

Introduction

When Susie King Taylor published her 1902 memoir, *Reminiscences of My Life in Camp*, narrating the story of her escape from slavery and subsequent service as a nurse during the Civil War, the book made little mention of her 1862 marriage. Susie Baker, as she was then called, had been fourteen when she wed Edward King, a soldier in the unit alongside which she served on Saint Simon's Island, Georgia, then occupied by Union forces. Taylor's age readers must intuit for themselves by reading forward from the year of her birth, provided at the beginning of the book. And perhaps it is unsurprising that Taylor does not focus on her marriage or her age at the time of that marriage; the autobiography's chief purpose was to highlight the service of African Americans at a time when many were celebrating memories of the Civil War and erasing the history of slavery (and of black Union soldiers). Her marriage was incidental to this story. But it is also the case that marrying at the age of fourteen was not at all uncommon for a newly freed girl like Susie Baker, or indeed for many others throughout the nation in the middle of the nineteenth century. Susie King Taylor may well have glossed over her youthful marriage because it simply was not noteworthy in 1862 or in 1902.¹

By contrast, when country star Loretta Lynn published her autobiography, *Coalminer's Daughter*, in 1976, the story of her marriage at thirteen was one of the book's central episodes, as it was in the narrative of her life in country music. Indeed, in Lynn's own words, her early marriage was part of what characterized her home, Butcher Holler, Kentucky, as being in "the most backward part of the United States." The early marriage would also feature prominently in the subsequent 1980 film, for which Sissy Spacek won an Academy Award.

By the late twentieth century many Americans perceived early marriage as being both uncommon and backward, something that might have happened long ago in the wilds of Appalachia, but surely not elsewhere in the United States. Lynn capitalized on her early marriage to appear as “country” as possible. The autobiography is written in a folksy, down-home dialect; it was how she marketed herself as genuine. In fact, it turns out that in talking about her marriage (in the autobiography and elsewhere), Lynn had misrepresented her age. Reporters for the Associated Press revealed in 2012 that Lynn had lied about the date of her marriage and thus her age at the time of that marriage: she had been fifteen, not thirteen. Contemporary readers may think the difference inconsequential (she was still plenty young, after all), and Lynn may well have lied in order to appear younger now (not then), necessitating a backdating of the marriage. The fact remains, however, that her early marriage was remarkable and in many people’s minds characteristic of a particular place: the poor and rural South. This was not inaccurate, but neither was it the whole story.²

This book tells two interrelated narratives: the first is about people in the United States, most of them far more ordinary than Susie King Taylor and Loretta Lynn, who married as minors, which is to say below the age of eighteen. And the second is of Americans’ perceptions of how and when marriage at early ages is appropriate or inappropriate. That latter story also means looking at when some adults have taken it upon themselves to regulate the marriage of young people by changing laws to prevent their marriages, reforming families to try to discourage the practice, or trying to annul their children’s marriages because of their age. Broadly speaking, then, this is a history of child marriage in the United States, a phenomenon that Americans tend to associate with other countries, places we usually perceive as backward or “third world” in part because they allow children to marry.

The marriage of legal children, in fact, has been relatively common throughout U.S. history. The U.S. Census Bureau did not link age with marital status till 1880, which makes national figures unavailable before that time. But in that year 11.7 percent of fifteen-to-nineteen-year-old girls were wives (the census did not specify exact age and marital status till 1910). That number dipped in 1890 and then increased incrementally through the 1920s to 12.6 percent in 1930. Youthful marriage decreased, as did the overall marriage rate, during the Great Depression. It then rose again dramatically after World War II but has been declining since the early 1960s. That said, people below the age of eighteen continue to marry to this day. A 2011 study published in the journal of the American Academy of Pediatrics estimates that about 9 percent

of contemporary American women were married before they turned eighteen. Many of those women are now older, having married in the 1950s or 1960s, but they are not women of the distant past; they live among us today. The Centers for Disease Control estimates that the probability of marrying by age eighteen in the contemporary United States is 6 percent for women and 2 percent for men.³

If early marriage has been a part of everyday life for millions of Americans, why have we come to think about it as a bizarre exception to the rule? The answer lies within the history of childhood itself. In order to think it strange for a child to marry, we must see “childhood” as a stage of life separate from adulthood, cordoned off from adult rights and responsibilities. Although earlier Americans did recognize this, the precise line of when childhood ended and adulthood began was much fuzzier for them, emerging in something close to its current form only by the end of the nineteenth century. In part this was because both chronological age and our own ages—the numbers we call ourselves—were far less important to early Americans. Many people in the seventeenth, eighteenth, and indeed nineteenth and early twentieth centuries did not know when they were born and had only vague understandings of how old they were. For many, precise ages were not an important part of their self-understanding. Marrying at younger ages in such a world would be far less noteworthy than it would be for us. But earlier Americans also reckoned age differently than we do. They did not believe, for instance, that there were particular ages at which a person should go to school (especially if there were no schools), start working, or get married. These things happened when a person was large enough or able enough or financially prepared enough, and those moments might come at different times for different people.⁴

