

# BORDER CONTROL AND SEXUAL POLICING: WHITE SLAVERY AND PROSTITUTION ALONG THE U.S.-MEXICO BORDERLANDS, 1903–1910

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*Este artículo sostiene que la convergencia de las leyes de inmigración y los movimientos de la pureza moral hizo a la frontera sureña de EE.UU. una zona de exclusión sexual y de género. A comienzos del siglo XX, la vigilancia de la frontera con México fue un proyecto de género y sexo del estado norteamericano que se esforzaba por prohibir la admisión de mujeres y niñas “extranjeras” que practicaban la prostitución y a personas que las procuraban. De este modo, este trabajo agrega al creciente número de estudios eruditos que sitúa los orígenes del régimen de inmigración de EE.UU. y su manejo de las estrategias de vigilancia y deportación en la época antes de la existencia de la Ley de Inmigración de 1917.*

*This article argues that the convergence of immigration law and morals purity movements, beginning in 1907, constructed the U.S. southern border as a site of gender and sexual exclusions. At the turn of the twentieth century, policing the U.S.-Mexico border was a gendered and sexualized project of the American state that sought to prohibit the admission of “alien” women and girls practicing prostitution and those who procured them. This work joins a growing body of scholarship that places the origins of the U.S. immigration regime and its use of deportation and surveillance strategies before the Immigration Act of 1917.*

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**R**UBY BROWN HAD MANY connections up and down the Texas-Mexico border. The longtime Laredo resident, of Irish descent and fluent in Spanish, wove a network of acquaintances, business relationships, and friendships from visits she regularly made to the neighboring border town of Nuevo Laredo. Brown could claim ties to local politicians and law enforcement agents on both sides of the border and as such was familiar with the inner workings of the sister cities. She knew all of the various border-town routes, both common and clandestine, and traversed them boldly. The south Texas denizen, described as “inclined to be loquacious,” enjoyed a far wider range of influence than was typical for a woman living in 1909, especially one who worked as a prostitute.<sup>1</sup>

It certainly helped that Brown plied her trade in one of Laredo’s most popular establishments, a bordello run by Mexican madam Mariana Piñeda, who also enjoyed local ties of her own. Piñeda entrusted Brown with one of the brothel’s most pressing demands: finding prostitutes in Nuevo Laredo and escorting them across the border to work in her bordello. Brown’s savvy and unwavering loyalty earned her a place of particular importance in Piñeda’s enterprise, although she possessed little formal power in the day-to-day operation of the brothel. Well-versed in local intrigues, Brown knew everyone’s business; but more importantly, she knew when circumstances warranted either discretion or disclosure. As both a prostitute and a procuress, Brown drew on her numerous contacts in both cities, including those within law enforcement. At first, her connections facilitated her procurement efforts. Later, however, they would take on a more urgent and personal cast when immigration inspector Frank Stone targeted her in his investigation of white slavery in south Texas. The U.S. government pressed Stone and several other immigration agents into service at the U.S.-Mexico border in response to recent national zealotry fueling what came to be known as the anti-white slavery movement. Based on largely unfounded stories that so-called merchants in human flesh lured unsuspecting women and girls into a life of sexual slavery, the movement propelled social reformers to enlist the Bureau of Immigration as the first line of defense against the importation of prostitutes at U.S. ports of entry on both land and sea.<sup>2</sup> The placement of the bureau at the forefront of national anti-white slavery

<sup>1</sup> Frank Stone to Daniel J. Keefe, 25 June 1909, folder Continue 8-A, 52484-8-A, White Slave Traffic, San Antonio and Other Texas, 1909–1910 (hereafter WSTT), Subject and Policy Files, 1893–1957, Records of the Immigration and Naturalization Service, 1787–2004, Record Group 85, National Archives and Records Administration (Washington, DC) (hereafter NARA).

<sup>2</sup> For early laws or congressional deliberations which link the Bureau of Immigration to white slavery enforcement, see *Suppression of the White Slave Traffic: Message from the President of the United States...*, 61st Cong., 2nd Sess., S. Doc. No. 214 (1909), at 5 (hereafter *Suppression of the White Slave Traffic*); An Act to Regulate the Immigration of Aliens into the United States, Pub. L. No. 162 Stat. 1213 (1903) and An International Agreement for the Repression of the Trade in White Women, U.S.-Ger.-Bel.-Den.-Sp.-Fr.-Br.-It.-Neth.-Port.-Russ.-Swed.-Nor.-Switz., 1 March 1905, T.S. 4096 (hereafter International Agreement).

efforts began in the first few years of the twentieth century, and gradually the scope of its power broadened considerably. Commencing in 1907, subsequent revisions to the immigration law reflected ever-widening power and increasingly stringent efforts by the bureau to sharpen the parameters of national belonging on the basis of sexual and gender exclusions.

This article contends that the experiences of immigration inspectors, prostitutes, and procurers help to illuminate the origins of U.S. federal immigration control through its sexual policing of the U.S.-Mexico border. In so doing, it adds to a growing body of scholarship that examines the convergence between nativist movements and social purity movements in the construction of the U.S. southern border as a space of gendered and sexual exclusions.<sup>3</sup> An already complex and controversial endeavor, the national effort to eradicate white-slave traffic was made more so at the U.S. southern line by a myriad of factors that distinguished border crossings originating in Mexico from those originating elsewhere. The relative ease of traversing north from Mexico, the protection or peril posed by one's citizenship (American and Mexican alike), and existing migration and prostitution networks stood in contrast to the experiences of other immigrants who entered the United States from its northern border at Ellis Island and the port of San Francisco (later, Angel Island). With the exception of Canadian nationals who time and again traveled between their homeland and the United States, most new arrivals could not easily or immediately return to their native countries. Once landed, many immigrants remained in the United States permanently, or for long periods of time, while others went back to their native lands shortly after arrival. On the other hand, until the turn of the twentieth century, cross-border movements of Mexican nationals persisted, preserving a sense of social fluidity between nations, despite the presence of an emergent immigration bureaucracy designed to exclude and deport. Chinese migrants from Mexico originally felt the scrutiny of state surveillance by immigration officials. While the 1882 passage of the Chinese Exclusion Act barred laborers from admission, for the most part, Chinese border crossers continued to enter the United States legally and illegally from Mexico. In large part, they sustained meaningful transnational lives by drawing largely on the testimony of their neighbors and diplomatic officials on both sides of the border who corroborated claims of Mexican citizenship or nationality.<sup>4</sup>

<sup>3</sup> Martha Gardner, *The Qualities of a Citizen: Women, Immigration, and Citizenship, 1870–1965* (Princeton, NJ, 2005) and Eithne Luibhéid, *Entry Denied: Controlling Sexuality at the Border* (Minneapolis, 2002). On the development of the U.S. Bureau of Immigration and the sweeping power of its policies in determining national belonging, see Erika Lee and Judy Yung, *Angel Island: Immigrant Gateway to America* (New York, 2010) and Anna Pegler-Gordon, *In Sight of America: Photography and the Development of U.S. Immigration Policy* (Berkeley, 2009).

