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Vagrancy and Comparative Racialization in
Huckleberry Finn and “Three Vagabonds
of Trinidad”

In his 1950 introduction to *Huckleberry Finn* (1884), T. S. Eliot provides a striking explanation for Mark Twain’s reversion to “the mood of *Tom Sawyer*” in the novel’s final chapters. He explains that neither a tragic nor a happy ending would be appropriate, because

Huck Finn must come from nowhere and be bound for nowhere. His is not the independence of the typical or symbolic American Pioneer, but the independence of the vagabond. . . . [H]e is as much an affront to the “pioneer spirit” as he is to “business enterprise”; he is in a state of nature as detached as the state of the saint. In a busy world, he represents the loafer. . . .¹

For Eliot, Huck is a protomodernist, a nomadic “vagabond” shorn of personal history and local traits, belonging to no particular place and inhabiting a time that “has no beginning and no end.”² Like the other tramps and loafers who populate Twain’s writings, Huck embodies a negative freedom from a culture oriented toward business gain, “pioneer” settler colonialism, and territorially bound labor.

In the postbellum United States, however, unfettered mobility was criminalized as much as it was celebrated, and vagrancy was a flash-point for profound cultural anxieties. As Indian Removal, Emancipation, roundups of Chinese immigrants, and the growth of large-scale agriculture displaced populations from the land they worked on and inhabited, neither status, property ownership, nor means of employment could be counted on to distinguish unemployed whites from other racial groups. Under such conditions, the romanticized figure

of the independent white tramp could be sustained only through processes of racialization that selectively precipitated, criminalized, and contained the mobility of nonwhites. Southern and western states thus instituted vagrancy laws that disproportionately criminalized populations displaced by various forms of racial exploitation and violence, selectively imprisoning or removing racialized groups to more profitable locations, such as tenant farms, urban Chinatowns, and Indian reservations.

Legal and discursive constructions of vagrancy perpetuate racial hierarchies through the ostensibly race-blind policing of public spaces and of individuals' moral behavior and personal hygiene. Instead of racializing individuals through physical or sentimental stereotypes, the category of "vagrancy" targets spatial practices, or the ways in which bodies occupy and traverse space. While only some nineteenth-century vagrancy laws explicitly targeted particular groups, they all enabled uneven policing and enforcement along racial lines. Whereas Eliot highlights the cosmopolitan mobility with which Huck "questions the values of America as much as the values of Europe,"³ I argue that Twain's novel and several of its key intertexts dramatize differences in access to *regional* mobility, or the ability to move about within and between regions that themselves depended upon the availability of differentiated groups of workers and unemployed labor reserves.⁴ The antiracist historical fictions by Twain and Bret Harte examined in this essay address racial inequalities not only by interrogating stereotypes about bodies, dialects, and mental capabilities, but also by dramatizing the racially uneven distribution of "spatial possibilities for certain groups."⁵

This essay reads *Huckleberry Finn*'s white vagabonds alongside legal, popular, and literary treatments of racialized mobility in the postbellum South and West.⁶ I begin by considering Chinese, Indian, and white vagabonds in several of the novel's source texts in order to establish a comparative racial context for understanding Huck's and Jim's divergent experiences of mobility and imprisonment as they travel downriver. Next, I review Jim's sufferings and captivity in the concluding chapters of *Huckleberry Finn*, which resonate with the racially stratified vagrancy laws that helped to rebind "emancipated" black Southerners to the land as either sharecroppers or convict laborers. In addition to illuminating the novel's ending, this link between vagrancy and institutions of captive labor (which Joan [Colin]

Dayan has described in terms of “civil death”) also provides a historical context for interpreting the novel’s morbid interest in the unburied dead.⁷ I conclude by turning westward to the scenes of Chinese purges and Indian massacres dramatized in Harte’s little-known recasting of *Huckleberry Finn*, “Three Vagabonds of Trinidad” (1900)—a story that bears witness to both the infiltration of Jim Crow tactics into California race relations and the fragile alliances formed, both historically and in the antiracist literary imagination, between members of differently dispossessed groups. Attending to legal and cultural connections between vagrancy and racialization highlights the ways in which the relative immobilization of Chinese, Native American, and black bodies underwrote the romanticized white vagabondage at the heart of *Huckleberry Finn* and its intertexts.

Vagrant Sources

Although critics often frame *Huckleberry Finn* as a return to the Southern scenes of Twain’s childhood, the novel’s setting at the western edge of the South recalls the multiracial western locations in which the author established his career, such as Hawai’i, Virginia City, Nevada, and San Francisco and Calaveras County, California. In two earlier texts—an unfinished serialized novel titled “Goldsmith’s Friend Abroad Again” (1870–71) and *The Adventures of Tom Sawyer* (1876)—Twain begins to explore the forms of racialized mobility, incarceration, and labor that would later become prominent themes in *Huckleberry Finn*. These texts establish metaphorical connections between death and criminalized vagrancy that help us better understand the motif of the walking dead throughout *Huckleberry Finn*, particularly in Pap’s maddening nightmare about dead tramps.

“Goldsmith’s Friend”—an early experiment in the naive first-person narration so central to *Huckleberry Finn*—is an epistolary narrative told through the letters of a Chinese migrant named Ah Song Hi to his friend in China.⁸ Initially ingenuous, the tone of the letters becomes puzzled and then embittered as Ah Song Hi describes his passage in the steerage of a coolie ship, his harassment and arbitrary arrest on the streets of San Francisco, his encounters with fellow inmates in the city prison, and his dismal journey through the U.S. legal system. The protagonist is cheated, crowded, and intentionally scalded with hot steam during his transpacific passage, and he is subsequently denied

work when his employer's plans to hire out coolies to Southern plantations fall through. Yet Ah Song Hi remains optimistic about the United States until his prolonged encounter with the nation's penal system, whose very existence baffles him ("I had long had an idea that Americans, being free, had no need of prisons, which are a contrivance of despots for keeping restless patriots out of mischief").⁹ Awaiting trial in a city prison, Ah Song Hi is beaten by unemployed Irish inmates—habitual layabouts who, upon discovering that he is a "Chinaman," berate him as "a bloody interlopin' loafer." Only then does he begin to become disillusioned with the racial organization of the United States, laconically remarking that "'Loafer' means one who will not work" ("GF," 463). In the prison, "loafer" denotes both the idleness of unemployed vagrants and the specifically racialized status of the "Chinaman." For the latter, loafing is declared to be an essentialized, biologically heritable ("bloody" in the sense of "in the blood") characteristic that has nothing to do with being unemployed. Indeed, it is only to the extent that Chinese immigrants might be employed at the expense of white workers that they were stereotyped as "interlopin'" coolies who devalued white labor.¹⁰ Although the figure of the brutishly hard-working "coolie" appears to be antithetical to the "loafer," it was precisely the threat posed by Chinese workers able to move about and freely contract their labor that led to their restricted mobility. In turn, the policing of Chinese access to public space through categories such as "vagrancy" confined them to the status of unfree "coolie" labor. The contradiction between "interlopin'" (employable) and "loafer" (unemployable) indicates that Ah Song Hi's Irish cellmates are projecting their own status as landless, unemployed "loafers" onto him rather than acknowledging the extent to which the large-scale incorporation of mining, agriculture, and construction was rendering workers of all races increasingly expendable. After recounting Ah Song Hi's summary trial (he is sentenced with "five dollars or ten days"), "Goldsmith's Friend" breaks off with the remark that the newspaper reporter "would praise all the policemen indiscriminately and abuse the Chinamen and dead people"—those who are either legally or biologically barred from bearing witness ("GF," 470).

Twain returns to the intersecting themes of vagrancy, race, and "dead people" with the character of Injun Joe in *Tom Sawyer*—a more proximate antecedent for the figure of Jim in *Huckleberry Finn*. Injun Joe first appears at the scene of a grave-robbing, where his gang is

exhuming a cadaver of unspecified race (disproportionately likely to be black) for Doctor Robinson,¹¹ who reminds Joe that he has paid in advance for the specimen. But the transaction turns out to be a trap, as Joe explains to the doctor:

Five years ago you drove me away from your father's kitchen one night, when I come to ask for something to eat, and you said I warn't there for any good; and when I swore I'd get even with you if it took a hundred years, your father had me jailed for a vagrant. Did you think I'd forget? The Injun blood ain't in me for nothing. And now I've *got* you, and you got to *settle*, you know!¹²

Joe's race, destitution, and lack of domicile render him vulnerable to an arbitrary imprisonment that allegorizes the history of Native Americans throughout the U.S. West who were first displaced from their ancestral lands and subsequently targeted by vagrancy laws. Joe's own traumatic history of being "jailed for a vagrant" not only references the history of violent Indian removals that left many vulnerable to accusations of vagrancy but may also be read as a commentary on specific statutes such as California's "Act for the Government and Protection of Indians" (1850), which, as Shirley Ann Wilson Moore explains, required Indians to vacate their domiciles on the request of any white person: "[T]he new California law controlled Indian labor. . . . On the word of any white person, any Indian deemed to be 'loitering or strolling about' could be arrested and sold to the highest bidder to labor for a period of four months."¹³ Joe's declaration of revenge ironically puns on the word *settle*, which denotes not only the monetary exchange for goods delivered that the doctor hopes for in this cadaver sale, nor merely the actions of white settler colonists who expropriated Native Americans, but also the act of racial retribution represented by Joe's killing of the doctor, which proceeds more or less as planned.

