607. *Internet Archive*, https://archive.org/stream/narrativesofearl1946tyle/narrativesofearl1946tyle_djvu.txt. Accessed 19 January 2019. 22.

[89] Ibid. 21.

[90] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 138.

[91] Percy, George. "A True Relation of the Proceedings and Occurances of Moment which have happened in Virginia from the Time Sir Thomas Gates shipwrecked upon the Bermudes anno 1609 until my departure out of the Country which was in anno Domini 1612." 1624. *National Humanities Center*, http://nationalhumanitiescenter.org/pds/amerbegin/settlement/text2/JamestownPercyRelation.pdf/. Accessed 19 January 2019.

George Percy, like about half of the original settlers of Jamestown, was part of the gentry: even those of highest status were not spared by famine and hunger. Although it did not always result in cannibalism, hunger was a common experience during the first years of the Jamestown settlement. Thomas West, governor of Virginia, also known as Lord De La Warr, wrote about it in 1611: "the people have suffered much want, living on miserable rations of oats or maize and dressing poorly. For which reason, if today three hundred men should come, this same year would destroy more than one hundred and fifty, and there is not a year when half do not die."[92] The issue of the lack of food would gradually disappear with the development of agriculture by the settlers. However, immigrants would have to deal with the risk of dying from diseases throughout the entire century. In 1649, George Gardyner described the colony of Virginia as very unhealthy: "But the later (I think) are indifferently subject to the fate of those men that go there which is much sicknesse or death. For the air is exceeding unwholsome, insomuch as one of three scarcely liveth the first year at this time; though formerly they report, the mortality hath stretcht to the taking away of eleven of twelve."[93] Drinking bad water was probably what killed the highest numbers of immigrants. Many contracted dysentery and typhoid as a result.[94] George Percy mentioned other settlers dying from drinking water of poor quality in *Observations by Master George Percy*: "our drinke cold water taken out of the River, which was at a floud verie salt, at a low tide full of slime and filth, which was the destruction of many of our men."[95] Sickness was very common, as most would experience seasoning soon after their arrival. These diseases such as malaria were not necessarily deadly but would leave immigrants weaker and prone to contracting other diseases. These risks made those who stayed in England, where life expectancy was higher, much safer than those who migrated

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[92] Tyler, Lyon Gardiner. "The Relation of the Lord De-La-Ware by Thomas West." *Narratives of Early Virginia, 1606-1625*, New York : Barnes & Noble, 1946. *Internet Archive*, http://archive.org/details/narrativesofearl1946tyle. Accessed March 21 2019.

[93] Gardyner, George. *A Description of the New World*. 1649. EEBOTCP, https://quod.lib.umich.edu/e/eebo/A85806.0001.001/1:6?rgn=div1;view=fulltext. Accessed 15 February 2019.

[94] Hawke, David F. *Everyday Life in Early America*. 1st ed., Harper & Row, 1888. 72.

[95] Percy, George. *Observations by Master George Percy*. 21.

to the Chesapeake.[96] The survival of both California and Chesapeake immigrants was uncertain: all arrived weakened by a difficult and long trip and were exposed to diseases they probably would have been safer from if they had stayed home. All immigrants were risking their lives to access these new, attractive opportunities.

"[A] rude shelter for the present": low standards of living

Many would move to the Chesapeake as indentured servants, who would work several years without wages for their masters, who paid for their passage. During his servitude, in 1623, Richard Frethorne wrote several letters to his parents, and described working very long hours and not being fed enough: "But I am not halfe a quarter so strong as I was in England, and all is for want of victuals, ffor I doe protest unto you, that I have eaten more in day at home then I have allowed me here for a Weeke."[97] Some masters did underfeed their servants, voluntarily or not, and abused them, although it cannot be considered as the norm.[98] The quality of life of an indentured servant largely depended on their master's personality and wealth. Servants or not, hoping to make a fortune in a new place, migrants would expose themselves to difficult living conditions. The dwellings they lived in, although convenient and easy to build in a short amount of time, lacked any kind of comfort, resulting in low standards of living. Those who lived in cabins or shanties in California would usually have to find another accommodation for the winter.[99] Those who could not had to spend the whole winter in dwellings that were unfit to protect them from the cold. Mary Jane Megquier described California to her father in November 1849, telling him about the newly arrived forty-niners who were unable to house themselves properly:

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[96] Carr, Lois Green, and Lorena S. Walsh. "The Standard of Living in the Colonial Chesapeake." *The William and Mary Quarterly*, vol. 45, no. 1, 1988, pp. 135–59. *JSTOR*, doi:10.2307/1922219. 135.

[97] Frethorne, Richard. "'Virginia Is Horrible; Send Cheese': An Indentured Servant Writes Home." 1623. *Libertarianism*, https://www.libertarianism.org/publications/essays/virginia-is-horrible-send-cheese-indentured-servant-writes-home. Accessed 28 Feb. 2019.

[98] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 274.

[99] Daniel Cornford. "'We All Live More like Brutes than Humans': Labor and Capital in the Gold Rush." 89.

> "I must say it is surprising to see the emigration at this time, four steamers have arrived within ten days with 400 passengers each. These, together with those that arrived here around the horn, is enormous, & most of them without money. I am told hundreds are exposed to the inclemency of the weather every night. the halls of every hotel are full every night, & many have no chance of lying down, even on the floor, we are looking for a heap of suffering before winter closes."[100]

After hearing that many had made fortunes in Nevada City, Luzena Stanley Wilson and her family decided to move there. There, they had to start over, and before they could acquire a house, they had to settle for a rudimentary shelter: "We were not rich enough to indulge in the luxury of a canvas home; so a few pine boughs and branches of the undergrowth were cut and thrown into a rude shelter for the present, and my husband hurried away up the mountain to begin to split out 'shakes' for a house."[101] Many chose the boarding house option, where they would be housed and fed, although the living conditions could also be rough. In his study of urban places in Gold Rush California, Robert Phelps compared most boarding houses to "hog pens."[102] Mary Ballou, who worked in a boarding house during the Gold Rush described the kitchen in which she worked: "All the kitchen that I have is four posts stuck down into the ground and covered over the top with factory cloth no floor but the ground. this is a Boarding House kitchen." Too much rain would prevent her from doing her work: "the mud and water was over my Shoes I could not go into the kitchen to do any work to day."[103] Abby Mansur was particularly bothered by the presence of insects: "you cannot take any comfort for the fleas if you sit down to rest or go to bed there is no comfort for you the flease are biting or the bedbugs or both and you might Just as well be in hell i never swore so much in my life i always swore bad enough but if i should die now god only knows what would become of me."[104] Another issue was the omnipresence of rats in California's major cities. Since few planned to spend their lives in California, most were prepared to endure these difficult living conditions

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[100] Kaufman, Polly Welts, editor. Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856. 110.
[101] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 6.
[102] Robert Phelps. "'All Hands Have Gone Downtown': Urban Places in Gold Rush California." 113.
[103] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 42-43.
[104] Ibid. 53.

as they were only temporary. Both California and the Chesapeake were lacking construction workers, and thus this type of labor was expensive. Many would therefore build their houses themselves, lowering the quality of the habitations. A factor that made their houses particularly uncomfortable was the lack of furniture. In his comparison of the standards of living in England and the Chesapeake in the second half of the seventeenth century, mainly based on probate inventories, James Horn found that Chesapeake living standards were lower than England's. Most had to sleep with their mattresses on the floor, unable to procure a bedstead, only a minority of households had tables.[105] The furniture that was available in the Chesapeake was also of a lesser quality than what could be found in England. Furniture had to be imported from England and could be difficult to access, and thus many relied on repairing damaged furniture.[106] Seventeenth-century Chesapeake dwellings were about subsistence and not comfort. The average house did not exceed two rooms, and did not have any kind of floor.[107] Only those of high social status had similar living conditions to that of England.[108] California habitations shared the same problem. Forty-niner Luzena Stanley Wilson described California houses and what they were lacking: "The great majority of the people lived like ourselves in houses made of canvas, and with natural dirt floors. The furniture was primitive: a stove (of which there always seemed plenty), a few cooking vessels, a table made of unplaned boards, two or three boxes which answered for chairs, and a bunk built in the corner to hold our mattresses and blankets."[109] In both cases, migrants knew about the living conditions that awaited them, for which they were partly responsible. Many would prioritize work and profit over comfortable and solid houses.

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[105] Horn, James P. P. "'The Bare Necessities': Standards of Living in England and the Chesapeake, 1650-1700." *Historical Archaeology*, vol. 22, no. 2, Apr. 1988, pp. 74–91. 82.
[106] Ibid. *88*.
[107] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 251, 302.
[108] Horn, James P. P. "'The Bare Necessities': Standards of Living in England and the Chesapeake, 1650-1700." 88.
[109] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 5.

Chapter 3 – Unsettled societies

"I intend to go home when I get my pile": temporary settlements

In both cases, immigrants knew these opportunities would not flourish without hard work. They had moved to mine or to grow tobacco, both requiring an important amount of work. When English people arrived in the Chesapeake area, they had to clear the land they would later cultivate. Establishing a farm was hard work and took a long time. To clear one or two acres of land, one would need at least a year.[110] When this work was completed, immigrants had to grow their tobacco and manage their farm, which was important work as well. Most forty-niners knew that when they reached California, they would immediately start mining, difficult work that would require them to "endure long hours of physical labor."[111] They would often work from sunrise to sunset, in very high temperatures: "put an egg in the sand it will cook about as quick as in boiling water," wrote Mary Jane Megquier about the heat in the mines.[112] Those who could not handle the work would go back to the jobs they had back home, or get other jobs that were needed at the time.[113] Both California and Chesapeake immigrants knew that the key to success was hard labor, and put work before anything else. Tobacco or gold meant money, and thus planting tobacco or obtaining gold was a priority. Therefore, everything in their lives was dictated by tobacco or gold. In Gold Rush California, anything could be paid for in gold instead of cash. Luzena Stanley Wilson explained in her memoirs that most stores accepted both as payment: "On many counters were scales, for coin was rare, and all debts were paid in gold dust at sixteen dollars per ounce."[114] In the Chesapeake, tobacco was used as the main currency from the beginning of English colonization of the Chesapeake: everything was paid for in tobacco, even work. "Tobacco is the currant Coyn of *Mary-Land*," wrote George Alsop in

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[110] Hawke, David F. *Everyday Life in Early America*. 32-33.
[111] Clay, Karen, and Randall Jones. "Migrating to Riches? Evidence from the California Gold Rush." 1001.
[112] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 35.
[113] Clay, Karen, and Randall Jones. "Migrating to Riches? Evidence from the California Gold Rush." 1001.
[114] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 3.

1666.[115] Chesapeake immigrants' choice of land depended on the availability of water to be able to trade. The nature of the Chesapeake Bay made this easier, since it allowed most immigrants to settle very close to navigable waterways.[116] Most did not build permanent houses, but "temporary dwellings," in order to be able to move onto another piece of land as soon as their land started to be less productive.[117] In the 1630s, laws started to be passed preventing settlers from growing more than a certain amount of tobacco in a certain area. These laws, aimed at increasing the value of Virginia tobacco by decreasing the quantity produced there, led planters to move to other areas, or try to find the piece of land that would produce as much as possible.[118] Houses were not supposed to last more than twenty-five years, and the inside was usually rudimentary: not more than one or two rooms.[119] Planters did not have much time for other activities than growing tobacco, to the extent that they sometimes struggled to feed themselves. Tobacco and corn needed to be planted at the same time of the year, and since tobacco was profitable, many neglected growing corn, and did not have enough for the whole year.[120] John Rolfe deplored this phenomenon in 1616:

> "Thus briefly have sett downe everie mans particuler ymployment, and manner of lyving. Albeit least the People (who generally are bent to covet after gayne, especially having tasted the sweetes of their labors) should spend too much of their tyme and labor planting *Tobacco*, knowen to them to be verie vendible in England, and so neglect their tillage of Corne and fall into Want thereof."[121]

This was not only an issue at the beginning of the century since in 1656, John Hammond had a similar discourse and criticized the fact that planters were "neglecting discoveries, planting of Orchards, providing for the Winter preservation of their stocks, or thinking of any thing staple or firm; and whilest Tobacco, the onely Commodity they had to subsist on bore a price, they wholy

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[115] Alsop, George. *A Character of the Province of Maryland*. 69.
[116] Hawke, David F. *Everyday Life in Early America*. 21.
[117] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* 7.
Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 303-304.
[118] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* 7.
[119] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 329.
[120] Hawke, David F. *Everyday Life in Early America*. 43.
[121] Rolfe, John. *John Rolfe Reports Large Amounts of Tobacco Planted in Virginia*. 1616. Major Problems in American Colonial History, pp. 70.

and eagerly followed that, neglecting their very planting of Corn, and much relyed on England for the chiefest part of their provisions."[122] This determination to make a fortune would sometimes get in the way of the well-being of both societies. It was indeed preventing the development of a stable and permanent society. Most planned to go back to England after making a fortune, and saw the experience of growing tobacco in the Chesapeake as a temporary chapter of their lives. This was acknowledged by the Virginia Company in 1621: "whilest the moste of them ther uppon esteeminge Virginia, not as a place of habitation but only of a short sojourning."[123]

A similar phenomenon took place in Gold Rush California. In his study on 1850s California, Ralph Mann found, while comparing the evolution of two mining towns between the years 1850 and 1856, that about ninety-five percent of the people who were there in 1850 had left by 1856.[124] Forty-niner William Swain wrote to his wife that "as soon as I can get the rocks in my pocket I shall hasten as fast as steam can carry me."[125] Mary Jane Megquier had the same goal: "The ladies have called on me but I do not care for society as I intend to go home when I get my pile," she wrote her daughter in October 1849.[126] As Chesapeake planters lived in temporary houses they built themselves, which they did not equip for the purpose of making them more comfortable, most forty-niners lived in tents or boarding houses, or made very basic cabins or shanties.[127] Indeed, building a comfortable house was not a priority: miners wanted to be ready to start looking for gold as soon as they set foot in California. When migrants started mining in California or planting in the Chesapeake, their priority was to make money, and thus comfort was superfluous. They did not bother building solid, comfortable houses when what mattered was living close to the place where they worked, which could change regularly. They did not expect to spend their whole lives there – even though many did, especially in the Chesapeake, given the very high

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[122] Hammond, John. *Leah and Rachel, Or, the Two Fruitfull Sisters Virginia and Maryland*.
[123] *Virginia Company Acknowledges That The Colony Will Never Be Successful Without Women and Family Life*. 1621. Major Problems in American Colonial History, pp. 70-71.
[124] Ralph Mann. "The Decade after the Gold Rush: Social Structure in Grass Valley and Nevada City, California, 1850-1860." *Pacific Historical Review*, vol. 41, no. 4, 1972, pp. 484–504. *EBSCOhost*, doi:10.2307/3638397. 493-494.
[125] Swain, William. *William Swain Letter Written from "The Diggings" in California*.
[126] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 41.
[127] Bancroft, Hubert Howe. *History of California*. 133-134.

death rate – which prevented the development of a collective purpose or common interests.[128] In both cases, their goal was not to build permanent societies. Their objectives were very personal, and centered on their own future and wealth.

Although they were expecting to better their financial situations through the opportunities offered by the Chesapeake and California, their chances of succeeding were limited in time. In the Chesapeake, as soon as tobacco was massively grown, it was no longer considered as a luxury commodity and thus its price gradually declined and there was less money to be made out of growing it.[129] Legislation was introduced in order to restrict the number of tobacco plants each person could grow.[130] Planters were therefore less likely to make fortunes from it. Opportunities for social mobility kept declining throughout the seventeenth century. During the second half of the century, the social order was increasingly resembling England's: stricter, and offering much less social mobility.[131] It thus became harder and harder for former servants to establish their own independent farms. Forty-niners were faced with a similar issue. Gold had started running out before the forty-niners even reached California[132]: their window of opportunity was even shorter than Chesapeake planters'. Forty-niner George Bishop, in a letter to his children, described the difficulty of earning a living in California: "At present I would not advise any body to start for California as the prospect is extremely cule [cruel] hundreds of this year's imigrants being hardly able to make thir board."[133] In 1853, Abby Mansur wrote to her sister who stayed in New England while she moved to California. In the letter, she told her sister that "it is too late now for a man to come to this country to make a fortune."[134] Only a few years after the start of the Gold Rush, a miner's chances at making a fortune were almost nil. The quantity of gold was decreasing, and new competition was

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[128] Langendorff, Florence. *Individu, Culture et Société : Sensibilisation Aux Sciences Humaines*. Paris : Publibook. 2008. 85.
[129] Horn, James. "Tobacco and the Peopling of Virginia." 86.
[130] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* 42.
[131] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 160.
[132] Hine, Robert V., and John Mack Faragher. "Mining Frontiers." *The American West: A New Interpretive History*. 238.
[133] Bishop, George. *Letter from the California Gold Rush, from George Bishop to His Children, 1852*.
[134] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 53.

arriving every day. Gold was still present in California, but it was "locked in lodes of quartz or buried deep beneath debris laid down by the passing centuries."[135] Accessing this gold required special tools, which made it unavailable to most miners. Many ended up working for mining companies for wages.

"Uncivilized" places

Many saw these places as "uncivilized" or less sophisticated versions of Eastern society. As immigrants chose these places for their opportunities, their main focus was to work. They worked, and did what was necessary to survive decently, but their priority was not to build well-functioning societies. Whether they went to the Chesapeake or to California, immigrants were recreating new societies. Both arrived in places which were already peopled and where societies already existed: the Chesapeake was inhabited by Native Americans and California mostly by Native Americans and Hispanics, since California had been colonized by the Spanish and only a few years before the Gold Rush, was Mexican territory. However, English immigrants created in the Chesapeake their own society that completely excluded local people. Americans who moved to Gold Rush California would to the same, to a lesser extent. Their mass arrival would deeply change the nature of California's society, as the number of American migrants would rapidly and significantly surpass the already present population. In both cases, migrants would have to adapt: complex, well-functioning societies similar to the ones they knew in England or the East of the United States, would not be recreated overnight. As Ray Allen Billington and Martin Ridge explained in their book, *Westward Expansion*, this type of societies tends to be simplified politically, economically, and culturally, until, with time, they can become more complex. In their words, "In thought and habit easterners shed the trappings of sophisticated society".[136] They outlined several reasons for this: "highly developed political forms" being replaced by simpler, smaller political groups, the lack of division of labor, different social activities, cultural life being left behind because of more urgent matters such as work, food and

[135] Billington, Ray Allen, and Martin Ridge. *Westward Expansion: A History of the American Frontier*. 260.
[136] Ibid. 2.

shelter.[137] In both California and the Chesapeake, social classes tended to be blurred. At the beginning of both periods, social mobility was made easier by the opportunities offered by both places. Also, in both cases, the majority of people were workers who performed physical labor, which toned down the differences between different social statuses. This made these societies different from mid-nineteenth-century Eastern America and seventeenth-century England, which had very strict social hierarchies. In terms of politics, both societies, rapidly changing and growing, struggled to establish a stable government. When the Gold Rush started, California was not yet officially an American state, and the Treaty of Guadalupe Hidalgo, marking the end of Spanish rule and the beginning of American rule over California, left, according to Martin Ridge, "California neither a territory nor a state, but with a legal system ill-designed to cope with a Gold Rush."[138] The Chesapeake struggled to have a stable political system as well. It would be based on the English political system, but these institutions needed to be created again and adapted to this new society. James Horn described the Chesapeake as a "simplified version of English society", with institutions based on English ones but struggling to develop:

> "Inevitably, colonial officials encountered serious difficulties in trying to recreate, overnight, governing institutions that had evolved over centuries in England. Neither Virginia nor Maryland developed viable manorial structures, and in both colonies the county court absorbed the functions of English borough, manor, and church courts, becoming the key governing institution at the local level. The rich particularity of the past could not be replicated in America; what emerged were compromises and approximations."[139]

The Chesapeake region also struggled to develop a sense of community. As stated before, the first factor which was taken into account when choosing a piece of land was its proximity to navigable waterways, and thus not its proximity to other habitations. This meant that farms tended to be dispersed, which made contact between planters less frequent, and the development of towns and cities difficult. This also made the Chesapeake colonies delicate to govern.[140] However,

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[137] Ibid.
[138] Ridge, Martin. "Disorder, Crime, and Punishment in the California Gold Rush." *Montana: The Magazine of Western History*, vol. 49, no. 3, 1999, pp. 12–27. 12.
[139] Horn, James. "Tobacco and the Peopling of Virginia." 84.
[140] Hawke, David F. *The Colonial Experience.* 115.

planters were not completely isolated: they were able to create small "kinship groups," but these were not sufficient to create real communities.[141] Communities need interactions between their members to exist: scarce interactions can threaten the appearance of a collective sense.[142] The question of space is thus crucial: the distance between habitations may have been a barrier to communication and group cohesion.[143] Chesapeake immigrants were favoring what was practical and what was in accordance with their objective rather than the formation of long-lasting communities. The issue of the formation of a community was problematic in Gold Rush California, but in a different way than in the Chesapeake. Forty-niners were able to form communities very quickly. Cities grew very rapidly given the arrival of a significant amount of immigrants in a short period of time. Moreover, certain mining tools often needed the work of several people to function: this led to the creation of groups of miners who always worked together.[144] Miners were also in constant contact with other miners in mining areas. However, these communities would only be short-lived, as miners only planned to spend a few months or years in California. It was also common for miners to move from mine to mine hoping to improve their chances. Even if they decided to spend the rest of their lives there, the communities would have been broken, as living in a tent, a shanty or a boarding house were only temporary solutions. If they had decided to settle permanently in California, they would have moved and chosen more permanent habitations. They were accepting these living conditions because they were planning to leave in a few months or years.

The seventeenth-century Chesapeake and Gold Rush California shared another similarity: the absence of strict religious practices. The lack of community in the Chesapeake had significant consequences on this. As stated before, the Chesapeake immigrant chose his land depending on its quality and its proximity to navigable waterways. Being in a village or close to a church was not a priority. This meant that living far away from a church could make attending religious

[141] Hawke, David F. *Everyday Life in Early America*. 62.
[142] Langendorff, Florence. *Individu, Culture et Société : Sensibilisation Aux Sciences Humaines*. 93.
[143] Ibid. 107.
[144] Daniel Cornford. "'We All Live More like Brutes than Humans': Labor and Capital in the Gold Rush." 87.

service more difficult or discouraging.[145] Since immigrants came to the Chesapeake for its opportunities, work was their key focus, and everything else came after, including religion. The scarcity of ordained ministers also had its role in the weakness of the church.[146] It meant that immigrants did not have a frequent formal practice of religion, and that ministers would not always be available for religious events such as baptisms or funerals.[147] These events were increasingly dealt with by county clerks.[148] The church was one of these institutions that could not be identically recreated in a short amount of time. Maryland, which was supposed to be "a haven for Catholics" who were discriminated against in England, actually had a religiously diverse population, making it more difficult to create strict religious practices for the different religions represented.[149] The struggle for power between Lord Baltimore, original leader of the colony, and the Puritans, as well as the political changes in England made religion rather unstable in Maryland.[150] It took an important part of the seventeenth century for religion to strengthen its position in the Chesapeake. This does not mean that immigrants, the minute they set foot in Virginia or Maryland, became completely disinterested in religion.[151] Religion would still be very present in the Chesapeake, but its practice would be more private, and the church would exercise less social control over Chesapeake inhabitants. In California as well, work was prioritized over religion. As forty-niners worked very hard in hope of striking it rich, when they took a Sunday off, they tended to use their time doing different things: doing necessary things that they did not have time to do during the week (Bancroft mentioned "Mending clothes, washing, baking, and letter-writing"[152]) or enjoying themselves after a week of hard labor. Mary Ballou mentioned in a letter being very busy and not being able to go to church as much as she would like to: "So you see that I go

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[145] Hawke, David F. *Everyday Life in Early America*. 23.
[146] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 400-401.
[147] Ibid.
[148] Hawke, David F. *Everyday Life in Early America*. 23.
[149] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 54.
[150] Meyers, Debra A. *Common Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland*. Indiana University Press, 2003. 27, 36.
[151] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 382.
[152] Bancroft, Hubert Howe. *History of California*. 246.

to church when I can".[153] The 1850 California census shows a relative small amount of churches in California: there was a total of 28 churches in California in 1850. Many counties did not have their own church. However, the great majority of these churches were Roman Catholic (18), a result of Spanish colonization and Mexican rule, leaving only ten Protestant churches (one Baptist church, one Episcopalian church, five Methodist churches and three Presbyterian churches).[154] This means that very few churches were available to American forty-niners from the East of the United States, who were in great majority Protestant. As immigrants in the seventeenth-century Chesapeake, forty-niners were putting work above religion, and the possible spatial distance between their place of residence and the nearest appropriate church made attending service and having strict religious practices challenging. Although religious habits were more or less abandoned during the Gold Rush, religion is very present in the letters written by forty-niners, as they often saw it as one of their remaining links with the East. Religion played an important part in uniting people and creating communities, and thus the absence of strict religious practices affected in the Chesapeake the development of strong communities. Religion was also considered as a symbol of civilization. When America was colonized the means by which settlers were attempting to "civilize" the natives was religion, and thus neglecting religion could make these places appear "primitive" and "uncivilized."

