The anonymity of urban space has long been viewed as important to the history of sex between men in modern European history, but such anonymity was always limited. Moments of standing alone in a park at night, in front of a picture-shop window, or in a particular kind of public house in anticipation of a sexual encounter with another man were stolen from lives that were lived within family and community networks. Although there was a continuous homosexual subculture from the eighteenth through the late nineteenth century, the vast majority of the evidence for sex between men preserved for the first half of the nineteenth century does not relate to it but rather to a much broader group of men whose sexual acts with other men, rather than being separated from the rest of their lives, were relegated to the “twilight moments” within them. For the majority of the existing evidence, the context is the family rather than the molly house.

The family was a site where the transgression represented by sex between men was assessed and where the consequences of those acts were decided. Many situations that eventually became court cases had first been debated and assessed within families, and family interventions long preceded increased state interest in this behavior. Families invariably condemned sexual acts between men when they were made public, and in all recorded cases they also worked privately to separate and sanction men known to be engaging in such acts; but family reactions also varied widely. By understanding patterns in the regulation...
of sex between men within the family, and how those patterns differed according to class, we can form a clearer picture of how society understood these acts. Although sex between men was almost always treated as a crisis when the families discovered it, its designation as “the worst of crimes” seems accurate only for a minority of the families examined and for a minority of individuals within those families.

Family connections and networks of mutual economic support were essential to individual survival and social status at all levels of British society, especially for the urban working class, whose existence was dependent on continuous wage labor. In an age of rapid economic change and severe limits on labor organizations, a family’s economic situation could deteriorate rapidly for reasons beyond its control. Although workers clubbed together in friendly societies and other self-financed insurance programs to insulate their families from shocks in a laissez-faire economy, the most pervasive survival strategy was to employ the labor of wives and children.

Although this use of family economic resources was often a necessity, it undermined the authority of the father as the head of the urban working-class household. It also reduced fathers’ already-circumscribed ability to control the marriage choices of their children. The ability to pass on artisan skills and tools, or to arrange for the employment of a son based on a father’s position within the community, were both diminished in the urban capitalist economy. In rural communities, various forces had worked to regulate the marriage of the young, to ensure that any new household would be economically viable and lessen the risk that the children would become a burden on the parish. These forms of community supervision of marriage, based in part on the imperatives of a rural subsistence economy with limited geographic mobility, were not replicated in urban centers.

Middle-class individuals were also highly dependent on family for securing their economic position, but here the mechanisms at work tended to increase the authority of middle-class fathers. At the start of the nineteenth century, middle-class men often did not monopolize either the capital or the labor that went into the building of their family enterprises: they relied on their wives to manage smaller businesses and oversee accounts and employees. They also depended on the capital resources and family alliances that women brought with them into a marriage. As the century progressed, however, the size and scale of businesses increased, marginalizing women’s participation and increasing the control of the father over the economic life of the family.
a father’s power over his children increased as a son’s training in the family business or education for a profession became more dependent on the financial support of the father. Daughters were even more tied to the economic fortunes and good favor of their fathers, dependent as they were on dowries and having no other option for supporting themselves that would allow them to maintain middle-class status.

For the upper-class family, continuity was the overriding characteristic of their experience of the economic changes and urbanization in this period. Although the fear of social revolution was palpable in certain years, only in the 1880s did the broader economic and technological changes that altered the fortunes of so many others in society finally begin to affect the upper classes, primarily through the importation of cheap foreign grain. The expanding economy and empire offered opportunities for younger sons in the military and in the financial sectors, but otherwise it did not greatly affect the relationships within the upper-class family. With social position linked so closely to family connections, most individuals carefully guarded their status within the family. Upper-class individuals were among the few with the wealth necessary to live independently of the labor and support of a family, but almost no one seems to have made such a choice. Even within the anonymous city, therefore, almost no one lived without family connections for an extended period, and few were ever alone for long.

Even among the massive influx of new immigrants to the city, experiences were mediated through the family. For the whole of the period under study, the birth rate in London was lower than the death rate, so that London’s steady increase in size over these years was sustained through migration from the countryside. Many working-class migrants practiced forms of serial migration, obtaining housing, social contacts, and information on employment from relatives and friends who had already moved to the city. In this way, cities like London “became studded with little districts, sharing common rural origins . . . perhaps spread over two or three streets, as a system of mutual affection, sociability, and support.” Professions such as domestic service and policing, unpopular with long-term city dwellers, eased the transition from rural to urban life, as they explicitly recruited employees from the countryside. For many otherwise unconnected rural migrants, these forms of paternalistic employment provided networks of support.

Likewise, prostitutes in central London, once thought to epitomize the isolation of the urban individual divorced from family networks, retained their ties to working-class families and communities to a much
greater degree that previously assumed. They did so by separating their work both temporally and spatially from their family lives. The number of prostitutes in the West End of London was never higher than in the nineteenth century, yet many of these women lived elsewhere, mainly in the working-class communities south of the Thames. After engaging in prostitution for a number of years, often as a part of a calculated strategy to avoid more onerous employment in an economy that offered few desirable options to young women, these individuals often became wives and mothers. Scholars such as Judith Walkowitz have shown that the sentimentalized literary depictions of fallen women (replete with remorse, social ostracism, and tragic early death) cannot be taken as a guide to social experience in the early nineteenth century. For prostitutes as for new urban migrants, family ties have been shown to be more persistent and durable than previously assumed.

The effects of urbanization and economic change were also tempered by the persistence of many earlier forms of employment. In the first half of the nineteenth century, the single largest occupational category in London by far was domestic service, which was structured by social relationships that carried over from the eighteenth century. In many trades and professions, especially those catering to the luxury trades of the capital, the small workshop, the live-in apprentice, and the patriarchal relationship between employers and employees remained strong. As Raphael Samuel has argued, the persistence of labor-intensive building techniques extended long into the Industrial Revolution. Although the Crystal Palace was intended as a symbol of the new modern age and built at the midpoint of the century, it was realized largely with labor-intensive techniques such as hand-puddled iron beams and hand-blown glass window panels.

If such a spectacular argument for the modern world as the Crystal Palace was made in 1851, it was in part because only three years before, it seemed as if the lower orders might finally engage in a full-scale revolt against that modern industrial world, which up to that point seemed far more detrimental than beneficial to them. The disputed five million signatures on the Chartist petition of 1848, and the threatened march of tens of thousands of workers on Westminster in that year to demand political inclusion, challenged the viability of the current political structure in Britain and of the laissez-faire relationships that were eroding the previous social forms. That no revolution actually occurred should not diminish our appreciation of the political tensions of those years. There was nothing inevitable about the triumph of the
new economy in the first half of the nineteenth century and the new forms of social organization that came with it; many, even in the middle class, argued against its worst aspects.