For most of American history there was no distinction between the marriage of two minors or that between one party who was older (sometimes considerably so) and one who was younger. Once contracted, marriage has been, and largely remains, a one-size-fits-all institution. Culturally and socially, however, observers may react very differently to these phenomena, understanding the former as perhaps foolhardy, whereas the latter could be dangerous or exploitative. Contemporary observers may recoil when an older man marries a girl below the age of eighteen because they suspect him of pedophilia. Marriage, in this analysis, is simply a back door to that which is illegal outside of it, especially when divorce is widely available; the man can simply divorce the underage girl when he tires of her (or when she ages). These concerns are not invalid, but they were usually not shared by Americans before the twentieth century, who

were far more concerned that premarital sex led to the ruin of girls who would be unable to marry and might thus be destined for lives of prostitution. Before the 1920s, most people also did not share our understanding of pedophilia, the sexual predilection of some adults for children. Because of this, most objections to the marriage of girls (or boys) would not have been framed around the issue of sex or sexual exploitation. Instead, early critics of youthful marriage worried that it robbed girls of girlhood or that it might lead to divorce. Although I never dismiss the very real imbalance in power that characterized marriages with great age disparities, in this book I also explain why earlier Americans did not necessarily see this as a problem and offer historical context for how and when Americans came to see man-girl marriage as sexually suspect.

The phrase from the title of this book—"child bride"—is useful because it binds together two nouns that many think should be incompatible. It neatly conveys discomfort and disbelief rather than having to articulate those feelings explicitly. In the United States a child should not be a bride because we reserve the institution of marriage for adults, indeed demand adulthood for its fulfillment. Children who marry sacrifice their childhood and make a mockery of our understanding of marriage. But that has not always been the case. The *Oxford English Dictionary* records the first printed instance of the phrase "child bride" in 1843; a search of American newspapers from the nineteenth century reveals its regular use beginning only in the 1870s and 1880s (the same is true of "child wife" and "boy husband," two other phrases that once enjoyed some popularity). This was not because there were no children marrying before 1843. Rather, the practice was just not particularly remarkable.

The phrase "child bride" also perversely expresses the legal power of the institution of marriage, which really *can* transform a child into something adultlike, a bride. This was because earlier Americans had a functional, rather than a chronological, understanding of childhood. Before the middle of the nineteenth century, many Americans believed that marriage could transform a child into a wife who was legally and socially an adult because of marriage. Her marital status trumped her chronological age.⁵

In order for the phrase "child bride" to generate the reaction it implicitly demands, we need to believe two things. The first, as we have seen, is that children, defined through chronological age, are fundamentally ill-suited to marriage—that they are too young for what marriage requires of them, not just sex but also the emotional maturity to be spouses and perhaps parents. The second belief is that marriage, if not always a union of equals, is at the very least a partnership between people who can both be presumed to contribute to its

health in similar and complementary ways. Stephanie Coontz has memorably described the historical change in understanding the marital relationship as being a transition from “obedience to intimacy.” Both beliefs—about childhood as a stage of life and about marriage as a particular love relationship—developed relatively recently, beginning in the eighteenth century, starting first among the nascent middle class, and gaining widespread adherence by a majority of Americans only in the early twentieth century. Before the eighteenth century, children as young as eight or nine married in America, and children in their teenage years have been marrying in the United States since then. The practice is most common today in rural areas, where it remains hidden from most urban and suburban dwellers, who tend to assume that teenage marriage is a relic of the past.⁶

So why focus on child *brides*? In the vast majority of marriages where one party is a legal minor, that minor is a girl. The reasons for this have remained relatively consistent over time and reflect Americans’ concerns about female fertility and their belief that marriage is a gendered institution where females are dependent on males; youthful brides facilitate both ends. This remains the case today, when most marriages (between parties of any age) involve a man who is older than his bride, even if only by a couple of years. The marriage of girls became objectionable only when some Americans (at first only a small minority) began to believe that girls, like boys, deserved the opportunity to grow up and make the choice of a marital partner only after achieving adulthood. And when some came to believe that marriage was supposed to be a union of equals. Both changes in belief occurred haltingly over the nineteenth century. Without those beliefs, girl marriage is not particularly objectionable, largely because it so closely resembled the marriage of adult women throughout much of American history. The beliefs that make us see child marriage as repugnant (to girls *and* to marriage) themselves have a history, one that I tell in this book.⁷

It is also the case, however, that throughout American history, boys have generally had far fewer reasons to marry young than girls. Unlike men, women were largely defined through their marriages; opting for an appropriate mate early on in life might be the best chance a girl would have. With employment options for women few and pay generally dismal, marriage was often a way out of the natal home when no other escape existed. Boys and men experienced few of these advantages precisely because they were the ones expected to work for pay on reaching adulthood (or as a means of proving adulthood itself). For men, marriage represented an extra responsibility: the support of a wife and, in an era before reliable birth control, children. The imbalance between child brides and boy husbands is thus a reflection of cultural expectations for girls *and* boys.