Nor was the doctor's offense an isolated incident. Joe's status as a half-Indian "vagrant" leaves him vulnerable to repeated, ritual punishments and accounts for much of his animus in Twain's novel. Later in *Tom Sawyer*, Huck Finn overhears Joe plotting to mutilate the Widow Douglass, because "her husband was rough on me—many times he was rough on me—and mainly he was the justice of the peace that jugged me for a vagrant. And that ain't all. It ain't a millionth part of it! He had me *horsewhipped!*—horsewhipped in front of the jail, like a

nigger! . . .” (TS, 223). Being publicly whipped before the entire town racially marks Joe’s flesh: along with “many” other acts of roughness, horsewhipping and arbitrary imprisonment reduce Joe to the condition of a beast or “nigger.” As with the Irish “loafers” in “Goldsmith’s Friend,” however, Joe’s very outrage at being treated “like a nigger” registers his repulsion to blackness, and calls attention to the divergent forms of vagabondage that are joined in the single body of the “half-breed.” Joe does not object to *being* a vagrant, but to being “jailed for a vagrant,” “jugged . . . for a vagrant,” and violently *racialized* as a vagrant in a public ritual of whipping.

Although Huck claims that it “ain’t no matter” whether or not his readers have read Twain’s earlier novel, Injun Joe haunts the plot of *Huckleberry Finn*. For it is Huck’s share of Joe’s treasure that furnishes the monetary impetus of the plot by giving Pap incentive to reclaim his son, thus driving Huck to go on the tramp with Jim. More significant, Tom’s narrow escape from Injun Joe in the concluding chapters of *Tom Sawyer* may be read as an inspiration for his perverse interest in constructing a sublimated “play” around Jim’s incarceration in the final, problematic section of *Huckleberry Finn*. If Injun Joe’s initial appearance looks forward to *Huckleberry Finn*’s overarching concern with intersections between race and vagrancy, his eventual demise gruesomely anticipates Jim’s farcical captivity at the hands of Tom Sawyer.

Two weeks after Tom and Becky Thatcher find their way out of the labyrinthine cave where they are described as starving “captives” and “prisoners,” Tom is shocked to learn that the judge has taken measures to protect others from getting lost in the cave: “‘Nobody will get lost in that cave any more. . . . Because I had its big door sheathed with boiler iron two weeks ago, and triple-locked . . .’” (TS, 251). Tom, in response, turns “white as a sheet” and reveals that he had run into Injun Joe while exploring the cave, and so the Indian must have been locked inside. Tom’s enhanced whiteness is a direct result of his sudden awareness of the unthinkable sufferings of his “Injun” nemesis, whose death in captivity gives rise to mixed feelings of pity, dread, and relief:

When the cave door was unlocked, a sorrowful sight presented itself in the dim twilight of the place. Injun Joe lay stretched upon the ground, dead, with his face close to the crack of the door, as if his longing eyes had been fixed, to the latest moment, upon the

light and the cheer of the free world outside. Tom was touched. . . . His pity was moved, but nevertheless he felt an abounding sense of relief and security. . . . (TS, 252–53)

Twain explains that this unintended imprisonment and death interrupted a pending petition requesting that the governor pardon Joe, who has been convicted of murder on the basis of Tom’s testimony. Instead of carrying out Joe’s death sentence in accordance with due process, Judge Thatcher carries it out unwittingly through an act of benevolent “triple-lock[ing]” intended to protect white children. Like the notion of race as an “accident of birth”—which Twain later explores in the infant-swapping plot of *Pudd’nhead Wilson* (1894)—this sentimentalized accident of death apparently absolves the law of any intention to harm Joe, despite the fact that the uneven criminalization of vagrancy had rendered him “dead in law” long before the Judge literalized his death.¹⁴

Twain’s treatments of racially divergent forms of vagrancy in “Goldsmith’s Friend” and *Tom Sawyer* help account for *Huckleberry Finn*’s most haunting scene of vagabondage or “tramping,” which occurs during the last night Huck spends with his drunk, abusive father. Shortly after Pap’s tirades against the “govment” that would entitle a “free nigger” to education and suffrage, he has nightmares about snakes and tramps—nightmares so vivid that he chases Huck around the cabin with a clasp-knife.

He was laying over by the corner. By-and-by he raised up, part way, and listened, with his head to one side. He says very low:

“Tramp—tramp—tramp; that’s the dead; tramp—tramp—tramp; they’re coming after me; but I won’t go—Oh, they’re here! don’t touch me—don’t! hands off—they’re cold; let go—Oh, let a poor devil alone!”¹⁵

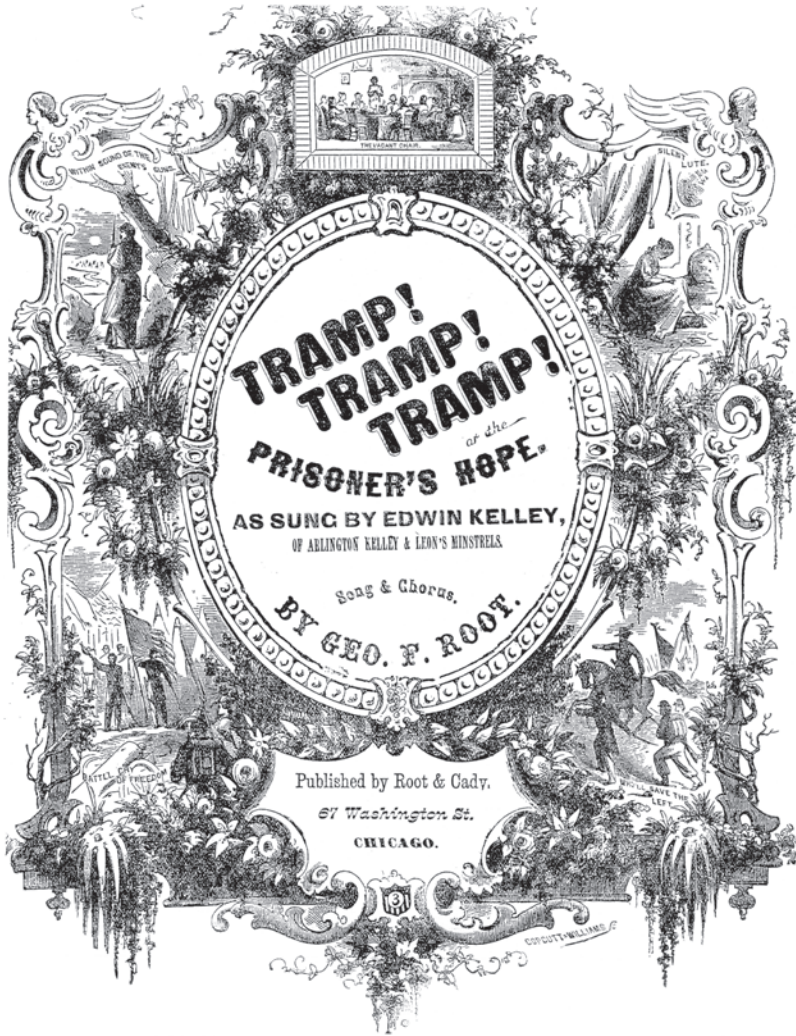
Pap’s nightmarish encounter with the walking dead, which so closely follows on the heels of his complaints about the enfranchisement of “free niggers,” expresses his own anxieties about class and race. If emancipated (though landless) blacks could educate themselves and vote, then where did he stand as a poor, unemployed white tramp? Twain’s concern with racialized vagrancy dramatizes the resolution to this problem, whereby nonwhite vagabonds were intimidated (often by poor whites), disciplined, and rebound to the land, while white tramps were relatively free to move throughout, and beyond,

the South. Twain's description of Pap's nightmare incorporates these divergent tendencies by contrasting the disciplinary tempo marked by the refrain ("Tramp—tramp—tramp") with a vagrant and undisciplined patchwork of observations, wayward exclamations, sharp intakes of breath ("Oh"), and entreaties that do not interrupt as much as constitute this play-by-play description of Pap's waking dream. In the dream, the onomatopoeic advent of disciplinary time simultaneously, and paradoxically, denotes—over and over again—the proliferation of tramps whose very bodies are imagined in opposition to discipline and progress. Although its description may appear out of place in the development of Twain's plot, Pap's dream of the walking dead exemplifies the intertwining of picaresque and gothic incidents that characterizes the novel as a whole.