<sup>4</sup> For a more thorough discussion of the transnational lives of Chinese and Mexican borderlanders, see Grace Peña Delgado, "Neighbors by Nature: Relationships, Border Crossings, and Transnational Communities in the Chinese Exclusion Era," *Pacific Historical Review* 80 (August 2011): 401–29 and Grace Peña Delgado, "At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos," in *Continental Crossroads: Remapping U.S.-Mexico*

The Immigration Act of 1903 sent a strong restrictionist message against unwanted foreigners while directing immigration officials toward excluding prostitutes, a development foreshadowed by the passage of the Page Act in 1875. Sponsored by California State Representative Horace F. Page, the bill was the first federal immigration law that made importing women for prostitution, particularly those from Asia, a felony. One legacy of the Page Act paired immigration control with morals control, a relationship which would be significantly strengthened with the passage of the Immigration Act of 1903 and the enactment of the Immigration Act of 20 February 1907.<sup>5</sup> Of particular importance to the latter was article 3, which prohibited “alien” women and girls from engaging in prostitution for three years after arriving in the United States. This time-based proviso had been initially established and enforced by European and Latin American signatories of the 1902 International Agreement for the Suppression of the White Slave Traffic, a treaty the United States had yet to ratify at this time.<sup>6</sup> To guard against the further development of red-light districts, the act provided for ongoing surveillance of suspected prostitutes who, if foreign-born, faced deportation. Moreover, the act stipulated that anyone who “kept, maintained, controlled, supported, or harbored” prostitutes faced felony charges and, if convicted, could be imprisoned up to five years and fined up to \$5,000. Article 3, legislators believed, would protect the United States from the importation of both prostitutes and foreign-born women and girls who had been forcibly brought into the country for that purpose.<sup>7</sup> Within this emerging alliance, immigration laws and morals purity movements constructed immigration control at the U.S.-Mexico border in the early twentieth century.

At present, scholarly work on the origins of the U.S. immigration regime marks the policing of the southern border against the entry of Mexicans and Eastern and Southern Europeans with the passage of the Immigration Act of 1917. “For the first time,” argued historian George J. Sánchez, “the Immigration Act of 1917 placed substantive restrictions on European immigration and those who entered from Mexico.” During that period border officials targeted only Eastern and Southern Europeans for literacy exams, head taxes, and background investigations while officially exempting Mexicans from the head tax requirement as a political allowance afforded to American agribusiness. Until 1917, cross-border fluidity for Mexicans remained constant, and as Sánchez contended, an outcome “of a strong border culture . . . which militated against stringent enforcement of [immigration] regulations.”<sup>8</sup> Certainly the tension between

*Borderlands History*, ed. Samuel Truett and Elliott Young (Durham, 2004), 183–208.

<sup>5</sup> An Act Supplementary to the Acts in Relation to Immigration, 118 Stat. 477 (1875) and An Act to Regulate the Immigration of Aliens into the U.S., S. 4403, 59th Cong. (1906).

<sup>6</sup> International Agreement and . . . *Message from the President of the United States, with Accompanying Letters, In Response to Senate Resolution No. 86, of December 7, 1909. . . .*, S. Doc No. 214, pt. 2 (1906), at 1.

<sup>7</sup> *Regulating the Immigration of Aliens into the United States*, 59th Cong., 2nd Sess., H. R. Rep. No. 7607 (1907).

<sup>8</sup> George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in*

persistent cross-border movements and an emergent U.S. immigration regime in large part directed the borderlands political landscape, but this process began in earnest in 1907 when federal immigration law and morals purity legislation merged to regulate entry on the basis of sexual and gender qualifications.

Considering the intersection between immigration law and morals purity legislation, this article identifies the U.S.-Mexico border as a central geography for sex trafficking at the beginning of the twentieth century that produced a system of border control wherein decisions about legal entry into the United States were predicated on the belief that women stood as pillars of sexual piety and purity. Unrestrained sexuality, such as the practice of prostitution and white slavery, put to the test the Progressive Era belief in male sexual continence while it threatened female moral authority. At its foundation, anti-white slavery activism called attention to the coercion of women and girls—either by trickery, seduction, or intimidation—into practicing prostitution. Reformers organized themselves into national and local vigilance committees to quash this supposed trade.<sup>9</sup> Anti-white slavery advocates concerned themselves primarily with the victimization of white and Asian women and young girls mostly in San Francisco, New York, Pittsburgh, and Chicago. Rhetoric of the activists lent itself to lurid, sensationalistic stories: a young girl could be bought for as little as \$15 and subsequently sold for between \$200 and \$600.<sup>10</sup> White slavery, activists contended, pulled in girls and women from Asia and Europe; and the leaders of these international enterprises were known as pimps, procurers, or “macks” and thought to be mostly Russian Jews or French. The outcry from these allegations fueled the 1902 international agreement against white slavery signed by Brazil, Portugal, Spain, Great Britain, France, and Italy, among others. But it was not until 1905, at the urging of American anti-white slavery activists, that the United States adhered to some of the treaty’s protocols by designating the Bureau of Immigration as the principal agent to detect and scrutinize alleged prostitutes—and whenever such trade was suspected, deny the entry of these women.

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*Chicano Los Angeles* (New York, 1993), 55, 51.

<sup>9</sup> For early interactions between vigilance groups and the Bureau of Immigration, see Oscar S. Straus to O. Edward Janney, 27 December 1900, pp. 1–5, folder 51777/30, WSTT and “First Annual Report, The National Vigilance Committee for the Self-Guarding of Unprotected Girls and Women and the Suppression of the White Slave Traffic,” 1 October 1907, pp. 1–7, Inspector Marcus Braun Report on Immigration Matters (hereafter IMBR), 1907–1907, Subject and Policy Files, 1893–1957, Records of the Immigration and Naturalization Service, 1787–2004, NARA.

<sup>10</sup> For examples of white-slave narratives, see Ernest A. Bell, *War on the White Slave Trade, A Book Designed to Awaken the Sleeping and Protect the Innocent* (Chicago, 1909) and Clifford Griffith Roe, *The Great War on White Slavery* (New York, 1911). On the sale prices of white slaves, see “Low Wages and Vice,” *New York Times*, 2 December 1900, p. 20 and Theodore Bingham, “The Girl that Disappears: The Real Facts about the Social Problem—The Extent of the White-Slave Traffic,” *Hampton’s Magazine* 25 (November 1910): 559–73. For recent scholarship on white slavery, see Brian Donovan, *White Slave Crusades: Race, Gender, and Anti-Vice Activism, 1887–1917* (Urbana, IL, 2006); Jeanne D. Petit, *The Men and Women We Want: Gender, Race, and the Progressive-Era Literacy Test Debate* (Rochester, NY, 2010); and David Langum, *Crossing Over the Line: Legislating Morality and the Mann Act* (Chicago, 1994).