Wives were expected to be dependents, husbands to be breadwinners. The first status has no age qualification; the latter generally does, because men needed either to inherit their father's estate or to establish themselves in some sort of job.

The growing revulsion over time against child marriage is also partially a story of perceived American exceptionalism and a belief in the onward march of "civilization." Since the early nineteenth century many Americans have believed that child marriage is practiced only in other places—India, Afghanistan, various African nations—or, if in the United States, only by religious sects where multiple girls are married to one older man against their will. These versions of child marriage—forced unions arranged by parents, sometimes the exchange of a dowry, brides below the age of twelve—are indeed different from what usually happens in the United States, where marrying girls have tended to be in their teens and have usually themselves made the decision to marry. But characterizing child marriage as foreign (whether nationally or religiously or both) also allows Americans to ignore youthful marriage in their midst. From early nineteenth-century reports by Christian missionaries in India to contemporary scandals over fundamentalist Latter-Day Saints in Colorado and Utah, Americans have represented youthful marriage as something practiced only by backward people who live elsewhere or deliberately flout the law if they live here.⁸

The truth is that many thousands of girls below the age of eighteen will marry legally in the United States this year. Almost all states have minimum marriageable ages below eighteen (with parental consent); many have various exceptions to their minimum marriageable ages that allow girls as young as fourteen to marry. In 2010, the U.S. Congress failed to pass the "International Protecting Girls by Preventing Child Marriage Act," and as of this writing the United States remains one of only two nations (Somalia is the other) not to ratify the United Nations Convention on the Rights of the Child and one of seven not to have ratified the 1979 Convention on the Elimination of All Forms of Discrimination against Women, one plank of which explains that the marriage of a child below eighteen shall have no legal effect. If child marriage is a problem, it is our problem as well.⁹

And much of American resistance to outlawing youthful marriage altogether stems from attitudes toward sex. Throughout U.S. history Americans have supported a legal regime that codifies the belief that sex and childbirth belong within marriage, no matter the ages of the couple contracting it, even if, especially if, they have already had sex. Even as the United States has decriminalized sex outside of marriage (what used to be called fornication) and made illegitimacy largely meaningless as a legal category, American laws continue to promote the notion that sex and childbirth should occur within marriage,

even if those having sex are teenagers. Americans' acceptance of early marriage demonstrates their great faith, however misguided at times, in the powers of marriage, another consistent theme of this book. Throughout most of American history, marriage was seen as transformative. It made illicit sex licit. It legitimized offspring. Actions performed outside of marriage that were dangerous, debasing, or immoral were transformed into safe, respectable, and moral within marriage. But marriage exists only because human beings invented it and continue to believe in it. As Havelock Ellis observed in the early twentieth century, sexual intercourse "cannot become good and bad according as it is performed in or out of marriage. There is no magic efficacy in a few words pronounced by a priest or a government official." Yet for those who believe in it, this is *exactly* what marriage provides. I am not arguing that marriage is not real—clearly it is—but rather that its realness depends on continued belief in its existence, which is codified in the law. For people to be transformed by marriage, for sex to be legitimate in marriage, for women to be protected in marriage, one must believe that marriage does these things. Legal scholar Ariela Dubler refers to this constellation of beliefs as "the marriage cure." The marriage of legal minors strains those beliefs, and yet it remains legally valid. At key moments in the past when children married, it forced those around them to rethink what marriage could really do to and for the people who entered it. It made them confront the differences between their idea of marriage and the lived reality of actual husbands and wives. Almost everyone in these debates agreed that children were deserving of protection; how to ensure it was at issue.¹⁰

And for every person like Havelock Ellis who doubted the powers of marriage, there were many more who hoped to rehabilitate it. Reformers in the past who sought to combat the scourge of child marriage that they discovered in their midst were, as this book demonstrates, often at least as invested in "protecting" the institution of marriage as they were in advancing the cause of women or saving children from supposed harm. Campaigns about child marriage in the United States are inextricably bound up in fears about the fate of marriage as a supposed building block of society. As a group of social reformers from Cleveland who professed to be especially worried about children put it in 1926, allowing children to marry would "weaken and cheapen the institution of marriage itself." Amid the controversy over same-sex marriage, a look at the history of child marriage in the United States reveals much about our investment in marriage as an institution that we believe transforms the individuals who enter it, bestowing on them the mantle of full adult citizenship. Today's opponents of same-sex marriage may well be less distressed at what

married gay people actually gain through marriage (tax breaks and so forth) as what their married status symbolically grants them: the respect accorded to adult citizens. Historical struggles over child marriage reveal that marriage has always been about the privileges of adulthood, demonstrating the ways that the symbolic power of marriage continues to be a vehicle for discrimination against those who are unable, or choose not, to enter it.¹¹

The narrative of this book could be read as a triumphal march forward from a moment when children married because no one valued childhood and adult wives were treated like children anyway to one where we do not allow children to marry because we protect them and we understand the institution of marriage differently than early Americans did. There is some truth to this account, in part because the incidence of youthful marriage declined over the twentieth century (the 1950s excepted). Nevertheless, I hope to complicate this arc in a number of significant ways.