"Tramp—tramp—tramp" does more than simply invoke the homogenization of time embodied in the tread of regular, disciplined footsteps. The refrain would have been immediately recognizable to readers who had lived through the 1860s as the title of a popular Civil War song that had been cheaply reprinted and distributed to homes where it was sung to musical accompaniment (see fig. 1).¹⁶ Composed by the popular Civil War songwriter George Root, "Tramp! Tramp! Tramp!" sold almost 100,000 copies within six months, and was reported to have sold 150,000 by the end of 1865.¹⁷ Its hopeful yet plaintive verses, voiced by captured Union soldiers waiting "within the prison cell" for their redemption, often return to the scenario expressed by the song's subtitle, "The Prisoner's Hope."¹⁸ The chorus responds with the emphatic, upbeat force that made "Tramp!" a popular marching song:

Tramp, tramp, tramp, the boys are marching,
 Cheer up comrades they will come.
 And beneath the starry flag
 We shall breathe the air again
 Of the free land in our own beloved home.¹⁹

In Pap's dream, Twain's readers would have heard anachronistic echoes of the steadily approaching footsteps of the Union victory, and with it the promise of an emancipation that would make the United States a "free land" for both war prisoners and slaves. Associating the sound of tramping feet "beneath the starry flag," "Tramp, tramp, tramp" both onomatopoeically and musically links the time of military discipline with the future-oriented time of the nation-state. On



Entered according to Act of Congress, A. D. 1864, by Root & Cady, in the Clerk's Office of the District Court for the Northern District of Illinois.

Figure 1 “Tramp! Tramp! Tramp! or the Prisoner’s Hope.” Song by George F. Root. Chicago: Root and Cady, 1864. Courtesy of William L. Clements Library, University of Michigan at Ann Arbor.

this reading, Root's song provides a striking ironic contrast to Pap's views by soliciting and even celebrating the very Union ("govment") that Huck's father criticizes for supporting "free niggers." Yet beneath the song's often manic tune and upbeat march tempo lie the darkness and terror of a Confederate prison cell. The song confronts listeners with the problem of how to reconcile its lively tempo with the empty time of imprisonment, in which captives indefinitely hope for their future reincorporation into the forward-marching time of freedom and nation. The captive speaker of Root's lyrics plaintively describes the marching he cannot presently perform, and the home, flag, and nation from which he has been indefinitely removed.

The carceral setting of Root's song returns us to the post-Reconstruction context in which Twain used it to invoke dead tramps. For in addition to recognizing Root's song in Pap's dream, many of Twain's readers in 1884 would have associated the repeated word "tramp" with sensationalistic accounts of tramps in journalism and pulp literature,²⁰ as well as with disciplinary practices that led to the disproportionate immobilization or imprisonment of black vagrants. Among other things, Twain's invocation of "Tramp! Tramp! Tramp!" reminds us that Pap himself has already appeared as a vagabond both in his wandering predisposition (after all, he appears first to Huck in the form of his tracks) and in his day-to-day routines: "Every time he got money he got drunk; and every time he got drunk he raised Cain around town; and every time he raised Cain he got jailed" (*HF*, 36). (Note that unlike Ah Song Hi and Injun Joe, Pap is jailed for the action of "rais[ing] Cain," not simply "for a vagrant.") The juxtaposition of romantic vagabonds and disciplinary state violence (tramping soldiers or prisons) in Pap's dream draws attention to the dynamics of racialization I will discuss in the following section: on the one hand, the uncomfortable proximity of class and status between white and nonwhite vagrants; on the other, the legal and customary practices designed to obfuscate that proximity.

**"The Law's Delay": Vagrancy and Civil Death
in *Huckleberry Finn***

Pap is not the only tramp in *Huckleberry Finn*; nor are the novel's only animated corpses those who tramp through this waking dream. At times, Huck's own references to death recur with an almost mechani-

cal regularity: "I felt so lonesome I most wished I was dead. . . . I heard an owl, away off, who-whooping about somebody that was dead, and a whippowill and a dog crying about somebody that was going to die . . ." (*HF*, 16). After Pap's nightmare and the domestic violence it precipitates, Huck finalizes his plans to "just tramp right across the country, mostly night times, and hunt and fish to keep alive" (*HF*, 39). Huck stages his own bloody death, paddles over to Jackson's Island, and slips into the chronotope of vagabondage that Eliot calls "nowhere."²¹ Thereafter, he is provisionally (and voluntarily) dead to law and "sivilization," slipping into new identities every time he steps on land and out of them just as easily whenever he jumps off a raft, survives a collision with a steamboat, witnesses a feud ("they'll think I've been killed, and floated down the river"), or lights out for the territory (*HF*, 134). As a vagabond, Huck seems equally ready to embrace the healing potential of pastoral, Jim's homosocial charm, or the voyeuristic pleasure of an unseen eavesdropper. For Huck, "Other places do seem so cramped up and smothery, but . . . You feel mighty free and easy and comfortable on a raft" (*HF*, 134). Since Huck's tramping seems refulgent with life and freedom, we're left to wonder where, precisely, Pap's walking dead come into play in *Huckleberry Finn*. For even Pap is empowered by the law (able to sue and testify in court, for example), and his nightmare only reflects his anxieties that the enfranchisement of free blacks might somehow render him more proximate to death. This section will explore two different ways in which "sivilized" life is negated in the novel's dramatizations of black and white vagrancy: whereas Huck often enjoys the idyllic liberties of "uncivilized" life on Jackson's Island and the river, Jim experiences the same geographical locations that Huck traverses from the subject position of civil death.

Legal codes and customs pertaining to black and white travelers in the postbellum period highlight two distinct contexts for the picaresque downriver chapters of Twain's novel. Huck experiences a freedom that is alternately exhilarating, disillusioning, and edifying as he experiments with boundaries of race, class, and gender while shuttling between river and shore. Huck's own liberties along the river are echoed in the king and duke, corrupt "tramps" who abuse the fluidity of identity and location afforded to white travelers with relative impunity. By contrast, Jim's travels occur in hiding under the guise of captivity; his spatial progress (or regress) down the river paradoxically requires that he remain immobile, concealed in a cave, secluded in a swamp,

posed as a captured runaway tied up in the wigwam on the raft, or painted blue and disguised as a “Sick Arab” who “didn’t only look like he was dead, he looked considerably more than that” (*HF*, 171).

As Axel Nissen shows, Huck’s status as a vagabond reflects the emergence of a wandering class of expropriated tramps in the 1870s and 1880s and the sensationalistic literature that accompanied them. When read in light of an anxious and sometimes violent public discourse surrounding tramps and a series of Tramp Acts enacted during these decades,²² Huck’s indulgent experimentation with “the independence of the vagabond” turns out to be less exhilarating than Eliot suggests. As Michael Denning explains, “The ‘tramp’ is no myth or symbol in the ‘American mind,’ no eternal archetype of ‘America.’ It was a category constructed in the wake of the 1873 depression and the 1877 railroad strikes to designate migratory and unemployed workers; indeed it was [the] ideological naming of the new phenomenon of unemployment.”²³ These unemployed migrants were often met with antipathy, as in an 1877 article in the *Chicago Tribune* that somewhat facetiously advises neighborhoods interested in protecting their “portable property” to “put a little . . . arsenic in the meat and other supplies furnished [for] the tramp.”²⁴ Such antitramp writings spread anxieties about hordes of vagabonds—often associated with socialism and sexual deviance—who threatened to freeload, pillage the countryside, or seduce local women.

Yet tramps represented freedom and adventure no less than they evoked the dangers of idleness and crime. *The Tramp: His Tricks, Tallies, and Tell-Tales* (1878), a pamphlet illustrated and edited by Frank Bellew and purportedly authored by an “ex-tramp,” presents a picaresque, comedic account of the tramp’s adventures among farmers’ daughters, vicious dogs, and a nationwide secret society of tramps. While it occasionally lapses into sensationalistic, vaguely revolutionary warnings that “the Tramps are a fearful power in this country,” the narrative more often humanizes the figure of the tramp.²⁵ Even the text’s most ghastly illustration—in which the narrator is depicted as a decapitated body (see fig. 2)—is glossed in a way that emphasizes the tramp’s resemblance to the forward-looking spirit of speculation and progress:

[S]o commenced my new march in the bloody campaign of life, which has so many defeats, and so few victories. March, march,

march. My thoughts were marching faster than my feet; my fears outmarched my hopes, and got leagues and leagues ahead of them, making everything a howling wilderness in their path; then my hopes made a spurt and got ahead of my fears. So I found my mind in California, deep in the gold mines, by the time my legs reached Middletown.²⁶

War and decapitation here serve as comic metaphors for the attitude of a man who plans not too little but too far ahead—who is pulled forward by his desires rather than pursued by the law. Like the tramps described in Bellew’s book, Huck, the king, and the duke are relatively at liberty to enter and traverse a range of Southern spaces; even when he is mistakenly identified as a “runaway ’prentice” bound by the law to a “mean old farmer,” Huck is treated kindly, rather than returned to his supposed servitude (*HF*, 70). These divergent attitudes toward tramps—viewed either as subversive bodies who should be violently disciplined or as figures of restless freedom and possibility—were often structured by racial difference, since stereotypes of dysfunctional domesticity, idleness, irresponsibility, and lack of domicile were often associated with racialized bodies in these decades. Even Bellew’s illustration registers the uncomfortable proximity between the presumably white narrator “marching” through life and the black vagrants stigmatized throughout the postbellum South by blurring the iconographic markers of race—depicting a tramp with exaggerated white eyeballs and lips and kinky hair. Antiblack and anti-Chinese violence in the South and throughout California was often motivated by a need to reestablish racial distinctions between white and nonwhite subjects similarly threatened by trends toward displacement, unemployment, and devalued labor in an era of capitalist consolidation.