The protected space of the family was consistently invoked as a bulwark against the abuses and excesses of the modern world. The middle-class home, as celebrated in the late eighteenth-century poetry of William Cowper and embraced by the Evangelical middle class, was seen as a refuge from the complexities and immoralities of the modern world. The home preserved the religious and moral values that were under threat elsewhere in society. A properly constituted family, sanctioned by the state and the church through marriage, and secured by the income earned through diligent work in the world, could insulate itself from outside intrusions.

The concept of the home was less private and less inviolate for the working class, but working-class families aggressively resisted attempts by outside authorities to impose regulation on them. Lacking the financial resources that would have allowed more social functions to occur within the home, they placed a higher value on community, with celebrations such as Christmas and Easter being community rather than private family rituals. Yet the working class also invested in rituals of the home, such as the creation of the parlor, when resources allowed. The workhouses were seen as egregious in part because they broke up families, an action justified by the state on the grounds that when individuals abrogated the responsibility of supporting themselves, they lost the right to a private family life as well.

The right of a family to protect its members from the intrusions of the law was also enshrined for the upper classes. The most prestigious families in the realm were entitled to special treatment before the law. Their debts were treated differently from those of others, and their other transgressions before the law might be heard before special juries, drawn only from men of similar status. All levels of society, therefore, in some respects manifested the idea that belonging to a functioning family accorded the individual a degree of protection from the intrusions of the state. The ideal of English liberty was strong; that ideal included the conviction that the power of the state should be limited, and that a wide range of behavior, especially within families, was outside its purview. This was an era long before the extension of state regulation into the sphere of the functioning family, such as in the Education Act of 1870, which sent inspectors into working-class homes. In the first half of the nineteenth century the state was only just
beginning to regulate even the level of violence in society that fell short of grievous bodily injury. Involving the state in physical assaults within the family was rare, and most domestic abuse within a marriage was not recognized as criminal. Many of the physical disputes and moral transgressions that happened within families stayed within them and were settled within them.

Because so little attention has been given to the families of the men who engaged in sex between men, it is worthwhile to work through a number of examples. Doing so not only shows the variation between reactions of families of different classes but also illustrates the divisions and conflicts that arose over how to respond once sex between men was brought to light. Sometimes fathers and sons were united in their responses; at other times their reactions were starkly different. At many points wives, mothers, or sisters took the lead in resolving these crises, which seemed to undermine masculine status and power.

These differing responses both within and between families of different class backgrounds can be seen in the series of letters left by the Franklin and Geldart families, written in the months before and after the state ended the relationship between their sons. Thomas Franklin was a railway inspector, and, like many fathers of the time, he attempted to ensure that his seventeen-year-old son Henry would be placed “in an honorable way of getting a living.” Thomas had great difficulty in finding a position for his son, though, and could ultimately do no better than obligating him to serve aboard a merchant ship for five years. Henry Franklin was apparently very dissatisfied with this arrangement, and within a short time he had deserted his ship, sold his clothing, and taken to living on the streets in London. Friends of the family reported this outcome to Henry’s parents, who had recently moved to Scotland. The father especially felt that it would be best “to leave him a little time in adversity to see if it would bring him to a sense of duty.” It came as something of a shock to the parents when they heard again from London friends that their son was seen to be very well dressed and enjoying a comfortable life. This sudden improvement in Henry’s circumstances “created serious suspicion” in the parents, and Henry’s mother set off for London to discover what exactly was going on.

The fact that their son seemed to be living beyond his means made his parents “fear evil has befell him, and he has become badly associated.” Although they may have worried that he had fallen in with a band of thieves or other rough individuals, the mother’s fears were not allayed when, after some effort, she found Henry, and he told her that
it was “a gentleman [who] had taken compassion on him.” She told her son that “all this looked suspicious, [and] she would not be satisfied until she had seen this Gentleman.” When the two actually came face to face, the mother’s attitude toward the man, Joseph Geldart, mingled cordiality and suspicion. She asked him for his full name, occupation, and address, saying that “if a gentleman, [he] will give me credit for my duty as a caring mother, it carries with it a great suspicion.”

Before she left town, Mrs. Franklin arranged a job for her son with “a respectable house of business,” and found him lodgings to her liking as well. Unknown to Henry, she also arranged for more London friends “to be the guardian” of her son and to report on his actions to her and her husband. The closest the Franklins came to explaining why they did not remove their son from London entirely was their admission that they “could not afford with a large family and limited income to keep him in idleness at home.” Economic realities had to come before suspicions of immorality; the parents hoped that the constraints that Mrs. Franklin placed on her son would suffice to isolate him from improper behavior.

Ultimately the barriers proved insufficient. Henry continued to spend time with the older gentleman and became careless at his job, to the point of dismissal. Henry’s “guardians” reported back to his parents that he had stayed out all night with Geldart and that the relationship between the two men was indeed sexual, as the parents had feared. Shortly thereafter, it was discovered that Henry had embezzled twenty-one pounds from the shop where he worked, and the police began to pursue him on charges of committing unnatural acts. Henry managed to elude capture long enough to arrive in the Scottish town where his parents lived. It is unclear what sort of protection Henry might have felt they could provide him, but none was forthcoming. Thomas Franklin refused to see his son, stating that “I have so often forgiven his disobedience to us his parents, but in this his last act, which is a severe stab to me, I will not screen him from justice.” Henry fled the town and was apprehended a short time later, at which point he confessed his criminal and sexual acts to the police.

Yet even after such an emotional conflict between father and son, Thomas did not shut Henry out of his life or leave him entirely to the mercies of the legal system. He wrote to the Home Office asking that his son be tried for the theft alone rather than the unnatural crime. He did not want to ascribe any of the responsibility for the sexual relationship to his son, and instead wrote to ask the Home Secretary
to punish and make an example of Joseph Geldart, “to protect society from such monsters.” Thomas wrote, “I verily believe [Henry] would have been active and attentive to his masters, and a comfort to us again his parents had he not been bent by this wicked man and made a victim to his base purpose.” Although there was little more he could do, Thomas traveled to London to witness his son’s police-court hearing and wrote at least one further letter to the Home Office to plead for the mitigation of charges.

For the Franklins, controlling Henry was more important than hiding his relationship with another man, and they considered enlisting the help of friends preferable to any form of appeal to the state. They suspected the sexual nature of Henry’s relationship with Geldart before recruiting London friends to help keep an eye on the two men. Their decision sharply differs from the recorded concerns of Geldart’s family. In contrast to the Franklins, this family appears to have been wealthy and well connected. Their letters express very different concerns about how unnatural-assault charges might affect the family’s future.

In his first letter to Home Secretary Earl Grey, written on 8 July 1850, Thomas Geldart declared that he was “somewhat emboldened” to write “from being well-known as the Secretary of the town Missionary Society by the Dow[ager]. Lady Grey.” After dropping this hint of a personal connection, he went on to say that he wrote not so for the sake of his imprisoned brother but instead for his father, who was on his deathbed. He stated that the entire family must be assembled to pay their last respects. It was somewhat ironic to request Joseph’s release for this reason, because in the same letter Thomas describes his brother’s actions as a cause of great distress for their father and a significant factor in the rapid decline of his health. But neither the crisis within the Geldart family nor the connection between them and the Greys was enough to sway the home secretary, and the request for an early release was denied.