Community and religion play a very important part in regulating people's behaviors and establishing what is considered respectable or not.[155] The weakness of the church in both regions and the lack of community in the Chesapeake resulted in weaker social control and looser social norms. All societies have more or less strict norms, which are linked to values, but in societies that are in a process of transformation, which is the case for the seventeenth-century Chesapeake and Gold Rush California, these changes often trigger a confusion regarding the relationship between norms and values.[156] In these two societies, these changes resulted in fewer social restraints. Forty-niners left the East of the

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[153] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 44.
[154] *California Census of 1850*.
[155] Murdock, George Peter, et al. *De La Structure Sociale*. Paris : Payot, 1972. 94.
[156] Langendorff, Florence. *Individu, Culture et Société : Sensibilisation Aux Sciences Humaines*. 85.

United States at a time when people were particularly concerned with respectability, and this respectability was associated with conforming to strict rules. The values they left behind can be described as Victorian, Martin Ridge defined them as "chastity", "piety" and "sobriety".[157] These values seemed incompatible with the California Gold Rush, famous for its violence, gambling, prostitution, alcohol consummation.[158] Indeed, forty-niners would extensively depart from these Victorian standards of behavior. This change would manifest itself in their physical appearance as well as in their behaviors. Miners would often have long hair and long beards, gave little importance to the clothes they wore. Mary Jane Megquier described them as uncivilized: "many of them I think would not be recognized by their friends; they let their hair and beards grow, wear a red shirt and a pair of overalls and a slouched hat, looking less like civilization than the natives."[159] Their skin was darker from the sun, a sign of low social status in the East of the United States and England, but in California, it was a sign of hard and honest work. Forty-niners abandoned ideals of refinement from the East, and most could not uphold them anyway, given the standards of living. As for the Eastern standards of behavior, forty-niners pushed them aside during their time away. The image of the "Yankee daredevil" quickly developed: the American forty-niner was seen as incontrollable, free from any kind of moral boundaries. Activities like "drinking, swearing, prostitution, interracial sex, and gambling" were very common in Gold Rush California, and were accepted there.[160] Without being judged, forty-niners were free to engage in these activities that would have been considered intolerable in the Eastern states. As the "gold fever" was often compared to a disease, California was said to corrupt respectable forty-niners. Brian Roberts, in his book called *American Alchemy: The California Gold Rush and Middle-Class Culture* mentioned forty-niners' families being worried about "the moral effects" California would have on them.[161] Gold Rush California was also a violent place: fights among forty-niners were common, so common that most went unnoticed according to Luzena Stanley Wilson. She described

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[157] Ridge, Martin. "Disorder Crime, and Punishment in the California Gold Rush." 14.
[158] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 121.
[159] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 21.
[160] Herbert, Christopher. "'Life's Prizes Are by Labor Got': Risk, Reward, and White Manliness in the California Gold Rush." *Pacific Historical Review*, no. 3, 2011, pp. 339–68. *EBSCOhost*, doi:10.1525/phr.2011.80.3.339. 374.
[161] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 77.

California men in accordance with this idea: "They were possessed of the demon of recklessness, which always haunted the early mining camps. Blood was often shed, for a continual war raged between the miners and the gamblers. Nearly every man carried in his belt either knife or pistol, and one or the other flashed out on small provocation to do its deadly work."[162] While the Gold Rush started out as free from crime, it quickly started to spread, adding to the already-existing violence.[163] Americans tended to blame foreigners for the violence and crime taking place. The abundance of opportunities available for forty-niners to entertain themselves (theaters, saloons, gambling halls…) made alcohol consummation very common which, in turn, encouraged violence to take place. Chesapeake planters also consumed alcohol in great quantities. According to David Freeman Hawke, "anything that smelled of alcohol would sell".[164] Alcohol was an alternative to water, which was not always safe to drink. They drank homemade alcohol: different kinds of beer, wine, brandy, cider.[165] John Hammond discussed the excessive alcohol consummation of Chesapeake inhabitants in his description of Virginia and Maryland, and stated that "beare" was "constantly drunken".[166] Among their other "vices," he cited "want" and "avarice," resulting in the prioritization of tobacco and wealth over growing food and the well-being of the colonies.[167] The deep changes immigrants experienced when they migrated to the Chesapeake or California led to different standards of morality and behavior. For that, these areas were seen as uncivilized, or "wild," and unfit to welcome white women.

"[T]his place is too poor for a lady": unbalanced sex ratios

Both the Chesapeake and California were very masculine environments which did not appear to be compatible with the arrival of migrant women. It did not seem right to expose women to drunkenness, violence, gambling, or prostitution. Some women did move to those places and many felt out of place.

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[162] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 6.
[163] Ridge, Martin. "Disorder Crime, and Punishment in the California Gold Rush." 15.
[164] Hawke, David F. *Everyday Life in Early America*, 79-80.
[165] Meacham, Sarah H. *Every Home a Distillery: Alcohol, Gender, and Technology in the Colonial Chesapeake*. JHU Press, 2009. 33.
[166] Hammond, John. *Leah and Rachel, Or, the Two Fruitfull Sisters Virginia and Maryland*.
[167] Ibid.

Several female forty-niners wrote about their experience in Gold Rush California, in letters or memoirs. Frances Anne Van Winkle described being frightened by people's lifestyles and the noise of the city of Sacramento: "It was a terrifying place. I was frightened. Men were gambling on all sides. They were shooting and cursing and yelling. The noise and uproar were awful."[168] Harriet Frances Behrins defined San Francisco as "a wild spot" that was "too poor for a lady"[169], and complained about the lack of comfort: "My woman's heart leaped at the prospect of a home with comforts, and even luxuries, which I had long been denied."[170] She was also very affected by the presence of crime. She wrote: "Most of the settlers of Quartzburg were from Little Rock, Arkansas, gamblers by profession, and irresponsible citizens. After this deplorable affair I became restless, and with a more intimate knowledge of conditions abroad, my desire to escape from an atmosphere so tainted with crime became so urgent that I could no longer school myself to contentment."[171] Harriet Frances Berhins had a similar feeling: "All these sights I witnessed, and my heart became heavy with the knowledge of so much evil."[172] Mary Ballou found herself confronted to crime twice in a matter of two months. In September 1852,

> "there was a little fight took place in the store. I saw them strike each other through the window in the store. one went and got a pistol and started towards the other man. I never go into the store but your mothers tender heart could not stand that so I ran into the store and Beged and plead with him not to kill him for eight or ten minutes not to take his Life for the sake of his wife and three little children to spare his life and then I ran through the Dining room into my sleeping room and Buried my Face in my bed so as not to hear the sound of the pistol and wept Biterly. Oh I thought if I had wings how quick I would fly to the States."[173]

This event led her to wish to go back home to the East of the United States, which shows that she felt safer there. On November 2nd of the same year, her neighbors were robbed:

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[168] "Gold Rush Stories of Women Pioneers."
[169] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 29.
[170] Ibid. 37.
[171] Ibid. 39.
[172] Ibid. 28.
[173] Ibid. 45-46.

> "Adams express office was Broken open by a band of robbers a large quantity of money was taken. they took one man out of bed with his wife took him into the office and Bound him laid him on the floor and told him to give them the key to the safe or they would kill him. one of the robbers staid in the room his wife his face was muffled and Pistols by his side and told her that if she made any noise for so long a time he would kill her. only immagine what her feelings must be. I lived close by the office. I went in to see her the next morning she told me that she nearly lost her sences she was so frigtned."[174]

Her narratives reflect on the violence of both scenes and highlight the fear that California and its crime introduced into women's lives, in this case herself and her neighbor. In this letter to her son, she also wrote that she felt "badly to think that [she] was de[s]tined to be in such a place."[175] What brought so many migrants to the Chesapeake and California was the presence of better opportunities than they had at home, but whether they migrated to plant tobacco or to mine for gold, these activities required hard work. To get there, one would undergo very difficult and dangerous travelling conditions, and once there would have to endure rough living standards. For these reasons, Gold Rush California and the seventeenth-century Chesapeake did not appear to be suited for women. According to the ideology of the separate spheres, men were associated to the public or professional sphere, while women belonged in the private or domestic sphere. Therefore, it is coherent that the great majority of the people who left for California or the Chesapeake were men. Immigrants were expected to be ambitious, hardworking and adventurous, and these qualities were not typically associated with women. Among Jamestown's original settlers, who arrived in May 1607, there were no women according to the census.[176] This may not have been accurate, as it was not uncommon for women not to appear on censuses, but even if it had been the case for the first census, it gives an idea about how women were not relied upon to establish the colony. The first female names to appear on the Jamestown censuses were "Mistresse Forrest, and Anne Burras her maide" who both arrived in Jamestown in September 1608.[177] In addition, planters preferred male indentured servants to female ones: they associated hard work with male labor, and other

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[174] Ibid. 45-46.
[175] Ibid. 43.
[176] "Original Settlers (May 14, 1607) at Jamestown, Listed by Occupation."
[177] "Second Supply (September 1608): List of Settlers by Occupation." Sept. 1608. *Virtual Jamestown*, http://www.virtualjamestown.org/census4a.html. Accessed 19 January 2019.

tasks such as housework with female labor. Since the priority was to grow tobacco, which demanded hard work, they would favor male servants.[178] This did not encourage women to move to the Chesapeake. Most of those who moved to the Chesapeake were single men who did not have wives that could join them. Many forty-niners had families, but given the risk and the cost of the journey, and the brief amount of time they expected to spend in California, most left by themselves while their families remained at home.[179] Wives would stay in and maintain the house, providing a "safety net" in case their husbands' quest failed.[180]

As a result very few women came to California and the Chesapeake during the time periods in question. James Horn estimated that in 1635, for every woman in Virginia, there were six men.[181] The sex ratio became more balanced toward the end of the century, but it was never as balanced as two or three men for one woman.[182] The Chesapeake region was particularly affected by the scarcity of women, which threatened the success of both colonies. The absence of women forced most men into singlehood. With such an unbalanced sex ratio, the population could not grow naturally and the colonies would have to rely on immigration to survive. The women who did come to the Chesapeake often started as indentured servants, which delayed the time at which they could get married and start having children. This meant that most could not get married before their mid-twenties.[183] This was not a particularly late age to get married at the time, but since natural population growth was urgent, especially with such a high death rate, these years as indentured servants postponed the birth of their first child and limited the number of years during which they could bear children.[184] In 1621, the Virginia Company acknowledged that the future of the colony was endangered by the absence of women:

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[178] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 546.
[179] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 72.
[180] Ibid. 182.
[181] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 36.
[182] Ibid. 139.
[183] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 551.
[184] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 203-204.

> "Whereas by long experience we have founde that the Mynds of our people in Virgenia are much dejected, and their hearts enflamed with the desire to returne for England only through the wants of comforts without which God saw that Man could not live contentedlie in Paradize: And hence have sprange the greatest hinderances of this Noble worke, whilest the moste of them ther upon esteeming Virginia, not as a place of habitation but only of a short sojourninge".[185]

The solution that is offered is to "tye and roote the Planters myndes to Virginia by the bonds of wives and children" by sending "young, handsome, and honestlie educated Maides to Virginia".[186] More than two hundred "maids for wives", or "tobacco brides" were sent to Virginia between 1619 and 1621 for the purpose of becoming the wives of Virginia planters.[187] Their future husbands would pay for their passage in tobacco, hence the name "tobacco brides." A similar attempt was made in California, where the proportion of women compared to men was even lower. According to the 1850 California census, out of 92,597 inhabitants, only 7,017 were women, which meant that 92.42 percent of the population was male. The women who wrote about their experience in Gold Rush California very often mentioned being one of the few, or the only women in California or on the way to California: "I was the only Lady that was present and about forty gentleman",[188] "I have not seen an American lady since I have left New York".[189] As a result, in 1849, Eliza Farnham attempted to get women to migrate to California. What she was worried about concerning the unbalanced sex ratio was not the restriction of population growth like in the Chesapeake, but to her, it was the reason for the lack of sophistication of California and the presence of "evils." She believed that "the presence of women would be one of the surest checks upon many of the evils that are apprehended there". The arrival of "intelligent, virtuous and efficient women" in San Francisco would "civilize" the city and introduce the same standards of

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[185] *Virginia Company Acknowledges That The Colony Will Never Be Successful Without Women and Family Life*. 70-71.
[186] Ibid.
[187] Cook, Mrs. Henry Lowell. "Maids for Wives." *The Virginia Magazine of History and Biography*, vol. 50, no. 4, 1942, pp. 300–320. JSTOR. 300, 312.
[188] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 44.
[189] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 17.

morality as in the East of the United States.[190] Some, like Farnham, believed that it was the absence of women which made Gold Rush California such a violent, unrefined place. Women being representative of morality, their scarcity made men feel free from all kinds of social restraints. Brian Roberts defined the moment when Mary Ballou stopped a man from killing another man as symbolic: the presence of a woman preventing violence from taking place, and bringing morality in such a violent place.[191]

Unbalanced sex ratios affected both the seventeenth-century Chesapeake and Gold Rush California, but in different ways. The survival of California was not threatened by the lack of women and children while the Chesapeake colonies could die out without the creation of another generation. The stakes were different, but both places suffered from the absence of women. In both cases, single men had very low chances of finding a wife, and were affected not only because they could not have children, but because of the absence of companionship. In the majority of cases, a man had migrated by himself and was away from his family, and being in California or the Chesapeake prevented him from forming a family of his own in this new place. According to sociologist Michel Lalonde, family is the backbone of social roles in traditional societies.[192] Being unable to form families and to reproduce the models from the societies they left was destabilizing. This participated in creating and perpetuating the strong differences between the societies they left and the ones they formed in California and the Chesapeake. It was easier for forty-niners to go back East for a short amount of time to find a wife and bring her to California, which many did, than it was for Chesapeake immigrants to go back to England. Since both periods were marked by very strict separate spheres, which defined the activities that were to be performed by men or women, the absence of women meant that they were unavailable to perform what was considered as women's activities. In California, activities such as cooking, cleaning, the laundry could not be performed by wives, since even most married men came alone. Forty-niners badly needed people who

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[190] Farnham, Eliza. *Ship Angelique: California Association of American Women. 20 Feb. 1849. California Historical Society, http://digitallibrary.californiahistoricalsociety.org/object/2675. Accessed 3 March 2019.*

[191] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 247.

[192] Lalonde, Michel. *Comprendre La Société : Une Introduction Aux Sciences Sociales*. Rennes : Presses Universitaires de Rennes, 1997. 168.

were able to perform "women's work." This disrupted the norms they knew before, and men sometimes had no choice but to perform those tasks. Mary Ackley wrote about men cooking in California when she was still a child: "No board was charged, but each man contributed to providing the provisions, and the men did the cooking. […] The men who remained at home arose and cooked a big meal, which they all enjoyed very much."[193] On her way to California, Mary Jane Megquier encountered "Yankees" among the "Spaniards" and "natives" of Panama. In the absence of women, they were obligated to cook: "they have a cooking stove you can see them stirring up the good things, gentlemen I presume that never was in a kitchen have to sweat over that old stove about two thirds of the time they keep soul and body together, it comes rather hard but they submit with a very good grace."[194] In the Chesapeake, unmarried men had to do the same. Having someone to prepare food, make fires and perhaps take care of a garden could make life much easier for a tobacco farmer. The theory of the separate spheres makes men and women complementary, and thus such a system cannot function without men or without women.[195] The absence of women resulted in a form of social imbalance, and both Chesapeake and California societies had to adapt, as without women, they were unable recreate similar gender roles.

[193] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 230.
[194] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 26.
[195] Lalonde, Michel. *Comprendre La Société : Une Introduction Aux Sciences Sociales*. 185.

Part 2

Economic opportunities for women

Chapter 4 – Migrant women

"I would not be left behind": who they were and why they came

The dangers of such migrations and the discomfort they would find in the seventeenth-century Chesapeake or Gold Rush California dissuaded many women from moving to those areas. They were unsettled societies, considered too rough and immoral for women. The nature of the work opportunities attracted men in great majority: goldmining and tobacco growing required hard work, and, in the Chesapeake, women were excluded from the headright system. However, some women decided to go anyway. There were two main profiles of women who moved to the Chesapeake in the seventeenth century. The majority of them were, like male immigrants, young, English, and came as indentured servants.[196] Promotional literature let women who were interested in moving to the Chesapeake think that they would, during their indenture, perform domestic tasks, and assured them that they would avoid fieldwork. John Hammond and his promotional tract about Virginia and Maryland, *Leah and Rachel, or the Two Fruitfull Sisters, Virginia and Mary-Land* are a good example of such literature. He explained that women were only assigned field work in extreme cases:

> "The Women are not (as is reported) put into the ground to worke, but occupie such domestique imployments and houswifery as in *England*, that is dressing victuals, righting up the house, milking, imployed about dayries, washing, sowing, &c. and both men and women have times of recreations, as much or more than in any part of the world besides, yet som wenches that are nasty, beastly and not fit to be so imployed are put into the ground, for reason tells us, they must not at charge be transported and then mantained for nothing, but those that prove so aukward are rather burthensome then servants desirable or usefull."[197]

The reality was different. Given the shortage of labor, many women ended up performing such tasks, although the information they had access to in England told them that they would not. The idea of performing domestic work, as many already did in England, probably encouraged many to move to the Chesapeake. The reward could be worth the hard work. At the end of their service, given the

[196] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. ABC-CLIO, 2010. 57.
[197] Hammond, John. *Leah and Rachel, Or, the Two Fruitfull Sisters Virginia and Maryland*.

unbalanced sex ratio, the great majority could expect to find a husband quickly and very easily, something that was more difficult in England. Through marriage, they were very likely to improve their social status. Some made this decision to escape a certain form of stigma around their situation. A French man visiting Virginia in 1686 described the colony as a "refuge of those who have been convicted of picking and stealing or have lost their reputations for chastity."[198] Anne Orthwood, later known for the trial surrounding the birth of her two illegitimate children, moved from Bristol to Virginia when she was twenty-three years old, in 1662. She, herself, was an illegitimate child. Through migration, she was hoping to improve her chances of finding a husband who could financially support her and their future family, without being burdened by her status as an illegitimate child.[199] The other women who moved to the Chesapeake in the seventeenth century were married women who had joined their husbands on their migration. These women were in majority from well-off backgrounds, as the family had been able to pay for the passage of two or more people: the husband, the wife and in certain cases, their children. They were the wives of gentlemen or important ministers for instance.

In the case of California, married women represented a major part of the women who moved there. The idea to take part in the Gold Rush was often their husbands', but women actively participated in making the decision.[200] Many refused to let their husbands go by themselves and insisted on joining them. It was the case of Luzena Wilson. As stated in her memoirs, when her husband, Mason Wilson, became interested in moving to California, she quickly made her decision, and was determined to go with him: "My husband grew enthusiastic and wanted to start immediately, but I would not be left behind. I thought where he could go I could, and where I went I could take my two little toddling babies."[201] Mary Jane Hayden's situation was more delicate. When her husband started to be increasingly serious about moving to California, she had given birth to her first

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[198] *A Frenchman in Virginia; Being the Memoirs of a Huguenot Refugee in 1686*. 1686. *Library of Congress*, https://www.loc.gov/item/24003888/. Accessed 20 March 2019. 94-95.
[199] Pagan, John R. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. Oxford University Press, 2003. 14-16.
[200] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 209.
[201] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 1.

child only six weeks before and both of them were too weak to go.[202] When she asked her husband "what do you propose to do with me?", he answered that she would go to her mother's house until his return. She refused: "I said, 'We were married to live together,' (he saying 'Yes'), 'and I am willing to go with you to any part of *God's Foot Stool* where you might think you can do the best, and under these circumstances you have no right to go where I cannot, and if you do, you need never return for I shall look upon you as dead.'"[203] She was able to make him change his mind about moving, and they decided together to postpone the trip until she and her child were healthy enough to endure it, but they ended up never going. Most of the women who took part in the Gold Rush did not only do so to be with their husbands. The rarity of women in California gave them significant opportunities. Forty-niners' main purpose in joining the Gold Rush was to make money, and improve their family's financial situation. As California needed people to perform what was considered as women's work (cooks, laundresses, boarding house keepers…), many women migrated, expecting to find work. Mary Jane Megquier left with her doctor husband, hoping to both find work in order to be able to send money to their children for them to lead a comfortable life. Thomas was hoping to make a better living in California than at home, in Maine, not by mining but by keeping his former occupation, since California was in great need of doctors. Mary Jane left expecting to perform some kind of "womens work."[204] On her way to California she wrote: "it is so expensive getting womens work they think it will pay well".[205] A few months later, she wrote again: "womens help is so very scarce that I am in hopes to get a chance by hook or crook to pay my way, […] a woman that can work will make more money than a man".[206] When they left Maine, it was clear that both Thomas and Mary Jane would work. They planned to go home after making enough money for the family to live more comfortably. She wrote in a letter to her daughter while she and her husband Thomas were still in Panama, waiting for a steamer to take them to San Francisco: "The first money we get will be devoted to your comfort and the

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[202] Moynihan, Ruth Barnes, et al., editors. *So Much to Be Done: Women Settlers on the Mining and Ranching Frontier*. First Edition, University of Nebraska Press, 1990. 13.
[203] Ibid. 14.
[204] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 3
[205] Ibid.
[206] Ibid. 24.

boys."[207] She became a boarding house keeper in San Francisco. Domestic work was not the only type of work performed by women that was in demand in California. Since entertainment was an important part of forty-niners' lives, many women moved to California to work in theaters. They were singers, dancers, actresses, and could earn a comfortable living providing entertainment for California's men. Gold Rush California also attracted a lot of prostitutes, in great demand given the extremely skewed sex ratio.