For many emancipated blacks, mobility offered a promise of an as-yet-unrealized freedom. As Saidiya Hartman writes, “[T]he sheer capacity to move, as demonstrated by the mass movement off the plantation, rather than the gains or loss experienced at one’s destination, provided the only palpable evidence of freedom.”²⁷ However, the postbellum period also saw the rise of new codes, laws, and racist customs that outlawed black mobility (constructed as “idleness”), privatized public spaces, and precluded subsistence activities such as hunting, fishing, squatting, and moving about.²⁸ Under such conditions, black vagrants were much more susceptible to persecution, capture, and

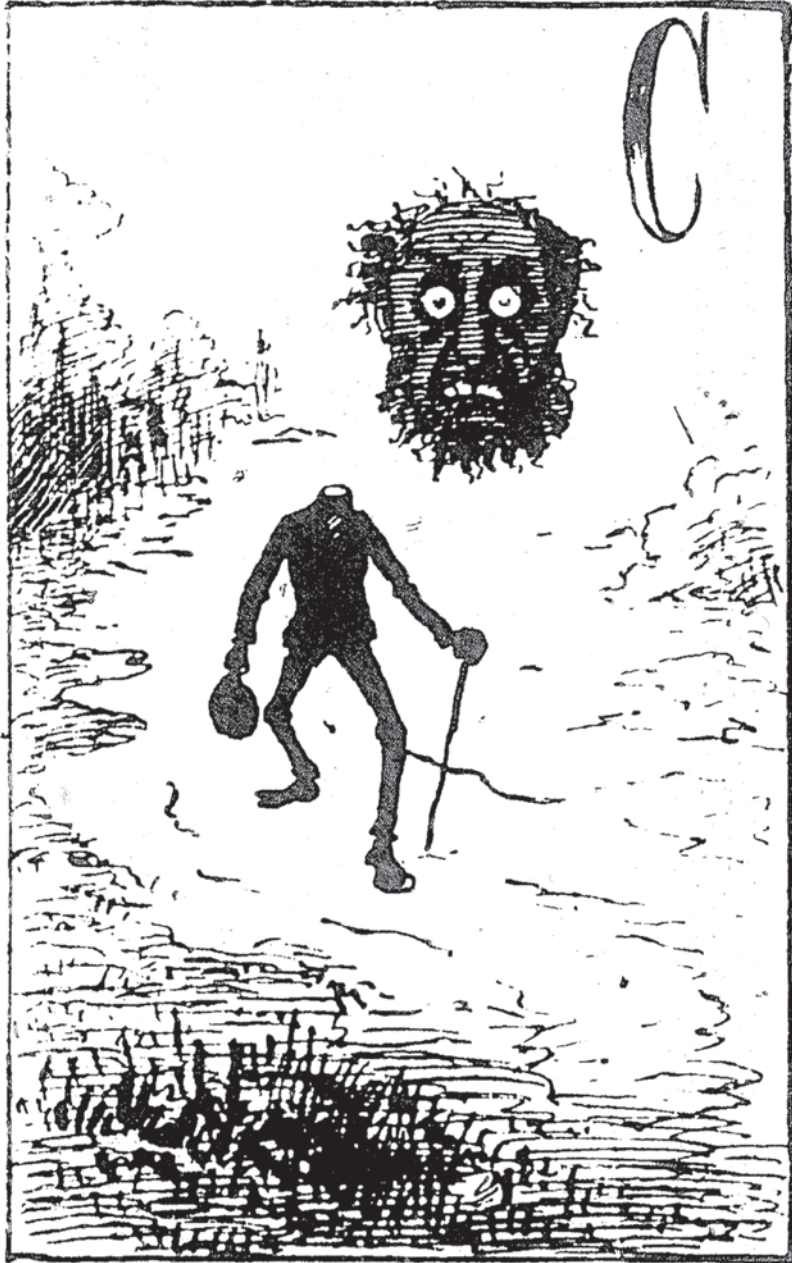


Figure 2 Colophon image by Frank Bellew, in *The Tramp: His Tricks, Tallies, and Tell-Tales, with All His Signs, Countersigns, Grips, Pass-Words, and Villainies Exposed* (New York: Dick and Fitzgerald, 1878), 12. Image provided by the Yale University Library.

punishment than the white loafers who precipitated the “tramp scare.” According to Todd DePastino,

African Americans were effectively barred from the privileges of tramping. . . . The black aversion to tramping is attributable not only to outright racial discrimination in public assistance, but also to the hostility and violence that blacks could expect to encounter on the road itself. Simply put, black migrants could not count on the already haphazard kindness of strangers—not to mention railroads, missions, and municipal authorities—upon which the transient homeless so often depended.²⁹

Southern Black Codes—modeled on California vagrancy statutes such as the 1850 Act for the Government and Protection of Indians and the 1855 Vagrancy Act, which specifically restricted the mobility and liberties of “all persons who are commonly known as ‘Greasers’”³⁰—included vagrancy and apprentice clauses to constrain the mobility of blacks and to bind their bodies and labor to the land. Both before and after the war, free blacks were often barred from owning and working their own land, if not driven from their homes by extralegal terror, and they were subsequently liable to be arrested as landless vagrants.³¹ In Mississippi An Act to Amend the Vagrant Laws of the State (1865) considerably broadened the definition of “vagrant” to include a catalog of undesirables and “all other idle and disorderly persons”; moreover, it introduced a second category of vagrancy targeting “idle Negroes and white persons associating with them ‘on terms of equality’ or guilty of sexual relations with them.”³² The Mississippi Black Code denied due process to those charged with vagrancy, and left black “vagrants” particularly vulnerable to being “hired out at auction for whatever term was necessary to pay [their] fine and costs.”³³ While vagrancy laws—which often led to the imprisonment or forced apprenticeship of those found guilty—did not always so explicitly target black Southerners, their discriminatory enforcement led to a well-documented process of virtual reenslavement. Vagrancy, like race, was a crime of status rather than act: it criminalized and degraded persons for what they *were*, not for illegal actions performed or intended.³⁴

As historians have shown, the postbellum period of “southern enclosure” characterized by intensified industrial production and large monocrop plantations gave rise to new peculiar institutions of involuntary, indebted, and cheap racialized labor.³⁵ Alex Lichtenstein writes

that “the vast majority of southern convicts were black; punishment and rehabilitation were distinctly subordinated to labor exploitation; and prisoners were leased as laborers to the region’s capitalists, or worked as state slaves on the chain gang.”³⁶ Bolstered by the “punishment for crime” exception to the Thirteenth Amendment and the *Ruffin v. Commonwealth* case, which defined the status of convicts as “slaves of the state,” the convict lease system constructed imprisonment as a legal status characterized by underremunerated labor, not as a physical location within a penitentiary.³⁷ The Southern penal system was organized for profit rather than for rehabilitation, so that even where state penitentiaries existed—as in Huck’s home state of Missouri—outside corporations were allowed to set up factories within the walls of the state penitentiary to exploit the labor of thousands of convicts.³⁸

Relatively lacking in resources, land, education, and capital, as well as in positive entitlements or protection from the state, emancipated blacks were often subjected to imprisonment and coerced labor as “slaves of the state.”³⁹ Black vagrants were especially vulnerable to the legal status that Dayan describes as “civil death,” or “the state of a person who, though possessing *natural life*, has lost all *civil rights*.”⁴⁰ By focusing on “the sorcery of law” that creates populations of the living dead, Dayan traces an unnerving continuity between the suspended rights of post-Reconstruction convicts and the “social death” imposed upon antebellum slaves—a continuity established by legal metaphors grounded in supernatural categories of tainted blood, “negative personhood,” and subjects “dead in law.”⁴¹ The criminalization and “civil death” of convicted black vagrants underwrote the immobilization of ostensibly “free” black laborers throughout the plantations of the post-Reconstruction South. In Twain’s novel, this partial, negated form of personhood underlies Huck’s notorious nonchalant response to being asked whether anybody was hurt in a steamboat accident: “‘No’m. Killed a nigger’” (*HF*, 230). More broadly, it provides a postbellum context for understanding why, in contrast to Huck’s adventurous mobility in the picaresque chapters of Twain’s novel, Jim’s mobility depends wholly on his willingness to travel while hidden away, shut in, or bound hand and foot. Indeed, *Huckleberry Finn* so consistently represents Jim in the attitudes and “close place[s]” (to literalize Huck’s metaphor) of captivity that the final, farcical prolongation of Jim’s imprisonment should come as no surprise.