Any appearance of genuine emotion in Thomas Geldart’s first letter quickly gave way to practical concerns in the second. After relating to Earl Grey that his father had just died, he again made a plea for his brother’s release, this time wholly for the benefit of the family’s reputation. Thomas wrote: “No tongue can tell the anguish of my spirit at the prospect of the public exposure of the pain that must be endured by many most respectable and innocent parties on the occasion of the funeral, should [my brother] not be permitted to be present.” The Geldart family had been spared the shame of Joseph’s arrest and
trial more than ten months before because his name had appeared in
the papers only as “Joseph Smith.” The Geldarts felt that Joseph’s
absence from the funeral would have raised difficult questions among
their friends and family, but they were nevertheless forced to face them,
as the Home Office once again denied the request for release.

This example and others like it provide evidence of divergent con-
cerns based on income and social class. While apprehensive about
their son’s morals, the Franklins had to consider their family’s eco-
nomic position as well. They could not afford to remove their son from
temptation despite their fears for him, and at least part of their hope
for their son’s reform was based on their need for him to be of some
economic use to them in later life. The Geldarts, by contrast, based
their appeal in the first instance on sentimental and familial emotion,
and in the second instance on the need to maintain appearances within
their social network. That the Geldarts and the Franklins were typical
of their respective economic classes in these concerns is suggested by
other examples in the court records.

No acrimonious exchanges between the Franklins and the Geldarts
occurred, presumably because the families existed in separate social
and economic worlds and could ignore one another. The Franklins
referred to Joseph Geldart in their letters only briefly, as a corrupting,
older, “wicked man” who bore the responsibility for what occurred,
while the Geldarts made no mention of Henry or the other Franklins
at all. Yet cases in which a man was accused of taking advantage of
someone younger and poorer were often those that generated the stron-
gest confrontations between families, especially when the families had
a long-standing relationship. These cases show just how powerful the
charge of sex between men could be in disrupting usual patterns of
class deference and gender hierarchy between and within families.

Such results were evident when John Richard Seymour was accused
of engaging in unnatural acts with Charles Macklin. The significance
of this case is indicated by the fact that in addition to the newspaper
coverage it received, it was also one of the five trials selected for inclu-
sion in the Annual Register of 1828. Along with providing a historical
summary, Parliamentary summary, and upper-class obituaries, every
year’s issue of the Annual Register summarized a handful of significant
court cases. In the Annual Register account, John Richard Seymour
was described as “a gentleman of rank, fortune, and education,” who,
in spite of these social advantages, had been taken to court and ulti-
mately convicted of unnatural acts on the word of only his servants.
Because at that time all upper- and middle-class households had at least one servant, the role of the servants in this case was of concern to all men of even modest property.  

The courtroom testimony revealed that once the household staff of six began to suspect an affair between the master of the house and the young servant Charles Macklin, they organized themselves to spy on the two men. Phoebe Hopkins, the lady’s maid and head of the female servants, took the lead in the early stages of the investigation. She testified that “it was agreed between the servants to watch the parties. . . . I saw Hanna Watts (a nursery maid) kneeling on the steps, and looking under the door. She spoke to me, and I went to the door, and looked under. I saw Macklin leaning on the bed, and Mr. Seymour behind him.” Hopkins went on to describe the sexual acts they observed between the two men, of which the Annual Register noted only that “the witness here described, in the most explicit terms, what cannot be repeated.” The secret observations went on for several days, and several other servants took turns looking under the door to increase the number of witnesses. It was only after most of the household staff had witnessed sexual acts that Hopkins took the matter to Henry Boucher, the butler and head servant of the house. At the same time, Hopkins and three of the other female servants went to Mrs. Seymour and confronted her with the story of her husband’s behavior. 

Although Phoebe Hopkins was well aware of the option of taking her charges to the courts, she and the rest of the household staff chose first to confront the Seymours. The family’s initial reactions were similar to those seen when sexual impropriety was discovered between a male family member and a female servant. The young Macklin was fired on the day after Mrs. Seymour was told of the affair, and the rest of the staff seem to have accepted this dismissal without dispute. Mr. Seymour also attempted to intimidate the female servants into dropping the matter, curtly telling one of the women that “as for you, Bailey, you saw nothing.” Hopkins recounted that on the night after she told Mrs. Seymour of the affair, “the servants were all in the kitchen at dinner-time; the dinner was served up as usual, but I believe that no one ate anything.” When the servants spoke of the matter together later, they expressed concern that they all remain united, or else “Hopkins . . . and the rest of the servants would be imprisoned as long as [they] lived” for putting forward a false accusation. In spite of this potential risk, the servants felt compelled to go through with confronting the Seymours, because, in Hopkins’s own
words, “we could not think of staying in his family after what had happened.”

Yet they did stay on in Seymours’ service, and for more than eight months after the initial incident they did so without making use of the courts. Instead they exercised a power of their own, based on their unresolved grievance against Seymour. The vicar of Crowood related that John Seymour had told him that “for the last twelve-months he had neither been able to change a shirt, or make water, or do anything whatever without being watched by these servants.” They stayed in his household, but they also felt empowered to police him. Over time, the allegations began to leak out, leading Seymour to move his family and household staff from Crowood to Worthington in an attempt to escape the rumors. The move was short-lived, though, and he returned to the town a few weeks later to face down the speculations.

It was in this period of growing community suspicion that Seymour tricked Hopkins into signing a refutation of her charges on a sheet of paper that she had not read. He then had this document printed up as an advertisement in the local Reading newspaper. Hopkins was furious at this deception, and although the facts of the incident remain somewhat unclear, it seems to have been pivotal in the decision of the staff to take the matter to court in March 1828. There Hopkins denied that her story had ever changed, and she recounted some of the other schemes and subterfuges that John Seymour had used over the months to undermine the story and the unity of the servants. Not only did the newspaper advertisement make her and her fellow servants look like liars or extortionists, but it also took the dispute out of the household and into the community. A negotiated settlement within the household would no longer suffice, because if the advertisement were not publicly refuted it would be the servants and not John Seymour who would most likely be subject to community suspicion. Seymour’s attempt to avoid resolving the situation on the servants’ terms by appealing to the community seems to have pushed the servants to take the risk of going to court.

The fact that the servants ultimately prevailed in the case was greatly aided by the strong evidence of John Seymour’s guilt and his contradictory statements about the events in question. Seymour’s defense shifted between accusations of a conspiracy among the servants and claims that what they had seen actually had an innocent interpretation. With his stories both inconsistent and implausible, he had difficulty gaining support even among the other propertied men of the town. At
several points before the servants went to court, prominent local men were prepared to support him in taking legal action against them, but Seymour’s own reluctance to start this process undermined their belief in his story. If other similar cases can be taken as a guide, it is likely that had Seymour been able to marshal the support of the local men of his class and gone to court first, he would have been exonerated.