In 1908 the United States affirmed its commitment to suppress white slavery by ratifying the International Agreement for the Suppression of the White Slave Traffic.<sup>11</sup>

By the time the United States officially joined this union of nations against white slavery, networks in commercial sex were firmly established along the U.S.-Mexico border. The ties that bind were comprised of Mexican and European American procuresses and pimps whose activities, intentionally and not, shaped the lives of prostitutes, especially those linked by familial relations. These networks, and the family connections within them, came to be defined by resiliency, flexibility, and mutual assistance. In the early part of the century, Patricia Ortega worked as a prostitute, first for Mexican procurer Antonio Belsito in his saloons in Metcalf, Arizona, then independently in El Paso, Texas. Her residential history in the United States and her lack of a Mexican husband assured her U.S. citizenship. Her relative Consuela Ortega faced more challenging conditions. Authorities deported the Mexican native from the port of El Paso as a prostitute in 1908. Under such circumstances, she would have been effectively stranded: anticipating work in the United States as a prostitute but debarred because she did not meet the three-year residency requirement. An investigation, though, later revealed that Patricia had given Consuela money to purchase her fare to Santa Rosalita, Mexico, where she had taken up residence. The two women corresponded regularly, elaborating on the myriad frustrations and small joys that reinforced their common bond as two women practicing prostitution, albeit on different sides of the border.<sup>12</sup> Although durable, networks of commercial sex would prove difficult to disrupt even as (alleged) prostitutes became targets of national surveillance.

In 1908 Commissioner General of Immigration Daniel J. Keefe asked Marcus Braun, a special immigration inspector, to conduct a nationwide investigation of white-slave traffic and violations of immigration law. Prior to this appointment, Braun had frequently traveled to parts of Europe and Asia Minor in hopes of preventing the immigration of “undesirables,” especially anarchists from Austria-Hungary. In his post in New York City, Braun was equally indefatigable. His work took him to such mid-Atlantic and midwestern cities as Pittsburgh, Cincinnati, Cleveland, and Chicago, and he also pursued trafficking allegations in San Francisco, Portland, Seattle, and Denver. The zeal of his correspondences suggested he would fervently and aggressively pursue white slavers throughout the United States. His commitment reflected, on one hand, an official concerned with enforcing immigration law and, on the other, the impassioned urgency of a morals purity advocate. While Braun acknowledged the importance of enforcing Chinese exclusion laws, he pulled no punches about what he deemed to be his greatest moral obligation as the nation’s chief immigration inspector: “What is the

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<sup>11</sup> *International Agreement and Message from the President*.

<sup>12</sup> Charles T. Connell to Thos. M. Fisher, Jr., 14 June 1909, p. 1, folder Continue C, 52484/23, White Slave Traffic, New Mexico and Arizona (hereafter WSTNA), 1909–1910, Subject and Policy Files, 1893–1957, Records of the Immigration and Naturalization Service, 1787–2004, RG 85, NARA.

clandestine importation of a few hundred Chinese or Japanese, or a gang of men under contract to perform certain labor . . . in comparison to the importation of Daughters of Eve, the sex of Mother, Wife, Daughter, Sister for the purpose of Prostitution? Why to me, it seems to be absolutely insignificant."<sup>13</sup> In Braun's view, unfree labor, whether Chinese or Japanese prostitutes or so-called coolies, compared faintly when measured against the virtue of white women and girls.

The concept of volition was also lost or at least obscured in the rhetoric of Braun and other morals purity advocates who often conflated prostitution, a voluntary practice, with the involuntary sex trafficking of women and girls. Immigration inspectors trying to make sense of prostitution and the mandate to enforce white slave laws often fused the two ideas. Few had the perspective of San Antonio immigration inspector Richard H. Taylor: "In the majority of [white-slave] cases the women are not such as are termed 'White Slaves,' by any means. They are merely prostitutes who cross the Border from Mexico for the purpose of practicing prostitution in the adjacent cities, and do so of their own volition, merely for the purpose of increasing their revenues."<sup>14</sup> Taylor did not mention that circumstances of divorce, abandonment, and single parenthood sometimes compelled women into commercial sex. Progressive reformers countered that prostitution could never be truly voluntary due to an element of compulsion that compromised women's moral authority. Braun probably did not overstate his estimation of 50,000 foreign-born prostitutes and 10,000 procurers plying their trade throughout the United States, given the conflation of white slavery with the choice to work in prostitution as a viable, if unfortunate, livelihood.<sup>15</sup>

In keeping with the expanded power of the 1907 Immigration Act, Braun vigorously advocated prosecuting those individuals who brought alien women into the country to work as prostitutes. Procurers, he warned, imported two types of women: "the [w]eak, frail, thoughtless . . . fallen from the pathway of honor and virtue" and the "innocent, inexperienced" lured by "false, deceitful lying promises for a brighter future." Braun's investigation left him convinced that a network of white-slave traffic operated in the United States and that his office stood as the guardian against the proliferation of this "ghoulish trade." Braun, knowingly or not, served as a linchpin in bringing together immigration laws and the anti-white slavery movement. He believed

<sup>13</sup> *Reports of Immigration Inspector Marcus Braun on Conditions for Emigration to U.S. from Hungary and Other Countries of Europe and Asia Minor*, 59th Cong., 1st Sess., H. R. Doc. No. 384 (1906), at 14; *Papers of the State Department Regarding the Case of Immigration Inspector Marcus Braun while in Austria-Hungary*, 59th Cong., 1st Sess., H. R. Doc. No. 482 (1906), at 16; and "Braun's Report of September 29," p. 2, folder Continue 1-A, 52484/ 1-A, Marcus Braun's U.S. Detail, White Slave Traffic, 1908 (hereafter MDWS), Subject and Policy Files, 1893-1957, Records of the Immigration and Naturalization Service, 1787-2004, RG 85, NARA.

<sup>14</sup> Richard H. Taylor's Report on Investigation of Affairs in Mexican Border District, 1909-1909, 21 August 1909, p. 2, folder 52541/44, Guards—Mexican Border Patrol, 1907-1909, Subject and Policy Files, 1893-1957, Records of the Immigration and Naturalization Service, 1787-2004, Record Group 85, NARA.

<sup>15</sup> Braun to Keefe, 29 September 1908, pp. 2-3.

that "White Slave Traffic in its relations to the Immigration Laws . . . [is] no longer a surmise or a suspicion, no longer a matter of hearsay, but a matter of fact." White-slave traffic flourished, he averred, adding, "We can put our finger on the ulcerous spot . . . through which dealings in rotten, corrupt human flesh are made."<sup>16</sup>

Among his numerous recommendations to Keefe, Braun advocated sending immigration officials to both Canada and Europe to monitor suspected prostitutes and procurers, although interestingly, the inspector at this time did not reference the U.S.-Mexico border as a likely hub of white-slave traffic. For all his worldliness, Braun was unaware of how the convergence of white slavery and immigration law unfolded at the U.S. southern border. The task of quashing the nefarious traffic in the Southwest fell to local immigration inspectors who had long been familiar with the complications of the borderlands landscape.

At the U.S.-Mexico border, national dictates to eradicate the flow of white-slave traffic conflicted with uneasy alliances between prostitutes and their procurers, local arrangements between procuresses and constables, and the practices of enforcing loitering laws and regulating prostitution that might be subject to interpretation and, occasionally, graft. As a result, a myriad of strategies emerged to stem the flow of white slavery ranging from deportation and exclusion to extensive investigation and court trials. Although the surveillance of alleged prostitutes crossing from Mexico had been geographically extensive, Braun and others nonetheless underestimated the incidence and impact of so-called white-slave traffic. Multiple reasons for the borderlands' distinctive social milieu involved disparate legal approaches to prostitution and the proximity of the two nations. The U.S.-Mexico border, easily traversed as it was, made El Paso and the territories of Arizona and New Mexico particularly desirable destinations for pimps, because of the potential for quick financial gain that crossing into the United States could bring, and women who might have worked as prostitutes in Mexico, where prostitution was legal. Red-light districts drew women looking for better lodging, nicer clothing, and higher wages. On the ground, the machinations of prostitution aligned with the fluidity of transnational travel and social mores that had defined the region for decades. (See Figure 1.) That the public frequently misconstrued prostitution as white slavery underscored both the difficulty of defining the nature of sex crimes and the complexity of determining one's citizenship status when attempting to prosecute violations of immigration law at the U.S.-Mexico border.