The racially uneven imposition of “civil death” sheds sober light on

one of *Huckleberry Finn*'s funniest passages, in which Huck misquotes a soliloquy from *Hamlet*. While this scene is generally regarded as a satire on middlebrow Americans' fascination with Shakespeare, Twain's rewritten version of the soliloquy opens with lines (“calamity of so long life” and “the fear of something after death”) that resonate with the situation of slaves and vagrants as “dead in law.” The passage's central lines cry out to be read in light of both antebellum and post-Reconstruction assaults on the very temporality of black lives: “For who would bear the whips and scorns of time, / The oppressor's wrong, the proud man's contumely, / The law's delay . . .” (*HF*, 152). This cluster of images—whips, oppressors, and the language of status associated with pride and contumely—subtly revises Shakespeare to suit the context of U.S. race relations. Twain redeploys “the law's delay” in the context of Jim Crow vigilantism, where the discriminatory suspension of law both precipitates and neglects to punish racially motivated lynchings.⁴² Moreover, “the law's delay” eloquently describes the ironic anachronisms brought about by the postbellum recapture of freedmen's labor, as well as Jim's prolonged captivity at the hands of Tom and Huck.⁴³

The whips of time, the law's delay: temporality itself is inflicted upon Jim as both hurry and delay, both driver's lash and prison cell, both wage labor's clock time and the empty time of enforced idleness. Penitentiaries and convict gangs arrest the “tramping” of the romanticized vagabond, replacing the carefree time of loafing with the time of imprisonment and coerced labor. Postbellum institutions thus reinscribed a familiar temporal regime. As Henry Louis Gates Jr. notes, “In antebellum America, it was the deprivation of time in the life of the slave that first signaled his or her status as a piece of property. . . . A ‘slave’ was he or she who, most literally, stood outside of time.”⁴⁴ Jim inhabits a time excluded from progress and futurity long before his incarceration at the Phelps plantation among spiders, snakes, rats, and other inventions of Tom's medieval imagination. Even on the raft, when Huck sees Jim mourning in the very pose of captivity (“he was setting there with his head down betwixt his knees, moaning and mourning to himself . . .”), Huck notes, “I knowed what it was about. He was thinking about his wife and his children . . .” (*HF*, 170). The implication is that Jim sat like this often—huddled and hurting in a condition akin to the “interminable awaiting” left in slavery's wake.⁴⁵ Jim's tears—often unacknowledged or even mocked (as when Huck

first sees him sleeping, head between knees, on the raft)—appear as the by-product of an escape plan gone awry, a fugitive slave trajectory commandeered by three white tramps seeking profit and adventure. Ironically, it is Tom who invents the emblem for this extraction of enjoyment from the black captive's time and grief: a stalk of mullein that Jim, reenacting the rituals of European romance, is to water with his own tears.

Twain's interest in race, vagrancy, and incarceration was not restricted to *Huckleberry Finn* and the condition of Southern blacks. As early as 1866 he devotes a passage in *Letters from Hawaii* to describing a mysterious black prisoner named General George Washington;⁴⁶ during the hiatus in the composition of *Huckleberry Finn*, he playfully identifies himself with tramp culture in *A Tramp Abroad* (1880) and depicts medieval dungeons in *The Prince and the Pauper* (1881)—where Miles is imprisoned as a “sturdy vagabond.” Twain returns to the brutal conditions of medieval dungeons in his allegory of the anachronistic South, *A Connecticut Yankee in King Arthur's Court* (1889), in which Hank and King Arthur, disguised as tramps, are soon captured, sold, and “marching manacled and fettered and yoked, in a slave convoy.”⁴⁷ Later, Twain attempts to speak for the colonial captives of U.S. imperialism in “To the Person Sitting in Darkness” (1901); and in 1902, he donated a set of his books to the federal prison in Atlanta. In my conclusion, however, I will focus on Harte's “Three Vagabonds of Trinidad,” which explicitly connects vagrancy and comparative racialization by moving the action from the South to the more recognizably western or “frontier” setting of Twain's earlier treatments of Ah Song Hi and Injun Joe.⁴⁸

Huck in Trinidad

Shortly after setting aside the manuscript of *Huckleberry Finn* in 1876, Twain collaborated with Harte on a play titled *Ah Sin* (1877). The lukewarm reception of the play—which featured a yellowface representation of a Chinese laundryman who craftily resists legal and social injustices in a frontier mining settlement—precipitated a permanent break in the two writers' friendship. However, when Harte visited Twain in Hartford in 1876 to work on *Ah Sin*, he may have learned a few things from Twain's unfinished draft of *Huckleberry Finn*. Perhaps Twain discussed the manuscript with him, or asked him to read

it over, as he had done with *The Innocents Abroad* (1869). Or Harte may have simply read Twain’s novel when it was published eight years later. In any case, Harte’s “Three Vagabonds of Trinidad” strongly echoes the first, idyllic section of *Huckleberry Finn*, when Huck and Jim become better acquainted on Jackson’s Island and start traveling upriver.⁴⁹ Harte’s reworking of Twain’s themes yields an expanded picture of how racialized constructions of vagrancy and mobility were imposed, in different but connected ways, upon other racial groups in the western United States. Reading “Three Vagabonds” alongside Twain’s writings shows how diverse practices of racial violence such as lynchings, chain gangs, Indian wars, the reservation system, purges, and Chinese Exclusion created uneven conditions that were then reproduced—or intensified—by vagrancy laws. Articulated with such forms of legal and extralegal racism, “race-blind” vagrancy laws produced racially differentiated forms of mobility and immobilization throughout the nation’s southern and western regions.

“Three Vagabonds” reworks Twain’s motifs of childhood, vagrancy, racial subjection, and the pastoral into a dark commentary on racialization both in the story’s immediate setting (an antebellum frontier settlement) and within the broader imperial context of the turn of the century, when the United States was at war with the Philippines and consolidating its new overseas holdings in the Caribbean and the Pacific. By setting the story in the antebellum town of Trinidad, California—and partly on an apparently uninhabited offshore island located amid “the thunders of the distant Pacific”—Harte links the pre-Emancipation era of 1860 with more recent instances of U.S. imperialism such as the annexation of Hawai’i and the War of 1898.⁵⁰ “Trinidad” is the name not only of a town located in the midst of Humboldt County’s anti-Indian and anti-Chinese violence, but also of the Caribbean island where British planters, in the 1850s and 1860s, imported indentured Chinese workers to supplement the labor of recently emancipated slaves.

These sites of slavery, indenture, and overseas imperialism extend the story’s more explicit references to nativist and expansionist sentiments. At one point, Harte’s narrator quotes the racist remarks of “a prominent citizen” named Mr. Skinner in order to convey the extent of racial animus “in an ordinary American frontier town which did not then dream of Expansion and Empire!” (“TVT,” 159–60). Skinner’s remarks reveal an inadequate, or perhaps repressed, understanding

of the relations between race and class: “The nigger of every description—yeller, brown, or black, call him “Chinese,” “Injin,” or “Kanaka,” or what you like—hez to clar off of God’s footstool when the Anglo-Saxon gets started! It stands to reason that they can’t live alongside o’ printin’ presses, M’Cormick’s reapers, and the Bible!” (“TVT,” 159). The very indeterminacy of the category “nigger of every description”—as well as its shifting definition as the negation of “Anglo-Saxon,” print culture, mechanized agriculture, and Christianity—registers numerous ways in which uneducated, landless, working-class white men might be seen as proximate to “niggers.” Farming technologies such as the reaper, after all, threatened to devalue and displace white rural laborers no less than other groups. Moreover, the speaker’s dialect and hostility clearly mark him as marginal to both “printin’ presses . . . and the Bible”—which may be why, as his name indicates, Skinner insists on biologically essentialist delineations of race.

The story opens with a benevolent white Editor attempting to place his protégé and employee—a waif from a Chinese wash-house named Li Tee—in the household of a farmer’s wife. Mrs. Martin’s attempts at civilizing Li Tee fail, and the boy repeatedly runs away to join his only companion in the settlement of Trinidad: “‘Jim,’ a well-known drunken Indian vagrant of the settlement” (“TVT,” 157). Described as “equal outcasts of civilization,” the Chinese boy and “Injin Jim” retreat to an island in the bay, where they are eventually joined by an adventurous white boy, Master Bob Skinner, who has brought his father’s gun and plans to “either capture Li Tee and Jim, or join them in their lawless existence” (“TVT,” 158). Quickly setting aside “his plan of a stealthy invasion,” Bob instead spends an idyllic day with the two “equal vagabonds,” reveling in the island’s isolation from the town’s conventionality:

[T]hey fished together, gathered cranberries on the marsh, shot a wild duck and two plovers, and when Master Skinner assisted in the cooking of their fish in a conical basket sunk in the ground . . . the boy’s felicity was supreme. And what an afternoon! To lie, after this feast, on their bellies in the grass, replete like animals, hidden from everything by the sunshine above them; so quiet that gray clouds of sandpipers settled fearlessly around them, and a shining brown muskrat slipped from the ooze within a few feet of their faces—was to feel themselves a part of the wild life in earth and sky. (“TVT,” 161)

After they all sleep “pigged together” in a wigwam, Bob returns to his family with a story about having lost his gun when his canoe overturned. But instead of returning with supplies as promised, Bob betrays Li Tee and Jim, who both end up dead—the former starved, the latter shot. Like Huck, Bob enjoys only the freedom and pastoralism associated with “lawless existence,” without being touched by the diverse laws, regulations, and extralegal violence that constrained the movements of black, Chinese, and Native American workers while racializing access to “public” space.