Exactly what Phoebe Hopkins and the other servants felt to be the proper punishment for sex between men remains unclear. The personal welfare of Charles Macklin was not their primary concern. After his dismissal he was sent back to his parents’ farm, where he resided for at least the next year. Rather than providing for him as an individual, or seeing that either he or Seymour received the proper state-sanctioned punishment for unnatural acts, the servants’ primary concern seemed to be that the order of the household be restored and some form of restitution made. Although their demands were not specifically recorded, they were apparently ready to wait. They were also, it seems, willing to remain in the household once the demands were met. This acquiescence was in part due to their dependence on a good letter of character from Seymour if they were to seek other jobs, and he attempted to use this lever against at least one of the women. Most likely it was because the household was at something of an impasse that Seymour took the gamble of publishing the newspaper advertisement. Tied together by mutual obligation, mutual dependence, and mutual threats in an increasingly tense situation, the servants ultimately resorted to the state’s authority to rectify a situation that they seemed unable to either forget or resolve.

Macklin’s feelings toward Seymour were not directly recorded. He apparently did not seek help in stopping the repeated sexual acts with Seymour, although this omission should not be taken as evidence of conscious complicity in “unnatural crime.” Others of Macklin’s age, class, and rural background are recorded as expressing a lack of awareness that sex between men was wrong, or even that it was named. Young men in similar circumstances but with more knowledge of the world took more control over their situations. John Yoread was a fifteen-year-old servant who worked for the proprietor of the Anatomical Museum at 280 Regent Street, whose employer, from “the first day I went there . . . took liberties with me and felt my legs, which I didn’t like.” Yoread, in turn attempted to extort money from his employer for his silence, stating that he would accept “not less than 100 l.” as “he knew a boy in Birmingham who had got 200 l. or 300 l. from a gentle-
man that way.” Knowledge of the seriousness of sex between men, let alone the extortion that might be possible because of it, seemed foreign to Macklin, though. Whether out of ignorance, affection, or simple deference to the older and socially superior Seymour, Macklin took no action of his own but left the matter in the hands of the other servants.

Although wealth was a great advantage in such trials, the critical factors were the way character was defined and the great weight that assessments of character carried when decisions were made regarding whose testimony to believe. Men of all classes were judged by the same yardstick of character, which involved criteria such as standing in the community, respectability of occupation, and responsibility to family. Seymour lost his case in part because his actions among his own social peers, long after the alleged incident with Macklin, seemed to call his integrity into question. Other men of good standing in the upper and middle classes who had not so compromised themselves could often prevail in a contest between accuser and accused.

In perhaps no other case does the privileging of the word of a middle-class man over that of a working-class man seem more pronounced than when Patrick Dawley and his two sons were twice made the victims of John Webber. In the early fall of 1842, Patrick Dawley, a “dealer in cakes,” was locking his outer door after 1:00 A.M. when John Webber came up to him and asked where he might get lodging for the night. After being told that no places would be open at that late hour, Webber asked if he might be able to stay with him until morning. Although Patrick had never met Webber before, he “looked at him, and seeing he was most respectably dressed, said ‘You don’t mean to say, Sir, that a gentleman like you would sleep in the beds with the poor people down here?’” Webber responded by telling Patrick, “I shall be under a great compliment or obligation to you, if you will allow me to sit in a chair until morning.” Patrick replied: “It is a pity that a gentlemanly man like you should be without a lodging, so you may come in and sit till morning.” The two men talked together for some time in the kitchen, “and the more they talked the more [the] witness [Patrick Dawley] liked the prisoner [John Webber].” When Patrick was ready to go to bed himself, he told Webber that if he liked, he could sleep in the bed in the kitchen, where his two sons were currently asleep. Patrick first attempted to wake one of his sons and send him upstairs to sleep with his sisters, so that there would be more room for Webber, but Webber told him not to bother the younger boy. Patrick left his
guest and his sons in the kitchen and went to bed, but within the hour he was awoken by the shouts of his elder son, James.

It was the younger son, the thirteen-year-old Thomas, who explained to the police court that “on the night of Sunday last, about 2 o’clock, while asleep with his elder brother in the kitchen of the house, he was awoken by the conduct of the prisoner, who was then also in bed. He immediately called out, and endeavored to awake his brother, but the prisoner prevented him. The witness then proceeded to enter into the details of the prisoner’s conduct, and said that . . . his brother woke and found what the prisoner had been doing.”  

It was at this point that James called out to his father, while holding down Webber to prevent his escape.

Once Patrick was downstairs, his first inclination was to tell his elder son to “turn [Webber] out of doors instantly.” James, however, resisted his father’s request, telling him, “No; he shan’t go till I have got a policeman.” The two argued for some time, with Webber’s offers first of ten pounds and then of any amount to let him go not seeming to affect the argument one way or the other. Other fathers, such as one Matthias Cundal, were willing to go directly to the police when a son came seeking advice regarding an incident of sex between men. It may have been Patrick’s complicity in the event that motivated his reluctance to call the police, or it may have been that he was more aware than his son of the dangers inherent in prosecuting men of higher social status, even in instances when guilt seemed clear. James eventually prevailed, and a policeman was called.

When the case came before the first magistrate, most of the details were published, and the sympathies of the court reporter seemed clearly on the side of the Dawleys. This report included a mention of the crowds that gathered to hear the case, as well as a reference to the two medical examinations that the thirteen-year-old Thomas underwent to confirm the crime. The criminal-trial coverage, by contrast, did not recount how Webber came into contact with the Dawleys or even mention that the assault occurred in the Dawleys’ home. This short second report instead devoted most of its space to the defense’s claim that there were “great discrepancies which appeared in [the Dawleys’] evidence, not only on the present occasion, but also before the magistrate.” This claim was made in spite of the fact that the police court coverage stated that James Dawley “was cross-examined by Mr. Wontner at great length, but without at all shaking his testimony.” Webber’s defense was that the three men’s stories were contradictory and that the whole incident
was simply a conspiracy to extort money. He was found not guilty, after which Patrick Dawley and his sons became liable on charges of threatening to accuse of an infamous crime.43

Undoubtedly many men in London did use the accusation of unnatural assault to extort money from other men, and it is problematic to second-guess a particular court decision based on the limited information that remains, but this case represents an improbable scenario for unnatural-assault extortion. The Dawleys had been in their own home and extended a courtesy to a stranger at the request of that stranger. That this was the preliminary step to extortion seems highly unlikely. This case does, however, reflect the tendency evident in multiple examples, and discussed in detail in the final chapters, for middle- and upper-class men to be believed, and for courtroom and other officials to assume that sexual desire for other men, or the willingness to invoke it for mercenary reasons, resided almost exclusively in those of lower character, from the lower classes, who were less in control of their base desires.44

The Dawleys would have been better off had Patrick prevailed in the argument and simply turned Webber out of the house. Other examples suggest that fathers and sons usually were not so divided in their response to such threats. A working-class father who believed his son to have been sexually assaulted by another man often accompanied his son to confront the attacker, usually seeking restitution for the injury done to the family. Middle-class fathers and sons sometimes recruited one another as witnesses at such meetings. Middle-class men in these situations also presented themselves to their family members as victims of extortion attempts by lower-class men. Both middle- and working-class men who could plausibly present themselves as victims rather than instigators of such incidents often seemed willing to seek the help of a father or a son.