Although the borderlands made the task of enforcing white-slave laws more difficult, Frank Stone possessed the ability to steer through some of its more daunting challenges. Combining prudent discernment and aggressive prosecution, Stone, who had a reputation as an excellent criminal investigator in the immigration service, was particularly deliberate in his pursuit of white-slave procurers and prostitutes.<sup>17</sup> Although committed to quashing the white-slave trade, Stone was by no means naïve about the task before

<sup>16</sup> *Ibid.*, p. 4.

<sup>17</sup> Braun to Keefe, 19 April 1909, p. 1, folder Continue 1-A, 52484/1-A, MBDWS.



Figure 1. "Carmen," a Mexican prostitute who plied her trade in Gay Alley, Tucson's red-light district, ca. 1912, by Gustav Hemert Schneider. Gustav Schneider Collection, 1867–1949, 99892. Photo courtesy of Arizona Historical Society, Tucson.

him. He acknowledged considerable frustration at the entrenched web of corruption he faced in Laredo and other border towns during his investigations throughout 1909. Commenting on the difficulty faced by immigration agents operating in south Texas, he grimly observed, "They can count on no cooperation from the City, County officials, including the Police Department, as nearly all of these people are hostile to the Immigration Service and the laws under which they work." He added that such laws were often at odds with the officials' own interests.<sup>18</sup>

Stone's diligence differed markedly from that of other immigration inspectors insofar as he favored the approach of prosecuting one procurer over the deportation of several prostitutes. His distinct method may have been the outcome of an earlier

<sup>18</sup> Stone to Keefe, 25 June 1909, p. 14.

correspondence with Keefe, Immigration's commissioner general, about the use of power granted to immigration inspectors investigating white slavery. Keefe recognized that inspectors faced difficulty in securing facts from pimps and procurers whose statements, he believed, were "palpable falsehoods in the majority of instances." One problem, Keefe asserted, lay in establishing if suspected pimps and procurers had held continuous U.S. residency for three years. Given that alleged prostitutes and procurers were seldom inclined to share such information with immigration officials, the burden to ascertain the truth by other methods fell to agents. Keefe cautioned Stone about his considerable power to enforce white slavery laws. "Of course," he warned, "every possible precaution should be exercised . . . to avoid the infliction of unwarranted hardships upon those who are not rightfully subject to the laws under which you are operating."<sup>19</sup> Stone heeded Keefe's admonition and over the next few months carried out his investigations with restraint. His caution, coupled with the complexities of the borderlands milieu, shaped his strategy: instead of directly scrutinizing alleged prostitutes, the inspector went after procurers—the basis of prostitution networks—as a means to identify alien women in violation of both immigration and morals purity laws.

In keeping with his approach, Stone set his sights on Ruby Brown. Without disclosing his identity, he struck up a conversation with the voluble procuress and prostitute. Brown, as Mariana Piñeda's invaluable employee, provided Stone with considerable information about the brothel owner's methods for bringing Mexican girls and women across the border. Piñeda would arrange for these would-be prostitutes to travel to Nuevo Laredo, just two miles across the border from Laredo. Brown would meet them and then bring them to Piñeda's brothel. Hearing this, Stone issued a warrant for Brown's arrest for bringing alien women into the United States as prostitutes, in violation of immigration law and white slavery law. He also undertook to locate and arrest two prostitutes, Hortensia Muñoz and Esperanza Ballesteros, whom he had previously identified as capable of providing strong evidence against Piñeda. While out on bail, the crafty Brown managed to contact Muñoz before Stone questioned her. Stone did manage to arrest Ballesteros before Brown could contact her and direct her responses. Ballesteros confirmed to Stone that Brown had brought her into the United States approximately two months before expressly to practice prostitution. While Brown may have been garrulous in her disclosures when she was among friends and acquaintances, she refused to testify against her employer. Her statement that she "could not afford to testify" against Piñeda suggested that the consequences—whether to her financial or her physical well-being—were sufficiently grim to warrant official silence. With no witnesses, Stone could make no case against Piñeda, and Brown, therefore, was soon released from custody.<sup>20</sup>

After gleaning little success from his investigation of Brown and Piñeda, Stone targeted Pedro Leas, a constable of dubious integrity. Two years prior to Stone's arrival, a local grand jury indicted Leas for accepting bribes. Although not sentenced to prison,

<sup>19</sup> Keefe to Stone, 29 May 1909, pp. 1–2, folder Continue 8-A, 52484/8-A, WSTT.

<sup>20</sup> Stone to Keefe, 25 June 1909, pp. 2–11, folder Continue 8-A, 52484/8-A, WSTT.

Leas was removed from his post for a brief time before being reinstated by Laredo's sheriff, Luis Ortíz. Undaunted by this minor setback, Leas continued to profit from corruption by demanding tribute from Piñeda in exchange for protecting her establishment from disruption. The constable's role as guardian of Piñeda's operation expanded in importance after Stone arrested Brown. While in prison, Leas attempted to talk to Brown but was rebuffed on Stone's orders. Outraged, Leas demanded to know why Stone had targeted Piñeda's "girls." In what was perhaps a desperate measure, Leas tried to steer Stone's attention to another house of prostitution, one operated by María de la Torres, who, incidentally, did not pay tribute to Leas for protection. Leas pointed out that de la Torres's house might be more rewarding for the immigration inspector, claiming that many of those prostitutes had resided in the United States for a far shorter time than Piñeda's girls. But Stone recognized his ruse for what it was and continued his vigilance of Leas and Piñeda. While keeping a close eye on the constable, Stone observed him making several trips across the border to escort women to Mexico—in essence, evacuating Piñeda's brothel. Within a few days' time, the number of Mexican prostitutes in Piñeda's employ dropped from twenty-three to two. Any disappointment Stone might have felt at being unable to prosecute Brown, Piñeda, and Leas was tempered by his pragmatism. As he pointed out, this exodus had spared the Bureau of Immigration the costs of arrest, housing, prosecution, and deportation.<sup>21</sup>

The inspector was thorough yet practical in his vision of quashing white-slave traffic. Stone suggested that in the future, any alien woman found to be in violation of immigration policy be given the option of returning to her country voluntarily, provided she leave as soon as she could gather her belongings. During his conversations in Laredo, he learned that the majority of prostitutes in Laredo had been in the United States illegally—that is, they had resided in the country for less than three years. Moreover, on several occasions the few women who had been residents for over three years had crossed the border often. If Immigration authorities would extend such flexibility and allow the women to leave on their own terms, reasoned Stone, the bureau could achieve its ends efficiently while avoiding prosecution expenses. According to Stone, even Piñeda and de la Torres, her main competitor, agreed with the plan: "[They] stated to me that if it was against the law they didn't want the women there and would not have them, and they have declared that in [the] future when a new girl came to their houses and they were in doubt as to the length of her residence in the United States[,] they would communicate with the Immigration officers here on the subject." A man who believed firmly in his work, Stone concluded confidently, "Of course, this desire on their part to conform with the law is the result of the arrests made here, and they realize the futility of attempting to carry on business in violation of the Immigration laws."<sup>22</sup>

Stone's investigation of border-town prostitution networks and possible white slavery violations extended to suspected Eastern and Southern European procurers

<sup>21</sup> *Ibid.*, pp. 7–13.