Both on the way to and in California, women noticed that men's attitudes toward them were different there. White women were so rare that their presence was valued and appreciated. Louise Clappe, also known as Dame Shirley mentioned in a letter to her sister a man who "had not spoken to a woman in two years". He decided to buy "some excellent champagne" to celebrate the event.[208] Luzena Wilson described a crowd gathering around her just to see her, one of the only two white women in Sacramento at the time:

> "It was a motley crowd that gathered every day at my table but always at my coming the loud voices were hushed, the swearing ceased, the quarrels stopped, and deference and respect were as readily and as heartily tendered me as if I had been a queen. I was a queen. Any woman who had a womanly heart, who spoke a kindly, sympathetic word to the lonely, homesick men, was a queen, and lacked no honor which a subject could bestow."[209]

Women felt admired, no matter what they looked like. Luzena Wilson was never considered "handsome" but still received a lot of attention from men: "But the feminine portion of the population was so small that there was no rivalry in dress or fashion, and every man thought every woman in that day a beauty. Even I have had men come forty miles over the mountains, just to look at me, and I never was called a handsome woman, in my best days, even by my most ardent admirers."[210] Harriet Behrins later wrote in her *Reminiscences of California in 1851* that this type of attention from men was one of the reasons she particularly enjoyed her

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[207] Ibid. 27.
[208] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. 2007. *Project Gutenberg*, http://www.gutenberg.org/files/23280/23280-h/23280-h.htm#xxvii. Accessed 19 March 2019. Letter The Third.
[209] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 4.
[210] Ibid. Chapter 6.

time in California: "when I look back to that period of my life, the reflections are most pleasant and sunny; situated amidst beautiful scenes of nature, recipient of the simple gallantry of the men, who catered to my slightest wish."[211] These examples all come from married women. This type of attention was not always given in hope of seducing them. Knowing that nothing romantic could happen with these women did not prevent men from giving them attention and treating them well. Their only presence was pleasant and comforting. It reminded men of home. Although no primary source from the seventeenth-century Chesapeake seems to discuss the attention given to women by men, it is likely that these women received a similar treatment, with probably more distance and restraint, as it took place two centuries before the Gold Rush.

Disruption of traditional gender roles

These women all came from places with rigid gender roles. They came from traditional societies in which men and women had a specific place in society and in the family. Women were in a position of submission to their husbands and to men in general while men were in a position of domination. This ideology believes in the superiority of men, partly based on men's physical strength, which justified women's submission to them, not only physically but also socially and within the family.[212] Because there are physical differences between men and women, they can be considered as different, and only if they are different can there be a social hierarchy and a relationship of domination and submission.[213] Male domination implies an appropriation of women by men, notably through marriage.[214] For a woman, marriage also represented civil death. Her person was absorbed by her husband's.[215] If she decided to work – often in occupations that were seen as extensions of the domestic sphere: as midwives, nurses, schoolteachers… – the money she earned became his. A husband held legal authority for his wife: a married woman was for instance unable to sue anyone by

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[211] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 29-30.
[212] Vallet, Guillaume. *Sociologie Du Genre*. Paris : Bréal. 2018. 41.
[213] Ibid. 42.
[214] Ibid. 40.
[215] Ziegler, Sara. "Wifely Duties: Marriage, Labor, and the Common Law in Nineteenth-Century America." *Social Science History*, vol. 20, no. 1, 1996, pp. 63–96. *EBSCOhost*, doi:10.2307/1171504. 65.

herself or make official decisions regarding the family estate.[216] The family had a hierarchical structure which placed a woman below her husband but above her children. Power revolved around the father: the *paterfamilias*. If a marriage worked more as a partnership between the husband and his wife, it could only be the husband's decision. In those cases, the husband was choosing not to exercise his legal right to be in a position of domination over his wife.[217] There was absolutely no requirement for husbands to treat their wives as partners rather than as their servants, and women were not in a position to challenge their husbands' treatment toward them.[218] In the places they left, religion was very well established, which participated in creating and maintaining the dominant position of the father, as the church tended to encourage a strict separation between male and female roles and behaviors. Social structures were built in accordance with this view on power relations between men and women. They were treated as binary oppositions which justified the strict separation between what were considered as typically female and male activities. Most women found themselves confined to the domestic or private sphere, while their husbands had access to the public or professional sphere. A woman's activities would revolve around the home and her children, while her husband worked and supported her financially. In the nineteenth century, the cult of domesticity and true womanhood centered a woman's life around "piety, purity, submissiveness, and domesticity."[219] This model would be difficult to reproduce in the seventeenth-century Chesapeake or Gold Rush California. Under such unstable circumstances, it was impossible for immigrants to recreate similarly strict gender roles.

The unbalanced sex ratio meant that women were needed and valued. In the Chesapeake, women's presence was crucial, as they were needed to create the next generation, which guaranteed the survival of the settlements. Their presence also made life easier for their husbands: they saw the Chesapeake as more of a home and were less likely to see their time there as temporary. They had someone

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[216] Mary Beth Norton. "'Either Married or to Bee Married': Women's Legal Inequality in Early America." *Inequality in Early America*, 1999, pp. 25–45, 34.
[217] Sara L. Zeigler. "Wifely Duties: Marriage, Labor, and the Common Law in Nineteenth-Century America." 69.
[218] Ibid.
[219] Griswold, Robert. "Apart but Not Adrift: Wives, Divorce, and Independence in California, 1850-1890." *Pacific Historical Review*, vol. 49, no. 2, 1980, pp. 265–263. *EBSCOhost*, doi:10.2307/3638902. 265.

to cook, clean, assist them in their work, and to relieve them of some of the tasks they had to perform as single men. Having children meant extra sets of hands on the farm or plantation. California was lacking people who were willing to perform women's work, and thus women's arrival was desired and celebrated. Many forty-niners were also craving female attention and affection. Besides, there were so few of them that they did not represent a threat to men and their position as the dominant gender. Another important factor is the instability of institutions and social structures, which tended to strengthen male domination.[220] Thus, if these are missing or unsettled, these power relations are in turn unstable and less inscribed in the society in question. Since immigrants were creating new societies in new areas, the social structures and institutions that reinforce inequality between men and women could not be established and stable right away. The instability of the church, promoting the submission of the wife to her husband, had a major impact on both California and the Chesapeake. According to Pierre Bourdieu, it is in our nature as human beings to try and recreate the social norms and structures that we know. However, being unable to recreate those norms in a new place, which was the case of the immigrants of this study, is extremely unsettling and creates a form of crisis.[221] This social instability makes it harder to sanction actions that would be considered as negative in their home society. This means that certain behaviors that would not have been tolerated in seventeenth-century England or nineteenth-century America were not punished in the Chesapeake and in California. In California for instance, "vices" such as gambling, violence or prostitution were tolerated when they were not in the East of the United States. It also means that certain female behaviors were more easily tolerated, allowing women to have access to opportunities they would not have had access to if they had not migrated.

One's experience as a woman can vary greatly depending on the historical and spatial context:[222] being a woman in seventeenth-century Virginia or Maryland was much different than being a woman in seventeenth-century England, just like being a woman in Gold Rush California was much different

[220] Vallet, Guillaume. *Sociologie Du Genre*. 42.
[221] Bourdieu, Pierre. "Structures, Habitus, Pratiques." *Le Sens Pratique*, Paris : Les Éditions de Minuit. 1980, pp. 87–109. 104.
[222] Vallet, Guillaume. *Sociologie Du Genre*. 66.

than being a woman in the East of the United States at the same period. All of the factors listed earlier which brought instability to these new, unsettled societies (immigrants not trying to establish a permanent society, weakness of religion, uncertainty of life, unbalanced sex ratio) contributed to the creation of new opportunities for women and made the establishment of strict gender roles, as immigrants knew them, impossible. The nature of these opportunities was different for those who moved to the Chesapeake and those who moved to California. These migrations involved different areas and were two centuries apart, but all of these women experienced a period of exceptional opportunities and independence through their migration.

Chapter 5 – Opportunities linked to marriage

"[T]hey may pick and chuse their Husbands out of the better sort of people": opportunities for a quick and good marriage

In both Gold Rush California and the seventeenth-century Chesapeake, the skewed sex ratio made any woman who moved there very attractive in the marriage market. In the Chesapeake, women were linked to the survival of the colonies. Women meant children, and they would also be the wives and companions of male immigrants. This would help men in considering Virginia or Maryland as a permanent home. The Virginia Company made an attempt to solve this issue by bringing single women from England for them to marry Virginia planters, who "were so greedy of wives" according to John Smith.[223] These women were not the typical female Chesapeake immigrants. They were respectable, well-off women. They had to be "young, handsome, and honestlie educated Maides"[224] and had to be recommended by relatives who had to attest to their honesty and respectability.[225] It was common for them to be linked to the gentry,[226] and the majority came from middle-class families.[227] However, many of them were orphaned, or had lost at least one parent.[228] This meant that they were deprived of protection from their families, and the lack of close relatives probably made it easier for them to leave England.[229] When they arrived in Virginia, each woman was certain of marrying an "industrious planter".[230] Indeed, a "tobacco bride" did not have to pay for her passage, her future husband would. Planters would have to pay a hundred pounds of tobacco for a tobacco bride to be assigned to them. This reveals something about men's loneliness and desire for wives: they

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[223] Smith, John. *The Generall Historie of Virginia, New-England, and the Summer Isles*. 1624. *Documenting the American South*, https://docsouth.unc.edu/southlit/smith/smith.html. Accessed 16 January 2019.
195.
[224] *Virginia Company Acknowledges That The Colony Will Never Be Successful Without Women and Family Life*. 70-71.
[225] Ransome, David R. "Wives for Viginia, 1621." *The William and Mary Quarterly*, vol. 48, no. 1, Jan. 1991, pp. 3–18. 11.
[226] Ibid.
[227] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 7.
[228] Ransome, David R. "Wives for Viginia, 1621." 12.
[229] Ibid.
[230] *Virginia Company Acknowledges That The Colony Will Never Be Successful Without Women and Family Life*. 70-71.

were ready to pay to be able to marry and spend their lives with a stranger. The price then went up to a hundred and fifty pounds.[231] This meant that tobacco brides, also called maids for wives, were guaranteed to marry "established landowners" who had succeeded in the tobacco business.[232] This gave single, unprotected women, who were probably struggling to find a husband in England, a chance at marrying a successful man. Their situation was evidently not ideal, as they were unable to choose their husbands, and one could argue that they were purchased by their husbands, but they were certain that the person they would marry would be able to offer them a comfortable financial situation. One must keep in mind that in the seventeenth century, marriage was above all a contract, which provided women with financial support from their husbands.[233] Moreover, in her article about the history of gender, Paola Giuliano suggested there could be a causal relationship between having to pay to marry a woman, and an increase in the value and care given to her by the husband.[234] This could mean that the fact that Virginia planters had to pay in order to marry tobacco brides could have had a positive influence on their relationship which could have led, for wives, to more independence and a stronger voice in the marriage.

This enterprise came to an end in 1621, after only two years of sending tobacco brides to Virginia. After that, women who wanted to reach the Chesapeake had to pay for their own passage, or come as indentured servants. The majority had no choice but to choose the latter. The first female servant arrived in Jamestown in September 1608: "The Ship having disburdened her selfe of 70 persons, with the first Gentlewoman and woman-servant that arrived in our Colony" wrote John Smith.[235] Her presence was mentioned in the 1608 census. She was Anne Burras, – sometimes spelt Burrows – "Mistresse Forrest"'s maid.[236] She started the year of 1609 as a married woman: her marriage to John Laydon was an important event. "Anno 1609, John Laydon and Anna Burrows were

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[231] Green, Harry Clinton, and Mary Wolcott Green. *The Pioneer Mothers of America*. G. P. Putnam's Sons, 1912. 12.
[232] Ransome, David R. "Wives for Viginia, 1621." 5.
[233] Ashley, Maurice. "Love and Marriage in Seventeenth-Century England." *History Today*, vol. 8, Oct. 1958, pp. 667–75. 668.
[234] Giuliano, Paola. "Gender: An Historical Perspective." *IZA Discussion Paper Series*, no. 10931, July 2017, pp. 1–30. http://repec.org. 17.
[235] Smith, John. *The Generall Historie of Virginia, New-England, and the Summer Isles*. *68*.
[236] "Second Supply (September 1608): List of Settlers by Occupation."

married together, the first Christian marriage in that part of the world", wrote Robert Beverley in his history of Virginia.[237] It is true that any woman was almost certain to find a husband soon after her arrival. However, Anne Burras was not considered as an indentured servant, she was employed by Mr and Mrs Forrest. Most female indentured servants had to wait until the end of their service, which in general lasted four or five years, to be able to get married. These women were ready to sacrifice a few years of their lives for a good marriage in the Chesapeake. Historian David Freeman Hawke described quick marriages for women in the Chesapeake as "inevitable".[238] "The Women that go over into this Province as Servants, have the best luck here as in any place of the world besides; for they are no sooner on shoar, but they are courted into a Copulative Matrimony" wrote George Alsop about Maryland.[239] Indeed, Chesapeake men "grew sensible of the Misfortune of wanting Wives" which put women in an advantageous position.[240]

In traditional marriages, important differences in terms of social class between two spouses were looked upon as negative, but in the Chesapeake, they were common.[241] Robert Beverley wrote on this topic and explained that men were not expecting women of similar social rank and would not turn away a woman because of her more modest background:

> "Under this Difficulty they had no hopes but that the Plenty in which they liv'd might invite Modest Women of small Fortunes to go over thither from England. […] Those if they were but moderately qualified in all other Respects might depend upon Marrying very well in those Days, without any Fortune. Nay, the first Planters were so far from expecting Money with a Woman that 'twas a common thing for them to buy a deserving Wife".[242]

Women were even encouraged to move to the Chesapeake and find a richer husband. This became an argument and a tool in promotional literature to attract

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[237] Beverley, Robert. *The History of Virginia*. 1705. *Project Gutenberg*, http://www.gutenberg.org/files/32721/32721-h/32721-h.htm/. Accessed 7 March 2019. 23.
[238] Hawke, David F. *Everyday Life in Early America*. 64.
[239] Alsop, George. *A Character of the Province of Maryland*.
[240] Beverley, Robert. *The History of Virginia*. 232.
[241] Cressy, David. *Birth, Marriage, and Death : Ritual, Religion, and the Life-Cycle in Tudor and Stuart England*. OUP Oxford, 1997, https://books-scholarsportal-info.proxy.library.brocku.ca/en/read?id=/ebooks/ebooks0/oxford/2009-11-30/3/0198201680. Accessed 1 February 2019. 255.
[242] Beverley, Robert. *The History of Virginia*. 232.

women to the area so that they could become wives and mothers there. John Hammond, in his promotional tract, explained that in the Chesapeake, women "seldome live[d] long unmarried if free" and that they had a good chance of "advanc[ing] themselves in marriage".[243] William Bullock even advised English fathers to send their daughters to Virginia, as it could be financially advantageous for them: "whereas in England many Daughters makes the Fathers purse leane, the Sonnes here make the leane pursgs, wherefore to avoid this danger, I shall advise that man that's full of Children to keepe his Sonnes in England, and send his Daughters to Virginia, by which meanes he shall not give but receive portions for all his Chlidren."[244] He also wrote about struggling to keep his female servants working on his plantation, as they were all leaving to get married:

> "if they come of an honest stock and have a good repuce, they may pick and chuse their Husbands out of the better sort of people, I have sent over many, but never could keepe one at my Plantation three Moneths, except a poore silly Wench, made for a Foile to set of beautie, and yet a proper young Fellow must needs have her, and being but new come out of his time and not strong enough to pay the charges I was at in cloathing and transporting her, was content to serve me a twelve Moneth for a Wife."[245]

Indeed, if a free man was willing to marry a servant, he could purchase her freedom from her master. In May 1661, Maryland planter Richard Well was interested in marrying servant Quintin Counyer. He proceeded to buy her freedom from her master, Mr Holland and was then able to marry her.[246] This was always done with the servant's consent.[247] If the man could not pay for the servant's freedom, they had to convince her master to let them get married before the end of her service, as the decision was his to make. Master Greene declared in court in 1648 that his servant Hannah Matthewes "shall not dispose of her selfe in

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[243] Hammond, John. *Leah and Rachel, Or, the Two Fruitfull Sisters Virginia and Maryland*.
[244] Bullock, William. *Virginia Impartially Examined.* 1617. *EEBOTCP*, http://name.umdl.umich.edu/A30076.0001.001. Accessed 19 January 2019. 54.
[245] Ibid. 54.
[246] Browne, William Hand, et al. *Archives of Maryland.* Vol. 41, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla41brow_0. Accessed 15 March 2019. 456.
[247] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 141.

Marriage, or in any ways depart the country wthout my knowledge, & consent, betweene this & the fores^{d} 25th of Decemb^{r} next."[248]

The 1624 Jamestown census reveals that it was common for women to marry older men. For instance, Elizabeth Lupo, twenty-eight years old, was married to Albiano Lupo, who was forty, Joyce Griffith, twenty, to Thomas Garnett, forty.[249] From that, we can infer that these women chose men with a stable financial situation. Since men who came to the Chesapeake as indentured servants were much younger than forty years old, these older men could either have come as free men, or their service had come to an end a long time before their marriage. Both of these possibilities lead us to believe that these men were likely to be established planters. It was also common for servants to marry their masters, during or after their service. It was the case of Susanna Brayfeld and her master John Cooper who published their marriage banns in May 1667 in Somerset County, Maryland.[250] *The Widow Ranter*, a play by English writer Aphra Behn demonstrates how this image of the modest English woman advancing herself through marriage in the Chesapeake was inscribed in the minds of English people. The play tells the story of a woman who arrived in Virginia as a servant. She married her much older master after six months of service. After his death a year later, she inherited his fortune of fifty thousand pounds.[251] Moving to the Chesapeake allowed English women to easily find a husband, which was more complicated in England as the sex ratio, although more balanced than in the Chesapeake, was reversed. In addition, after a few years of service, a woman had high chances of finding a husband of higher social status than herself.

Although forty-niner women's situation was much different as they all came as free women and did not have any kind of contract similar to that of an

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[248] Browne, William Hand, et al. *Archives of Maryland*. Vol. 4, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla04brow_0. Accessed 15 March 2019. 464.

[249] "The Census of Virginia in 1624." 1624. *USGenWeb Archives*, http://files.usgwarchives.net/va/jamestown/census/jameship.txt. Accessed 15 March 2019.

[250] Browne, William Hand, et al. *Archives of Maryland*. *Archives of Maryland*. Vol. 51, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla51brow. Accessed 15 March 2019. 671.

[251] Behn, Aphra. "The Widow Ranter." *The Works of Aphra Behn*, vol. IV, 1689. *Project Gutenberg*, http://www.gutenberg.org/files/27273/27273-h/27273-h.htm. Accessed 20 March 2019.

indenture, they did experience a similar favorable position in the marriage market. The unbalanced sex ratio guaranteed women a fast and easy marriage, and many made the decision, like Chesapeake women, to marry much richer men. Jo Ann Levy cited the example of Abigail Tuck, who married John Marsh, whose "Contra Costa cattle ranch was worth a half million dollars", two weeks after meeting him. John Marsh even built her a mansion as a present.[252] Frances Anne Van Winkle also made a good marriage. She married the very rich Dr. Semple:

> "My husband, Dr. Semple, owned the only ferry-boat at Benicia. It was often said that he made money enough with it to sink that boat a half dozen times over, but he was one of the most remarkable speculators I ever knew, and went right through his money. […] My husband owned half of Colusa, old Colonel Hagar owning the other half. Dr. Semple had an idea that he could make a fortune out of the land."[253]

Mary Jane Megquier commented on the engagement of young woman who had arrived in California a few months before to a much older and richer man: "[she] is now preparing to marry an old bachelor and as ugly looking as time besides, but he has got the dimes, she is nineteen. he has made her a present of a set of diamonds. […] She is having a white damask to be married in, but when she comes to set down and look him in the face she will be sick of her bargain."[254] It is true that in Gold Rush marriages, women tended to be of a lower social status than their husbands.[255] The scarcity of women made a woman's background insignificant for most forty-niners. In nineteenth-century America, the rules and norms around marriage were similar to those from seventeenth-century England in the sense that people were encouraged to marry within their own social class.[256] Like in the Chesapeake, these norms, given the rarity of women, were more or less ignored. This led many male and female forty-niners to encourage female relatives and friends to come join them in California and enter a good marriage. N.A. Chandler encouraged his wife to "tell the girls" that "there are lots of fine

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[252] Levy, Jo Ann. *They Saw the Elephant: Women in the California Gold Rush*. University of Oklahoma Press, 1992. *Internet Archive*, https://archive.org/details/theysawelephantw00levy/. Accessed 10 November 2018. 176.
[253] "Gold Rush Stories of Women Pioneers."
[254] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 105.
[255] Bancroft, Hubert Howe, et al. *History of California*. 234-235.
[256] Lalonde, Michel. *Comprendre La Société : Une Introduction Aux Sciences Sociales*. 182.

fellows here the prospect is good here to get married".[257] Mary Jane Megquier discovered that a farmer was ready to bring her sister to California and marry her without having met her: "Tell Aunt, if she was only here, she could make her fortune. a nice old farmer in Nappa Valley has applied to us to look him up a neat tidy wife, about her age".[258] Abby Mansur believed that if her mother had moved to California, she could have found a rich husband to be able to relax: "there is a first rate Chance for a single woman she can have her choice of thousands i wish mother was here she could marry a rich man and not have to lift her hand to do her work".[259] It was so easy for women to find a husband in California that Abby Mansur even joked about leaving her husband for a richer man: "the women are in great demand in this country no matter whether they are married or not. You need not think strange if you see me coming home with some good looking man some of these times with a pocket full of rocks".[260] This unavailability of women led people to question relationships between husbands and wives, and the value of women. For instance, Mary Jane Megquier discussed the relationship between her friend Emily and her husband, who was distant with her. She mentioned that people noticed his behavior and condemned it: "every one is astonished that her husband can treat her so. They say she would be picked up in a short time if she were free."[261] The few men who found wives were considered lucky, it is thus not surprising that single men disapproved of married men treating their wives poorly. It is very likely that the scarcity of women led to an evolution of the norms concerning the way a man was supposed to treat his wife. If a man found it impossible to find a wife in California, another option was to send for a potential bride from the East, like the farmer Mary Jane Megquier mentioned, or they could simply go home, which was common. Thomas Megquier mentioned a Mr. Barret who decided to "[go] home to marry a Maine girl."[262] N.A. Chandler told his wife about his neighbors' son who was a lawyer and had been elected as senator but

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[257] Chandler, N. A. *Objects to His Wife Taking a Job*. 17 Mar. 1859. *Claremont Colleges Digital Library*, http://ccdl.libraries.claremont.edu/cdm/ref/collection/cng/id/83. Accessed 18 January 2019. 2.
[258] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 96.
[259] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 52.
[260] Ibid.
[261] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 142.
[262] Ibid. 94.

could still not manage to find a wife. He decided to go back "to the Atlantic States to get him a wife".[263]

In addition, in California, women would gain a higher social status simply by being there: any white woman was considered as a lady. N.A. Chandler told his wife that even washer women were considered as ladies in California.[264] Indeed, whiteness gave women a tremendous advantage in these places. In the Chesapeake, Native American women were not even considered as potential brides, because they were regarded as inferior by white men, and white settlers felt a certain degree of distrust toward them. In Robert Beverley's 1705 history of Virginia, he wrote about the colony being afraid that Indian women "should conspire with those of their own Nation to destroy their Husbands."[265] Marrying an Indian woman and joining her tribe was forbidden in Virginia ("No man or woman, (upon paine of death) shall runne away from the Colonie, to Powhathan, or any savage Weroance else whatsoever."[266]). Chesapeake immigrants waited until the arrival of white women and hoped that they would pick them to become their husbands. In California, white women were prioritized as well in marriage. However, it was common for men to have unofficial relationships with Native American women. Interracial sex was common and not condemned, but marrying a Native American woman was. Interracial relationships were often downplayed as prostitution.[267] These relationships were tolerated because people believed that they would come to an end when white women started to arrive.[268] White women in the Chesapeake and in California were in a very advantageous position to get married: their marriage prospects were much brighter there than if they had stayed at home. These migrations gave them an opportunity to advance themselves in society through marriage, opportunities that Native American women were excluded from.