For an upper-class man facing a public accusation, the reputation and character of his father were powerful defenses. In two high-profile cases involving upper-class men from the period, it was the father who marshaled the friends of the family to speak in defense of the accused son’s character, and the good character of the family was also invoked to refute the accusations against the son. In one case it seemed that the father truly believed the son’s innocence, whereas in the other the strain between the father and son was evident to court reporters. Presenting a united front against working-class accusers generally enabled upper-class fathers and sons to weather the crisis with
their reputations intact, provided that the sons were never involved in another such incident.

This pattern can be illustrated through a comparison of the obituaries of the two members of Parliament arrested on indecent-assault charges in 1833. Both William John Bankes and Charles Baring Wall, through the help of their fathers, were able to employ the best barristers of the day for their defense. They also drew on their family networks to obtain impeccable character references, and their trials found them innocent of the charges.

Wall, who was never involved in another such public incident, went on to have an impressive career in Parliament. Although he had served as a member of Parliament only sporadically from 1819, 1832 marked the beginning of a string of election victories. In 1835, 1837, and 1841 he was returned as a member for Guildford, and in 1847 and 1852 he was elected to represent Salisbury. He was the director of the British Institution for a number of years, “and his aid was usually sought in Committees of the House of Commons on matters relative to art. . . . Among his immediate friends and dependents he was much esteemed for his kindness of disposition and unaffected simplicity of manners.”

Examples like Wall’s counter the many courtroom speeches suggesting that a man could be ruined for life by even being associated with a case involving sex between men. His election to Parliament after 1832 can be understood, at least in part, as a ratification of his character by voters of the middle and upper classes. Wall asserted that he was innocent of the charges: he was the victim of a lower-class policeman who had accosted him at night in an attempt to obtain money. Wall’s defense asked “what were likely to be the habits of a man capable of committing the act imputed” and then called attention to Wall’s past character to indicate that such behavior was unthinkable for him. The jury did not even allow the presiding judge to sum up the evidence before declaring Wall innocent, and it was said by a juryman that Wall left the courtroom with his character “entirely spotless.” His later success seems to have borne out that assessment, and Wall was never again publicly associated with sex between men.

William Bankes, however, was less careful, and ended his days in disgrace and exile. Bankes had also been found innocent in 1833, but the newspaper coverage of his unseemly statements at the time of his arrest and of the cold distance at which his father held him throughout the proceedings meant that he was considerably more compromised by the process than Wall had been. The obituary for Bankes in the

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Annual Register of 1855 is unusually short: for the years after 1833, the only fact mentioned is his failure to retain his parliamentary seat for Dorset. Although his parliamentary career ended after his trial, he did not leave London. It was when he was again brought before a London magistrate in September 1841 for “indecently exposing himself with a soldier of the Foot Guards in the Green Park” that he “forfeited his recognizance, disappeared from society, and has not been heard of since.” His father, William Bankes Sr., had been able to muster many of the most prominent men of the day to speak for his son’s character at the first trial, but the son must have felt no such effort would be made for him a second time.

Another upper-class man who lost the protections of his class only after multiple public associations with sex between men was George Dawson Lowndes. Both his parents had died when he was a young boy, but they had left him a personal fortune of between fifteen and twenty thousand pounds, and “a small patrimonial estate amply sufficient for his station as a gentleman.” Whether because of his lack of parental supervision or some other combination of factors, he had been in the police courts numerous times on unnatural-assault charges in the space of a few years. It was his repeated assaults on a sixteen-year-old bookseller’s assistant that led to his criminal trial in February 1841.

Lowndes had significant advantages going into his 1841 trial, but he squandered them with reckless behavior. His wealth allowed him to retain two highly experienced attorneys to argue his case, and one of their first actions was to request a change of venue. As an upper-class man, Lowndes was entitled to have his case moved from the Central Criminal Court to the Court of the Queen’s Bench. This change meant that the case would be heard before a jury of individuals of high social rank, and nearly all the men put on trial at this venue for unnatural assault charges between 1820 and 1871 were acquitted. Yet on the day of the trial, he all but threw away these advantages by arguing the case himself. Being wholly inexperienced, he made a poor job of it. Among his mistakes was citing the previous unnatural-assault charges against him, from the Bow Street and Marlborough Street police courts, as evidence of his innocence and susceptibility to false charges. His arrogant manner in the courtroom also seems to have greatly irritated Lord Chief Justice Thomas Denman and did nothing to sway the jury. Lowndes was sentenced to twelve months’ imprisonment at Coldbath Fields for his acts.

A few weeks of imprisonment appear to have made Lowndes more
contrite but did not diminish his desire for special treatment. He wrote several letters to the Home Office in the first months of his incarceration, asking if his sentence could be replaced by a fine to the Crown “or some charity.” Even at this point his letters seem to show disbelief at his incarceration and a certainty that the situation could be rectified when the proper personal connection had been established. His fear, he said, was that his friends and relations would not bother to distinguish between his rightful or wrongful imprisonment if he was not released soon. The marginal notes of the home secretary and undersecretary in his letters to them indicate that they had little sympathy for a young man whom they considered dissolute and out of control, and no special considerations were given to him.

Despite Lowndes’s expressed worries over his friends’ and relations’ opinions, no family member or long-time friend wrote letters or spoke on his behalf, either before or after his trial. Witnesses from Lowndes’s social class were more likely to be believed when they were pitted against those from the lower classes, but with no respectable individuals of any class to speak for his character, no one except Lowndes himself could dispute the word of the shop boy who had accused him. By contrast, the shop boy in this particular case, as well as other young men whom Lowndes had previously accosted, did have family members and friends to testify on their behalf. Under such circumstances and in light of his previous actions, Lowndes’s wealth alone, bereft of the social and familial connections that usually went with it, was insufficient to shift the outcome of his criminal case in his favor.