<sup>22</sup> *Ibid.*, p. 13.

and into other regions in Texas where known bordellos operated. One such pursuit involved the far-reaching business dealings of Charles Kaufmann, a resident of Dallas. Kaufmann operated at the center of the city's red-light district as the owner of a saloon that catered to pimps; he was also the proprietor of a restaurant that fed prostitutes who worked in his many "cribs," rooms where prostitutes conducted their business or small houses adjoining the main establishment. Once Kaufmann, who was known to procure prostitutes from Mexico, caught wind of Stone's inquiries, he ceased importing Mexican women and turned his focus elsewhere.<sup>23</sup>

When the intrepid Stone ventured to Galveston in July of 1909 he likewise encountered red-light districts in compliance with both immigration laws and local codes. Mexican American sisters Aurellia and Natalia Salgado operated two brothels in a segregated area set aside for prostitution, known informally as "the Reservation." Like its name implied, the Reservation was located a mile and a half from the Galveston city limits, where prostitution enjoyed legal protection so long as it was safely sequestered from public view. Constant monitoring by both uniformed and plainclothes local police kept prostitutes confined. The Saldagos' establishments, "The Spanish Club" and "The Senate," were the two brothels within the Reservation to exclusively employ Mexican women. Aurellia had only recently returned to work, having just served a prison sentence for importing Mexican women for prostitution. Stone noted with satisfaction that her incarceration had apparently served its purpose, as both she and her sister now made sure that the women in their employ met the three-year residency requirement. Reported Stone, "In fact, they assured me that they would not even harbor a Mexican girl in their house who had been in the United States for less than three years."<sup>24</sup> In Galveston as in Dallas, Stone found no individuals or establishments in violation of white slavery legislation. In both cities, the lack of prosecutable cases spoke to the effectiveness of immigration policy and constant state surveillance.

Stone's diligence led him to make return visits to certain towns. In Fort Worth, Texas, the inspector was relieved to learn that none of the prostitutes or procurers for whom he had issued arrest warrants on his initial visit had resumed their activities in his absence. But other women and men, such as Harry Feingold, had taken their place. Feingold, an affluent U.S. citizen known as the "King of the Jew Macks," owned a restaurant where "all of the Hebrew prostitutes [took] their meals."<sup>25</sup> Perhaps in an attempt to ensnare Feingold, Stone focused on Helena Golgel, a prostitute whom he recognized from a previous investigation in Seattle, Washington. Golgel had been in the United States for approximately five years, but Stone believed that she had left the country at least once to return to Austria. Golgel had been arrested recently, and Stone noted that Feingold had shown a particular interest in her case. Stone therefore strongly encouraged Golgel's investigation, and possibly her deportation, believing that this would

<sup>23</sup> Stone to Keefe, 11 August 1909, pp. 1-2, folder Continue 8-A, 52484/8-B, WSTT.

<sup>24</sup> Stone to Keefe, 8 July 1909, p. 2, folder Continue 8-A, 52484/8-A, WSTT.

<sup>25</sup> Stone to Keefe, 11 August 1909, p. 2.

have “the salutary effect” of impressing upon Fort Worth prostitutes and procurers the consequences of violating immigration law. This is one of the few cases where Stone spoke of the deportation of a prostitute in terms of its preventive impact. More often he focused such rhetoric and efforts on the prosecution of procurers.

Stone’s work was characterized by thoroughness and a belief that prosecution should be wielded with discretion—not only for ethical reasons, per Keefe’s dictate, but for practical purposes. As he suggested to Keefe, “one successful criminal prosecution in connection with the importation of these Mexican women, especially when it hits at the very heart of the system . . . will prove more efficacious and lasting than the returning of the prostitutes themselves to Mexico.”<sup>26</sup> Keefe surely must have appreciated Stone’s approach; he advised immigration inspectors throughout the United States that while deporting alien women and girls was a commendable objective, “it is largely incidental to the apprehension and punishment of those who do the importing and harboring.”<sup>27</sup> Moreover, Keefe had expressed his desire for restraint regarding deportation itself: “the power of arresting aliens and determining their status is a very important one—an extraordinary one to invest in executive officers.” He emphasized the careful preservation of the rights of the accused and warned against using intimidation or extracting evidence through “sweating” of persons subject to deportation. Both Keefe and Stone seem to have been mindful of what legal historian Daniel Kanstroom would observe decades later about the strength of deportation in enforcing immigration laws: “Deportation is not only a critical instrument of the American immigration control system, it is also a forceful tool of discretionary social control and a crucial element of the national security state.”<sup>28</sup>

The social urgency of enforcing white slavery laws gave rise to the use of deportation as a primary tool wielded to control prostitution at the Arizona and Texas borders with Mexico. Whereas some agents employed deportation as a secondary means of border control, Charles Connell, who operated out of the Tucson office, deported alien prostitutes whenever possible. Born in Mount Vernon, Iowa, and educated on the East Coast, Connell arrived in Arizona Territory during its pioneering days, and by the time of his appointment as Tucson’s immigration inspector in late 1903, he was no stranger to the borderlands social landscape. At the age of twenty-one, Connell administered the first census of Apache Indians at the San Carlos Reservation in 1880. Considered a foremost authority on the tribe, Connell served as a diplomatic agent to the Apache on behalf of the federal government. Only a few years later, when the Spanish-American War broke out, he continued his government duties as a Secret Service agent along the U.S.-Mexico border. From this experience, Connell reportedly carried a mental map

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<sup>26</sup> Stone to Keefe, 25 June 1909, p. 13.

<sup>27</sup> Keefe to Anthony de la Torre, Jr., 10 March 1909, p. 1, folder Continue 8-A, 52484/8-A, WSTT.

<sup>28</sup> *Ibid.* and Daniel Kanstroom, *Deportation Nation: Outsiders in American History* (Cambridge, MA, 2007), 27.

of the U.S. border between El Paso and San Diego and “knew every trail, road, pass, canyon, mountain, and water hole.”<sup>29</sup> His experience as an Apache agent, a wartime officer, and an immigration official proved quite useful in his future duties for the federal government, especially as an inspector of white-slave traffic.