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[263] Chandler, N. A. *How The California Mines Are Worked*. 30 Sept. 1855. *Claremont Colleges Digital Library*, http://ccdl.libraries.claremont.edu/cdm/ref/collection/cng/id/152. Accessed 18 January 2019. 3.
[264] Chandler, N. A. *Objects to His Wife Taking a Job*. 1.
[265] Beverley, Robert. *The History of Virginia*. 232.
[266] "For the Colony in Virginea Britannia. Lawes Divine, Morall and Martiall." 1612. *Virtual Jamestown*, http://www.virtualjamestown.org/exist/cocoon/jamestown/laws/J1056. Accessed 7 March 2019.
[267] Christopher Herbert. "'Life's Prizes Are by Labor Got': Risk, Reward, and White Manliness in the California Gold Rush." 358.
[268] Ibid.

Complex family structures: increased female authority

If it was easier for women to get married in these places, chances were that these marriages would end sooner than if they had stayed home, for different reasons. In the seventeenth-century Chesapeake, marriages were very short due to the high death rate. Marriages that would last more than ten years were rare.[269] Most marriages came to an end after around seven years.[270] Since women tended to be younger than their husbands, they outlived them in the majority of cases.[271] In Gold Rush California, the reason for the short duration of marriages was completely different: residents of California had an easier access to divorce. In the mid-nineteenth century, the number of divorces increased throughout the United States, however, California laws made divorce much easier and the numbers of divorces recorded in California were very high when compared to the rest of the country and the rest of the world.[272] The first California divorce law was passed in 1851, and allowed a spouse to ask for a divorce "on grounds of natural impotency, adultery, extreme cruelty, willful desertion, neglect, fraud, and conviction of a felony."[273] In reality, judges tended to demonstrate more flexibility.[274] Divorces were made increasingly easy to obtain throughout the century.[275] Mary Jane Megquier mentioned Mr and Mrs Barstow's marriage in her letters to her daughter. They had gotten married before Mr Barstow left for California. When his wife, Emily, came to join him, he decided that they would get a divorce:

> "He told me he had not one spark of love for her and could not live with her but assigned no reason, was willing the world should think him the one to be blamed. He called on her because it was her request, but never for a moment he relented. He sent a lawyer there before a week had passed to talk over the chances of getting a divorce. For desertion it would take two

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[269] Hawke, David F. *Everyday Life in Early America*. 63.
[270] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 15.
[271] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 555.
[272] Hurtado, Albert L. *Intimate Frontiers: Sex, Gender, and Culture in Old California*. UNM Press, 1999. 102.
[273] Ibid.
[274] Hershkowitz, Donna S., and Drew R. Liebert. *The Direction of Divorce Reform in California: From Fault to No-Fault... And Back Again?* Assembly Judiciary Committee California State Legislature, pp. 1–16. 2-3.
[275] Hurtado, Albert L. *Intimate Frontiers: Sex, Gender, and Culture in Old California*. 102.

> years, but they made adultery on his part the course and now she is free."[276]

In the majority of cases, women were the ones who sued their husbands for divorce. Among the divorces that were granted in the 1850s and 1860s, the divorce was the wife's initiative in seventy-five percent of the cases.[277] Being in California made it easier for women to find husbands but also to leave them. In a letter to her sister, Abby Mansur wrote about how common it was for women to leave their husbands: "it is all the go here for Ladys to leave their Husbands two out of three do it".[278] She was exaggerating, but many women did not hesitate to ask for a divorce to marry richer men or to get more independence. Others did not bother spending time and money on suing for divorce, and simply deserted their husbands. In cases where the husband had sued his wife for divorce, the most common reason was desertion.[279] It was much less common for men to be charged with desertion in divorce cases.[280] Abby Mansur also mentioned a Mrs French who left her husband after falling in love with another man: "they fell in love with each other comeing out here or he made her beleive that he was in love with her and she loved him all most to death and left French for him".[281] She does not mention whether or not she sought divorce, but it was not rare for women to witness and discuss female acquaintances who were separating from their husbands. The fact that women took the time to write about these events reveals that they felt they were significant enough to be worth mentioning, especially since the people they were addressing did not necessarily know the women they were talking about. However, there is no negative judgement expressed by Mary Jane Megquier and Abby Mansur toward these women. Their reactions show a sort of adaptation to California and its new norms, and an understanding of the reasons that led to these divorces. Because women could easily be granted divorces in California, they were able to obtain more freedom in their relationship

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[276] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 150-151.
[277] Robert L. Griswold. "Apart but Not Adrift: Wives, Divorce, and Independence in California, 1850-1890." 267.
[278] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 52.
[279] Robert L. Griswold. "Apart but Not Adrift: Wives, Divorce, and Independence in California, 1850-1890." 268.
[280] Ibid.
[281] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 55.

with men. There was no strong stigma around divorced women, and their status did not keep them from attracting or marrying men. A perfect example of this is Mary Jane Megquier's friend, Emily. When people started to hear about her potential divorce, Mary Jane witnessed them saying that "she would be picked up in a short time if she were free."[282] She added, addressing her daughter: "You can have no idea of the attention she receives."[283] When her divorce became official, Mary Jane noticed that her friend Emily was at the center of attention, even more so than usual: "No one but expressed the deepest interest in her and I think she has received much more attention than she would under any other circumstances. I know of none who I think really love her but she received much attention."[284]

In the Chesapeake, married people were able to obtain official separations in extreme cases involving serious misconduct from one of the spouses, or both. Maryland court records show that these types of separations – not considered as divorces – did exist. In June 1659, Robert Robins and his wife Elizabeth Robins were officially separated after appearing in court in Charles County:

> "I Robert Robins doe hearby disclayme my wife Elizabeth Robins for euer to acknowledge her as my wife and I doe hear oblige myself and euerie one from mee neuer to molest or trouble her any further I Elisabeth Robins doe hearby disclayme my husband Robert Robins for euer to acknowledge him as my husband and I doe hear oblige A my selfe and euerie one from mee neuer to Molest or trooble him any further for mayntainance or any other necessaries".[285]

If official marital separations could be obtained, they remained rare, and were not encouraged. Women who wanted independence from their husbands could not truly count on this possibility. If their husbands died before them, Chesapeake women were able to retrieve the freedom they had lost when they had gotten married. However, very few widows remained unmarried for long. If a widow had inherited her husband's farm or plantation, she was likely not to be able to run it by herself or with her children, who were often very young at the end of their

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[282] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*, 142.
[283] Ibid.142.
[284] Ibid. 151.
[285] Browne, William Hand, et al. *Archives of Maryland*. Vol. 53, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla53brow. Accessed 15 March 2019. 33-34.

parents' marriage. If she had not, given how rare employment opportunities were for women, she had to find someone who could support her and her potential children financially. Remarriage was very common and easy for widows. Since marriages were very short, it was not unlikely for a woman to be married more than twice. Sarah Offley left England for Virginia after her husband's death in 1640. In May 1641, soon after her arrival, she married John Gookin, who died in 1647. Before the end of that year, she was married again, to a man named Francis Yeardley.[286] Since widows often had property from their former marriage, they were even more attractive to single men.[287] However, widows had the possibility to protect their property. After her husband's death, Jane Moore was named sole executrix of his estate. Before marrying another man, Peter Godson, she made sure that he had no right to claim the land she had obtained from her previous marriage. In a prenuptial agreement, they both agreed on the fact that her property would stay hers: "I Peter Godson Chirurgeon intending to Intermarry with Jane Moore of Calvert County in the Province of Maryland widdow, have agreed and doe hereby Consent and agree (in Case the Said Marriage take Effect) not to lay any Clayme to or Intermeddle with all or any part of the Estate late of Richard Moore deceased late husband of the Said Jane Moore".[288] Her status as a widow did not prevent her from marrying a surgeon, who, we can infer, was successful since he renounced her property, which probably meant that he had sufficient means to support Jane and her children, at least three sons. Ann Pinner, Richard Pinner's widow, decided, like Jane Moore, to keep the property she acquired at the death of her husband: "her now husband George Attkins is not to have any Interest in or to meddle in any part of parcel of the said Estate".[289] California widows also had no trouble remarrying: Louise Clappe mentioned "a young widow of twenty, whose husband died of cholera". The information she gives about this young woman shows that she was able to marry a successful man,

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[286] "Sarah Offley." *Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties*, https://www.colonial-settlers-md-va.us/getperson.php?personID=I003242&tree=Tree1. Accessed 30 Mar. 2019.

[287] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 555.

[288] "Prenuptial Agreement of Jane Moore and Peter Godson." 1654. *Napa Valley College*, http://www.napavalley.edu/people/bschaffer/Documents/HIST%20150%20Spring%202014/Women%20in%20Maryland%20in%20the%2017th.pdf. Accessed 19 January 2019.

[289] "Proceedings on the Estate of Richard Pinner." 1668. *Napa Valley College*, http://www.napavalley.edu/people/bschaffer/Documents/HIST%20150%20Spring%202014/Women%20in%20Maryland%20in%20the%2017th.pdf. Accessed 19 January 2019.

probably older than her: “He was a judge in one of the Western States, and a man of some eminence in his profession”, and that after his death, many were interested in marrying her: “She is a pretty little creature, and all the aspirants to matrimony are candidates for her hand.”[290] However, young California couples were more likely to be separated by a divorce than by the death of a spouse. In the Chesapeake, the high death rate was responsible for the instability of marriages and how common it was for women to remarry. This lead to a change in the norms surrounding the family. Since it was common for women, and sometimes men, to bring children into a new marriage, the average family was not a nuclear one: it was more often “a mixed affair of parents, stepparents, guardians, natural children stepchildren, and wards.”[291] Women, as stated before, more often than not outlived their husbands, and in most cases were the ones who sought a new union. Widows were thrice more likely to remarry than widowers.[292] In these cases, the woman was often the one who had brought the family together, and was linked to every other member, by marriage or by blood: she was the central element of the family. She was also older than she was during her previous marriage(s), not necessarily older than her husband although it was common, but this older age probably made her more assertive. Into the marriage, she also brought experience from her previous marriage(s), sometimes property, but also children who were particularly useful, as they represented extra sets of hands who could help on the farm or plantation.[293] Her condition as a woman officially guaranteed her inferiority to her husband, but, along with her person as a wife, she brought significant assets into the marriage which probably had an influence on the couple’s relationship. Moreover, her authority over her children as a direct parent may have been a tool for her to increase her voice in the marriage and in the family.[294] It may have been harder for the man, as a second, third or in some cases fourth husband and as a stepfather, to impose a strict patriarchal model on the entire family. If a widow did not remarry, she was given full authority over

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[290] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Twenty-Second.
[291] Hawke, David F. *Everyday Life in Early America*, 62.
[292] Walsh, Lorena S., et al. “Till Death Us Do Part": Marriage and Family in Seventeenth-Century Maryland.” *Chesapeake in the Seventeenth Century: Essays on Anglo-American Society*, 1979, pp. 126–52. 128.
[293] Hawke, David F. *Everyday Life in Early America*. 65.
[294] Carr, Lois Green, and Lorena S. Walsh. “The Planter’s Wife: The Experience of White Women in Seventeenth-Century Maryland.” 560.

her children and often the plantation and its management. Given how common widowhood was, the authority and independence widows gained is significant.

Chapter 6 – Opportunities linked to work

Cooks, boarding house keepers, laundresses, entertainers…: bright career prospects

In Gold Rush California, the scarcity of women gave them another advantage: forty-niners needed people who were able to perform "women's work". They needed cooks, laundresses, boarding house keepers, female entertainers… This meant that any white woman who was willing to find work could easily succeed, and earn a very good living from it. California laws made it easier for married women to be employed and guaranteed that the money they earned would be their own. California's 1849 constitution ensured that: "All property, both real and personal, of the wife, owned or claimed by marriage, and that acquired afterwards by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as to that held in common with her husband."[295] In April 1852, California passed an act allowing married women to "transact business in their own name as sole traders".[296] They could create their own businesses and manage them independently. The availability of work opportunities for women, added to these advantageous laws, led many women to seek careers in California. Many took advantage of the domestic skills they had acquired as housewives back in the East of the United States to make money. N.A. Chandler let his wife know that such skills were in demand: "the chances are very good here yet girls get from 40 to 60 Dol per month here for House keeping nursing and very scarce at that".[297] Luzena Wilson, Mary Jane Megquier, Abby Mansur and Mary Ballou all worked as boarding house keepers: they cooked, cleaned, washed clothes and linen for their boarders. These were skills that were rare in California. Luzena Wilson noticed that her domestic skills could be

[295] *Constitution of the State of California*. The Constitutions of California and the United States, 1850. http://www.dircost.unito.it/cs/pdf/18490000_UsaCalifornia_eng.pdf. Accessed 18 January 2019.
[296] Eliassen, Meredith. "Women as Sole Traders in Gold Rush San Francisco." *International Journal of Regional & Local Studies*, vol. 4, no. 1, Apr. 2008, pp. 4–20. 9.
[297] Chandler, N. A. *Development of Water for Mining Operations; Jobs for Women in California*. 3 Oct. 1857. *Claremont Colleges Digital Library*, http://ccdl.libraries.claremont.edu/cdm/ref/collection/cng/id/105. Accessed 18 January 2019. 3.

lucrative in California during the overland journey. She was cooking for her family when a miner offered to purchase what she had cooked:

> "The night before I had cooked my supper on the camp fire, as usual, when a hungry miner, attracted by the unusual sight of a woman, said to me, "I'll give you five dollars, ma'am, for them biscuit." […] and said he would give ten dollars for bread made by a woman, and laid the shining gold piece in my hand. I made some more biscuit for my family, told my husband of my good fortune, and put the precious coin away as a nest-egg for the wealth we were to gain."[298]

Soon after her arrival in Sacramento, an "official of the town" made a similar request. He wanted to eat breakfast, but insisted for it to be cooked by a woman. He paid five dollars for "Two onions, two eggs, a beef-steak and a cup of coffee" but she was certain that if she "had asked ten dollars he would have paid it." [299] Noble Martin made money by selling apple pies in Sacramento when she was only fifteen years old: "There were no bakeshops in those early days, and I made many an apple pie, just of common dried apples, and sold them for a dollar apiece. The women helped in that way to support he families, for mining was not always a certain means of livelihood."[300] Mary Jane Megquier wrote her daughter that if she was willing to come, she could use her skills to her advantage: "I think you and Mrs Hopkins could make money if you were here selling sponge cake and bo[u]quets."[301] African American women also had their chance at making money by cooking. A woman called Aunt Maria was employed by a California family as a cook and made a hundred dollars a week.[302] Mary Anne Pleasant, also known for being involved in the Underground Railroad, worked as a cook for five hundred dollars a month and then opened her own restaurants. She was able to pass as white, which probably facilitated her success.[303]

Louise Clappe/Dame Shirley's husband was amazed to hear that one of his wife's friends was able to make so much money out of washing clothes:

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[298] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881.* Chapter 2.
[299] Ibid. Chapter 3.
[300] "Gold Rush Stories of Women Pioneers."
[301] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 87.
[302] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush.* 93.
[303] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines.* 209.

> "'Magnificent woman, that, sir,' he said, addressing my husband; 'a wife of the right sort, she is. Why,' he added, absolutely rising into eloquence as he spoke, 'she earnt her old man' (said individual twenty-one years of age, perhaps) 'nine hundred dollars in nine weeks, clear of all expenses, by washing! Such women ain't common, I tell you. If they were, a man might marry, and make money by the operation.'"[304]

At first, laundresses were Native American and Mexican women. They were later replaced by Chinese men in California's biggest cities. [305] Any woman, however, could make money by washing clothes in less urban places or mines.[306] Abby Mansur realized that "women st[ood] as good chance as men" when she witnessed one of her neighbors set up her own washing business in her home.[307] However, washing clothes all day was exhausting work. Abby Mansur mentioned that her neighbor was healthy and did not have any children, implying that she had time. Abby, however, did not feel healthy and strong enough to do this kind of work: "if it was not for my heart I could make a great deal but I am not stout enough to do it".[308] Mary Ballou, in addition to her work as boarding house keeper, made essential commodities. She told her son in a letter that she believed to be the first person to make soft soap in California: "the People tell me that it is the first Soft Soap they knew made in California."[309] She also made mattresses and sheets.[310] As boarding house keepers, cooks, laundresses, women were making money by performing tasks that they were expected to perform for free in the East. Since women were so rare in California, few men had wives who could perform these tasks for them, this made domestic skills in very high demand and allowed women to have successful professional lives.

As boarding house keepers, women also had a significant amount of responsibility, which led them to develop some form of independence, of which Luzena Wilson was a perfect example. In Nevada City, she lived close to a very successful boarding house: "Wamac's Hotel": she decided by herself to "set up a rival hotel."

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[304] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Fifth.
[305] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush.* 103.
[306] Ibid. 105.
[307] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 55-56.
[308] Ibid. 56.
[309] Ibid. 45-46.
[310] Ibid.

> "I bought two boards from a precious pile belonging to a man who was building the second wooden house in town. With my own hands I chopped stakes, drove them into the ground, and set up my table. I bought provisions at a neighboring store, and when my husband came back at night he found, mid the weird light of the pine torches, twenty miners eating at my table. Each man as he rose put a dollar in my hand and said I might count him as a permanent customer. I called my hotel 'El Dorado'."[311]

She managed to make her business successful on her own, then only after that she "took [her] husband into partnership."[312] Her business was so profitable that she decided to hire several employees: "We had then from seventy-five to two hundred boarders at twenty-five dollars a week. I became luxurious and hired a cook and waiters. Maintaining only my position as managing housekeeper, I retired from active business in the kitchen."[313] Not only did she establish her own successful boarding house by herself, she also made much more money than her husband, to the point that he ended up joining her business. It was with the money she made from her business that she and her husband were able to pay back the man who had brought them from Sacramento to Nevada City.[314] When it came to her boarding house, she made all of the decisions herself. When she had gathered an important sum of money, she decided, herself again, to loan it with interest: "In a month or two I had four or five hundred dollars saved and was thinking of lending it, for interest was very high. […] I loaned the money, but at such an extravagant rate of interest that I might have foreseen that my man must fail and run away, which he finally did. I believe the rate of interest at which I loaned it was ten per cent a month." Although her decision led her to lose that money, she was able to decide what to do with the money she earned, without needing her husband's consent. When they later moved to San Francisco, she started another boarding house: "Wilson's Hotel".[315]

Because the demand for "women's work" was so high, these women had to work very hard for long hours. At her arrival in San Francisco, Mary Jane Megquier expected the workload that awaited her: "there is not much doubt but I

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[311] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 6.
[312] Ibid.
[313] Ibid.
[314] Ibid.
[315] Ibid. Chapter 8.

shall have to work hard while I am in Cal".[316] Abby Mansur had "from 50 to 60 boarders" to attend to,[317] Jerusha Merrill, who moved to California with her family as soon as they heard that gold had been discovered, had sixty.[318] Mary Ballou described setting a table measuring thirty-feet several times a day: "three times a day I set my Table which is about thirty feet in length and do all the little fixings about it such as filling pepper boxes and vinegar cruits and mustard pots and Butter cups."[319] In addition to feeding their boarders several times a day, boarding house keepers cleaned, washed clothes and dishes, made beds, sew, and sometimes even took an additional job. In their descriptions of their work, their daily chores seem exhausting and the number of different tasks overwhelming:

> "seven o'clock when I get up and make the coffee, then I make the biscuit, then I fry the potatoes then broil three pounds of steak, and as much liver, while the woman is sweeping, and setting the table, at eight the bell rings and they are eating until nine. I do not sit until they are nearly all done. I try to keep the food warm and in shape as we put it on in small quantities after breakfast I bake six loaves of bread (not very big) then four pies, or a pudding when we have lamb, for which we have paid nine dollars a quarter, beef, and pork, baked, turnips, beets, potatoes, radishes, sallad, and that everlasting soup, every day, dine at two, for tea we have hash, cold meat, bread and butter sauce and some kind of cake"[320]

> "now I will try to tell you what my work is in this Boarding House. well somtimes I am washing and Ironing somtimes I am making mince pie and Apple pie and squash pies. Somtimes frying mince turnovers and Donuts. I make Buiscuit and now and then Indian jonny cake and then again I am making minute puding filled with rasons and Indian Bake pudings and then again a nice Plum Puding and then again I am Stuffing a Ham of pork that cost forty cents a pound. Somtimes I am making gruel for the sick now and then cooking oisters sometimes making coffee […] I made a Bluberry puding to day for Dinner. Somtimes I am making soups and cramberry tarts and Baking chicken that cost four Dollars a head and cooking Eggs at three Dollars a Dozen. Somtimes boiling cabbage and Turnips and frying fritters and Broiling stake and cooking codfish and

[316] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 67.
[317] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 50.
[318] Moynihan, Ruth Barnes, et al., editors. *So Much to Be Done: Women Settlers on the Mining and Ranching Frontier*. 17.
[319] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 43.
[320] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 68-69.

> potatoes. I often cook nice Salmon trout that weigh from ten to twenty pound apiece."[321]

In addition to all of this work, Mary Ballou took care of children when she had some free time, for which she was paid fifty dollars a week.[322] Working women often mentioned in their diaries or letters not having any time off. Mary Jane Megquier was so used to working all the time that she did not think she would be able to relax for half a day: "I shall be very lonely to sit down quietly for a half day, a thing I have not done in Cal, not even an hour".[323] The pace of their work was very hard on these women, who often complained about being very tired or in pain. "sometimes I take my fan and try to fan myself but I work so hard that my Arms pain me so severely that I kneed some one to fan me so I do not find much comfort anywhere. […] I would not advise any Lady to come out here and suffer the toil and fatigue that I have suffered for the sake of a little gold neither do I advise any one to come." wrote Mary Ballou.[324]

However, women often took pride in working so hard and being successful. Luzena Wilson remembered receiving compliments about her cooking: "The men who came and went up and down the country, and ate frequently at my table, used often to compliment me upon the good cheer which they always found provided, […] and they vied with each other in relating tales of the poor breakfasts they had eaten."[325] In June 1850, Mary Jane Megquier was proud to announce to her daughter: "I have cooked every mouthful that has been eaten excepting one day and a half".[326] She also took pride in being strong enough to endure such heavy work: "if I had not the constitution of six horses I should [have] been dead long ago".[327] Luzena Wilson felt proud of women in general, and what they had been able to accomplish in California: "Yes, we worked; we

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[321] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 43-44.
[322] Ibid.
[323] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 64.
[324] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 43-44.
[325] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 8.
[326] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 68.
[327] Ibid. 69.

did things that our high-toned servants would now look at aghast, and say it was impossible for a woman to do."[328] These women took pride in having qualities that were not typically associated with women: proficiency, ambition, strength, resistance. They were the ones with the skills and ideas that made their boarding houses successful. Since milk was difficult to get in California, a certain Mrs Phelps had the good idea to buy two cows and sell their milk to her boarders to make her boarding house stand out and make more money.[329] Luzena Wilson found a way to improve the butter she had brought from home by "washing it first in chloride of lime, and afterwards churning it with fresh milk": "It was, however, such a superior article to the original 'Boston' butter, that my boarders ate it as a luxury."[330] She was very resourceful, and when she and her family moved to Sacramento, the bad condition of the "deserted hotel" they moved into and the lack of equipment did not stop her from making her new boarding house successful:

> "When the dust grew inconvenient under foot, we moved the cook stove and table around to the other side of the tree and began over again. A row of nails driven close in the tree trunk held my array of culinary utensils and the polished tin cups which daily graced my table, and a shelf held the bright tin plates from which we ate. No crystal or French decorated egg-shell china added care to my labors. Notwithstanding the lack of modern appliances and conveniences, my hotel had the reputation of being the best on the route from Sacramento to Benicia."[331]

From their letters and diaries, one can notice a sense of duty that is generally associated to men. They often wrote about working so hard for their children, when at this time, the father was supposed to be the one to ensure their financial security. Mary Jane Megquier often wrote her children about wanting to be home with them but needing to earn money, and in her opinion, California was the best place for that. These women were very similar to male forty-niners regarding their relationship with money. Their writings show an obsession with money, always mentioning the price of commodities, and the amount of money

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[328] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 4.
[329] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 94-95.
[330] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 3.
[331] Ibid.

they hoped to make. Like men, they were here to make as much money as possible and then go home, although many stayed or left with regret.