Lowndes’s behavior led to his abandonment by his family, and yet not all upper-class men, even those whose guilt was strongly assumed, faced such ostracism. An extremely favorable obituary in the Annual Register commemorated Richard Heber, whose sexual desires for younger men had received substantial publicity less than a decade before his death. Heber’s assumed sexual relationship with a young man was the central issue in a 1826 libel case brought by the young man’s father against the editor of the John Bull (see chapter 5). The obituary printed at the time of Heber’s death in 1833 acknowledged this incident in a reasonably frank manner: “In 1826 he [Heber] resigned his seat [in Parliament]. He had quitted England in 1825, and he prolonged his stay on the continent for several years. . . . In the year 1831, he returned to England, but not into the society which he had left; for rumors had been in circulation degrading to his moral character. With the excep-
tion of his visits to the auction-rooms and booksellers’ shops, he lived entirely secluded among his books at Pimlico or Hodnet.” 57

Heber was neither the defendant nor the plaintiff in the libel trial, yet during the proceedings the editor of the *John Bull* had done much to establish the existence of a sexual relationship between him and a younger man. 58 After staying abroad for four years, he was able to return to his home in the London district of Pimlico and resume his free if isolated life. The obituary mentions the books Heber wrote, the catalogues he compiled, and his extensive library of rare books. It notes the kindness that he had always shown to his younger brother and the steps Heber took to ensure that the brother received a good education. There is every reason to believe that its writer knew of Heber’s earlier sexual relationship with the younger man and assumed that readers did also, yet that knowledge did not stop him from presenting a positive assessment of Heber’s life.

The 1844 obituary for the Rev. Percy Jocelyn, second son of the Earl of Roden, also demonstrates the continued involvement of a family in the life of a man who had become involved in one of the most scandalous incidents involving sex between men in the first half of the nineteenth century. Twenty years before his death Jocelyn had held the title of bishop of Clogher, and under that title he was brought before a magistrate for an unnatural crime. 59 Released on bail, Jocelyn disappeared and was not heard of publicly until his death. 60 The obituary indicated that Jocelyn had lived a simple and pious life of exile in a small Scottish town, where “the post occasionally brought him letters, sealed with coronets.” Some of his books and articles of furniture had been sent to him, although with the family name “obliterated” so as to protect the family’s reputation and preserve his exile. Jocelyn’s career was destroyed, and he paid for that mistake for the rest of his life; yet even in his disgrace, family letters and artifacts were shared with him, and the story of his pious penance, demonstrating the availability of grace even to those who had so transgressed, was eventually reproduced in numerous publications throughout the nation. 61

The siblings of John Joyce were more divided in their attitude toward a disgraced relative. Joyce, from a wealthy family, had been involved in a well-publicized case involving sex between men and related extortions. Stories had been printed in the *Times* giving his name, and the circumstances surrounding his arrest made his guilt appear extremely likely. He was convicted and transported to Gibraltar. His sister, Johanna Carrington, wrote many letters over several years to the Home Office,
arguing for her brother’s release from transportation into her care.\textsuperscript{62}

The ten-year mark was the conventional point at which men sentenced to transportation for life were released on a ticket of leave, and Johanna, anxious to see her brother again, began writing to the Home Office to inquire into the prospects for his release. Her letters stated that her brother was “no common ruffian, but was educated with care and brought up in luxury by a good father whom he lost very young.” Knowing the Home Office concerns in these matters, she also stressed that “he will not; like many ticket of leave men, be thrown on the wide world without the means of sustenance as I can offer him that.”\textsuperscript{63}

Eventually, Carrington began to suspect that someone in the family was working against her efforts, and she began to mention this issue in her letters. She wrote to Earl Grey that she had “wondered whether any influence of a Wealthy Brother—who has reasons for keeping the convict where he is—could have operated against his release.”\textsuperscript{64} Not wishing to harm her own case by an improper insinuation, she quickly added, “I trust the cause of justice or mercy could not be so tampered with.”

The actions of another family member were unnecessary to ensure her brother’s continued detention, however, as the men of the Home Office had extremely strong feelings against John Joyce based on the trial itself. Undersecretary Waddington, assistant to the home secretary, scrawled on the outside cover of one petition letter that release “was quite out of the question. It was one of the worst cases ever known.”\textsuperscript{65} Waddington seemed to be referring to the fact that Joyce had befriended a group of working-class extortionists and aided them in the exploitation of a member of his own class. This breach of class solidarity in combination with sexual acts between men seems to have turned the men of Joyce’s own social class strongly against him (see chapters 6 and 7). Joyce’s transgression against class as well as “nature” struck a particularly sensitive nerve. Something of his fate is indicated by the last letter in the Home Office file on him, written by Joyce himself after thirteen years of transportation. Perhaps suspecting that there were no plans to release him, he requested to be sent to Western Australia, where at least he would have the chance to build something of a life for himself.

In spite of his conviction and more than ten years of exile and imprisonment for what men at the Home Office apparently considered to be one of the most egregious transgressions related to sex between men, Johanna remained devoted to her brother: she was willing not only
to accept him back into her life but also to provide financial support. Given the publicity at the time of the trial as well as the length of his sentence, her community and her family most likely knew the nature of Joyce’s acts. Her willingness to face criticism from these sources is implied in her offer to take her brother in.

Like other women of the middle and upper classes, Carrington defended her brother in a way at least partially in keeping with the conventions of her gender and class. She wrote letters to the Home Office after the trial, rather than appear in court herself to testify to her brother’s character. Women, especially those of upper- and middle-class backgrounds, were more active in private and familial negotiations over sex between men than in public forums. Following this pattern, the middle-class Anne Seymour dealt privately with the man who blackmailed her husband on three occasions, but it was her husband who brought in the constables who made the final arrest.

The middle-class Mary Legg was also extremely resourceful when dealing with the men who blackmailed her uncle before the case became public. Legg began to suspect that something was the matter when her uncle’s increasingly anxious behavior began to coincide with the disappearance of large sums of money from the household. She began to watch and listen in on him, and by degrees “she obtained some clue to the mystery . . . [until] she intruded herself upon the meetings” where her uncle met with his blackmailers and “demanded an explanation.” At first one of the men involved “said it was not a subject for the interference of a woman” and indicated that it involved allegations of her uncle’s sexual desire for other men. Although Henry Tiddeman “saw tears in Mrs. Legg’s eyes” when he confronted her about the sexual advance that her uncle had made on him, she did not shrink from the confrontation with the four men. Mrs. Legg “took part in the negotiations from this time, and made an appointment to meet them all at the shop on Tuesday night, when they fell into a trap.” As her sixty-year-old uncle had grown ill from the stress of the extortion and was confined to his bed, Mary dealt with the repeated visits of the four men and their most recent demands for fifty pounds. At their final meeting, she told the extortionists to “walk into the parlour, gentlemen,” and then induced them to recount enough of their extortion activities to allow the hidden constables to pounce from behind the curtains and make the arrest.

Other women whose male relatives were threatened also stepped in to defend them. Although many parents attempted to deny that their chil-
Understandings

dren were actually guilty of the acts they were charged with, Margaret Nugent held more strongly than most that her son Edward had been made the victim of a workplace plot to discredit him. Edward was the primary source of support for the family, but at his most recent job he had had a serious dispute with the foreman he worked under. The foreman wanted to replace Edward with a personal friend, but as soon as he did so, the head contractor of the job removed the friend and reinstated Edward. According to Margaret, tensions mounted between the two men to the point at which “the wicked ganger having sworn falsely against my son” made allegations that led to Edward's imprisonment for two years for unnatural assault.