Connell was nothing if not single-minded in his task.<sup>30</sup> From 7 April 1909—when his duties as an immigration inspector expanded to include anti-white slavery vigilance—until the end of his tenure on 31 December of that same year, he visited no fewer than fifty-nine brothels throughout the territories of Arizona and New Mexico.<sup>31</sup> Prostitution occupied a legal middle ground here in which it was neither socially encouraged nor explicitly criminalized. Connell himself addressed the situation, describing the New Mexico Territory ordinance under which prostitutes paid a monthly \$5 “vagrancy fee” and submitted to regular medical examinations. “This ordinance, while not exactly a license does not prohibit a female from practicing prostitution,” he contended. “But it is understood, in a general way that they are to be fined monthly.”<sup>32</sup>

Connell’s reports on brothels typically detailed the address of the establishment (or, in the absence of a specific address, the street location). It also included the number of cribs as well as the number of “inmates” (prostitutes) and the nationalities of both prostitutes and proprietors. In one report Connell wrote, “The ‘Cottage[,]’ composed of fifteen cribs, is conducted by Prosper Berdona, an Italian, and is located on the corner of East Jackson & 7th Street. These cribs are occupied by colored women, Russian Jewesses, American and French women.”<sup>33</sup> (See Figure 2.) In assessing the presence of any women who might be in violation of article 3 of the 1907 immigration act, Connell concluded, “An investigation of the inmates of this place does not disclose any alien women who might be subject to deportation.” Of “The Three B Saloon” in Metcalf, Arizona, Connell observed, “This place is owned and controlled by Thos. Bienes and Rafael Valdéz, Mexicans. There are several cribs attached to this saloon which are occupied by Mexican women. Investigation failed to prove that any of the inmates have been out of the United States within three years.” It should be noted that a man,

<sup>29</sup> “Excerpt from McClintock’s History of Arizona,” Connell Family Scrapbook, folder 11, box 2, Connell Papers, 1905–1934, Arizona Historical Society (Tucson) (hereafter Connell Family Scrapbook). For more information about Connell, see “Apache Fighter to Quit Duties,” *Los Angeles Times*, 27 January 1931, p. A10; “Charles T. Connell Recalls First Arizona Indian Census,” *Arizona Republic*, 12 April 1934, p. 6; “Connell Quits U.S. Post? Why He’s Only 70!,” *Los Angeles Examiner*, 26 December 1928, p. 1; and “Capt. C. T. Connell, Taker of First Apache Census, Quits U.S. Service,” *The Gazette and Republican*, 15 March 1931, p. 1. Also see Charles T. Connell Biographical File, Arizona Historical Society.

<sup>30</sup> Keefe to Connell, 24 April 1909, p. 4, folder 52484/23, WSTNA.

<sup>31</sup> Connell to F. W. Berkshire, 2 November 1909, p. 1; Connell to Berkshire, 21 October 1909; Connell to Berkshire, 15 June 1909; Connell to Berkshire, 3 June 1909; Connell to Berkshire, 20 April 1909, all in folder 52484/23, WSTNA.

<sup>32</sup> Connell to Keefe, 15 June 1909, p. 2, folder 52484/23, WSTNA. See also Connell to Keefe, 14 April 1909, p. 2, folder 52484/23, WSTNA.

<sup>33</sup> Connell to Keefe, 13 October 1909, folder Continue B, 52484/23, WSTNA.



Figure 2. Eva Blanchard, a French prostitute who worked her trade in Tucson. Negative originally printed wrong-side-up. Taken at the Buehman Photography Studio in Tucson, ca. 1910, Buehman Family Papers, 1882–1973, B4762. Photo courtesy of Arizona Historical Society, Tucson.

a woman, or both (sometimes a married couple) might operate a brothel. During a mid-summer investigation, Connell detailed brothels in Morenci, Arizona, including one run by “Lee Stien, alias Jew Kid; no street or number.”<sup>34</sup> A noted procurer and pimp, Stien’s saloon and annex housed several prostitutes. His enterprise benefited from the particular expertise of Aurelia Cantuga, a notorious procuress. In addition to a more general description of her height and age, Connell took specific pains to make note of her two gold teeth. Cantuga frequently made trips to El Paso and Juárez, Mexico, to

<sup>34</sup> Connell to Keefe, 3 June 1909, p. 1, 3, folder Continue A, 52484/23, WSTNA.

transport women for Stien's operation. Connell reported that border agents in El Paso had been instructed to intercept Cantuga on her return trips from Juárez in hopes of finding her in possession of would-be prostitutes from Mexico.

Connell, in his determination to quell the trafficking of immigrant women, expanded his investigations beyond U.S. borders. Without any federal authority, he traveled to five major border towns in Sonora and Chihuahua in the spring of 1909 in pursuit of information regarding women who might later work as prostitutes in New Mexico, Arizona, or El Paso. Connell was aware of the intricacies operating at the U.S.-Mexico border. It is important to note that during his travels he acted as a private citizen; he had no authority to arrest or detain anyone on any grounds. In addition, prostitution in Mexico was both legal and formally regulated.<sup>35</sup> Connell's vigorous pursuits in Northern Mexico gave credence to the fear among anti-white slavery activists that the border served as a gateway that could and should be closed to the decadence lurking just south of the United States. Connell surveyed the red-light districts of Cananea, Agua Prieta, Naco, Nogales, and Juárez.<sup>36</sup> But unlike his monitoring of U.S. brothels, Connell compiled a list of individual prostitutes by location and, if applicable, their previous instances of deportation. Upon his return to the United States, he submitted a report to Keefe titled "List of Prostitutes in Foreign Contiguous Territory." The list contained the names of 219 prostitutes working in Mexico and consisted of Japanese, Chinese, German, Spanish, and French surnames. Connell's list included women who worked in more than one city; Cananea-Nogales was an especially common pairing—with 19 women working in both locations. The mining town of Cananea was easily the most popular, with 112 prostitutes.<sup>37</sup> This was hardly unexpected, given its location on the Arizona-Sonora border. (See Figure 3.) Keeping in mind that all of these women were engaged in a legal business and might well never enter the United States—where they would be deportable—Connell's preemptive surveillance effectively disregarded one-half of the alleged white slavery equation: the pimps and procurers who transported these women into the United States.

While Connell pursued many cases of alien women brought north of the border to work in U.S. brothels, he also investigated instances wherein the flow of traffic was reversed. Connell arrested Manuel Rodríguez, an Agua Prieta saloon owner of questionable repute who was no stranger to his neighbors' scrutiny and approbation. At least one Catholic priest and a Mexican consulate official loathed what they believed

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<sup>35</sup> At the turn of the twentieth century, Mexico's prostitution laws were still regulated by the *reglamento* (statute) imposed under French Rule (1862–1866). Ricardo Franco Guzmán, "el régimen jurídico de la prostitución en México," *Revista de la Facultad de Derecho en México* 32 (Enero/Junio 1972): 86–108 and Katherine Elaine Bliss, *Compromised Positions: Prostitution, Public Health, and Gender Politics in Revolutionary Mexico City* (University Park, PA, 2000), 2.

<sup>36</sup> Connell to Keefe, 14 May 1909, p. 1, folder 52484/23, WSTNA.

<sup>37</sup> Connell to Keefe, 26 December 1909, pp. 1–3 and "District of Arizona and New Mexico, List of Prostitutes in Foreign Contiguous Territories," pp. 1–3, both in Continue C, folder 52484/23, WSTNA.