Women could also have access to jobs such as school teaching. As children, Mary Ackley and her sister attended a private school at Lisle's Bridge where they were taught by a woman.[332] Mary Jane Megquier's friend Emily found work as a courtroom copier after her divorce. She decided to keep it a secret, which Mary Jane did not understand, as she found it "honorable in her to try to support herself".[333]

Forty-niners were very fond of any kind of entertainment, which attracted many women hoping to make it as actresses, dancers or singers. The high demand for female entertainers meant that men were willing to pay a lot of money to witness these types of performances. Singer Catherine Hayes apparently left California, after only a few years of performing, with around $250,000.[334] Mary Jane Megquier mentioned a woman staying at her boarding house who "at one time had a salary of $150 per week for playing at the theatre".[335] Lola Montez was a very successful singer and dancer, although apparently not particularly talented.[336] She was known for her signature performance: the spider or tarantella dance, imitating a woman trying to shake spiders off of herself.[337] Mary Jane Megquier mentioned Montez in a letter, and her desire to see her show: "Lola Montes is making quite a stir here now but many say that her playing is of that character that it is not proper for respectable ladies to attend but I do want to see her very much."[338] Lola Montez's shows were not only about talent and performance, but also about costumes that would not be acceptable outside theaters, and dancing that would normally be considered inappropriate. Mary Jane Megquier also mentioned successful actress Catherine Sinclair and commented on

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[332] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 232.
[333] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 146.
[334] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush.* 129.
[335] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 86.
[336] Griffith, Barbara J. "'All the Lovely Sisterhood': The Ladies of the Theater in the California Gold Rush." *Journal of The West*, no. 1, 1998, pp. 7–10. 7.
[337] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 127.
[338] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 128.

her talent as an actress. She believed her beauty was not enough for her to have a long career in California: "Mrs Sinclair is creating some excitement in the theatrical world, but it is merely a curiosity to see one of whom there has been so much said, I saw her in the play of the Stranger, her part was one which she could play from experience but I do not think much of her as an actress, although she is very fine looking but I think her race is not long here as a popular actress."[339] Other women did not perform in theaters but still made money by entertaining men: for instance, some went to different mining areas and offered miners to dance with them for money.[340] Regular women with no particular talent could be very successful in California thanks to the unbalanced sex ratio and men's desire to watch any kind of performance by women. This type of work even sometimes resulted in women managing their own theaters. It was for example the case of Catherine Sinclair, who ended up managing the Metropolitan Theater which opened in 1853 and was California's leading theater for a while.[341] Being a successful actress in a place with a skewed sex ratio opened the doors for her to become the manager of a prosperous theater. The desire for entertainment in California gave successful women of the theater access to jobs attached to a lot of responsibility which were generally not open to women in the East.

Blurred separate spheres and female empowerment in the family

Others performed less typically female work: women also mined for gold. Noble Martin, before setting up her pie-making business, tried her hand at mining.[342] When Dame Shirley tried it, she recounted her experience in a letter to her daughter, including her surprise at the heaviness of the work and her admiration for "lady gold-washers":

> "I have become a mineress, that is, if the having washed a pan of dirt with my own hands, and procured therefrom three dollars and twenty-five cents in gold-dust, which I shall inclose in this letter, will entitle me to the name. I can truly say, with the blacksmith's apprentice at the close of his first day's work at the anvil, that I am sorry I learned the trade, for I wet my feet, tore my dress, spoilt a pair of new gloves, nearly froze my fingers,

[339] Ibid. 126.
[340] Riley, Glenda. "Feminizing the History of the Gold Rush." *The Western Historical Quarterly*, vol. 30, no. 4, 1999, pp. 445–48. *JSTOR*, doi:10.2307/971421. 2.
[341] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 143.
[342] "Gold Rush Stories of Women Pioneers."

> got an awful headache, took cold, and lost a valuable breastpin, in this my labor of love. After such melancholy self-sacrifice on my part, I trust you will duly prize my gift. I can assure you that it is the last golden handiwork you will ever receive from Dame Shirley. […] I myself thought (now, don't laugh) that one had but to saunter gracefully along romantic streamlets on sunny afternoons, with a parasol and white kid gloves perhaps, and to stop now and then to admire the scenery, and carelessly rinse out a small panful of yellow sand (without detriment to the white kids, however, so easy did I fancy the whole process to be), in order to fill one's work-bag with the most beautiful and rare specimens of the precious mineral. Since I have been here I have discovered my mistake, and also the secret of the brilliant success of former gold-washeresses."[343]

After trying to mine using a cradle, Mary Ballou found that she preferred domestic work to mining: "I washed out about a Dollars worth of gold dust the fourth of July in the cradle so you see that I am doing a little mining in this gold region but I think it harder to rock the cradle to wash out gold than it is to rock the cradle for the Babies in the States."[344] At gold mining, women stood as much chance as men. However, women who, unlike Dame Shirley or Noble Martin, mined for a living sometimes had to dress like men as a way to feel safer. Gold mines were so overwhelmingly occupied by men that women probably feared being assaulted.[345] Other than to mine, women dressed as men to have access to typically male jobs. "Mountain Charley" dressed and acted like a man in order to be able to work on a riverboat.[346] "Charley Parkhurst" did the same to work as a stagecoach driver.[347] Although the majority of women chose work that was seen as an extension of the domestic sphere, because they had the necessary skills and that these jobs were considered suitable for women, some decided not to limit themselves to these opportunities and took advantage of their anonymity in California to dress as men and get out of the domestic sphere.

In addition to work, women were confronted to California's very rough living conditions. When they arrived in California, many started out living in tents or rudimentary shelters. When they reached Nevada City, Luzena Wilson and her

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[343] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Tenth.
[344] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 45.
[345] Taniguchi, Nancy J. "Weaving a Different World: Women and the California Gold Rush." *California History*, no. 2, 2000, pp. 141–68. *EBSCOhost*, doi:10.2307/25463691. 150.
[346] Riley, Glenda. "Feminizing the History of the Gold Rush." 3.
[347] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 220.

family lived under what she described as a "rude shelter": "We were not rich enough to indulge in the luxury of a canvas home; so a few pine boughs and branches of the undergrowth were cut and thrown into a rude shelter for the present".[348] In addition to enduring California's living conditions. During the journey as well as in California, women had to perform typically male tasks. Eliza Farnham described her closest neighbor who was both feminine and capable of carrying out masculine activities:

> "She drove the teams, hunted wood and water in men's boots and tattered clothing, and for months performed all the coarser offices that properly belong to the other sex, and reached her journey's end a gentle, soft-spoken woman, with manners as unsoiled by her hard experience, as truly feminine and sweet, as if the refinements and ease of the drawing-room had surrounded her, instead of the dreary horrors and coarse tasks of those dreadful months."[349]

In the Chesapeake also, women performed tasks that were considered as typically male. If female servants arrived thinking that they would avoid fieldwork, many of them were wrong. The shortage of labor led many planters to send their female servants to work in the tobacco fields. This was not only the case of female servants. It was common for married women to help out with tobacco growing. Tobacco growing was so lucrative that women often participated in their spare time.[350] Any additional help was valuable. In America, there were very few opportunities for women to work for wages, or to work outside the farm or plantation.[351] They lacked the tools to develop their own household industry: spinning wheels were unavailable until mid-century, candle molds and dairy equipment as well.[352] This prevented women from spinning wool or making butter or cheese for sale, as they could have done in England. Even if they had been able to make them, there were no markets to sell them.[353] Since

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[348] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 6.
[349] Farnham, Eliza. *California, In-Doors and Out: Or, How We Farm, Mine, and Live Generally In* ... Dix, Edwards, 1856. *Internet Archive*, http://archive.org/details/californiaindoo01farngoog. Accessed 26 March 2019. 298-299.
[350] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 71.
[351] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 549.
[352] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 8.
Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 562.
[353] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 70.

they were unable to make money from home, women found other ways to take part in the financial well-being of their families. They still did household chores such as cooking, cleaning, taking care of the children, growing a garden but many find ways to incorporate field work in their schedules. If their family did not have servants, or only one or two, the work of another person made a significant difference in tobacco production. Every hour a woman spent working in the fields resulted in more money for the family. Field work was believed to compatible with women's bodies and schedules. The hoe, which was used for most of the century in the Chesapeake, was not too heavy for a woman to use, and she could easily interrupt her work and put down the hoe to take care of a child for instance, and resume the task later.[354] In a study about agriculture and gender roles, Alesina, Giuliano and Nunn created a direct link between the tools used in agriculture and women's place in society. They noticed that plow-using societies tended to have stricter gender roles, the plow requiring more upper body strength to operate than the hoe: agriculture was considered men's work, and the woman's place was considered to be in the home.[355] If we apply this study to the seventeenth-century Chesapeake, the use of the hoe in agriculture may have had an effect on gender roles: women were able to participate in agriculture and therefore contributed to the family income. This may be related to the looser division of labor between men and women in the Chesapeake. The situation was different if the family was wealthier and could afford many servants. In that case, the wife may not have performed field work but she probably had to manage the servants, and found some time to produce commodities such as cider for her family if they had an orchard.[356] In the Chesapeake, a woman's activities did not only revolve around the home. No matter if they worked in tobacco fields or managed their servants, women provided work that was directly linked to the family's principal source of income. Women directly contributing to the family income tend to have positive effects on the woman's place and voice in the family.[357] Both California and Chesapeake women were involved in their family's finances, differently, because female forty-niners could actually earn their own

[354] Alesina Alberto, et al. "On the Origins of Gender Roles: Women and the Plough." *The Quarterly Journal of Economics*, vol. 128, no. 2, 2013, pp. 469–530. 470.
[355] Ibid.
[356] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 71.
[357] Giuliano, Paola. *Gender: A Historical Perspective*. 6

money that was separate from their husbands' while in the Chesapeake, women were assisting their husbands in order to increase the family income. Another important difference is that California women expected the hard work when they arrived: for most of them, the main reason for their migration was the availability of exceptional professional opportunities for women. By working, as independent workers or alongside their husbands, women were improving their position in the family, and their husbands depended on them and trusted them more.[358]

This context of prioritization of work and money made it acceptable for women to enter the public sphere, temporarily, through occasional help, in the Chesapeake, and more permanently in California. This had consequences on the position of women in the family and in society. Chesapeake wives had not been fully confined to the domestic sphere, and as a result, were sufficiently involved in the family's business affairs to be able to manage them by themselves. Their help, leading to more knowledge of the management of a plantation, probably increased their husband's trust in them. In California, as discussed earlier, women had a lot of freedom regarding their professional activities: their work was separate from their husbands' work and they were able to earn their own money and to directly contribute to the family income. They were not helping their husbands in their work, they had their own, independent way of earning money, and many of them were more successful than their husbands. Although women entering the professional world was facilitated by the context of the Gold Rush, the division of labor according to gender was still rigid, not only because of social norms but because the demand for domestic work encouraged them to enter such professions, as they already possessed the necessary skills. Their professional success increased the importance of women's position in their marriage and gave them more independence. By working, for wages or managing their own businesses, women were able to leave the private sphere. In California, this was encouraged, because their work was needed. There was no stigma around professionally successful women: most people had come to make money, and that is what these women were doing. Their work also provided comfort to male forty-niners. By working in a boarding house, women offered men home-cooked meals

[358] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 230.

or a comfortable bed. As laundresses, they cleaned and sometimes mended their clothes. If they worked in the theater, they entertained them and comforted them by their presence. All of that reminded them of home, where these comforts would have been provided by their wives. However, in California, these comforts could only be as common as women. Their presence and their work made men's life more comfortable and enjoyable. Why would they prevent women from working if their work made their lives easier? This approval from men allowed women to lead successful professional lives: by paying for their services, men encouraged women's work, and participated in their success. They gained through their work significant independence that they probably would not have known if they had stayed home. Women like Luzena Wilson, who set up their own boarding houses had an absolute power of decision over their businesses. This new-found independence had significant consequences on marriages and divorces. Women, through their professional experiences, had witnessed their own ability to work and make money by themselves. Marriage had a significant economic dimension: when entering a marriage, a woman expected to be supported financially by her husband.[359] However, when California women realized that they could support themselves, the fate of their marriages rested on love and affection more than the guarantee of financial support. This probably had its part in the high divorce rate in California during the Gold Rush and on the fact that those who sued their spouse for divorce were in great majority women. Reading Mary Jane Megquier's letters over the years, one can notice that she was becoming less and less dependent on her husband. She mentioned him much less, and when he got sick and went home to Maine, she decided to stay in San Francisco and keep working. She did not appear affected at all by her husband's departure as she never mentioned missing him. From that moment, she became fully independent: not only did she have a lot of freedom in her work, there was no longer anyone to influence or dictate her decisions on every other part of her life. Moreover, her family was henceforth only counting on her to provide for them. Like Mary Jane Megquier, after discovering the opportunities that California offered them, women were no longer counting on their husbands to support them. They knew that they had as much, if not more, chance at making a

[359] Vallet, Guillaume. *Sociologie Du Genre*. 110.

fortune than their husbands, and thus took advantage of these opportunities. Knowing that they had the ability to financially support themselves made it easier for them to detach themselves from their husbands.

In the Chesapeake, women's involvement in her husband's professional activities and thus the family's source of income led to significant trust that husbands put in their wives, which can be noticed in Chesapeake court records: men often trusted their wives to manage their estate during their absence by giving them power of attorney. It was common for farms or plantations to be isolated and thus men often had to leave home in order to do business.[360] During these times, it was common for men to leave their wives in charge. Richard Nash declared in court in April 1670 that in case of his absence, his "deare trusty & well beloved wiffe Ann Nash" would be his "true & Lawfull attorney to lett Receiue & recouer & doe impower her for to sue Imprisson release accquitt & discharge & plead buy & sell in my name as if I were Parsonally Heare my selfe".[361] In April 1667, Frances Barnes went to court to name his "loveing wiffe Esabella Barnes" and his stepson his "trew and lawfull Attornies" during his trip to England.[362] This choice showed that men trusted that they could rely on their wives to manage their land in their best interest, but also that their wives were sufficiently involved in the plantation or farm's affairs to be able to replace their husbands when they were absent. Richard Nash's declaration in court shows his complete trust in his wife as, in his absence, he surrendered all of his powers to her. It was very common for men to use adjectives such as "beloved", "loving" or "trusted" before their wives' names, which demonstrated the affection and trust they shared. Women were also consulted when their husbands decided to sell the family land. Women had to come to court and confirm that they agreed to the sale. When Thomas Gerrard sold his land to Richard Foster and John Tennisson, his wife Suzanna declared her consent in court: "I Suzanna Gerard wife to the abovesaid Thomas Gerrard Esquire doe freely and voluntary without any threatning Mennacing or by any manner of way forcing Acknowledge the sale of

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[360] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines.* 11.
[361] Browne, William Hand, et al. *Archives of Maryland.* Vol. 54. 290.
[362] Ibid. 236.

the said land to be good and doe freely give my consent".[363] The trust and affection that men felt toward their wives can also be witnessed in their wills: most made their wives sole executrixes of their estates. This is significant, as the role of executor came with important responsibilities. James Horn listed these responsibilities in his book, *Adapting to a New World*: "Executors were accountable for ensuring that the intent of the testator was carried out as fully as possible, with respect to the payment of legacies (if any), maintenance of children, and management of the estate. Wives, no longer junior partners in the family economy, took over as heads of household in charge of all aspects of family affairs."[364] It was the case of William Thomson, who made his wife executrix of his estate and sole legatee of his property at his death in January 1649.[365] Thomas Hebden did the same for his wife Katherine in October of the same year.[366] In Maryland and Virginia, the law was on the side of widows. In both colonies, widows were guaranteed to receive a portion of their late husband's property, the size of the portion depending on whether the couple had children or not.[367] However, those who left their wives with only the legal minimum were a minority.[368] Maryland made it possible for widows to demand a larger portion of their late husbands' property if they had been given less than the legal minimum: "more than half the widows granted less than dower right by their deceased husbands successfully challenged the wills in court".[369] Lois Green Carr and Lorena Walsh found that only eleven percent of husbands deprived their wives of the role of executor.[370] The fact that so many men named their wives as executrixes was tightly linked to the fact that most had no other family than their

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[363] Browne, William Hand, et al. *Archives of Maryland*. Vol. 57, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, https://archive.org/details/archiveofmaryland057brow. Accessed 15 March 2019. 333-334.

[364] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 226-227.

[365] Baldwin, Jane. *The Maryland Calendar of Wills: Wills from 1635 (Earliest Probated) to 1685*. Vol. 1, Kohn & Pollock, 1904. *Maryland State Archives*, http://mdhistory.msa.maryland.gov/msaref09/pdf/baldwin_vol01.pdf. Accessed 13 March 2019. 4.

[366] Ibid. 3.

[367] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 17.
Norton, Mary Beth. "The Evolution of White Women's Experience in Early America." *American Historical Review*, vol. 89, no. 3, June 1984, pp. 593–619. *EBSCOhost*, doi:10.2307/1856118. 598.

[368] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 555.

[369] Norton, Mary Beth. "The Evolution of White Women's Experience in Early America." 598, 606.

[370] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 556.

wives and children in America.[371] Maintaining links with their families in England was very difficult: letters took a long time to arrive and a great majority were never able to visit. Their migration to the Chesapeake often represented a clean break with the lives they led in England, and thus with their families as well. Moreover, it would have been impossible for a family member to manage their estate all the way from England. Most made their wives executrixes knowing that they were very likely to remarry. Some prevented their wives' next husbands from accessing the property they had left them, or included instructions on who would inherit everything at their wives' death: that way, they were certain that if the wife died before her husband, he would not inherit any of the property she acquired from her former marriage. For instance, William Edwin, who died on October 13, 1663 mentioned in his will that his wife would be executrix of his plantation "during life" and that his eldest son Mitchell would become executor after the wife's death.[372] Even if the husband got to decide who would receive the property his wife inherited at her death, he still made sure that his wife would have a home on the plantation for the rest of her life. Because people died so young in the Chesapeake, few would die after their children had reached adulthood. As a result, husbands were much more likely to name their wives as executrixes.[373] If it had not been the case, men would have been more tempted to make their adult sons executors of their estates. These factors contributed to women owning property. As widows, their property no longer belonged to their husbands. For instance, when Jane Fenwick, Cuthbert Fenwick's widow, wrote her will in November 1660, a month before her death, she was the owner of three plantations, and at least three servants.[374] Some widows ended their lives as very wealthy women. Since women were likely to marry several times, they would get an inheritance at the end of each marriage. A certain Maudlin or Magdalene was married four times: to Simon Abbott, then Edmund Towning or Townhill, then George Nettlefold and last Thomas Smithwick. From these marriages she inherited at least two plantations (one of which she lost when she married Thomas Smithwick) and

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[371] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 15.
[372] Baldwin, Jane. *The Maryland Calendar of Wills: Wills from 1635 (Earliest Probated) to 1685*. 27.
[373] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 227-228.
[374] Baldwin, Jane. *The Maryland Calendar of Wills: Wills from 1635 (Earliest Probated) to 1685*. 15.

was guaranteed a portion of each husband's property at the end of each marriage.[375] As stated before, when entering a new marriage, widows' property was not necessarily absorbed by their new husbands: they could protect their inherited property by establishing a prenuptial agreement with their future husband, or their late husband could have taken care of that in his will. If they married again, widows could still retain some of their property. With a prenuptial agreement, she had full freedom to choose how to distribute her property. If her late husband had included in his will instructions to follow in case of a new marriage or in case of her death, he often got to decide who would inherit what. This important trust and affection from men toward their wives cannot only be a result of a less strict division of labor, although women's participation in tobacco growing is significant. Several other factors contributed to men giving more responsibility to their wives. First, the unbalanced sex ratio increased the value of women in men's eyes. The absence of family other than one's spouse and children probably increased their bond as well as the trust they placed in each other: they could not depend on any other family member. The rarity of having adult children also probably encouraged men to give more responsibility to their wives. This led to more power for women in their marriage but also in widowhood. Husbands' choice to make their wives executrixes of their estates reveals an important amount of trust in their wives' judgement but also in their ability to manage their estates. They believed that their wives were able to manage them, and that they deserved to inherit their property.

[375] Barnes, Robert William. *Colonial Families of Maryland: Bound and Determined to Succeed.* Genealogical Publishing Company, 2007. Google Books, https://books.google.fr/books?id=Zg9ScOKWei8C&/. Accessed 13 March 2019. 1.