“Three Vagabonds” extends Twain’s account of Huck and Jim on Jackson’s Island into the contexts of comparative racialization. Historically, the parallels between forms of racialization treated in these two texts (characterized by a lack of positive legal protections, stereotypes about vagabond morals and bad hygiene, and the constant threat of extralegal violence) can be explained by the westward circulation of Southern Democrats and their tactics during and after the years of Radical Reconstruction. As Jean Pfaelzer writes, “By 1867 Democrats had swept elections across California by opposing black male suffrage and the ratification of the Fifteenth Amendment. As the party took over California . . . southern traditions of lynching, racial violence, Black Codes, arson, and policies denying land ownership to racial minorities surfaced in California, Oregon, and the Washington Territory.”⁵¹ The blanket racism expressed by Bob Skinner’s father, directed against “[t]he nigger of every description,” thus gave rise to “a racial overlay . . . that treated Indians, African Americans, and Chinese in the west with similar brutality in legislation, in land policy, and in labor practices,” denying them citizenship and a range of civil rights. At the same time, new laws also imposed upon the Chinese a system of debt peonage, backed by the threat of eviction and the prohibition of land ownership, that paralleled the situation of Southern freedmen.⁵² While it is important to bear in mind the discrepancies between differently racialized groups,⁵³ “Three Vagabonds” also recalls commonalities such as those imposed by the California Supreme Court’s decision in *People v. Hall* (1854), in which Chinese witnesses were barred from testifying against white men because “the words ‘black person’ [in the California Constitution] must be taken as contradistinguished from white, and necessarily excludes [*sic*] all races other than the Caucasian.”⁵⁴ The 1879 California Constitution even adapted the “punishment for crime” exception to the Thirteenth Amendment’s abolition of

involuntary servitude, declaring that “[n]o Chinese shall be employed in any state, county, municipal, or other public work, except in punishment for crime.”⁵⁵

Yet Harte’s story also includes significant digressions that limn the historically disparate processes by which Li Tee and Jim have been produced as “equal vagabonds” (“TVT,” 165). Li Tee’s situation, for example, evokes both the lack of legal protections for Chinese immigrants and the gendered asymmetry of immigration that virtually outlawed the establishment of monogamous families (and the socially legitimized structures of social reproduction upheld by such families) among immigrant laborers. “[A] waif from a Chinese wash-house,” Li Tee “was impounded by some indignant miners for bringing home a highly imperfect and insufficient washing, and kept as hostage for a more proper return of the garments. Unfortunately, another gang of miners, equally aggrieved, had at the same time looted the wash-house and driven off the occupants, so that Li Tee remained unclaimed” (“TVT,” 156).

In addition to performing the outsourced domestic labor of washing that supported white miners, Trinidad’s Chinese laundrymen had no legally protected claim to either property or custody of their “waif.” Detained at will by miners, Li Tee ends up being denied access not only to public schools and the Christian Sabbath-school, but also to most of Trinidad’s public spaces: the Editor warns him to “mind you keep clear of the schoolhouse. Don’t go by the Flat either if the men are at work, and don’t, if you value your skin, pass Flanigan’s shanty. . . . Look out for Barker’s dog at the crossing, and keep off the main road if the tunnel men are coming over the hill” (“TVT,” 156). Included in the settlement for the sake of his labor, yet persecuted (apparently as potential competition) by schoolchildren, Irishmen like Flanigan, and railroad workers, Li Tee is rendered a “vagabond” by the peculiar combination of laws, prejudices, and economic forces that installed Chinese laborers in the western United States as undomesticated, unassimilable and effectively stateless “aliens.”

Humboldt County, the story’s setting, was an epicenter of the nearly two hundred purges of Chinese residents from California settlements that have recently been documented by Jean Pfaelzer. In 1885, the town of Eureka gave its entire Chinese population two days to leave town; the following year, “Eureka’s Committee of Fifteen bullied the tiny fishing village of Trinidad to expel its one Chinese man, a

hotel worker" (*DO*, 159). Blaming Chinese laborers for low wages, poor working conditions, and their own lack of employment, unemployed (or "vagrant") white men played a key role in such expulsions. Through a combination of protest, intimidation, looting, arson, and lynching, working-class whites projected and transferred their own most denigrated traits onto the Chinese. Although vagrancy laws were not often deployed in these roundups or their aftermath, laws that prohibited Chinese land ownership and rendered existing working and living spaces (wooden laundry houses and crowded dormitories) illegal for reasons of hygiene collaborated with actual purges to deprive the Chinese of domicile. San Francisco's 1870 Cubic Air Ordinance, for example, required at least five hundred cubic feet of living space for each adult, and led to a raid on Chinatown tenements in which "police . . . made mass arrests, hauling a hundred Chinese men to jail and filling the county prison" (*DO*, 75). In 1893, the Geary Act effectively criminalized all Chinese laborers in the United States by requiring them to register and carry photographic identification cards proving they were legal residents. When thousands of Chinese immigrants refused to obey this "Dog Tag Law," a surge of citizens' arrests filled local jails with hundreds of unregistered Chinese waiting to be deported and caused thousands of others to flee their California homes (*DO*, 291).⁵⁶ The history of these purges, dislocations, arrests, and detainments lends a chilling (if anachronistic) undertone to the offhand remark of the Editor in Harte's story, who affectionately tells Li Tee, "'I don't suppose there's another imp like you in all Trinidad County'" ("TVT," 155).

Jim, on the other hand, is paradoxically introduced as "a well-known drunken Indian vagrant of the settlement"—a vagrant who doesn't seem to ever wander far. Harte's narrator explains that Jim was "tied to [the settlement's] civilization by the single link of 'fire water,' for which he forsook equally the Reservation where it was forbidden and his own camps where it was unknown" ("TVT," 157). While this characterization of Jim's alcoholism seems exaggerated, it nevertheless makes a distinction between the reservation established for displaced Indians and Jim's "own camps"—a distinction that quietly acknowledges the history of settler colonialism and Indian Removal that, in Trinidad, led to the displacement of Yurok Indians from their land in 1855.⁵⁷ Harte's island setting points to an incident he had reported on for the *Northern Californian* in February 1860, the year in which

“Three Vagabonds” is set. Harte’s article, “Indiscriminate Massacre of Indians, Women and Children Butchered,” not only documented the violent removal of Wiyot Indians from a village on Indian Island in Humboldt Bay—it also led to the author’s own flight from the region when local whites threatened to lynch him.⁵⁸ In Harte’s own historical moment, the Dawes Act (1887) was atomizing ties to tribal lands and traditional kinship networks while displacing many Native Americans from their homes in a process that accounts for the story’s distinction between the reservation and Jim’s “own camps.” Such removals rendered Native Americans increasingly susceptible to being perceived—and disciplined—as vagrants. As John Carlos Rowe writes, “Driven out of the mining areas, often unemployed as a consequence of the part-time hiring policies of most *rancheros*, and increasingly desperate for food and clothing, Native Americans in California often appeared as vagrants”⁵⁹ Jim’s status as a “vagrant” is determined by this history of violent dislocations, as well as by firearm prohibitions that impede his ability to sustain himself by hunting. Whereas Bob’s brash approach to hunting makes animals too skittish to catch by hand, Jim’s attempt to adapt to white hunting techniques leads to his death when he commits the simple (but, for an Indian, illegal) act of shooting a gun in the woods. He is seen by a frontiersman who cannot bear the thought of “[a]n Indian with a weapon that made him the equal of the white!” (“TVT,” 163). Thus, historical developments whose effects were as palpable in 1900 as they had been forty years earlier underwrite Jim’s vagabond status and eventual death in a killing that would not count as murder.