Figure 3. One of two anonymous Mexican prostitutes arrested by Charles Connell in El Paso. The two women were deported the next day for “immoral purposes.” Connell Papers, 1905–1934. Photo courtesy of Arizona Historical Society, Tucson.

to be the sordid nature of Rodríguez’s enterprise. Rodríguez, a legitimate Sonoran businessman, operated a bordello no more than one hundred feet south of the border that survived in part because of its proximity to Arizona mining towns such as Douglas, where single men abounded. Rodríguez realized that to ensure an even greater supply of willing customers he would need to make the miners sufficiently aware of his enterprise. To advertise his wares, he allegedly accompanied two registered Mexican prostitutes, Rosa Cárdenas and Teresa Rothenhausler, to Douglas to solicit business. Police immediately arrested Rodríguez for having escorted the two women into the United States for immoral purposes. In a lengthy trial with over twenty witnesses and extensive cross-examination, a Tucson jury ultimately acquitted him. Through his three lawyers, the businessman proved that Cárdenas and Rothenhausler entered the

United States of their own volition, without his escort. Clearly, Rodríguez's bordello stood to benefit from increased cross-border traffic, but the court ruled that he had no direct hand in soliciting prospective clients. The women spent six months in a Douglas jail—not for having committed any crime, but to testify against Rodríguez when his trial commenced. After the acquittal, they were deported to Sonora—not for practicing prostitution, but for entering the United States without an official inspection. The U.S. government paid Cárdenas and Rothenhausler approximately \$100 each. While the six-month trial could have hardly been enjoyable, Rodríguez was free to resume his operation immediately upon his return to Agua Prieta, with no formal consequence or constraint upon his business.<sup>38</sup> Ironically, his bordello closed in his absence, on order of Mexican authorities in Hermosillo, probably the casualty of unwanted publicity. In this instance, the border served as a permission slip to one country and a possible jail sentence in the other. While U.S. lawmakers prosecuted suspected cases of prostitution with vigor and frequent success, the Rodríguez case clearly showed that geography mattered. U.S. attorneys argued that a bordello owner would have sent two prostitutes to Douglas on payday for one clear purpose: to solicit men. Defense attorneys countered that Rodríguez's business in Mexico was both legal in that country and irrelevant in the United States. Without evidence that Rodríguez practiced business illegally, no basis existed for his conviction.

Cross-border distinctions were imperative to the legal status of brothel owners such as Rodríguez and critical to the ultimate safety and status of Mexican women who entered the United States. This was true whether a Mexican woman had actually practiced prostitution in Mexico, came to the United States and then began working as a prostitute, or crossed the border as the concubine of a U.S. citizen. In each case, punishment lay not in being sentenced to an American prison but in being deported to Mexico. These punishments represented an early relationship between border control and morals control.

Under such a complex set of factors at the borderlands—and the very real risk of deportation—proving American citizenship took on particular importance, as the 1908 case of Rosa Tijerina demonstrated.<sup>39</sup> Tijerina, according to her own account, was born in Brownsville, Texas, where she lived until the age of eighteen. At that time, she married Mexican Abrán Muñoz and made her home with him in Matamoras, Mexico, just three miles from her hometown in the United States. The couple raised five children together. Tijerina stated at her immigration status hearing that the eldest and youngest had been born in Mexico while the three middle children were born in Texas. By way of explanation, she noted that her husband had deserted from the Mexican army,

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<sup>38</sup> "Violation of Immigration Laws," p. 13 and "Rodriguez Free," p. 21, both in Connell Family Scrapbook.

<sup>39</sup> Berkshire to Keefe, 1 March 1908, p. 1, folder 51777/56, WSTT. See also "Testimony of Rosa Tijerina," 25 February 1908, pp. 1, 5; 27 February 1908, p. 1; and 29 February 1908, p. 1, all in folder 51777/56, WSTT.

at which point the couple moved from Mexico to Brownsville and had three more children. After the reinstatement of Muñoz's citizenship, they returned to Mexico and had their fifth child. After fifteen years of marriage, Tijerina decided to leave Muñoz and return to the United States, where she supported her family as a prostitute.<sup>40</sup> It was unclear whether she made any claims of support on her estranged husband, although if she had, the American and Mexican coverture laws would have made collecting assistance from her husband virtually impossible.

Tijerina quickly came to the attention of immigration officials in South Texas. Under investigation as a possible alien—deportable under article 3—Tijerina asserted that her U.S. citizenship protected her from expulsion. Investigators, however, claimed that she had forfeited her citizenship by virtue of marrying a Mexican national and for living in Mexico for fifteen years. Transcripts of the immigration hearing revealed conflicting reports about her claims of American citizenship. At stake was Tijerina's status as a U.S. citizen, who at most would be charged a "vagrancy" fee for practicing prostitution. On the other hand, a legal determination of Mexican citizenship would make it a foregone conclusion that she would be deported. Such a decree could stem either of two findings: that Tijerina was actually born in Mexico, contrary to her claims, or that she had forfeited her U.S. citizenship by marrying a Mexican. Testifying on behalf of Tijerina, Frank Cortéz, a customs officer in Brownsville, swore under oath that she had in fact been born in Texas, as she had claimed. Another witness, Brownsville County clerk Joseph Webb, also supported Tijerina's assertion. He stated that he had known her family since 1870, during which time they had lived on a ranch at San Pedro. During questioning he offered, "I am more inclined to believe that she was born on [the U.S.] side," adding that he had been given to understand this from others as well. When asked if he would swear positively that "this alien" had been born in the United States, Webb demurred, "No, not positively, only to the best of my knowledge and belief."<sup>41</sup> Three other witnesses—Cameron County jailer Manuel Villarreal, former Cameron County Judge E. C. Forto, and Brownsville merchant Manuel Berreda—all acknowledged that they knew Tijerina well but would not swear to her having been born in the United States.<sup>42</sup>

In retrospect, Cortéz was the only person approximating an advocate that Tijerina, who possessed \$7.50 at the time of her hearing, would have. Even her own lawyer, J. T. Cañales, a recently elected Texas state representative and protégé of the Cameron County political machine, declined to make a statement on her behalf, despite being her relative: "If she is a prostitute, and has violated the law, she should suffer the

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<sup>40</sup> Lawrence O. Murray to Frank Sargent, 6 March 1908, folder Continue 8-A, 52484/8-A, pp. 1-2, WSTT.

<sup>41</sup> Berkshire to Keefe, 1 March 1908 and Berkshire to Keefe, 2 March 1908, both in folder 51777/56, WSTT.

<sup>42</sup> "Supplemental Hearing in the Matter of Rosa Tijerina," 27 February 1908, p. 2, folder 51777/56, WSTT.

consequences, and I do not care to do anything in the case.” The poignancy of Tijerina’s predicament is perhaps best captured by her simple response to a query about her livelihood: “Just struggle along.”<sup>43</sup> Closer examination of the proceedings speaks to the lack of clarity about the legal parameters that would determine the loss of U.S. citizenship. If, as Tijerina claimed, she had been born in Texas, had she forfeited her U.S. citizenship by marrying a noncitizen? Had her move across the international boundary nullified her U.S. citizenship? Until 1922, when the Cable Act guaranteed independent female citizenship to women who married “aliens eligible to naturalization,” a woman who married a foreigner assumed the citizenship of her husband.<sup>44</sup> When Tijerina married Muñoz, she effectively lost her American citizenship. Perhaps her length of stay in Matamoras had been a decisive factor; perhaps it was the fact that three of her children had been born in Mexico and that all five children lived there at the time of her hearing. Transcripts never identified the deciding reason. Immigration Inspector in Charge Fred Lawton ruled Tijerina was “an alien prostitute, viz: a subject of Mexico, and to have entered the United States in violation of sections 3 and 36 of the [Immigration] Act of February 20, 1907.” Lawton concluded, “It is therefore recommended to the Honorable Secretary of Commerce and Labor that the said alien be deported to Mexico, as provided in sections 20, 21, and 35 of the Act of February 20, 1907.”<sup>45</sup> No record exists to reveal what happened to Tijerina after her deportation.