Part 3

Different standards of behavior and morality

Chapter 7 – More freedom in women's relationships with men

"Truly affected in love": independence in courtship

In the seventeenth-century Chesapeake and Gold Rush California, not only did women have opportunities to marry well, they also enjoyed considerable freedom in choosing their spouse. The process of courtship was much less overseen than it would have been in the Eastern states or in England. Men, like women, were much more independent in making their choice. Their power of decision was significantly increased by the lack of parental supervision. In England, parents were very involved in choosing their child's future spouse.[376] Traditional marriages represented a union of two families, which justified parents' involvement in the process.[377] Children would have a say in the choice of their future spouse but their parents' opinion, and especially fathers', would greatly influence the final decision.[378] However, this model was impossible to recreate in the Chesapeake. Most of the women who found themselves in Virginia or Maryland in the seventeenth century had moved there alone, without their parents, and if they had been born there, given the high death rate, chances were that they would have lost at least one parent by the time they reached adulthood. Orphanhood was very common in the Chesapeake, to such an extent that Maryland had to create an orphans' court whose purpose was to protect orphans and their property.[379] The absence of parents had significant consequences on marriage and courtship: most parents could not be involved in the choice of their child's future spouse.[380] As a result, their children would have significant freedom in choosing their future husband or wife. In order to get married, parental consent was officially required, but in reality, few could provide it. It was thus very

[376] Cressy, David. "Courtship." *Birth, Marriage, and Death : Ritual, Religion, and the Life-Cycle in Tudor and Stuart England. 256.*
[377] Lalonde, Michel. *Comprendre La Société : Une Introduction Aux Sciences Sociales*. 178.
[378] Walsh, Lorena S., et al. "Till Death Us Do Part": Marriage and Family in Seventeenth-Century Maryland." 127.
[379] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 560.
[380] Ibid.

common for people to marry without parental consent.[381] Given the high death rate and the insufficient birth rate, it was not in the colonies' interest to prevent marriages from taking place. Their parents' absence made both young men and women more powerful in their decisions regarding courtship and marriage. Their marriage would be more of a contract between two spouses rather than the union of two families. Getting married was thus a decision made by two people rather than by two families. In England, their choices were restricted in terms of social class. Their parents would probably not let them marry someone of a much lower social class, just like it would not have been considered acceptable for them to marry someone of a much higher one. This was especially true in wealthy families. Since a significant amount of wealth was involved in the marriage, approval from parents was necessary: marriage contracts were established in order to protect the family fortune.[382] Since most people were away from their families in the seventeenth-century Chesapeake, such marriages involving the agreement of two wealthy families rarely took place, especially during the first part of the century. Since most immigrants came as indentured servants, it was very unlikely that they came from rich families. Wealthy Chesapeake planters were more likely to have succeeded in the tobacco business after their arrival. Such strong social class barriers did not matter as much in Virginia and Maryland, especially for men. Given the scarcity of women, men could not demand a wife of a similar social status. It was common for wealthy men to marry women whose indentures had just come to an end. However, even without their parents' supervision, women did take their suitors' wealth into account: a wealthy husband meant financial security and a higher living standard. In the end, women made the final decision. Added to the unbalanced sex ratio, the lack of parental influence gave women considerable power in choosing their future spouse. As discussed earlier, the scarcity of women gave them a significant advantage in the marriage market: they had a bigger number of candidates to choose from. Since they were less numerous, women could be more demanding of their suitors. They could make up their own criteria for their ideal spouse. There was no one to restrict a woman's marriage possibilities: when her indenture ended, she had total freedom over

[381] Walsh, Lorena S., et al. "Till Death Us Do Part": Marriage and Family in Seventeenth-Century Maryland." 131.
[382] Ibid. 133.

whom she would marry. They could not be forced into a marriage, just like their marriage could not be stopped by their parents. The low number of women meant that they very often had more than one suitor, and the absence of their parents also meant that the time they spent with their suitors was not always supervised.[383] They thus had the opportunity to freely get to know their suitors before marrying one of them, and were more likely to make an informed decision regarding the person they would marry.

Female forty-niners experienced a lot of freedom in courtship as well. They too were away from their parents and were given the freedom to choose their husbands by themselves. It was common and accepted for women, single or not, to go out with men. Mary Jane Megquier for instance was invited to a Chinese theater by a "wealthy merchant": the show ended up being cancelled because of the rain but it would have been fine for her to spend an evening with a man she did not know well.[384] A few months before that, her husband wrote his daughter that Mary Jane had "this day left [his] bed & board & gone up country with a young man".[385] Society's acceptance of these kinds of habits and behaviors made it possible for women to meet and get to know men in a way that they probably could not have in the Eastern states. When the process of courtship had begun, both women and men were given more freedom and a better opportunity to get acquainted. Mary Jane mentioned in a letter that a "pretty young lady" who lived with her in California had grown rather close to "a young gentleman". She indicated that they had eaten and spent a whole day together. She encouraged them to be alone and even helped them in getting more intimacy: "last night I went into my room to write, and gave him the field. I told her she might sift the flour, in the morning when the gentleman came to breakfast he looked as though he had been to mill he said she would first throw water and then flour, but he got his kiss."[386] Rather than supervising them and taking the role of a chaperone, which may have been a woman's instinct in the East, she decided to give them the opportunity to be alone together. The context made way for women to be more

[383] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 564.
[384] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 107.
[385] Ibid. 95.
[386] Ibid. 72.

overt in showing their interest in men and to be less passive in courtship. In San Francisco, a woman "cut a lock of hair from her head and took particular pains to curl it up and put a warm flat upon it making it look mighty nice" and sent it to man in an attempt to seduce him. The man sent it back to her: "he was hard hearted enough to send it back, Was it not awful; but that is the way they do in this country" wrote Mary Jane Megquier.[387] From her reaction, it is clear that there were significant differences in the way men and women interacted with one another in California compared to her former home, Maine. This woman decided not to wait until this man took an interest in her, which was the norm in the nineteenth century, and decided to take the initiative and try and trigger the courtship process.[388]

In the seventeenth-century Chesapeake and Gold Rush California, young people were given freedom and intimacy in courtship. This made it easier for them to get to know each other and increased their chances of making a good decision regarding the choice of their future spouse. This may even have created the possibility for people to love each other by the time they got married. In England, love was considered important in a marriage, but was expected to come with the years: the bride and the groom should enjoy each other's company before their wedding day but "romantic love" was not required.[389] Feeling passionate love for one's suitor was actually considered negative because it was believed to prevent the person from caring about their suitor's "background, reputation and economic resources."[390] In nineteenth-century America, the ideal of the companionate marriage encouraged people to prioritize affection, "mutual esteem and tenderness" over romantic, passionate love.[391] The looser pressure from parents and the church on respectable behavior in courtship gave Chesapeake and California immigrants a chance to love the person they married. In a prenuptial agreement, Maryland planter Roger Baxster declared that he was "truly affected in

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[387] Ibid. 93.
[388] Walker, Rachel. "'The Day Which Will Fix My Future Destiny': Courtship, Marriage, and the Companionate Ideal in Early Republican America." *History Matters*, May 2010, pp. 85–112. 89.
[389] Cressy, David. "Courtship." *Birth, Marriage, and Death : Ritual, Religion, and the Life-Cycle in Tudor and Stuart England.* 261.
[390] Ibid. 255.
[391] Walker, Rachel. "'The Day Which Will Fix My Future Destiny': Courtship, Marriage, and the Companionate Ideal in Early Republican America." 86, 98, 100.

love to Marye Croutch", his future wife.[392] Mary Jane Megquier's opinion on the men who gave her friend Emily "much attention" after her divorce shows that she expects her Emily to find a husband who loves her. When describing the attention Emily had been given, she added that she did not think that any of these men "really love[d] her", implying that this attention was not sufficient for her to start a relationship with one of them.[393] In traditional marriages, love was not at the center of the decision to get married, but, given the circumstances, the majority of people were free from any kind of pressure from parents or close relatives. They could create their own rules around what constituted a good marriage. It is however very likely that women gave a significant amount of importance to their suitors' wealth.

Increased sexual freedom

In the Chesapeake, these new standards of behavior in courtship also meant more sexual freedom. Since men and women could easily interact without supervision, in or outside of the courtship process, they had more freedom to engage in sexual intercourse. This led to many bridal or illegitimate pregnancies. According to Lois Green Carr and Lorena Walsh, Chesapeake women were about twice as likely to be pregnant at their wedding ceremony as English women: it was a case of about one out of three women.[394] A couple having premarital sex after their betrothal was not rare, neither in England nor in the Chesapeake, but it was much more common in the Chesapeake. Some believed it to be acceptable as their desire to get married had been publicly made official through their betrothal:[395] as long as the marriage was "imminent and secure."[396] It was even more easily accepted in the Chesapeake. Betrothed people were not the only ones who engaged in sexual intercourse without being married. During the second half of the century, about a fifth of female servants gave birth to illegitimate

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[392] Browne, William Hand, et al. *Archives of Maryland.* Vol. 54. 45-46.
[393] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 151.
[394] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 551.
[395] Cressy, David. "Courtship." *Birth, Marriage, and Death : Ritual, Religion, and the Life-Cycle in Tudor and Stuart England.* 279-281.
[396] Ibid. 281.

children.[397] In addition to these women were those who had found a way to end their pregnancies. A certain Susan Warren had been given "Phisik" by the father of the child in order to "destroy it".[398] Because there were so few women, free women were in most cases able to avoid having illegitimate children by getting married.[399] For servants, getting married was more difficult, and many found themselves in court for bastardy. In Maryland court records, the women who were prosecuted for bastardy were overwhelmingly servants. Carr and Walsh have made a direct link between the absence of parental control and bridal or illegitimate pregnancies. They found that orphaned women were more likely to have found themselves in such a situation.[400] The lack of social control from their parents and from the church contributed to the normalization of such events, and the acceptance of the behaviors that led to them. In England, premarital sex was not shocking, especially for betrothed couples, but illegitimacy was not common contrary to the Chesapeake.[401] A woman who was prosecuted for bastardy had to pay a fine, which would make up for the work she could not perform while pregnant.[402] If she was unable to pay, which was very likely since servants were unpaid laborers, she would be whipped and her service time would be extended.[403] The father of the child could pay her fine or if he could not afford to, serve the female servant's master for a year.[404] These punishments were a way to regulate servants' behaviors for an economic purpose more than for moral reasons. They aimed at repaying masters for the labor they had lost during their servant's pregnancy: advanced pregnancies prevented women from working as hard as usual and childbirth threatened the woman's life.[405] However, when paying for a servant's passage, a planter expected four or five full years of work: a pregnancy would have a negative impact on his investment. As a punishment, the servant and

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[397] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 209-210.
[398] Browne, William Hand, et al. *Archives of Maryland*. Vol. 10, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla10mary. Accessed 15 March 2019. 177.
[399] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 548.
[400] Walsh, Lorena S., et al. "Till Death Us Do Part": Marriage and Family in Seventeenth-Century Maryland." 133.
[401] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 12.
[402] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 34.
[403] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 549.
[404] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 84.
[405] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 33.

the father of the child both would have to pay a "fornication fine", which, again, if it could not be paid would result in whipping. In 1664, Agnes Taylor was given "twenty lashes one the baer Backe for hauing Played the whore" and the same year, Ann Cooper was given twelve lashes for having a bastard child.[406]

Apart from this punishment: a fine, a whipping or extra time, having an illegitimate child would not be particularly harmful to women's reputations. In reality, it would not affect a woman's chances of getting married. In March 1667, John Cooper came to court declaring that Susanna Brayfield had given birth to an illegitimate child while being her servant. John Griffith, the father of the child, offered to "make payem^{t} for Losse of time & all other Charge" and to take the child and take care of it. Susanna Brayfield and John Cooper refused to give him the child: they decided that Cooper would maintain the child.[407] Two months later, Susanna Brayfield and John Cooper announced that they were getting married.[408] This event did not prevent Brayfield from getting married, and to rise in society by marrying her master. It was common for men, and even young men who had never been married, to marry women, widows or not, who had already had children. The common nature of illegitimacy (one in five servants gave birth to at least one illegitimate child[409]) made it more acceptable and less hurtful to women's reputations. Given the scarcity of women, such events could not truly be held against them and have long-lasting negative consequences on their lives, reputations and ability to get married. Excluding about a fifth of women from the marriage market for having bastard children would make marriage even more difficult to attain for men. In addition, while in England and the northern colonies, punishment for bastardy and sexual misconduct was harsher on women, it was not particularly the case in the Chesapeake where the fault was not only put on the woman. The father had to pay a fine as well and in the case when the mother remained a servant after the birth and the child was born into indenture, he would have to financially support the child.[410] In Talbot County, Maryland's November 1671 court session, the births of four illegitimate children were discussed. For all

[406] Browne, William Hand, et al. *Archives of Maryland.* Vol. 53. 560.
[407] Browne, William Hand, et al. *Archives of Maryland.* Vol. 54. 659.
[408] Ibid. 671.
[409] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 209-210.
[410] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 121.

of them was included both the name of the mother and the father: "George Thirle & Mary Barnett", "Walter Rawles & Joye Cox", "Andrew Towkle & Elizabet Warton", "Walter sarvant to Rob' Bulling & Frances Midleton".[411] This means that both men and women would face the consequences and not just the women. The same year, George Thirle and Marry Barnett were both prosecuted for having a bastard child. The sentence was the same for both of them: each was to receive "them twenty Lashous well Laid on there Bare Backes".[412] Since a woman's culpability of bastardy was physically visible, they were more likely to be prosecuted. However, the courts had ways to find out who were the fathers of these illegitimate children. One of them was getting midwives to get information from women about the father of the child during labor so that he could be prosecuted as well.[413] It was believed that the most efficient way of getting women to talk was for midwives to threaten them not to assist them in their delivery until they gave a name.[414] This shows a will from the courts to discipline not only women but men as well. This led certain women to lie about who was the father of their child. By blaming richer men, they hoped that they would pay their fine and that they would avoid extra service time as a result.[415] Shortly after "prominent planter" Thomas Marsh sold servant Hannah Bowen to George Utie, Bowen gave birth to an illegitimate child. George Utie reported that Hannah blamed wealthy Thomas Marsh for her pregnancy, which he denied: "Marsh emphatically denied this, and declared that Hannah had made the charge in the hope of escaping a flogging, the penalty for bearing a bastard."[416] Women could also refuse to name the real father of their child as a way to protect him. If these men and women had been able to interact with each other in ways that could lead to pregnancy, then it is very likely that they also knew each other very well and cared about each other, at least enough to lie and blame someone else to protect men. Free man John Norton fathered servant Jane Palldin's child before the end of her indenture. At court, it became obvious that they knew each other well enough to love each other. Jane Palldin said that she wished to live with him and that John

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[411] Browne, William Hand, et al. *Archives of Maryland.* Vol. 54. 513-514.
[412] Ibid. 518.
[413] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 82.
[414] Ibid. 82.
[415] Ibid. 107.
[416] Browne, William Hand, et al. *Archives of Maryland.* Vol. 51, Baltimore, Maryland: Maryland Historical Society, 1883. *Internet Archive*, http://archive.org/details/archivesofmaryla51brow. Accessed 15 March 2019. xx.

Norton loved her: "Oh! Mary he loveth me Dearly".[417] Norton confirmed and "declared that he did Love her wonderfully and that She was an Extraordinary Good housewife, and that he would have her before any woman in the Country, for he loved her as Dearly as his Life".[418] During the trial, Jane explained that they had spent time together and talked "until he had obtained her this Examinats Consent to Lye with him, and yield unto him the Carnall use of her body" at least three times.[419] If giving birth to a bastard child did not result in a life as a social outcast, some women were so affected by the event that they went as far as killing their children. Rebecca Saunders was "condemned for the murthering of her Bastard Child".[420] In 1664, Elizabeth Greene confessed to killing her child by burning it. She later rectified that she had not burnt it but buried it in a swamp.[421] The absence of parents and the lack of a strong church influence contributed to looser standards of behavior which made illegitimacy very present in the Chesapeake. People lacked the advice and supervision that would have prevented such a high rate of out-of-wedlock pregnancies. Court sentences were not enough to prevent the birth of illegitimate children.

If illegitimacy was so present, extra or premarital sex must have been even more present. If a fifth of servants gave birth to illegitimate children, there must have been women who had been able to end their pregnancies before they could be noticed, and women who had had sexual intercourse but had never gotten pregnant. Purity and virginity could not be demanded of women in order for them to get married. Sexual misconduct was punished but the law was not harsher on women. A 1658 Virginia law stated that "every person" guilty of fornication would have to pay five hundred pounds of tobacco, and would be whipped if they were not able to pay the fine.[422] The establishment of such laws forbidding sexual misconduct shows a will from the colonies to regulate sexual behaviors. Prosecutions for fornication and bastardy are very common in county court records. When they occurred when a couple was betrothed, these actions were often ignored by courts, but they were more problematic when the two people had

[417] Browne, William Hand, et al. *Archives of Maryland.* Vol. 41. 17.
[418] Ibid.17.
[419] Browne, William Hand, et al. *Archives of Maryland.* Vol. 10. 516.
[420] Browne, William Hand, et al. *Archives of Maryland.* Vol. 8. 313-314.
[421] Browne, William Hand, et al. *Archives of Maryland.* Vol. 49. 217.
[422] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 121.

no intention of getting married.[423] That was the case of Elizabeth Carey and Robert Harwood who had intercourse in a garden where Elizabeth's mother had sent her to pick a salad. Robert hoped that this event would encourage Elizabeth to marry him, which Elizabeth later understood: "he did know what he did, for he had no other way, to keep me but by that in lying with me".[424] However, Elizabeth had no desire to marry him: "Whilst I Live, I vow never to have him as a husband, I'll rather die first and farther your Deponent saith not".[425] The lack of supervision also allowed people to spend time with each other and to consider a potential future marriage. In March 1663, Thomas Hynson and Ann Gaine, who were not married nor betrothed, "Committed Fornication Contrary to the Laws of th^s^ Province" but by the time they came to court, he had "made her his Lawfull Wife".[426] Because of the outcome of their relationship, they were not fined. The Chesapeake's significant sexual freedom probably allowed them to spend time together and to get to know each other, and even maybe to fall in love, before making the decision to get married.

In California, forty-niners experienced more sexual freedom as well, but for different reasons. First, there were no legal barriers to out-of-wedlock sex or to the birth of illegitimate children. In addition, like in the Chesapeake, women were in such high demand that purity or chastity could not be demanded of them. The scarcity of women led men to seek the services of prostitutes. Their omnipresence influenced California society and sex was less of a taboo during that period. Most forty-niners, even those who had wives, were clients of prostitutes. In the context of the Gold Rush, miners and gamblers had money to spend and did not hesitate to use it this way, which attracted a lot of prostitutes.[427] In addition to prostitution, these women made money by entertaining men: by dealing cards in gambling halls for instance.[428] For white women, becoming prostitutes could have been their own choice: the demand was so high in California that they knew that the

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[423] Meyers, Debra A. *Common Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland*. 48.
[424] Browne, William Hand, et al. *Archives of Maryland*. Vol. 10. 499.
[425] Ibid. 499.
[426] Browne, William Hand, et al. *Archives of Maryland*. Vol. 54. 366.
[427] Hurtado, Albert L. "Sex, Gender, Culture, and a Great Event: The California Gold Rush." *Pacific Historical Review*, vol. 68, no. 1, 1999, pp. 1–19. *JSTOR*, doi:10.2307/3641867. 9.
[428] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 163.

work would be particularly profitable there.[429] Some nights, some had as many as eighty clients.[430] Given the scarcity of women, the presence of prostitutes was accepted and even celebrated. Belle Cora, who quickly became San Francisco's most successful madam, became a real celebrity.[431] If white women had the possibility to be admired and respected by men,[432] the situation was much different for Native American, Chinese and Mexican women, who represented the majority of California's prostitutes.[433] A stated earlier, women of color were considered inferior by white men, and thus the only acceptable relationship between them revolved around sexual gratification.[434] Generally, desperate circumstances drove these women to turn to prostitution.[435] Chinese prostitutes were imported (recruited or kidnapped) from China and sold to brothel owners in California.[436] They were sold to merchants in China and then sold again for a significant profit in California cities.[437] Out-of-wedlock sex in the form of prostitution was accepted as men were missing female contact and celebrated the presence of prostitutes.

Looser relationship models

Some experienced more sexual freedom outside of their own marriages. In 1657, Susan Attcheson and John Nevill were prosecuted for committing adultery. Johanna Watts, a witness, explained what she saw:

> "they were setting by a Tree Side that lay upon the Ground, And Comeing to them in this Deponent did Speake to the man, and asked him if he were not ashamed to do So, having had Warning of Such doings, The Said Nevill replyed and desired me this Deponent, that I would Say nothing to the Said Susan Attcheson's husband […] She asked the Said Susan Attcheson why She did frequent the Said Nevill's Company, and would

[429] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 217.
[430] Ibid. 218.
[431] Breider, Sophie. *"The Best Bad Things": An Analytical History of the Madams of Gold Rush San Francisco*. Claremont McKenna College, 2017, http://scholarship.claremont.edu/cmc_theses/1595. 12.
[432] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 151.
[433] Hurtado, Albert L. *Intimate Frontiers: Sex, Gender, and Culture in Old California*. 94.
[434] Ibid. 87.
[435] Ibid. 87.
[436] Ibid. 91.
Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 218.
[437] Ibid. 218.

> not Love her husband, who replyed her husband did abuse her, She Could not love him […] the Said Iohn Nevill and Susan Attcheson did lye in bed together, and that the Said Susan did Call the Said Nevill to bed to her".[438]

Both of them were sentenced to "twenty Lashes upon the bare back with a whip" and John Nevill, in addition to the whipping, had to pay court charges.[439] Susan Attcheson actually had a lighter sentence than John Neville and as a woman, did not have to carry the blame alone. In court records can be found many similar testimonies from neighbors and acquaintances who had witnessed scenes of adultery. Debra Meyers found that the names given to land parcels and plantations were indicative of the common nature of adultery in Maryland. She found an important number of parcels with names such as "Cuckold's Point," "Cuckold Maker's Palace" or "Cuckold's Rest."[440]

Some couples decided not to get married at all. While in England religion had a central place in marriage, it was different in the Chesapeake.[441] Given the scarcity of ministers and thus the difficulty to find one that would be available for a wedding led some couples to wait until a minister could marry them, or not to get married at all. Debra Meyers told the story of Rose Pinner and Rice Williams, an unmarried couple who "looked forward to formalizing their union when the itinerant clergyman passed their way."[442] Getting married also cost money. In his history of Virginia, Robert Beverly wrote that the cost of a marriage licence was twenty shillings.[443] Even if they could afford a wedding or have access to a minister, it is likely that many decided not to bother with an official wedding.[444] Maryland passed more relaxed marriage laws in order to try and alleviate the issue.[445] They allowed irregular marriages and recognized them "as legitimate, indissoluble unions even though no licensing or solemnization took place. As long

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[438] Browne, William Hand, et al. *Archives of Maryland.* Vol. 10. 507.
[439] Ibid. 558
[440] Meyers, Debra A. *Common Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland.* 56.
[441] Cressy, David. "Courtship." *Birth, Marriage, and Death : Ritual, Religion, and the Life-Cycle in Tudor and Stuart England.* 295.
[442] Meyers, Debra A. *Common Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland.* 43.
[443] Beverley, Robert. *The History of Virginia.* 211.
[444] Horn, James. *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake*. 213.
[445] Bloch, Ruth H. *Gender and Morality in Anglo-American Culture, 1650–1800*. University of California Press, 2003. 87.

as they had exchanged words signifying a verbal contract (preferably in front of at least two witnesses) and lived in the community as a married couple, men and women considered themselves married for life."[446] However, some still were prosecuted for unofficial marriages. It was the case of Captain William Mitchell, who was accused of "liv[ing] in fornication with his now pretended wife Joane" after the death of his official wife.[447] There were also cases of people having several husbands or wives. In October 1662, James Lee came to court for "hauing of too wifes".[448]Alexander King and Mary Butler were prosecuted for "pretending that they were man and wife, and under that pretence have lived and bedded together as man and wife as by testimony appeareth". Mary Butler had actually deserted her husband John Butler and henceforth considered Alexander King as her husband.[449]

In California, women were also freer in their relationships to men. In diaries, memoirs or letters, women, and particularly Mary Jane Megquier, discussed how free they felt in California due to the absence of judgement from the community. This was for her one of the main differences between California and the Eastern states: "there is no scandal every one is his own man, not a word about such a thing is not respectable, you know I always detested that".[450] This freedom from judgement probably encouraged women to act more freely. This however does not mean that they completely abandoned the norms and standards of behaviors that they knew back home. In letters, many examples of irregular marriages can be found. For instance, Chandler N.A. mentioned a woman stabbing the man who "had been keeping her as a wife" with a dirk.[451] Men and women felt free enough from judgement to live as unmarried couples. An important difference between Chesapeake irregular marriages and California ones is that California couples did not risk anything legally. The absence of a legal barrier allowed them to see unofficial marriages as more of an option. These relationships were easily accepted in California. Abby Mansur discussed Mrs

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[446] Meyers, Debra A. *Common Whores, Vertuous Women, and Loveing Wives: Free Will Christian Women in Colonial Maryland*. 44-45.
[447] Browne, William Hand, et al. *Archives of Maryland*. Vol. 10. 183.
[448] Browne, William Hand, et al. *Archives of Maryland*. Vol. 53. 251.
[449] Browne, William Hand, et al. *Archives of Maryland*. Vol. 10. 515.
[450] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 48.
[451] Chandler, N. A. *Objects to His Wife Taking a Job*. 1.