When Margaret Nugent wrote the letters to the Home Office on behalf of her son, thus taking on a task that might be seen as belonging to the head of the household, it was not because her husband was deceased or absent. It is clear from the letters that she and her husband were still married and living together, but that since at least the time of Edward's arrest she had assumed the responsibilities of the head of the household. After arguing for her son’s innocence in her first letter, she began to relate the plight of her family. Most deeply affected, she wrote, was “his father and my husband William Nugent [who] is gone mad and is insane since he has heard what is become of his son.” Margaret was left to provide for herself, her husband, and nine other children, most of whom were too young to earn significant wages.

Such representations of the failure of will or health of fathers (more than mothers or other relatives) were common in these cases. Edward Park, “a gentlemanly-looking young man,” invoked the health of his father on his second arrest for making a sexual advance on another man. He reportedly implored to the arresting officer “Oh! Pray don’t; have mercy on me; it nearly broke my father’s heart when a charge was made against me on a former occasion. I am sure it will be the death of him now.” The Rev. John Greaves pleaded with the court to let him serve his sentence for attempted unnatural assault in the jail of a county other than his own, so as not to hasten the death of his aged father, who lived nearby. It was often the father’s emotional stability that was reported to be most disturbed when a man was convicted or accused of a crime of this type. It was the father who required nursing by the rest of the family, and it was the father’s failing health that was invoked in requests for mercy or pardons. In such times of crisis, it was up to women like Margaret Nugent to take on the responsibilities that were abandoned by their husbands; Margaret continued to look
after Edward’s interests as well as those of the rest of her family. Margaret’s fourth letter to the Home Office helped to obtain Edward’s early release from Durham jail.

A working-class woman was much more likely to intervene on behalf of a family member she believed to be innocent than one she believed to be guilty. One of the few such examples of the latter situation, though, is Mary Ann Campbell, who began writing to the Home Secretary beginning on 24 August 1849. Campbell asked Earl Grey if he could “be pleased to cause a further inquiry into the distressing matter” that had led to her husband, John Campbell, being placed under a sentence of transportation for life. Although Mary Ann Campbell was one of the individuals best placed to know the events of that “distressing matter,” she made no effort to explain its specific details. She chose instead to dwell on the hardship of her current situation: after the arrest, she was left to care for three children under nine years of age and was pregnant with a fourth. Almost as an afterthought, at the end of the letter she noted that two of her older sons by a previous marriage had led respectable lives and served in the military in India.

Mary Ann Campbell’s reluctance to dwell on the details of her husband’s case can perhaps be understood in light of the fact that the man her husband was accused of assaulting was Henry Campbell, Mary Ann’s fifteen-year-old son by her previous marriage. Mary’s letter was unusual for a petition to the Home Office in that it did not attempt to speak to the good character of the accused or try to deny the charge. She simply asked for “further inquiry into the distressing matter,” as though she could not accept the situation as it was, but could not articulate a preferred outcome, either.

John Campbell was less evasive in his own letter, written just over six months after his conviction but before his actual transportation. He denied that he had made any advance toward his stepson and repeatedly railed against the fact that he was imprisoned on the evidence of “a publican’s pot boy.” Campbell argued that “nature required” him and his stepson to stop on Bexley Heath at about 11 o’clock one morning, and it was their making water that the potboy had actually witnessed. He cited as evidence of his innocence the fact that a medical examination of his stepson, carried out within an hour after their apprehension, did not conclusively prove anal intercourse. Campbell also cited his two long marriages and a twenty-year history of steady and sober work as proof of his innocence and good character. There was nothing in these arguments that moved Undersecretary
Waddington to recommend a review of the case, though, and the Home Office did not intervene.

Mary Ann’s troubles only increased in the months after the denial of the petitions for her husband. She and her young children spent at least some time in the St. Martin’s Workhouse during the following year, and her economic situation remained dire despite the return of one of her older sons from Bengal. In her letters to the Home Office of the following year, the emphasis on economic over emotional concerns becomes increasingly pronounced. John had since been transported to Bermuda, but she asked the Home Office that he “be sent to some other of the penal settlements where he could have some means of earning something towards the maintenance of his wife and family.”\(^81\) The next letter, dated only four months later, further detailed her plight after the death of two of her children, one of whom had been working and was able to bring in a bit of extra money. She closed her letter by writing that she was in an unsustainable circumstance, and that only “God and the Home Department” had the power to save her.\(^82\)

Although Mary Ann’s situation remained desperate for the first years of John’s sentence, he managed to improve his lot after his ship set sail for Bermuda. English prison sentences, wherever they were served, typically entailed labor. For many transported convicts, this meant unskilled labor on a prison hulk or in the colonies themselves, but those with special skills were able to put them to use. John’s good conduct and ability as a tailor soon earned him such a position on his ship. John wrote Mary Ann with this news, and she in turn informed the Home Office that “he made several suits for the authorities on his voyage out, for which they were highly pleased with him. . . . He has already received a commutation of sentence to six years on account of excellent conduct.”\(^83\)

Mary Ann’s last letter to the Home Office, five years after the conviction of her husband, is the most revealing of them all. For the first time she admits that her husband “in a fit of drunkenness committed an unnatural crime” upon her son.\(^84\) She had likely known the truth of the matter from the start. Perhaps this was why, in this letter, she asked to be allowed to go to Bermuda herself. Her husband, she said, had been promoted to “Master Tailor” on the hulk ship *Midway* on which he was serving his sentence, and he was now earning enough money to support her and her remaining children. If he were granted a ticket of leave within the colony, she would be able to stay with him and resume their family life.\(^85\) Whatever anger Mary Ann Campbell felt toward her
husband over what he had done to her son was overcome by her belief that to living with him would provide the best future for her family.

The private decisions of Mary Ann Campbell, as well as the other examples given above, contrast with the typical public depictions of communities, families, and the women within them reacting to men who had sex with other men. The most commonly invoked example from this period relates to the 1810 raid on the White Swan, a molly house on Vere Street in London, where more than two dozen men were arrested and six convicted of having sex with other men. Newspaper and pamphlet accounts told of the convicted men being transported in an open cart to the pillory where they would serve a portion of their sentence. The route, it was said, was lined with thousands of individuals, who hurled insults and missiles at the convicted men. In front of the pillory where the convicted men were to be placed, “upwards of 50 women were permitted to stand in the ring,” where they “assailed them incessantly with mud, dead cats, rotten eggs, potatoes, and buckets filled with blood, offal, and dung.”

The participation of women, and the invective they directed at the convicted men, was also reported at the execution of Captain Henry Nicholls, who had been involved not only in sexually assaulting young men but also in murdering at least one of them. It was recorded that among the large crowd that gathered, “a number of females also presented themselves, and by their shouts manifested their abhorrence of the criminal.”