The pull to go north even affected women who had not worked as prostitutes in Mexico—and they, too, faced the same risk of deportation. In 1908 María Hernández was just eighteen when a Mexican Japanese boy approached her in her hometown of Juárez, at the behest of Henry Chuta Kitamura, a Japanese national who had been in the United States for ten years and currently lived in Gallup, New Mexico. Through the boy, Kitamura asked Hernández to come live with him in what amounted to concubinage. In exchange, Hernández later testified, Kitamura would “buy [her] good clothes, and treat [her] right.” If she stayed with him for three months, he would take her to Zacatecas, Mexico, to see her mother. Kitamura paid for Hernández’s travel expenses, first to Juárez and then to El Paso. He also paid her for sex, an act that effectively rendered her a concubine in the eyes of U.S. immigration officials. Enticements such as Kitamura’s could turn easily into peril. Women from Mexico faced considerable vulnerability because their status as noncitizens and their possible employ as prostitutes, taken together, made them deportable subjects. In Hernández’s case, U.S. officials investigated her for practicing prostitution and for entering the country without official inspection. Shortly after testifying, she was deported. Kitamura, it should be noted, did not escape punishment either. The U.S. assistant attorney general for the state of Texas indicted

<sup>43</sup> Ibid., p. 3.

<sup>44</sup> Candice Lewis Bredbenner, *A Nationality of Her Own: Women, Marriage, and the Law of Citizenship* (Berkeley, 1998), 16–7 and Gardner, *Qualities of a Citizen*, 123–4.

<sup>45</sup> “In the Matter of Rosa Tijerina,” 25 February 1908, p. 4 and “Supplemental Hearing in the Matter of Rosa Tijerina,” 27 February 1908, p. 2, both in folder 51777/56, WSTT.

him for bringing Hernández into the United States for immoral purposes, and it was recommended that should he be convicted, he would serve out that sentence in an American prison first—and then be deported to Japan.<sup>46</sup>

The convergence of immigration control and social morals control created an intricate and contested borderlands landscape that foreshadowed the manner in which white-slave laws would be understood and enforced at the national level. White-slave hysteria, with its graphic accounts of kidnapping and forced prostitution, led James Robert Mann, a Republican congressman from Illinois, to forge legislation making it a crime to transport women and girls across international and interstate lines to prostitute them, to have sex with them, or to cohabit with them.<sup>47</sup> While the first five sections of the Mann Act outlined the criminal activity and its punishment and established basic working definitions of “interstate commerce,” “person,” and “territory,” section 6, the longest portion of the legislation, furthered the role of the Bureau of Immigration in its responsibility to suppress the traffic in women. To guard against white slavery, the Mann Act designated the commissioner general of immigration—and by extension, immigration officials—as responsible for obtaining information about the trafficking of women into the United States and those who harbored alien women for prostitution or for “any other immoral purpose.” After the act’s passage in 1910 the deportation of alien women and those whose sexual behaviors were deemed antithetical to American moral values continued in earnest, playing out in the national spotlight. This more explicit union of immigration control and social morals control might well have been gratifying to officials like Marcus Braun, who had declared that only vigorous pursuit and unwavering vigilance could eradicate the “crying shame upon our much boasted 20th Century Christian Civilization.”<sup>48</sup> The intersection of immigration control and social morals control cast its widest net to date with the passage of the Mann Act.

One year before Congressman Mann gave legislative credence to the anti-white slavery movement, the U.S.-Mexico border had become a crucible in which immigrant women alleged to be prostitutes fiercely contested sexual mores and the parameters of American identity and citizenship. Approximately ten years before the Immigration Act of 1917 instituted strategies to regulate the entry of Mexicans and Southern and Eastern Europeans into the United States—with a head tax, a literacy test, and personal

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<sup>46</sup> “Exhibit C,” Berkshire to Keefe, 23 March 1909, p. 1, folder 51777/56; “Testimony of Maria Hernández,” 10 November 1908, pp. 1–2 and Luther C. Steward to Keefe, 13 November 1908, p. 1, both in folder Maria Hernández, 52241/2, all WSTT.

<sup>47</sup> *White Slave Traffic, Illegal Importation or Interstate Transportation of Alien Women or Girls for Prostitution*, 61st Cong., 2nd Sess., S. Rep. No. 886 (1910). For more information on white-slave statutes, Supreme Court decisions, and the relationship between the United States and other countries on the trade of women, see *Memorandum in Re White-Slave Trade*, 17 December 1910, Marcus Braun’s Report: White Slave Investigations—U.S., House of Representatives—White Slavery, 1910, Subject and Policy Files, 1893–1957, Records of the Immigration and Naturalization Service, 1787–2004, RG 85, NARA.

<sup>48</sup> “Braun’s Report of September 29,” p. 2, folder Continue 1-A, MDWS.

investigations—immigration law and morals purity law worked in mutually reinforcing ways to produce a system of border control on the basis of gendered and sexual exclusions. The U.S. state, through its immigration bureaucracy at the southern line, wielded authority as arbiter of legal admission into its states and territories and, in so doing, constructed national identities on the basis of controlling the entry of women whose sexuality challenged prevailing notions of female moral authority. Enforcement efforts ranged from the heavy-handed, such as the arrest and deportation of as many prostitutes as possible, to the subtle: targeting one procurer in hopes of shutting down a socially undesired enterprise. Yet even as the Bureau of Immigration enforced this gendered and sexualized system of immigration control, the proximity of Mexico to the United States and frequent border crossings lessened somewhat the consequences of deportation while helping others sustain their employ as prostitutes. Immigration agents including Frank Stone and Charles Connell enforced this spectrum of early border control while women such as Ruby Brown and Rosa Tijerina were left to navigate a complicated political landscape in hopes of supporting themselves and their families. Social reformers might have known about the hard choices made by Brown and Tijerina, but when those reformers shaped morals purity legislation and coupled it with immigration restrictions, they obscured their propensity for benevolent action on behalf of poor women. Brown did not abduct the women she procured on her jaunts to Nuevo Laredo, but they probably made their choice to cross the border begrudgingly. Equally, Tijerina did not come to the United States against her will, but the imperative to provide for five children certainly limited the range of choices available to her.

Between 1907 and 1909 immigration officials responding to myriad conditions at the U.S.-Mexico border adopted two contrasting enforcement options: local containment or deportation. Their strategies would be fundamentally narrowed by the ascendancy of national anti-white slavery legislation in 1910, when reflexive nativism would be the whetstone on which the deportation of immigrant women would be sharpened. The fates of women like Ruby Brown and Rosa Tijerina would thereafter be ruled by even harsher prosecutorial dictates of immigration law and its convergence with morals purity legislation that characterized border crossing at the U.S. southern line in the early twentieth century.