The first and most obvious fact obscured by such a narrative is that large numbers of American girls have married before turning eighteen well into the twenty-first century. Those who would congratulate themselves on successfully protecting American youth from marriage should think again. In the history of child protection that began with the early modern legal recognition that children were incapable of rational consent and should thus be protected from adult decisions and responsibilities, marriage remained an enormous exception to the rule. For most of American history, girls have been able to consent to the one contract that, for most of its history, was presumed to last a lifetime. This is because in most cases where a belief in a protected childhood has run up against fears of nonmarital sex, preventing illegitimacy and sex by single girls has trumped childhood. State law has codified the belief that the institution of marriage can “solve” the problem of teenage sex and pregnancy.¹²

Second, the long and varied history of children marrying, indeed the explicit sanctions for the practice throughout most of American history, demonstrate that it is difficult to find just one “traditional” marriage to which nostalgic defenders of the institution would have us return. It is not just that girls as young as twelve could marry within the bounds of the law in the recent past, a practice to which most of us would not want to return. It is also that the incidence of youthful marriage has itself *not* been on a slow and steady decline from the colonial era to the present. Indeed, it saw one of its great revitalizations during the 1950s. Although there are real and persistent changes in marriage over time, there are also variations that defy our expectations. So not

only are those who espouse the triumphal story of marital progress partially incorrect, so too are those who embrace a narrative of marital declension: it is simply not the case that marriage once existed in only one form that has now been adulterated by feminism and interracial and same-sex marriage.

Last, although readers may find it difficult to think about youthful marriage as anything other than exploitation, historically many children saw real advantages in the institution. It was one of the few ways that they could escape their parents' homes if they so desired. Most state law and most judges in those states held that it legally emancipated them from their parents. Marriage also legalized the sex that young people might want to have with each other or that young girls might have with their older husbands, exempting those husbands from prosecution for statutory rape. Marriage went a long way toward legally turning children into adults, and depending on the situation they found themselves in, this was an appealing prospect for many youth. None of these claims is without its counterargument, of course (all of which I explore), but seen from the perspective of children themselves, marriage could offer distinct benefits.¹³

Absent specific evidence to the contrary (and I do detail instances of coercion herein), I have taken children at their word when they have consented to become married. This is not to say that I think the decisions sound, but as childhood studies scholars have argued for some time, the history of children was long written in a way that discounted the choices—good, bad, and otherwise—that they made. Children themselves had agency, even when they made terrible decisions. Readers may occasionally balk at the notion that a child of twelve or fourteen really could “choose” to get married. Indeed, one way that we define childhood is that, by virtue of their age, children are incapable of making such choices. Most of these children, however, with some notable exceptions, believed that *they* were making choices. Exploring how and why they did so—often in the face of pressure and coercion and circumscribed options—helps us to understand the history of American childhood and the ways that children have been at the center of debates about marriage, sexuality, and the regulation of both.¹⁴

In earlier eras the marriage of girl children was also less problematic than it is today because waiting longer to marry would not have enlarged most girls' opportunities in any significant way. Marrying early has circumscribed children's lives in direct relation to the degree to which children actually *were* protected and women's autonomy *was* promoted. Both of these are trends that have increased over the course of the nineteenth and twentieth centuries, however haltingly and unevenly. When neither existed—that is, when children were

expected to take on adult responsibilities early in their lives and when women had few opportunities aside from wifehood—marrying early did not make a bride's life significantly different from her peers who married later. What she began at fifteen her sister would, almost inevitably, begin at nineteen or twenty. Either way it was unlikely to be a life of self-determination or autonomy.