The agents and casualties of mobility featured in *Huckleberry Finn* and its intertexts make visible the long, comparative genealogy of the whiteness of the free vagabond. Even as coolies, chain gangs, and nominally free workers of all races built railroads, bridges, roads, and other infrastructure for what Karl Marx calls “the annihilation of space,” the enjoyment of free mobility and adventure was enforced as white.⁶⁰ But even as they highlight legal practices designed to outlaw, displace, and discipline nonwhites seeking to express or realize freedom in “the sheer capacity to move,” these texts also establish the groundwork for interracial solidarities that might redress these different forms of spatial constraint. Despite its morbid ending, even “Three Vagabonds” can be read as an allegory of the sparsely documented contacts between dislocated Chinese and Indians in California:

for example, some Chinese who had been purged from Northern California towns continued to live on Karuk and Hoopa land and intermarried with Native American women (*DO*, 161–62). And in “Goldsmith’s Friend,” Ah Song Hi has a brief vision of San Francisco’s assembled inmates as an international, multiracial, vagabond collective when describing the criminal court: “[W]e were all marched out into the dungeon and joined there by all manner of vagrants and vagabonds, of all shades and colours and nationalities, from the other cells and cages of the place; and pretty soon our whole menagerie was marched up-stairs and locked fast behind a high railing in a dirty room with a dirty audience in it” (“GF,” 466). In the momentary respite from state repression that occurs between being caged in prison and being “locked fast” in court, these heterogeneous “vagrants and vagabonds” embody an unrealized collective sundered by the multiple, uneven, and often competing histories of racialization. The U.S. southern and western practices of racialization dramatized in the writings of Twain and Harte suggest that struggles over space and forms of mobility are a crucial forum for contesting racial inequality.

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Notes

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- 1 T. S. Eliot, “Introduction to *Adventures of Huckleberry Finn*,” in Mark Twain, *Adventures of Huckleberry Finn*, ed. Thomas Cooley (New York: Norton, 1999), 354.
- 2 Ibid.
- 3 Ibid.
- 4 See Gail Hollander, “‘Subject to Control’: Shifting Geographies of Race and Labour in U.S. Sugar Agroindustry, 1930–1950,” *Cultural Geographies* 13 (April 2006): 266–92.
- 5 On the role of race in the “legislative, not to mention informal, circumscription of spatial possibilities for certain groups,” see Sau-Ling Cynthia Wong, *Reading Asian American Literature: From Necessity to Extravagance* (Princeton, N.J.: Princeton Univ. Press, 1993), 121.
- 6 In tracking Twain’s intertextual and historical references across a range of temporal, spatial, and racial contexts, this essay builds on Shelley Fisher Fishkin’s suggestion that *Huckleberry Finn* reflects the late-Reconstruction context of convict-lease, when “thousands of free black men were picked up throughout the South on ‘vagrancy’ charges, or, if

poor, on charges of ‘intent to steal’” (*Was Huck Black? Mark Twain and African-American Voices* [New York: Oxford Univ. Press, 1993], 73). For other accounts of *Huckleberry Finn*’s engagement with the milieu in which it was composed and published, see Neil Schmitz, “Twain, *Huckleberry Finn*, and the Reconstruction,” *American Studies* 12–13 (1971–72): 59–67; Axel Nissen, “A Tramp at Home: *Huckleberry Finn*, Romantic Friendship, and the Homeless Man,” *Nineteenth-Century Literature* 60 (June 2005): 57–86; Christine MacLeod, “Telling the Truth in a Tight Place: *Huckleberry Finn* and the Reconstruction Era,” *Southern Quarterly* 34 (fall 1995): 5–16; and Brook Thomas, *Civic Myths: A Law-and-Literature Approach to Citizenship* (Chapel Hill: Univ. of North Carolina Press, 2007), 125–76.

- 7 Joan [Colin] Dayan, “Legal Slaves and Civil Bodies,” *Nepantla: Views from South* 2, no. 1 (2001): 3–39. Compare Russ Castronovo’s study of “necro citizenship . . . at the edges of legal incorporation and political dispossession” (*Necro Citizenship: Death, Eroticism, and the Public Sphere in the Nineteenth-Century United States* [Durham, N.C.: Duke Univ. Press, 2001], 3); and Sharon Holland’s discussion of the nation’s intimate relationship with “the death of black subjects” (*Raising the Dead: Readings of Death and [Black] Subjectivity* [Durham, N.C.: Duke Univ. Press, 2000], 13–40).
- 8 Fishkin writes, “By the time he wrote *Huckleberry Finn* . . . Twain had figured out how to use a narrator’s naive responses to the world around him to unmask the hypocrisy and pretensions of that world, a strategy with which he had begun to experiment in 1870 and 1871 in ‘Goldsmith’s Friend Abroad Again’” (*Was Huck Black?*, 22).

The story’s title alludes to Oliver Goldsmith’s *The Citizen of the World*, a series of observations about English society purportedly written by a self-exiled Chinese philosopher. While “Goldsmith’s Friend” shares Goldsmith’s interest in satirizing Western customs and institutions, Twain’s text features a working-class traveler whose movements are much more constrained than those of Goldsmith’s Chinese cosmopolitan.

- 9 Mark Twain, “Goldsmith’s Friend Abroad Again,” *Collected Tales, Sketches, Speeches, and Essays, 1852–1890*, ed. Louis Budd (New York: Library of America, 1992), 461. Further references will be cited parenthetically in the text as “GF.”
- 10 Robert Lee writes, “The myth of the Chinese coolie laborer allowed white American workers . . . to racialize a stratum of wage work equated with wage slavery while reserving for whites a semi-artisan status within the wage labor system” (*Orientalism: Asian Americans in Popular Culture* [Philadelphia: Temple Univ. Press, 1999], 60–61).
- 11 On the plundering of black graves and other racist practices in the acquisition of medical specimens, see Harriet Washington, *Medical Apartheid: The Dark History of Medical Experimentation on Black Americans from Colonial Times to the Present* (New York: Doubleday, 2006), 101–42. An

outtake from *Huckleberry Finn* rediscovered in 1990 associates Jim with such practices of racially discriminatory grave-robbing (or “resurrection”): in an anecdote replete with images of blackness, darkness, and the animated dead, Jim recalls an incident when a former master—a medical student—asked him to prepare a cadaver for dissection (Mark Twain, *Adventures of Huckleberry Finn*, ed. Justin Kaplan [New York: Ballantine, 1996], 53–55).

- 12 Mark Twain, *The Adventures of Tom Sawyer*, ed. Shelley Fisher Fishkin (New York: Oxford Univ. Press, 1996), 89–90. Further references are to this edition and will be cited parenthetically in the text as *TS*.
- 13 Shirley Ann Wilson Moore, “‘We Feel the Want of Protection’: The Politics of Law and Race in California, 1848–1878,” in *Taming the Elephant: Politics, Government, and Law in Pioneer California*, ed. John F. Burns and Richard J. Orsi (Berkeley and Los Angeles: Univ. of California Press, 2003), 105.
- 14 Compare Dayan’s discussion of Supreme Court decisions concerning physical and psychological harm inflicted upon prison inmates: “No matter how much actual suffering is experienced by a prisoner, if the intent requirement is not met [i.e., if the damage was not intended in the prisoner’s sentence as part of the punishment], then the effect on the prisoner is not a matter for judicial review” (“Legal Slaves,” 26).
- 15 Mark Twain, *Adventures of Huckleberry Finn*, ed. Thomas Cooley (New York: Norton, 1999), 41. Further references are to this edition and will be cited parenthetically in the text as *HF*.
- 16 On the growth of the sheet-music industry in the mid-nineteenth-century United States, see Richard Crawford, introduction to *The Civil War Songbook: Complete Original Sheet Music for Thirty-Seven Songs*, ed. Richard Crawford (New York: Dover, 1977), vi.
- 17 Dena Epstein, *Music Publishing in Chicago Before 1871: The Firm of Root and Cady, 1858–1871* (Detroit, Mich.: Information Coordinators, 1969), 48, 52. Epstein writes, “Of *Tramp*, the *Tribune* for 14 January declared it ‘. . . has been sung all the week at the Academy of Music and other places of amusement, and has at times won a *double encore*, the company being compelled by the audience to sing it three times” (52). “*Tramp*” circulated far beyond the Union: Confederate soldiers composed alternate Confederate lyrics to Root’s composition, and the Japanese army adapted the tune as a marching song in the 1890s. Twain notes the popularity of Civil War songs on several occasions (*Autobiography of Mark Twain*, ed. Charles Neider [New York: Harper, 1990], 74; and *Letters from Hawaii*, ed. A. Grove Day [Honolulu: Univ. of Hawai’i Press, 1975], 65).
- 18 George Root, “*Tramp, Tramp, Tramp*,” in *The Civil War Songbook: Complete Original Sheet Music for Thirty-Seven Songs*, ed. Richard Crawford (New York: Dover, 1977), 46.
- 19 *Ibid.*, 48.