French, a woman who was "liveing with a man that is married and has a wife and 4 children at home that is the way the men do here". She added that it was not the first time she had been involved in a relationship of the sort: "she was stopping first with one man and then with another when she left French but she got in family way she had to stop it and since she had her baby she has been living with this man". The only words which could be considered as a display of her opinion are the following: "that is the way the men do here".[452] If she was judging someone, she was judging the man who was being unfaithful to his wife and not Mrs French. These words also reflect an acceptance of the California lifestyle and an adaptation to it.

California and Chesapeake societies offered men and women more freedom in courtship, romantic relationships and sexuality. This freedom was particularly significant for women: the standards of behavior expected of them resembled those demanded of men. Although in the Chesapeake, certain "disruptive" behaviors were sanctioned, women could still lead normal lives and enjoy the advantages of being a woman in seventeenth-century Chesapeake society. In both California and the Chesapeake, behaviors that would not have been condoned in the East were accepted thanks to the advantageous position of women. Their scarcity made society more lenient toward women and their behaviors. People also had more freedom in setting the terms of their relationships and their timeline. In the Chesapeake, some decided to have sex before getting married and had children before or only a few months after the ceremony. Others decided not to get married at all, or waited until they had enough money or for the presence of a minister. In California, couples decided to live together sometimes without even considering the possibility of marriage. The context made these "unofficial" relationships more acceptable and people were able to bend the rules without long-lasting consequences.

[452] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 55.

Chapter 8 – More freedom and independence in daily life

Interaction with culturally diverse people as a form of empowerment

Migrating alone, as the majority of female Chesapeake immigrants did, required a significant amount of ambition and independence. On their own, these women made a decision to cross the Atlantic and trade years of labor in exchange for passage. The decision to move to California was not an easy decision either but most women did not have to do it alone. When they arrived in California, women found a place that allowed them more freedom in their daily life. As Mary Jane Megquier explained, women felt less judged than in the East of the United States, and the concept of reputation simply did not matter as much. Jo Ann Levy described California inhabitants as "free from censure, from Eastern restrictions, from societal expectations": since everyone's obsession was finding gold or making money, they were not concerned about whether others were behaving according to Eastern standards of behavior and morality.[453] This allowed women to be much more independent, to go out by themselves and to meet people of different origins and races. The Gold Rush had attracted people from the entire world, and women had the opportunity to meet them. When she was in Panama in May 1849, Mary Jane Megquier encountered "a couple of young spaniards, a number of times". She enjoyed their company and the way they dressed. She even showed them a picture of her daughter, thinking that she "could make a bargain" and marry one of them.[454] Once in California, meeting people of different cultures was part of her daily life: "I get up every morning by five and go to the market where I meet all the negroes and spanish in town."[455] They encountered them enough to be able to make their own opinions about them through experience rather than stereotypes. Mary Ballou felt respected by people of all cultures: "here I am among the French and Duch and Scoth and Jews and Italions and Sweeds and Chineese and Indians and all manner of tongus and nations but I am treated

[453] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 108.
[454] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 26.
[455] Ibid. 99.

with due respect by them all."[456] Louise Clappe spent enough time with Spaniards to contradict American stereotypes about them: "It is very common to hear vulgar Yankees say of the Spaniards, 'O, they are half-civilized black men!' These unjust expressions naturally irritate the latter, many of whom are highly educated gentlemen of the most refined and cultivated manners."[457] It is clear that she arrived in California with assumptions and stereotypes about race but being confronted to a diversity of people allowed her to call them into question. During her time in Rich Bar, she became close friends with Ned, a cook whom she described as a "light mulatto".[458] She admired his cooking and violin-playing skills, and spoke of him as "distinguished."[459] California's diversity in terms of races and ethnicities led people to meet and get to know people whom they probably would have stayed away from in the Eastern states. Women, being confined to the private sphere, had even less opportunities to meet people of different cultures. This can be seen as a form of emancipation: they were able to leave the private sphere not only to work but also by encountering people and thus acquiring more knowledge about the world and life outside the home. By spending time with men and conversing with them, they got to step out further away from the private sphere and to open themselves up even more to the public sphere. By engaging in typically male conversations and discussing topics like gold mining and politics, they acquired knowledge that they were usually sheltered from. Women spent a lot of time in the company of men. As they mentioned in their letters, memoirs or diaries, women often found themselves as the only woman among many men. If a woman worked in a boarding house, most of the people she would see would be boarders, the great majority of them being men. The omnipresence of men and the attention they gave to women thanks to the unbalanced sex ratio participated in the creation of strong friendships between men and women. Luzena Wilson experienced "honest, manly friendship" both during the overland journey and in California. Her male friends demonstrated "unvarying courtesy and kindness" as well as "devotion."[460] In their friendships

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[456] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 46.
[457] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Eighteenth.
[458] Ibid. Letter the Eighth.
[459] Ibid.
[460] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 1.

with men, women were free enough to be very close to them. As discussed earlier, Mary Jane Megquier went "up country with a young man", Mr Barrett, after he "inviter [her] to take a trip with him".[461] Spending time with men allowed women to discuss topics that were considered not to be interesting to them: "I have been with the gentlemen so much that I can talk of nothing but the price of lumber, rail roads, and the Town Council" wrote Mary Jane Megquier.[462] After encountering businessmen, she even started to use similar words and phrases: "business is getting better although money is very tight. (As the business men say)".[463] Not only did she spend enough time with them to be able to speak like them, but she also applied their business vocabulary to her boarding house, showing that she took her work very seriously.

Opportunities for entertainment and freedom

In addition to being freer in the way they behaved and choosing the people they spent time with, women, just like men, had many opportunities to entertain themselves. It was very common for people to go dancing, and sometimes women went alone. Abby Mansur went dancing very frequently: "I go to a ball or private party every week or to enjoy myself first rate".[464] The fact that she was able to go to balls or parties every week probably means that she had a very active social life. She had friends that hosted parties and invited her to them, and she must have met many people there. Mary Jane Megquier also went dancing very regularly: "We had an invite to a party on board ship, we had a fine dance, and a nice supper if we do not have a dance once a week it is dull times, have nothing to talk about no fixin to do."[465] She went home very late even though she had to work the next day: "when I dance all night I am obliged to trot all day".[466] Mary Ackley enjoyed Sacramento parties as a child for the beauty of the ballroom and people's clothes, as well as the quality of the food:

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[461] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 95.
[462] Ibid. 49.
[463] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 49.
[464] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900.* 54.
[465] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 70.
[466] Ibid. 60, 68-69.

> "A ballroom was connected with the hotel, where grand balls were frequently given, and many persons went there from the city. The ladies were beautifully gowned and the men always wore white kid gloves when they danced.
>
> The midnight suppers were very elaborate. The guests danced all night, the roads being too dark to travel.
>
> Mr. Patterson had four lovely daughters. One of them was my age, and sometimes I was invited to these balls, and I gladly accepted the invitations."[467]

Mary Jane Megquier also often insisted on the effort that was put into making these parties "splendid": "You would be astonished could you peep in at one of our parties. The gaiety of the dress, the lots of belles, beautiful dancers, splendid music, boquets of the richest kinds, sumptuous tables, last & not least so many fine looking men. I must say in all the parties & collections I have seen in this place the gentlemen have invariably been fine looking. I fear the states have been deserted."[468] These parties were for women ways of meeting new people and entertaining themselves. They also engaged in more intellectually stimulating activities: "For amusements we had theaters, lectures, operas, parties, etc. Theater and opera tickets were $1, and we had excellent dramas, tragedies with fine actors and actresses." wrote Mary Ackley. [469] Mary Jane Megquier often went to the theater or to concerts with men other than her husband and gave her opinion on the talent of singers and actresses: "Tuesday eve Mr Snell took me to the concert to hear Miss Hayes, we had a nice time although she cannot compare with Jenny, nor has she the compass to her voice that Madame Biscacianti had, but is very sweet and she is much better looking."[470] From this sentence, it is obvious that she had a very good knowledge of California singers, enough to be able to compare them. Going to various types of shows was a very popular activity in Gold Rush California. Mary Jane Megquier also mentioned going to minstrel shows.[471] Outside work, women had diverse ways of entertaining themselves. Since many of them worked, they could afford to pay for their own theater tickets for instance,

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[467] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 233.
[468] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 65.
[469] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 235.
[470] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 107.
[471] Ibid.

although they were often invited by men. The common nature of going out to see a show led women to be less confined to their home or work environment and to have a life outside of the home, which was more complicated for women in the Eastern states. As a consequence, they had very full social lives, as it also allowed them to meet people and to make friends, which, among other factors, made it difficult for them to leave California.

Few forty-niners expected to spend their lives in California. As a result, when they made a fortune, or when the Gold Rush came to an end, many went home. Going home to the East of the United States was more difficult for women than for men. It was hard for them to leave their friends: they had so many ways of meeting new people that women were surrounded by close friends ("there is so many of my friends coming I fear I shall have some ties here to sever, a few weeks ago I could have left without a regret"[472]). Dame Shirley wrote that the night before she and her husband left Indian Bar, so many people came to visit them that they did not have enough tableware or chairs: "one of our friends was compelled to take his tea out of a soup-plate. The same individual, not being able to find a seat, went outside and brought in an empty gin-cask, upon which he sat, sipping iron tablespoonfuls of his tea, in great apparent glory and contentment."[473] Both Mary Jane Megquier and Dame Shirley were reluctant to leave California. The day before her departure, Dame Shirley wrote a letter to her sister Molly in which expressed the sadness she felt at the idea of leaving and how California had changed her:

> "My heart is heavy at the thought of departing forever from this place. I *like* this wild and barbarous life. I leave it with regret. […] I took kindly to this existence, which to you seems so sordid and mean. Here, at least, I have been contented. The 'thistle-seed,' as you call me, sent abroad its roots right lovingly into this barren soil, and gained an unwonted strength in what seemed to you such unfavorable surroundings. You would hardly recognize the feeble and half-dying invalid, who drooped languidly out of sight as night shut down between your straining gaze and the good ship

[472] Ibid. 50.
[473] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Twenty-Third.

> Manilla as she wafted her far away from her Atlantic home, in the person of your *now* perfectly healthy sister."[474]

From her stay in California she gained strength, became healthier, and felt more satisfied there than anywhere else. Mary Jane Megquier was reluctant to go back to Winthrop, Maine, as she had gotten used to the unimportant nature of respectability in California. In Maine, she would have to "hear scandal dealt out to you from every quarter"[475] from its inhabitants who were "given to gossip".[476] She believed she would miss the excitement of living in California, and the dynamic nature of San Francisco: "I have seen so much of things a little more exciting I fear I shall never feel perfectly satisfied with their quiet ways again. Here you can step out of your house and see the whole world spread out before you in every shape or form. Your ears are filled with the most delightful music, your eyes are dazzeled with every thing that is beautiful, the streets are crowded the whole city are in the street."[477] To her, California was "the place to enjoy life."[478] More than anything else, she did not want to leave her freedom behind. She often insisted on how free she felt in California: "Never in my life did I live as free as now".[479] This freedom was the main reason for her to "dread the thought of returning" to Maine:[480] "the very air I breathe seems to be so very free that I have not the least desire to return".[481] The pleasure she felt living in California made her lose all attachment to her former home: she did not miss her house, she did not miss her city or her friends. However, she missed her children, who are the only reason she decided to move back to Winthrop. She believed it was her duty to go home and take care of them not only financially, as she did by sending money to them while she was in California, but by being present for them. In her study on women and migrations, Silvia Pedraza discussed and generalized Grasmuck and Pessar's study about migrations from the Dominican Republic: "women tended to postpone or avoid return because they realized it would entail

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[474] Ibid.
[475] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 154.
[476] Ibid. 135.
[477] Ibid. 121.
[478] Ibid. 158.
[479] Ibid. 164.
[480] Ibid. 153.
[481] Ibid. 141.

their retirement from work and the loss of their new-found freedoms."[482] This perfectly applies to forty-niner women who had discovered in California new and bright opportunities, more freedom in their daily lives and looser standards of behavior. A return to their former way of living meant that they were abandoning all of these positive aspects of their lives in California. For some of them, like Mary Jane Megquier, they were very difficult to give up on.

"But is it not wonderful what femininity is capable of?": reflecting on women's roles

When they decided to move to California, both men and women were expecting lower standards of living: they knew that the journey was dangerous and exhausting and that once they arrived, the comforts they knew in the East would be difficult to obtain. The living conditions of California added to the hard work women had to perform revealed women's physical and mental strength. Women wrote about needing to be strong throughout the journey ("it is rather a dangerous journey you must be a first rate girl"[483]). They felt that only strong women were capable of surviving the journey and life in California but also that these experiences made them stronger. When Dame Shirley went to visit friends in October 1852, she noticed that the hostess looked "utterly exhausted": "Poor Mrs. ——! Worn out with hunger, shivering with cold, herself far from well, a new-comer, unused to the makeshift ways which some people fancy essential to California life-expecting from the husband's representations—and knowing that he was very rich—so different a reception".[484] She had been misled by her husband regarding the lifestyle they would have in California and very much regretted her choice to join him: "Did you really think that I was so childishly crazy to get away from home that I would leave my nice plank house, […] with its noble fireplace, nice board floor, two pleasant windows, and comfortable bed, for this wretched place? Upon my word, I am very much disappointed."[485] For Dame Shirley, she simply was not suited for California life. Dame Shirley or Louise Clappe,

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[482] Pedraza, Silvia. "Women and Migration: The Social Consequences of Gender." *Annual Review of Sociology*, vol. 17, Aug. 1991, pp. 303–25. *EBSCOhost*, doi:10.1146/annurev.so.17.080191.001511. 309-310.
[483] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856*. 41.
[484] Clappe, Louise. *The Shirley Letters from California Mines In 1851-52*. Letter the Twenty-First.
[485] Ibid.

however, often mentioned that she enjoyed her life in California: she felt "as thoroughly comfortable here as [she] could be in the most elegant palace."[486] She actually enjoyed the rough conditions: when she entered her new log cabin in Indian Bar, she saw that two stones were used as firedogs. Her reaction was very positive: "how delightfully primitive!".[487] She very much enjoyed her lifestyle in California and was very proud of her accomplishments and how well she had been able to endure these primitive conditions. She recounted the time when she rode down a dangerous hill on a mule, and took pride in how impressed her party was:

> "I mounted my darling little mule, and rode triumphantly into Rich Bar at five o'clock in the evening. The Rich Barians are astonished at my courage in daring to ride down the hill. Many of the miners have told me that they dismounted several times while descending it. I, of course, feel very vain of my exploit, and glorify myself accordingly, being particularly careful, all the time, not to inform my admirers that my courage was the result of the know-nothing, fear-nothing principle; for I was certainly ignorant, until I had passed them, of the dangers of the passage."[488]

She was also very proud of the discomfort she underwent and how well she had handled it. She mentioned sleeping in very uncomfortable places many times: "I have slept on tables, on doors, and on trunks. I have reclined on couches, on chairs, and on the floor. I have lain on beds of straw, of corn-husks, of palm-leaf, and of ox-hide. […] We had neither pillows nor sheets, but the coarsest blue blankets, and not enough of them, for bedclothes; so that we suffered with cold, to add to our other miseries. And then the fleas!".[489] Because of these experiences, she allowed herself to call her sister – who lived in Massachusetts – her "dainty Lady Molly" as though she had given up on her "dainty" Eastern lifestyle when she moved to California. She even wrote that she was better suited for the California lifestyle than Molly: "Be thankful that you are living in the beautiful quiet of beautiful A., and give up 'hankering arter' (as you know what dear creature says) California, for, believe me, this coarse, barbarous life would suit you even less than it does your sister."[490] Mary Jane Megquier felt that California demanded mental strength from women as well. When she went on a walk with

[486] Ibid. Letter the Seventh.
[487] Ibid.
[488] Ibid. Letter the First.
[489] Ibid. Letter the Twenty-First.
[490] Ibid. Letter the Nineteenth.

two friends in May 1852, she saw a rose, which reminded her of home and thus was very moved: "it reminded me so much of home I could have shed tears but it is of no use to indulge in those things in this country."[491] These quotations demonstrate these women's vision of the Eastern states, where women could cry, where women were "dainty" and had a sophisticated lifestyle. Being in California, they no longer fit in this image of women, and acquired more typically male qualities such as courage, physical and mental strength. Dame Shirley actually realized what women were capable of when she met other California women and saw them work:

> "But is it not wonderful what femininity is capable of? To look at the tiny hands of Mrs. R., you would not think it possible that they could wring out anything larger than a doll's nightcap; but, as is often said, nothing is strange in California. I have known of sacrifices requiring, it would seem, superhuman efforts, made by women in this country, who, at home, were nurtured in the extreme of elegance and delicacy."[492]

The fact that women worked so hard and were able to make significant amounts of money led women to question the value given to their work in California compared to the East of the United States. Mary Jane Megquier, who was a housewife in Maine realized that she worked very hard for free and thus might as well could have started using her skills to make money: "I laboured in W[inthrop] twelve years, yes, day & night, where is my compensation?"[493] Living and working in California made women aware of the value of their work as well as their own value as women. The responsibility they were given in their work, and their detachment from the home thanks to the many opportunities for entertainment and full social lives, as well as work, allowed them to be more independent. Toward the end of her time in California, Mary Jane Megquier wrote that in her future, her biggest wish was to be independent ("if nothing more I wish to be independent"[494]). She, like Luzena Wilson and Mary Ballou, started her adventure hoping to make money but ended it as an independent and successful woman. Living in California allowed women to have more independence in

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[491] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 87.
[492] Clappe, Louise. The Shirley Letters from California Mines In 1851-52. Letter the Fifth.
[493] Kaufman, Polly Welts, editor. *Apron Full of Gold: The Letters of Mary Jane Megquier from San Francisco 1849-1856.* 8.
[494] Ibid. 148.

regards to their husbands. Abby Mansur missed her family so much that she wished to go home but she and her husband had not been able to make enough money at that point. She told her sister that she was ready to go home by herself, leaving her husband behind in California: "i sometimes think that Horace never will come home but i will tell you i shall come home without him". What is significant about this potential decision is that she believed to be able to go through the journey without her husband, and once home, to live without him, potentially for the rest of her life, as she doubted he would ever want to go back home. Her sister, who stayed in New England, told her that she "must be contented with [her] husband": She was confronted to the behavior that a New England woman was supposed to have which meant following her husband's decisions. Abby, however, simply could not accept this decision, which perhaps was due to the influence her experience in California had on her.[495] Mary Jane Megquier was confronted to a similar decision but the other way around. Her husband was sick and needed to go home, but she decided to stay in San Francisco, and keep running her boarding house. Jerusha Merrill was also used to being away from her husband. He worked on a farm "about fifty of sixty miles" away from the boarding house she ran in San Francisco. Her everyday life was spent without her husband.[496] These women gained independence through being away from their husbands, through their work, the decisions and responsibility associated to it, their social lives and activities. Many were financially independent, or had realized, through working or seeing women work in California, that they had the potential to be. California society, because of its instability, allowed them to have this independence and to realize, thanks to these opportunities, what women were capable of doing and to question their roles as women.

[495] Fischer, Christiane, editor. *Let Them Speak for Themselves: Women in the American West, 1849-1900*. 52.
[496] Moynihan, Ruth Barnes, et al., editors. *So Much to Be Done: Women Settlers on the Mining and Ranching Frontier*. 21.

Chapter 9 – Temporary opportunities

Instability as a source of opportunities for women

The similar context of the seventeenth-century Chesapeake and Gold Rush California gave women a significant advantage in comparison to women who lived in seventeenth-century England or mid-nineteenth century America. By migrating to these still unsettled areas, they had access to opportunities, of an economic nature or not, which gave them a favorable position in society. However, for women to be able to access these opportunities for more independence, easier and advantageous marriages, a more central place in the family, more sexual freedom, better access to employment, entertainment, a better social life, certain conditions had to be filled. In both cases, the society they entered was in a state of instability: these areas were in the process of being peopled and settled. Jamestown's survival was threatened at first because of the high death rate: properly settling Virginia was a long and difficult process. In both cases, the process of settlement was delayed by these areas' resources. On the surface, they were lands of opportunities, where one could make a fortune in a short amount of time, and this is what attracted migrants. They were hoping for quick wealth, they had left their homes for it and thus made hard work and money their priority. Another priority, more so in the Chesapeake than in California, was simply to survive. As a result, they did not bother building permanent and comfortable houses, they did not create long-lasting communities, and saw the Chesapeake or California as temporary homes. Institutions, and particularly churches, took a long time to secure their presence. All of these factors would have an effect on women, and their lives in these new areas. The very essence of the seventeenth-century Chesapeake region and Gold Rush California prevented their arrival. The nature of the opportunities they offered seemed unfit for women: they required hard work, strength, ambition – qualities that were not associated with women – and their departure from their homes to engage in dangerous journeys. There were economic opportunities at a time when the public and professional sphere was exclusively men's, while women belonged in the home: it is only logical that few women were attracted by these opportunities. The wild, dangerous and uncomfortable conditions immigrants needed to endure probably

dissuaded many of them from coming. If they came, they were risking their health, sometimes their lives, especially in the Chesapeake. In California, they would be exposed to violence. All of that participated in the perpetuation of a very unbalanced sex ratio, which is a key factor in women's empowerment in these areas during these time periods. Thanks to the sex ratio, women were given opportunities as well. A good marriage was almost guaranteed, and in California, they had access to significant economic opportunities. This was only due to the sex ratio: the presence of women was crucial. In the Chesapeake, their absence threatened the survival of the colonies: no women meant no children and thus no future generation to prevent the death of the colony. The scarcity of women also meant that men felt lonely and needed companions, and as a result saw the Chesapeake as even less of a permanent home. In California, men suffered greatly from the scarcity of women as well: it did not threaten the survival of the state, but men missed women's presence. In both areas, men needed women's work, mainly domestic work, as they lacked the skills and the time to perform these tasks. The arrival of women made their daily lives easier, whether they had to pay for their services or not. In California, women had the opportunity to be paid to use their domestic skills while Chesapeake women would mostly use them as married women. What matters here is that these societies desperately needed women, and because of that, women were valued. Men appreciated and celebrated their presence: women were much better treated in these areas than in their former homes. There was no radical change in people's philosophy regarding gender roles: the majority of the people making up these populations had spent an important part of their lives in the East of the United States or in England, and thus their view on women's roles and place in society could not change radically. However, it was easier for men to accept certain behaviors that were usually not considered appropriate for women. They valued women, needed them, and did not feel that their domination as men was threatened given the small number of women. This empowerment brought by the unbalanced sex ratio was reinforced by other previously mentioned factors. The weakness of the church and of the notion of community was significant. Both participate in creating social control and in regulating people's behaviors. They have an important role in establishing standards of behavior and morality. As a result of their weakness, the church and the community could not exercise as much social control over the population as

they could in seventeenth-century England or in the East of the United States during the mid-nineteenth century. They thus could not establish strict norms and punish those who did not fit into the mold. Religion, which tends to encourage strict distinctions between men and women's respective roles, was not present enough through churches and ministers to impose these norms. This – added to people having priorities and thus granting less importance to people's behaviors – made it easier for certain actions or attitudes that would not have been considered respectable in their former homes to be accepted. These immigrants were in a situation of urgency: they needed to work very hard in order to make money very quickly. They did not have time and had other preoccupations than watching and judging other people's behaviors. They cared about surviving and reaching their goals. Because of that, they did not care if a planter's wife was doing fieldwork in the Chesapeake or if a woman was making more money than her husband in California. This lack of judgement is the very reason why Mary Jane Megquier felt so free in California. When certain behaviors were not accepted, such as premarital sex, the reasons for their opposition to such behaviors were often economic. A planter was bothered by his servant's pregnancy because he would be impacted economically by her temporary inability to work rather than because he believed out-of-wedlock sex was morally wrong. This phenomenon can only occur if immigrants come from societies with strict gender barriers. If women had been more independent and had had access to the public sphere and professional opportunities in the Eastern states and in England, they would have been more likely to be receptive to opportunities related to tobacco and gold and to migrate. As a result, the sex ratio would have been more balanced. It is because English and American women lacked independence that those who migrated experienced this empowerment. It is no coincidence that this phenomenon occurred in two unsettled societies with similar features. The unbalanced sex ratio, key factor in opportunities for women, interacted with other factors bringing instability which together disrupted and delayed the establishment of societies that resembled the ones migrants left behind. With time, Chesapeake and California societies became more and more similar to English and Eastern American societies and as a result, women progressively lost the opportunities and empowerment they had been given.