There is an exception to this argument, and it has to do with the physical obligations of marriage and the physiological harm they may cause to girls. Even historical critics of youthful marriage rarely framed their arguments explicitly in opposition to the sex that young wives would be expected to have and the children they would bear before they had reached physical maturity. They sometimes hinted obliquely at these aspects of youthful marriage, and because historians have demonstrated that girls actually reached menarche later in the past than they do today, these were, and are, valid concerns. But because they were so rarely the focus of early marriage's critics, I have found almost no evidence of young wives of the past who wrote about the sexual burdens they faced.¹⁵

If early marriage largely resembled later marriage for many women in the past, at least in the realm of the law, in a world transformed by feminism, this is no longer the case. Today contemporary American women can postpone marriage as long as they like and enter into (relatively) egalitarian marriages with supportive husbands (or wives). Because of this, for anyone who favors contemporary women's autonomy and independence, marrying as a minor looks like a terrible idea. At best, it limits women's opportunities, tethering them to the home before they have gained a sense of whether that is what they want out of life. But the disadvantages of marrying as a minor in earlier eras were far less pronounced than they are now, in part because before the mid-twentieth century, marriage, by definition, limited women's opportunities no matter their ages. Until relatively recently, it simply made less difference whether a woman married young or quite young; her role in life would be similar. The only real "out" was not to marry at all, and that was an option generally available to a minority of women.¹⁶

Today, by contrast, when women have far more opportunities for meaningful autonomy, marrying early cuts short almost all of those options. But, crucially, that is predominantly true for women who are in a position to take advantage of those opportunities. Where marriage as a minor remains most common today—among poor and rural Americans—many girls believe that marriage at some age is their lot in life, regardless. Postponing it may have little overall consequence. Marriage itself has undergone a remarkable transformation in the past two hundred years, becoming much more egalitarian for many spouses. Because of who marries as a minor today and why they do so, most young wives are unable to

take advantage either of this new marital equality or of the option of not having marriage define one's life chances. Studies show that those who marry today as legal minors are much more likely to suffer adverse health consequences, including depression, than those who marry as adults (effects that might have been found among young brides in the past if anyone had asked). What the studies do not show is whether these health risks are associated with the early marriage itself or the circumstances that led to it. Either way, we should note that poverty (and its consequences: shoddy education, including sex education, and lack of access to contraception) and unequal opportunities make early marriage a symptom of much larger problems rather than the primary issue.¹⁷

This book proceeds chronologically from the founding of the United States in the late eighteenth century through the very recent past, each chapter taking up a different subject or issue related to the marriage of minors. Some chapters focus on the laws that allowed or prevented children from marrying or the way the courts interpreted those laws; others document reform efforts to curb the practice; still others explore particular marriages or the nationwide reaction to them. Most combine the methods and sources of legal, social, and cultural history to demonstrate how and why young people married, as well as the ways that adults (who made the laws) sought to regulate the practice. Four chapters are dedicated to the antebellum period, two to the turn of the nineteenth into the twentieth century, and four to the twentieth century.

To tell this story, I must explain some terminology. I use the word "marriage" to refer to the legal institution where two people make a contract with the state (and sometimes a church) to remain united until death or divorce. I do include some marriages that did not exist as a matter of civil law but were treated as marriages by all around them: Indian marriage, slave marriage, and polygamous marriage. By and large, however, this is a history of civil marriage. Although religion factors into this story at times—priests authorizing marriages, ministers performing them; religious organizations opposing early marriage and the divorce they feared sprang from it—because marriage is regulated by state governments, this is not primarily a religious history. Even when religious officials performed marriages, they were doing so "by the power vested in them" by the state, and all the major religious denominations performed marriages within the bounds set by the state (the exception being polygamous Mormons, who usually did marry according to the laws of *their* state). The states allowed or prevented children from marrying, and reformers primarily called on the states when they wanted to curb the practice.¹⁸

The use of the word “child” is more complicated, in part because it has different definitions in the realm of the law, medicine, and culture, and of course those definitions have changed over time. Legally anyone below the age of eighteen is a child today in the United States (except in Alabama and Nebraska, where the age of majority is nineteen, and Mississippi, where it is twenty-one).¹⁹ The word “minor” is a synonym for child in this instance. The law defines minors (or “infants” in the law) as being legally dependent on their parents. Although historically they have been subject to certain duties or entitled to certain privileges that precede legal majority (like the duty to serve in the military, for instance, or the right to marry), only majority brings with it full legal personhood. I have chosen to focus this book on those below the age of eighteen, because that is our current legal definition for childhood, but I recognize that that number is arbitrary. It could have been seventeen or twenty or twenty-one, which was the age of majority for most of American history. Though the age of eighteen might be arbitrary, it has become meaningful to Americans, not just legally, but also culturally. Contemporary Americans *believe* that the age of eighteen is special and that those below it are not yet adults. That process is itself, of course, historical; codifying the age of eighteen in the law is what has made us think that those below it are children. The law itself does not simply recognize that which already exists, it creates certain kinds of subjects, including children. Marriage law has been integral to this process.²⁰