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- 20 See Tim Cresswell, *The Tramp in America* (London: Reaktion, 2001); and Nissen, "A Tramp at Home."
- 21 See Mikhail Bakhtin, "Forms of Time and of the Chronotope in the Novel," in *The Dialogic Imagination: Four Essays*, ed. Michael Holquist, trans. Caryl Emerson and Michael Holquist (Austin: Univ. of Texas Press, 1994), 85. While Bakhtin explores numerous concepts—such as the open road, fools and clowns, and the time of labor—that resonate with the geography of *Huckleberry Finn*, Twain's novel depicts racially differentiated experiences of space and time.
- 22 Nissen, "A Tramp at Home." Cresswell discusses Tramp Acts established in numerous states during the 1870s and 1880s, which built upon existing vagrancy codes inherited from British common law (*Tramp in America*, 50–52). See also Todd DePastino, *Citizen Hobo: How a Century of Homelessness Shaped America* (Chicago: Univ. of Chicago Press, 2003), 3–58. Despite the prominence of tramping in Twain's novel, the theme (like the racial tensions of the 1880s) was not mentioned in contemporary reviews (Steven Mailloux, *Rhetorical Power* [Ithaca, N.Y.: Cornell Univ. Press, 1989], 102–4).
- 23 Michael Denning, *Mechanic Accents: Dime Novels and Working-Class Culture in America* (London: Verso, 1987), 149.
- 24 "Ways of Dealing with the Hobo," *Chicago Tribune*, 12 July 1877; quoted in Cresswell, *Tramp in America*, 9.
- 25 Frank Bellew, *The Tramp: His Tricks, Tallies, and Tell-Tales, with All His Signs, Countersigns, Grips, Pass-Words, and Villainies Exposed* (New York: Dick and Fitzgerald, 1878), 20. For discussions of Bellew's narrative in light of working-class and conspiratorial representations of tramp culture, see DePastino, *Citizen Hobo*, 42–47; and Kenneth Kusmer, *Down and Out, on the Road: The Homeless in American History* (New York: Oxford Univ. Press, 2002), 49.
- 26 Bellew, *The Tramp*, 12.
- 27 Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford Univ. Press, 1997), 150.
- 28 *Ibid.*, 146.
- 29 DePastino, *Citizen Hobo*, 14. By contrast, writes Kusmer, "new immigrants, the Chinese, and newly freed African Americans . . . were reputed to be the most generous in giving to the homeless" (*Down and Out*, 87).
- 30 *California Statutes* 175 (1855), quoted in Ronald Takaki, *A Different Mirror: A History of Multicultural America* (Boston: Back Bay Books, 1994), 178.
- 31 Missouri, for example, had banned free blacks from settling in the state in the 1840s.
- 32 Theodore Wilson, *The Black Codes of the South* (Tuscaloosa: Univ. of Alabama Press, 1965), 68.
- 33 *Ibid.* Wilson provides an overview of Black Codes in the years immediately

following Emancipation. Some of these laws stayed in the books during Radical Reconstruction; others were reinstated post-Reconstruction. On the "outright peonage" that often resulted from vagrancy convictions, see Matthew Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866–1928* (Columbia: Univ. of South Carolina Press, 1996), 184.

- 34 For a discussion of the state's repressive response to vagrancy in England, see A. L. Beier, *Masterless Men: The Vagrancy Problem in England, 1560–1640* (London: Methuen, 1986), xxii.
- 35 On "southern enclosure," see William Harris, *Deep Souths: Delta, Piedmont, and Sea Island Society in the Age of Segregation* (Baltimore: Johns Hopkins Univ. Press, 2001), 321.
- 36 Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1995), 2. Loïc Wacquant's sweeping account of "sociospatial devices" of racialization provides a trenchant discussion of the "conjoint *extraction of labour* and *social ostracization*" characteristic of all "peculiar institutions" from slavery and Jim Crow to the urban ghetto and the carceral state ("From Slavery to Mass Incarceration: Rethinking the 'Race Question' in the U.S.," *New Left Review* 13 [January 2002]: 44). For comprehensive overviews of the "penal lease system" imposed on blacks during Reconstruction in different Southern states, see Blake McKelvey, "Penal Slavery and Southern Reconstruction," *Journal of Negro History* 20 (April 1935): 153–79; and Mancini, *One Dies, Get Another*.
- 37 *Ruffin v. Commonwealth*, 62 Va. 790 (1871).
- 38 For a detailed account of convict labor in Missouri from 1875–1900, see Gary Kremer, "Politics, Punishment, and Profit: Convict Labor in the Missouri State Penitentiary, 1875–1900," *Gateway Heritage* 13 (summer 1992): 28–41.
- 39 On the construction of freedom as "indebted servitude" in post-Emancipation liberalism, see Hartman, *Scenes of Subjection*, 125–63.
- 40 Dayan, "Legal Slaves," 6. Dayan lists the Vagrancy Act of 1547—which prescribed the enslavement of anyone convicted of vagrancy to the one who denounced him—among the Western "experiments in unfreedom" that preceded the slave trade (9).
- 41 *Ibid.*, 3, 5.
- 42 Although the novel's scenes of mob violence all involve white victims, Twain's scorn toward the "mob" may reflect his attitude toward the racist lynchings of the post-Reconstruction period.
- 43 Compare Shelley Fisher Fishkin: "What could be more apt than that unsatisfying, burlesque, artificial ending to capture the travesty made of freedom and equality in the post-Reconstruction era?" ("Race and the Politics of Memory: Mark Twain and Paul Laurence Dunbar," *Journal of American Studies* 40 [2006]: 297).

- 44 Henry Louis Gates Jr., “Frederick Douglass and the Language of the Self,” *Figures in Black: Words, Signs, and the “Racial” Self* (New York: Oxford Univ. Press, 1987), 100–101. Gates is commenting on Frederick Douglass’s claim that “[t]o be shut up entirely to the past and present, is abhorrent to the human mind; it is to the soul—whose life and happiness is unceasing progress—what the prison is to the body; a blight and mildew, a hell of horror” (200). Saidya Hartman also suggests that slavery imposes a counterintuitive temporality wherein “then and now coexist; we are coeval with the dead” (“The Time of Slavery,” *South Atlantic Quarterly* 101 [fall 2002]: 759).
- 45 Hartman, “Time of Slavery,” 770.
- 46 Twain, *Letters from Hawaii*, 75–76.
- 47 Mark Twain, *Historical Romances: “The Prince and the Pauper,” “A Connecticut Yankee,” “Joan of Arc”*, ed. Susan K. Harris (New York: Library of America, 1994), 171, 470.
- 48 On the novel’s southwestern setting, see Stephanie LeMenager, *Manifest and Other Destinies: Territorial Fictions of the Nineteenth-Century United States* (Lincoln: Univ. of Nebraska Press, 2004), 201–6.
- 49 In his discussion of personal and literary relations between Twain and Harte, Leland Krauth suggests that “‘Three Vagabonds of Trinidad’ may . . . be Harte’s revisioning of Twain’s *Adventures of Huckleberry Finn*” (*Mark Twain and Company: Six Literary Relations* [Athens: Univ. of Georgia Press, 2003], 33).
- 50 Bret Harte, “Three Vagabonds of Trinidad,” in *The Luck of Roaring Camp and Other Writings*, ed. Gary Scharnhorst (New York: Penguin, 2001), 158. Further references will be cited parenthetically in the text as “TVT.”
- 51 Jean Pfaelzer, *Driven Out: The Forgotten War against Chinese Americans* (New York: Random House, 2007), 59. Further references will be cited parenthetically in the text as *DO*.
- 52 *Ibid.*, 60.
- 53 For a bracing discussion of the inequalities within and between groups that are often masked by rhetorics of multicultural solidarity, see James Kyung-Jin Lee, *Urban Triage: Race and the Fictions of Multiculturalism* (Minneapolis: Univ. of Minnesota Press, 2004), 64–99.
- 54 *People v. Hall*, 4 Cal. 399 (1854).
- 55 *The Constitution of the State of California* (San Francisco, Calif.: Bancroft-Whitney, 1902), 341.
- 56 In 1893, “[t]he Chinese remained trapped in legal purgatory, somewhere between deportation and endangered residence, imprisoned in all eleven counties covered by Judge Ross’s southern U.S. District Court . . .” (*DO*, 320–21).
- 57 See The Yurok Tribe, “Background Information,” www.yuroktribe.org/culture/history/history.htm (3/1/2008).
- 58 Bret Harte, “Indiscriminate Massacre of Indians, Women and Children

- Butchered," *Northern Californian* 2 (29 February 1860): 1. See Gary Scharnhorst, *Bret Harte: Opening the American Literary West* (Norman: Univ. of Oklahoma Press, 2000), 13–14.
- 59 John Carlos Rowe, "Highway Robbery: 'Indian Removal,' the Mexican-American War, and American Identity in *The Life and Adventures of Joaquin Murieta*," *Novel* 31 (spring 1998): 151–52.
- 60 Karl Marx, *Grundrisse: Foundations of the Critique of Political Economy*, trans. Martin Nicolaus (New York: Penguin, 1993), 524. Compare Bruce Braun's analysis of race in outdoor risk culture: "In these stories of space, race, and risk only white subjects move. All others are spatially incarcerated . . . within a social imaginary that assumes the whiteness of the adventurous individual" ("On the Raggedy Edge of Risk': Articulations of Race and Nature after Biology," in *Race, Nature, and the Politics of Difference*, ed. Donald Moore, Jake Kosek, and Anand Pandian [Durham, N.C.: Duke Univ. Press, 2003], 198).