Transitory periods: from instability to stability

In both cases, immigrants underwent a brutal change of environment and discovered places in which they were unable to reproduce right away the societies they left. They were preoccupied by different objectives and the composition of the population did not allow it. The unbalanced sex ratio, present in both California and the Chesapeake, participated in preventing the installation of a more stable society. This period of transition from instability to stability would only be temporary. It would take the Chesapeake the whole seventeenth century and only a few decades for California. At the turn of the century, the sex ratio in the Chesapeake was becoming more balanced, which meant that more couples could form, and that the population would be able to grow naturally.[497] This natural growth of the population, resulting in the birth of similar numbers of boys and girls, would in turn lead to a future generation with a balanced sex ratio.[498] The women who had been born in the Chesapeake were able to marry at a much younger age than those who had come as indentured servants, and thus were able to have children sooner and had more child-bearing years.[499] Moreover, opportunities for immigrants were decreasing: less money was to be made from growing tobacco, and the work of indentured servants was replaced by slave labor. As a result, less single English young men moved to the Chesapeake, which made the population less overwhelmingly male. Because of this natural population growth and the decline of opportunities, the Chesapeake was no longer a land of immigration. In California, the process was much shorter. It took much less time for the sex ratio to become more balanced. While in 1850, there were 12.2 men per woman, there were only 2.4 men per woman in 1660.[500] This very rapid evolution of the sex ratio, according to Albert Hurtado, historian of the American West, was due to "the immigration of families, births in California, and

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[497] Smith, Daniel Blake. "Mortality and Family in the Colonial Chesapeake." *The Journal of Interdisciplinary History*, vol. 8, no. 3, 1978, pp. 403–27. *JSTOR*, doi:10.2307/202914. 10.
[498] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 565.
[499] Smith, Daniel Blake. "Mortality and Family in the Colonial Chesapeake." 3.
[500] United States Census Office. *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census under the Direction of the Secretary of the Interior by Joseph C.G. Kennedy*. 1860. Quoted in Hurtado, Albert L. "Sex, Gender, Culture, and a Great Event: The California Gold Rush." *Pacific Historical Review*, vol. 68, no. 1, 1999, pp. 1–19. *JSTOR*, doi:10.2307/3641867, 4.

a modestly growing immigration of single females."[501] Indeed, the changes that California underwent in a matter of a few years seemed to make the place more welcoming for women. Once the chance at making a fortune out of gold mining became thinner, a significant part of the population of California left. Some went home in the East of the United States, some chased other opportunities elsewhere. The decline of opportunities brought order to California: those who had been miners started working for wages, for mining companies or returned to their former occupations.[502] The norm was no longer being an independent miner who could strike it rich at any time, it was now working day-to-day jobs. In addition, the arrival of women from the East and the formation of more families brought more order and the establishment of Eastern respectability.[503] This resemblance to the East of the United States allowed for the formation of long-lasting communities and stricter religious practices. In the Chesapeake, these two elements were strengthened as soon as its society found more stability. Chesapeake and California inhabitants also found more stability in the way they lived. First, people in the Chesapeake became less affected by local diseases and lived longer lives.[504] More and more children reached adulthood.[505] They also lived more comfortable lives. They started the century by living in semi-permanent habitations, deprived of comfort, but little by little, these habitations became more permanent, better built, and more comfortable. They had easier access to furniture and to workers specialized in building houses.[506] Frances Anne Van Winkle described the city of Sacramento in 1850 as an "endless sweep of small tents, not a frame building anywhere in sight."[507] This changed rapidly. California inhabitants witnessed cities developing, buildings being erected in a few months. In the mid-1850s, California cities were well-developed and

[501] Hurtado, Albert L. "Sex, Gender, Culture, and a Great Event: The California Gold Rush." 4.
[502] Roberts, Brian. *American Alchemy: The California Gold Rush and Middle-Class Culture*. 144.
[503] Ibid.
[504] Carr, Lois Green, and Lorena S. Walsh. "The Standard of Living in the Colonial Chesapeake." 3.
[505] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 567.
[506] Carr, Lois Green, and Lorena S. Walsh. "The Standard of Living in the Colonial Chesapeake." 3.
[507] "Gold Rush Stories of Women Pioneers."

populated.[508] Luzena Wilson described the changes in the landscape she witnessed:

> "The redwood shanty has given way to large and well-built pleasant homes, furnished with comforts and often luxuries. Instead of the barefooted, rag-covered urchins of early times, who ran wild with the pigs and calves, all along the roads one may see troops of rosy, well-clad children on their way to school. The old-time Sabbath amusements of riding bucking mustangs into the saloons, drinking all day at the various bars, running foot-races, playing poker, and finishing the day with a free fight are things of the past. The sobering influence of civilization has removed all such exciting but dangerous pastimes as playing scientific games of billiards by firing at the balls with a pistol, taking off the heads of the decanters behind the counter with a quick shot, and making the bar-keeper shiver for his well-curled hair. Now when the individual members of the enlightened population play cards, as perhaps they sometimes do, it is in the seclusion of the back-room, out of range of prying eyes."[509]

California was becoming "civilized." Along with these changes came the establishment of institutions, schools and churches: California became a "Christian and refined world."[510] This took more time in the Chesapeake. Both of these societies underwent dramatic changes during these periods of transition before finding some kind of order and stability. Until this state of stability was found, women benefited from the suspension of the old gender rules, impossible to recreate right away due to "emergency conditions."[511]

Temporary female empowerment

In both California and the Chesapeake, the arrival of a more balanced sex ratio impacted women's marriage opportunities. Since there were more women, they were less privileged: they had fewer suitors to choose from. In the Chesapeake, it became more difficult for widows to remarry,[512] and the rise of stricter social hierarchies encouraged people to marry within their own social

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[508] Robert Phelps. "'All Hands Have Gone Downtown': Urban Places in Gold Rush California." 114.
[509] Stanley Wilson, Luzena. *Luzena Stanley Wilson '49er: Her Memoirs as Taken Down by Her Daughter in 1881*. Chapter 10.
[510] Farnham, Eliza. *California, In-Doors and Out: Or, How We Farm, Mine, and Live Generally In* ... 326-327.
[511] Collins, Gail. *America's Women: Four Hundred Years of Dolls, Drudges, Helpmates, and Heroines*. 11.
[512] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 557.

class. In Gold Rush California, women tended to be of a lower social status than the men they married: this changed with the progressive arrival of more women, among which women from higher social status.[513] The sex ratio being balanced or close to balanced, women were still able to find husbands, however, their marriage opportunities were not as bright as they used to be. In addition to this, women had less freedom regarding the choice of their future husband, especially in the Chesapeake. With a growing life expectancy, Chesapeake inhabitants lived much longer lives than they used to: they were thus more likely to be alive when their children reached a marriageable age. Besides, native women married earlier than immigrant women: Lorena Walsh found that native Maryland women were between sixteen and nineteen years old when they married.[514] The longer life expectancy and lower age at marriage contributed to parents' involvement in their children's marriages. In addition, the geographical proximity between parents and their children was significant: they were no longer separated by an ocean. When alive and geographically close, parents could intervene in their daughters' marriage choices. Women's younger age probably made them more likely to follow their parents' opinion. At the turn of the century, women went from being able to make their decision freely and independently to including their parents' opinion in their decision, at best. Women gradually lost their significant power of decision due to a more balanced sex ratio and a higher life expectancy. In California, the arrival of families also meant that parents would have a say in their children's marriages. The geographical distance could not keep them from intervening.

Women also gradually lost their stronger voice in the marriage. The establishment of strong religious practices reinforced the dominant position of the father, and patriarchal families became the norm. Chesapeake eighteenth-century marriages resembled English marriages more than the partnership-like unions that marked the seventeenth-century.[515] Higher life expectancy led to longer marriages, less frequent remarriages and less complex family structures, which

[513] Bancroft, Hubert Howe, et al. *History of California*. 234-235.
[514] Walsh, Lorena S., et al. "Till Death Us Do Part": Marriage and Family in Seventeenth-Century Maryland." 128.
[515] Carr, Lois Green, and Lorena S. Walsh. "The Planter's Wife: The Experience of White Women in Seventeenth-Century Maryland." 569.

made patriarchy easier to establish. In California, the arrival of more women made marriage easier for men. Married men no longer had to pay for women's services as laundresses or cooks as their wives would provide these services for them. As the demand for single women for marriage decreased, so did work opportunities for women. As a result, women were less likely to contribute to the family income, which had a significant role in increasing women's voices in their marriage. Women were also probably more dependent on their husbands. When during the Gold Rush, the woman was the one who sought a divorce in 75 percent of cases, in the 1870s, it was only the case for 65 percent of divorces.[516] Being less financially independent probably dissuaded women from divorcing their husbands. They also knew that, as divorced women, their chances of finding another husband were reduced given the more balanced sex ratio.

The rise of long-lasting communities and the strict establishment of religion led to more social control and more clearly defined gender roles. At the turn of the eighteenth century, Chesapeake women were less and less likely to perform fieldwork: they no longer participated in tobacco growing.[517] The time they used to spend working alongside their husbands was henceforth spent performing domestic tasks. Women's tasks became much more demanding: "women reared their numerous children, ran their kitchens (often large, detached structures), sewed clothes, made woolen or linen cloth, served tea or coffee to house guests, and worked in their vegetable gardens."[518] This work left them very little time, and if they had free time, they dedicated it to other activities than fieldwork. The beginning of the eighteenth-century also marks the more common use of the plow (rather than the hoe), making fieldwork less accessible to women.[519] Chesapeake inhabitants had an easier access to the equipment necessary to develop household industries: women could now spin, make candles, butter or cheese.[520] There was thus the development of a very strict division of

[516] Robert L. Griswold. "Apart but Not Adrift: Wives, Divorce, and Independence in California, 1850-1890." 267.
[517] Kulikoff, Allan. "The Colonial Chesapeake: Seedbed of Antebellum Southern Culture?" *The Journal of Southern History*, vol. 45, no. 4, 1979, pp. 513–40. JSTOR, *JSTOR*, doi:10.2307/2207712, 22.
[518] Ibid. 24.
[519] Herndon, Melvin. *Tobacco in Colonial Virginia: "The Sovereign Remedy."* 14.
[520] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. ABC-CLIO, 2010, 8.

labor between men and women: women no longer left the domestic sphere to help their husbands in their work.

In the seventeenth-century Chesapeake, widows were very often trusted enough to be named executrix of their late husbands' estates. They were in the great majority of cases given much more than the minimum. This changed in the eighteenth century. It was more common for sons to inherit and manage their fathers' property.[521] With higher life expectancies, sons were more likely to have reached adulthood by the time their father died. Moreover, authorities became less and less favorable to women being the heads of their households, and tried to prevent such families from forming.[522] The turn of the century marked the disappearance of the privileges widows had been given during the seventeenth century: such households were perceived by authorities as "disruptive and a cause of disorder in the community."[523] Women's behaviors became more and more regulated. Sexual misconduct from women was feared and a seen as a threat to social order. Sexual offenses and all kinds of behaviors that were seen as challenging family norms were more severely punished.[524] During the seventeenth-century, sexual misconduct sentences were "fair" in the sense that both men and women incurred similar sanctions. This also changed. Before the end of the century, men were about as likely to be prosecuted for "sex offenses" as women (51 percent of men for 49 percent of women between 1633 and 1669).[525] The situation changed completely starting from the 1670s: women became three times more likely than men to be prosecuted for such offenses, and in the 1680s and 1690s, ten times more.[526] It became easier for men to escape the charges when being prosecuted for bastardy and fornication. At the end of the century, in Virginia, for a man to be declared guilty, testimonies from both his partner and another witness were necessary if he did not confess.[527] In most cases, only women ended up facing dramatic consequences, as the rare men who were found guilty would often only have to provide financial maintenance for the child

[521] Norton, Mary Beth. "The Evolution of White Women's Experience in Early America." 603.
[522] Smith, Merril D. *Women's Roles in Seventeenth-Century America*. 17.
[523] Ibid.
[524] Norton, Mary Beth. "The Evolution of White Women's Experience in Early America." 602.
[525] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 126.
[526] Ibid.
[527] Pagan, John Ruston. *Anne Orthwood's Bastard: Sex and Law in Early Virginia*. 127.

and would more easily escape judgment.[528] Attitudes and legislation grew increasingly hostile toward women: the empowerment associated with the beginning of the Chesapeake settlement – power of decision regarding marriage, stronger voice in the marriage, more sexual freedom, more autonomy in widowhood – was followed by a deterioration of their status.

In California, women did not have to face increasingly discriminating legislation, but the arrival of other women along with the old standards of morality and behavior resulted in a loss of independence as well. Eliza Farnham believed that the scarcity of women was the very reason for California's "immoral" nature and that as soon as women would arrive, the situation would change: "[Woman's] presence is the guarantee for the best manifestation of his nature of which man is capable, amid the influences which here surround him; and bas as if often is, we may rest assured that without her it would be inconceivably worse."[529] Women were active in "civilizing" California: they formed organizations, organized fund-raisings to build schools, churches, hospitals or orphan asylums.[530] They attacked the evils of California society such as gambling, drinking or prostitution.[531] They participated in establishing strict religious practices. More women meant more couples and more marriages. Marriage, being at the root of community, led to more social control, strengthened by the power of the church. Women's behaviors were thus increasingly regulated and their roles as women were more strictly defined. They had less freedom in their relationships to men, in courtship and in their daily lives. Mary Jane Megquier's lifestyle, going dancing regularly, going on trips with men, accepting strangers' invitations, would probably have been less easily accepted toward the end of the century. The arrival of women in great numbers and their efforts to "civilize" California partly caused the regression of their emancipation. Prostitutes, who were in such high demand during the Gold Rush, were now punished and ostracized. Like the Gold Rush, the window of opportunity for California prostitutes was very short.[532] They

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[528] Ibid.
[529] Farnham, Eliza. *California, In-Doors and Out: Or, How We Farm, Mine, and Live Generally In* ... 295.
[530] Levy, Jo Ann. *They Saw the Elephant : Women in the California Gold Rush*. 200-201.
[531] Ibid. 205.
[532] Breider, Sophie. *"The Best Bad Things": An Analytical History of the Madams of Gold Rush San Francisco*. 11.

lost their favorable status as a result of the establishment of a more stable patriarchal society.[533] Their presence as it was during the Gold Rush, a period with a higher degree of sexual freedom, was simply incompatible with the newly arrived standards of morality and respectability.

[533] Ibid. 8.

Conclusion

The main goals of this master's thesis were to define the opportunities accessed by migrant women and analyze their interactions with the principal features of the environment. It has demonstrated that the nature of California and Chesapeake societies enabled immigrant women to access exceptional empowerment opportunities for their time. In marriage and courtship, they benefited from a significant power of decision thanks to the unbalanced sex ratio and the death of their parents or geographical distance between them. The absence of supervision allowed them to make their own decisions and create their own standards around what they considered a good marriage. The context of bright opportunities around gold and tobacco led immigrants to prioritize work and money and thus regulating female behavior was not an important concern. They experienced more freedom in sexuality and in the terms of their relationships with men. Because of the weakness of the church and community, significant in creating standards of behavior and morality, behaviors which would have been considered immoral in the East, were tolerated or less strictly sanctioned. These women enjoyed a delay in the establishment of the patriarchal family, and were able to make their marriages resemble partnerships rather than strict dominance relationships. Chesapeake women experienced a looser division of labor according to gender and often participated in the family's primary economic activity. They acquired more authority in the household thanks to Chesapeake's new norms around the family. California women were able to gain significant freedom in their behaviors and daily lives: they had very full social lives, had many opportunities to entertain themselves, and could do so without judgement from the community thanks to society's focus on work and wealth. Through work, they acquired power and independence. They had significant responsibilities, constantly made important decisions, and were financially independent. They took pride in being industrious, strong, and resilient, and in being able to perform tasks that were considered "unladylike." The freedom that women had in Gold Rush California and what they had been able to achieve actually led some of them to question the strict gender roles from their native societies and the qualities women were typically associated with.

However, most female forty-niners, in order to be professionally successful, found themselves restricted regarding the different occupations they could enter. It was specifically domestic tasks that were in demand in California and that most women performed in order to earn a living. As a result, women found themselves in-between the professional sphere and the domestic sphere. They were able and encouraged to join the professional sphere, but as domestic workers, which was probably easier for society to accept. They were still performing "women's work" which on top of that was in great demand. If they did not perform domestic tasks and instead were singers, dancers or even prostitutes, they were not unsettling general assumptions around the tasks and work women were expected to perform. Those who earned a living working typically male jobs as stagecoach drivers or miners often had to dress as men to be able to access these occupations and to be safe on the job. Indeed, although women experienced more independence and less regulation around their behaviors, these two societies did not undergo dramatic changes in their perception of women. In both cases, immigrants came from societies with specific philosophies about gender and the role of women. These ideas could not be abandoned so easily and so quickly. Legally, women were still considered inferior to their husbands and men in general, and collective ideas about the role of women corresponded to this ideology. The circumstances prevented patriarchal societies from settling but they would eventually find their place in the Chesapeake as well as in California. It was because women were needed, to become wives, bear children, perform domestic tasks, help out with fieldwork that traditional ideas about gender roles were suspended. Women were able to have access to so many advantages because men allowed them to or did not have a choice. If a man decided to treat his wife as a partner, it was his decision. Of course there were factors which allowed for more female empowerment but men let it happen and were active perpetrators in this phenomenon, willingly or not. Chesapeake men allowed their wives to perform field work because they needed them to. If, in their wills, they named their wives as executrixes of their estates, gave them property and put so much trust in them, it was because they had no adult son or relative to trust instead. They did not ostracize mothers of illegitimate children or women who had been charged with illicit sex because they needed these women to become their wives. Forty-niners allowed and encouraged women

to take up lucrative domestic occupations because they had no one to perform these tasks for them. Although most of these tasks were not vital, as men would find ways to feed themselves and do their laundry, they provided men with the comforts they had at home and lacked in California. They considered prostitution acceptable and even necessary because they wanted access to prostitutes. They missed the presence of white women and enjoyed their company and thus did not keep them from being successful actresses, singers, dancers or from freely interacting, going out, dancing with men who were not their husbands. Perhaps men allowed all of these different forms of empowerment because they did not feel threatened by giving women too much freedom: after all, there were so few of them that they did not represent a threat to male domination. These advantages were reinforced by the fact that both Chesapeake men and California men had bigger concerns than securing strict gender roles. They had economic goals to pursue and made them their absolute priority. No magical change in the philosophy around gender occurred during these periods marked by exceptional female empowerment. Indeed, these ideas came back as soon as opportunities linked to tobacco and gold started to decline and these societies found more stability around the sex ratio, death rate, religion and community. As a result, women's advantages would come to an end. By the middle of the 1850s, the Gold Rush was already over. In the Chesapeake, starting from the second part of the seventeenth-century, opportunities for upward social mobility were decreasing. Much less money could be made from tobacco cultivation and gold mining. As a result, a significant part of forty-niners returned to their homes in the East, which was much more difficult to do for Chesapeake immigrants. Those who stayed henceforth saw these places as permanent homes and increasingly focused on other things than their economic objectives. California became more "civilized" – communities developed, the church secured its position, schools were built – and thus became more attractive to women, balancing the sex ratio. In the Chesapeake, it was the natural renewal of the population which led to a more balanced sex ratio. In addition, life expectancy grew, religion acquired a stronger place in people's lives and communities developed. Patriarchy settled.

Although they were only temporary, the contexts of Gold Rush California and the seventeenth-century Chesapeake gave women exceptional

opportunities and advantages for the time. As this master's thesis has demonstrated, specific conditions have to be filled for such a phenomenon to occur. More research on such restricted periods of increased opportunities for women could be significant as it could reveal whether these two cases are only isolated examples or if there are other similar occurrences in American history or even world history. Since when important events such as the creation and settlement of colonies or the California Gold Rush occur, the focus is not immediately put on women's experience, it would not be surprising if other examples of such phenomena in history had been missed. Finding other similar occurrences could lead to the theorization of a causal relationship between unbalanced sex ratios, migrations induced by economic opportunities, transitory periods and temporary female empowerment.

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Une étude comparative de la baie de Chesapeake du dix-septième siècle et de la ruée vers l'or californienne

MOTS-CLÉS : migrations, émancipation féminine, sex-ratio, instabilité sociétale, Chesapeake colonial, California Gold Rush

RÉSUMÉ

Lorsque des migrants anglais quittèrent l'Angleterre pour les colonies de la Baie de Chesapeake au dix-septième siècle, ils espéraient acquérir richesse et ascension sociale, tout comme ceux qui quittèrent l'est des Etats-Unis pour la Californie après que de l'or y ait été découvert en 1848. Le potentiel lié à l'émancipation des femmes, le sujet de ce mémoire, rendu possible par ces sociétés en évolution constante et basées sur l'immigration, est une des importantes similitudes entre ces deux migrations. En décrivant les différentes formes d'émancipation accessibles aux femmes et leurs interactions avec l'environnement, ce mémoire soutient que les opportunités liées à la culture du tabac et l'exploitation de l'or donnèrent lieu à la création de sociétés majoritairement masculines et instables, qui à leur tour offrirent aux femmes des opportunités exceptionnelles et temporaires liées au mariage, à la séduction, à la famille, au travail, et leur vie quotidienne. Cette émancipation féminine, étroitement liée à la proportion inégale d'hommes et de femmes et à l'instabilité, disparut progressivement parallèlement à l'installation de sociétés plus stables.

KEYWORDS : migrations, female empowerment, sex ratio, societal instability, colonial Chesapeake, California Gold Rush

ABSTRACT

When English immigrants left their homes for the Chesapeake colonies in the seventeenth century, they were searching for quick wealth and social mobility, as did forty-niners who left the East of the United States for California after the discovery of gold in 1848. One important similarity between these two migrations, which is the main focus of this study, is the female empowerment offered by these migration-based and rapidly-evolving societies. By describing the different forms of empowerment experienced by women and their interactions with the environment, this master's thesis argues that the opportunities linked to tobacco cultivation and gold mining resulted in the creation of predominantly-male and unstable societies, which in turn led to temporary exceptional opportunities and independence for women regarding marriage, courtship, family, work and daily lives. This female empowerment, tightly linked to the unbalanced sex ratio and instability, gradually disappeared along with the establishment of more stable societies.