The word “child” has meanings aside from those in the law; the fields of medicine and psychology have contributed to these understandings in meaningful ways. When not quoting from sources (which sometimes use the word in other ways), I employ the word “child” to speak of those who have not yet reached their teens. I reserve the words “adolescent” and “teenager” for those past age twelve when I write about the twentieth century, when the words themselves were first coined and entered the vernacular (“adolescent” in the early 1900s and “teenager” in the mid-twentieth century). Before those moments I use the words “youth” or “young people” to refer to similarly aged people. At all moments I have attempted to be as specific as possible about a young person’s age. Although I frequently reference the average age of first marriage and document statistics demonstrating marriages of those in certain ranges provided by various authorities (fifteen to nineteen, for instance), at all other times this a book about those who married below the age of eighteen.²¹

It is also helpful to recognize that the word “child” has two meanings in the English language: a person below a certain age, and the offspring of another. One is defined by age, the other by filiation. As historian Nara Milanich has

pointed out, in Spanish there are two separate words for these two meanings (*niño/a* and *hijo/a*), which allow a specificity that sometimes gets blurred in English. In the realm of the law this is particularly evident. Does a child require consent to marry because she is fourteen and thus ineligible for marriage or because she is still legally under the control of parents who may not want her to leave their home? The answer depends on the context and the particular law. Although a father's right to his children is dependent on their ages (it ends at their majority), children also have duties and obligations because they are *his* children, not just children by definition of age. I have tried, in the pages that follow, to identify which version of the "child" was being regulated because that has changed over time. In the nineteenth century the state was more likely to regulate the child as a person who belonged to his or her parents. Around the turn of the century states more often saw themselves as having a vested interest in children as defined by chronological age: children could claim some rights on their own behalf, but they were also increasingly regulated as a class of people based on that status. By the middle of the twentieth century, a liberationist notion of "children's rights," which pushed back against those regulations of children-as-minors, had fully come into its own. These are different versions of "the child," however, so paying attention to which child was being regulated can tell us much about the anxiety that produced the regulation.²²

I have called this book *American Child Bride* even though we would today likely describe most of the brides we will meet in these pages as teenagers or adolescents. Yet from the moment that it entered Americans' vocabulary, the phrase "child bride" has regularly been applied to those in their teens and even twenties. Priscilla Beaulieu Presley's biographer called her book *Child Bride*, for instance, even though Priscilla married Elvis Presley when she was twenty-one (she had begun dating him at fourteen). The phrase encompasses the discomfort that Americans feel about young people marrying, even when those young people may not be, by one definition or another, "children." This book is a history of how and when that discomfort developed and how the practice continued nevertheless.²³

One final caveat: this is largely a book about marital beginnings. It is not a study of what happened to the marriages of those who contracted them while still legally children. Marriage is mostly regulated at its beginning; we do not issue licenses and do not have ceremonies (at least until recently) for the continuation of marriages solemnized years earlier. There is much more discussion about who is fit to *enter* a marriage and when, but not who is fit to continue it (though there has been, admittedly, a lot of discussion about

who might exit a marriage and why). Marital beginnings therefore present an opportune moment to see what Americans have thought marriage was for and what Americans believed it could do for those who contracted it.²⁴

That said, each chapter does begin and end with one marriage that I take to be in some way representative of the issue or the era discussed in that chapter; readers will learn at the end of the chapter what happened to the couple they met at the beginning. In the spirit of this before-and-after approach, and before we meet our next couple, let me recount that Susie and Edward King remained married until Edward's untimely death only four years after they wed, just before Susie gave birth to a son. Susie King moved north to Boston in the 1870s and remarried, to Russell Taylor, in 1879. Taylor died in 1901, leaving Susie King Taylor a widow again at the age of fifty-three. Following a trip to the South in the 1890s to nurse her dying son, where she witnessed injustices perpetrated against southern blacks, Taylor became an eloquent spokeswoman against segregation and on behalf of memorializing African American service during the Civil War. She died in 1912, and today her memoir is taught in classrooms across the country.²⁵

Loretta and her husband, Oliver "Doolittle" Lynn, had six children and remained married for more than fifty years, until his death in 1996. He was an enormous supporter of her early career. But the marriage was not without its problems, Doolittle's cheating among them. Loretta documented much marital strife in her songs, including the classic "You Ain't Woman Enough (To Take My Man)." Loretta Lynn's recording career now spans more than five decades, embodying a working-class feminist sensibility that continues to resonate with listeners. She was inducted into the Country Music Hall of Fame in 1988 and awarded the Presidential Medal of Freedom in 2013.²⁶