At other times, the punishment that working-class communities directed at men accused of sodomy exceeded that of the state. In 1817 the Rev. John Church was released after his detention on sodomy charges, but it was reported that local residents surrounded his London home that evening, burning him in effigy and throwing stones at his windows. A crowd of more than one hundred women and men banged pots and generated other forms of “rough music” in front of his house throughout the night. Primarily because of this community pressure, Church, his wife, and their children were forced to leave London. It was also reported that the Percy Jocelyn’s home in Ireland was burned by an angry mob after he was arrested for unnaturally assaulting a soldier in London in 1822. After John Sugden, William Jones, George Hamon, and George Fennell were convicted of a conspiracy to commit sodomy after a molly-house raid, the Times reported that “the moment they left the Court, in custody of the gaolers, the reception they met with from the populace was such as they cannot easily forget, or even recover, for some time to come.” The report of another unnatural-
assault case in the *Weekly Dispatch* ended by noting that “it was with the greatest difficulty that a strong body of officers, in conveying the miscreants back to prison, could protect them, so strong was the indignation of the populace.”91 Finally, in 1810, nearly the whole of the coverage of George Rowell’s arrest for “detestable acts” was devoted to describing how “the Irishman” with whom he was locked up was angered at being detained with a man accused of having sex with men. The Irishman was in jail at the request of his wife for beating her, and he threatened to do the same to Rowell if he so much as spoke to him. It was also reported that the wife “appeared with angry countenance, and demanded [her husband’s] liberation, as she would sooner be bate by him every hour, than that he or his family should be disgraced by being shut up with such a fellow.”92

If in most histories working-class women and working-class communities are shown expressing anger toward men who had sex with men, upper- and middle-class women are usually represented as unaware of or shielded from knowledge of such acts. Women of high social status avoided the courtroom itself, and those who did appear at trials involving sex between men were reported to do so with reluctance. Robert Allpress, a footman, was in desperate need of a testimonial to his character from his employer when he became involved in a case of unnatural assault, but because both his employer and all the “other inmates of the house” were women, Allpress had to do without a character witness, as “he could not bring them forward in such a case.”93 Although Henry Walter’s aunt immediately went for a constable on seeing another young man sexually assault her nephew, she testified only “reluctantly” in the public courtroom when compelled to do so.94 In cases involving sex between men, female spectators were also sometimes cleared from the courtroom before testimony began.95 After George Cull was sexually assaulted on Marylebone Lane, he avoided asking another man passing by for help. “I should have mentioned what had happened to me if the gentleman whom I saw in Marylebone-lane had been by himself,” he later said, but “he had a lady with him, and I thought it too delicate a matter to speak of to him while he was in her company.”96

When confronted directly with evidence of this behavior, middle- and upper-class women were frequently represented as extremely unsympathetic. Frederick Buller, a retired colonial judge, tried to appeal to Mrs. Jane Humphreys’ sense of family in order to dissuade her from giving evidence against him related to his sexual assault on a young man in
her parlor. Buller implored “Pray, my dear madam, consider before you make a charge . . . perhaps you have a family of your own. If you make this charge you will ruin me and my family too.” To this Jane Humphreys curtly said: “You should have thought of this before you came into my house.”

The evidence of forgiveness within families does not call into question the idea that disapproval and condemnation were overwhelmingly the most common reactions toward men discovered to be engaging in sex with other men. Even if forgiveness might come in time within a family, and even if individuals still remained in a man’s life for reasons other than economic dependence, discovery of their actions still elicited shock and anger. The evidence does, however, provide some correctives to the conclusions drawn from the public statements of middle- and upper-class men, whose opinions are often taken as representative of those of the population as a whole. Although it is relatively easy to find a middle- or upper-class man profess in a courtroom, a newspaper report, or other published sources that sex between men is an “unspeakable crime,” the “worst of crimes,” and that to imply that another man was guilty of sex with another man was “worse even, than a charge of murder,” this intensity of language is not easily found within the family.

This contrast between public and private views is related to what John Tosh and other scholars of masculinity in nineteenth-century Britain have revealed about the relationship between character, reputation, and the ideological system that supported the political and economic power of middle- and upper-class men. The qualities of these elite Englishmen were regularly contrasted with those of working-class men, of women, and of members of other races and ethnicities: the deficiencies supposedly found in the latter groups were used to help justify their exclusion from power. Although middle- and upper-class men defined respectability differently, both defined it by exclusionary criteria, making it difficult to achieve without the economic resources available to their social class. Working-class men also had a code of masculine honor that condemned sex between men, but being accused of it did not undercut their social power in the same way as it did for middle- and upper-class men. As George Mosse, Sean Brady, and others have argued, same-sex desire was seen as so antithetical to the qualities that defined good character among both middle- and upper-class Englishmen that it was unimaginable in a man of good standing in these groups. The accusation of sex between men was so seri-
ous because it was an affront to a man's character and his honor. No middle- or upper-class man considered that men who worked for wages possessed these attributes in the same way that they did themselves. Denouncing a crime against reputation and honor as the worst possible is a prerogative of the powerful, and only those with political and economic power that depended on their honor had much to lose when that honor was called into question.

Assessments of the social transgression represented by sex between men in the first half of nineteenth century have largely been shaped by the views of upper- and middle-class men from that period. If today we recognize the self-interested nature of arguments for aristocratic government and laissez-faire economics made by these groups, we have been more willing to take their pronouncements on sex between men as representative of the views of the society as a whole. In part this generalization has occurred because so few personal papers or memoirs record information on this topic. Individuals of all social classes seem to have been reluctant to discuss the topic, let alone preserve records of what was spoken or written. But because people were forced to publicly voice their views on this behavior in the courtrooms, with hundreds of records surviving for cases occurring between the 1820s and the 1860s, it is possible to gain insight into that institution so vital to the control of the sexuality of its members: the family.

The family provided an alternative forum to the courtroom, where individuals assessed the transgression represented by sex between men and imposed punishments and sanctions deemed necessary to resolve the crisis caused within the family. It continued to exercise these powers throughout this period, even as social and legal changes (discussed in greater detail in chapters 3–5) impinged on its prerogatives. Surely many more such incidents were discovered, adjudicated, and settled solely within the forum of the family than ever came before the courts. Although some of the punishments decided within families were no doubt harsher than those family punishments described above, more often the transgression seems to have been accommodated. Families faced trade-offs: forgiving sex between men might be preferable to allowing children to suffer privation for want of the financial support of a father. It might be preferable to face the social stigma for taking a disgraced relative back in than to allow him to languish in permanent exile. The threat of sex between men might be more tolerable than the prospect of keeping a son idle at home, where he would become an economic drain on the family. None of these alternative views of
sex between men is more “accurate” than the more familiar views of upper- and middle-class men: each is just as particular to individual circumstances as the views of those elite men. These examples suggest, though, that the pattern of designating sex between men as “the worst of crimes” was characteristic of a particular segment of British society. If we are to understand what such a designation means, we need to examine the groups that propagated and supported this idea.