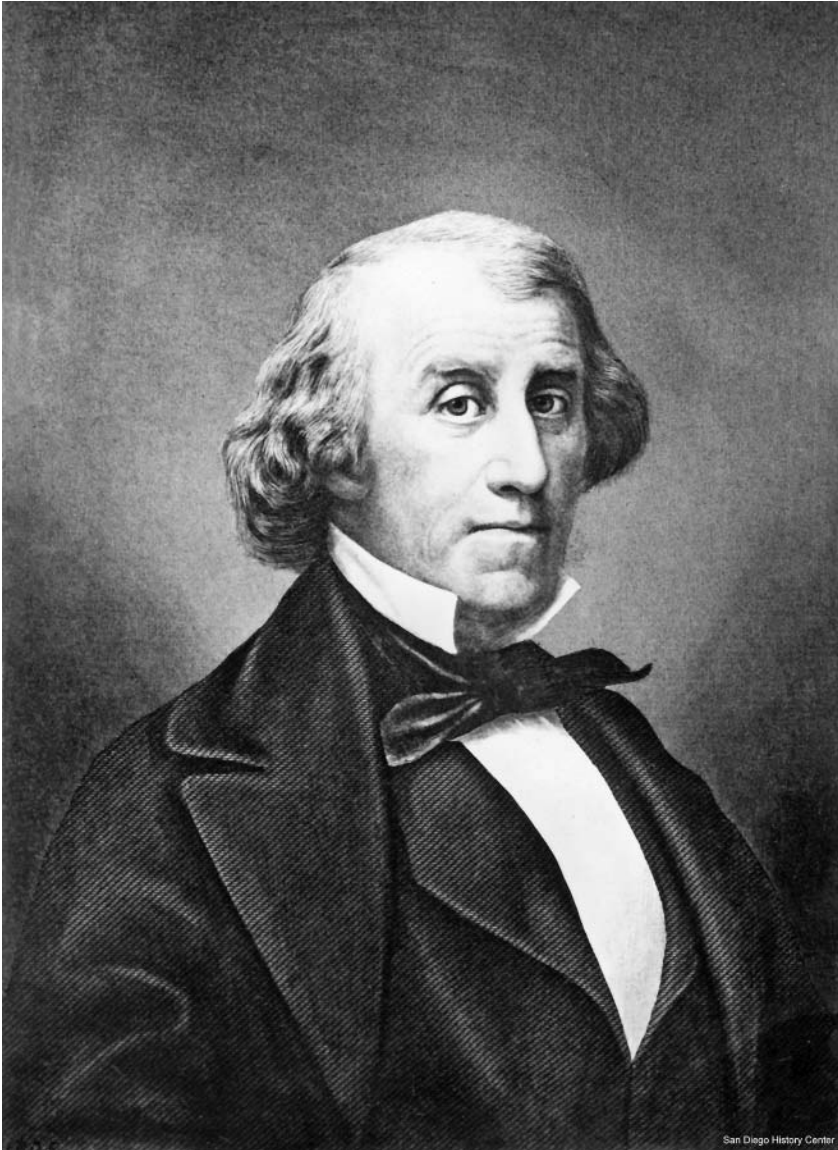
The stories of Taylor and Lynn were far more celebrated than most marriages contracted by young people. In addition to being relatively common throughout U.S. history, the marriage of minors has usually been far more ordinary. And it is by no means a thing of the past. Just as I was finishing this book, the *New York Times* published an op-ed entitled "America's Child-Marriage Problem," documenting the many thousands of girls, and more than a handful of boys, who were married in the twenty-first century, largely thanks to exceptions in state marriage laws that allow judges to consent to such marriages, as well as parents who force or coerce their children into wedlock. Our shock that this phenomenon continues today, however, has everything to do with the changed ideals of childhood and marriage that have made it seem as if child brides should be, must be, a thing of the past. It is to that past that we now turn.²⁷

The Child Was to Be His Wife

Patterns of Youthful Marriage in Antebellum America

Born in 1798 in Lunenburg, Massachusetts, Abel Stearns went to sea at age twelve following the death of his parents. Rising to the position of supercargo in the South American and China trade, he set out for Mexico in 1827 to make his fortune and became a naturalized Mexican citizen the next year. Making his way north from central Mexico to Alta California, he first settled at Monterey, the region's capital, before making the pueblo of Los Angeles his home. There he went into business, indeed multiple businesses, and soon became one of the region's richest and most important merchants, ranchers, and landowners, joining the ranks of men like Juan Bandini, who had been born of Spanish parents in Peru and come to Alta California about ten years before Stearns's arrival.¹

Bandini and his first wife, Dolores Estudillo, had three daughters in San Diego, Arcadia, Ysidora, and Josefa, known as the most beautiful girls in Alta California. Having known the Bandini family for many years and now past his fortieth birthday, in 1841 Abel Stearns set his sights on Arcadia, Don Juan's eldest daughter, who was fourteen. He, Arcadia, and Don Juan must have come to an agreement (Doña Dolores had died when Arcadia was eight), because in 1841, Don Abel Stearns petitioned both the civil government in Los Angeles and the ecclesiastical authorities for permission to marry María Arcadia Bandini. The dispensation from the Catholic Church was necessary for all couples



Abel Stearns and Arcadia Bandini de Stearns (opposite). Abel Stearns, a native of Massachusetts and a naturalized Mexican citizen, was forty-three when he married fourteen-year-old Arcadia Bandini in Alta California. The couple wed with the blessing of her parents, as well as the permission of the Catholic Church and the territorial government. Both gained through the marriage: Arcadia a wealthy husband of indisputable whiteness, and Abel connections to one of the wealthiest landowning families in the territory. Both images courtesy of the San Diego History Center.



because the authorities needed to investigate their suitability for marriage: the betrothed's ages, the circumstances of their births, possible betrothals to others, and the key issue of whether they were related to each other. Stearns also had to petition the civil authorities (the Prefect of the Second District of Alta California) because he was not Mexican by birth. Stearns, "wishing to avoid the ridicule which might arise among the idle young because of the disparity in years, she being 14 years old and I being 40," and because he was busy with important business matters in other places, requested of Fray Narciso Duran "to please exempt me the three banns, or at least two, I pledging myself to satisfy the alms which may be thereby imposed on me." Stearns lied about his age in this letter and in the marital investigation conducted by the church; he was actually forty-three. Although the difference in their ages—twenty-nine years—and the fact that he was marrying at this late age both seemed to embarrass him, it does not appear that Arcadia's own youthfulness was the issue here. Indeed, the Catholic Church, as we saw in the previous chapter, set eleven as the age below which a girl was ineligible for marriage, and by the time of Stearns's proposal, many other pubescent *Californianas* had married older Euro-Americans in Alta California. In any event, Duran granted the permission to marry on the first of May 1841, and also dispensed with the banns, as Stearns had requested. Abel and Arcadia were married in June. Immediately thereafter they moved into what locals called *El Palacio de Don Abel* at the corner of Main and Arcadia Streets, the handsomest house in Los Angeles, known for years as the center of Californio socializing in the pueblo.²

The story of Don Abel and Doña Arcadia is unrepresentative of youthful marriage in the antebellum era only in the bureaucratic hoops through which the couple had to jump in order to wed. But the fact of a fourteen-year-old girl marrying, or the difference in ages between the two, appears to have been common during this era and in a wide variety of locations across the United States and the lands that would be annexed into it by the end of the era. The explanations for its prevalence, however, vary by region. Reliable figures exist only for a handful of states, and generally only for the end of this period, so determining with any precision the number of minor brides and grooms is impossible. But reading the sources with an eye toward the phenomenon reveals not only that early marriage was everywhere but also that most observers at the time did not find it unusual. Youthful marriage was common because, even though states had passed laws regulating when children might marry, many of those states' residents had not yet embraced the notion that young people in their teenage years really were unfit for marriage. Common

Table 2.1. Percentage of Males and Females Who Married under the Age of Twenty in Various Locations, 1850s

Sex	Massachusetts 1857	Massachusetts 1853–57	Rhode Island 1854–57	South Carolina 1857	Kentucky 1856
Males	1.62	1.72	3.59	4.85	6.50
Females	22.23	22.50	24.09	38.97	42.03

Source: *Sixteenth Report to the Legislature of Massachusetts Relating to the Registry and Return of Births, Marriages, and Deaths, in the Commonwealth of Massachusetts for the Year Ending December 31, 1857* (Boston: William White, 1858), 187, Massachusetts Archives.

practice, especially among those people for whom age itself had yet to become an important marker of identity, was at odds with the law. And in a country where many laws of marriage were sporadically and haphazardly enforced, youthful marriage could continue unchecked.

To the degree that it is possible to tell, the marriage of young people was least common in the industrializing Northeast, and most common in the South, Midwest, and West. In table 2.1, drawn from Massachusetts's 1857 compendium of vital statistics, we see a limited comparison between four states in an assemblage of years in the 1850s: Massachusetts (in 1857 and for a five-year period, 1853–57), Rhode Island (1854–57), South Carolina (1857), and Kentucky (1856).

These statistics demonstrate, first, that it was far more common for girls to marry below the age of twenty than it was for boys, and second, that there were distinct regional variations. In the two northeastern states, between 22 and 24 percent of all marriages contracted in the given years were by girls under twenty. By contrast, in South Carolina and Kentucky, around 40 percent of all marriages contracted in 1857 and 1856 were by girls under twenty. Indeed, the period “Under Twenty” was the most common time to marry for girls in these states, compared to Massachusetts and Rhode Island, where the most common age frame for contracting marriage (for girls or boys) was between the ages of twenty and twenty-five.

There are a number of explanations for this. First, the phenomenon of a protected childhood was gaining greatest traction in the Northeast, whose residents, for a variety of reasons, were increasingly finding the marriage of youthful people to be an oddity. Combined with the rise of age consciousness

(discussed in the next chapter), the marriage of children caused the greatest distress in this region and appears to have been least common there. That said, it had its fair share of practitioners. Youthful marriage remained common in the South, especially among two particular populations: the landed gentry and their slaves. Plantation owners smiled on the marriages of their youthful daughters to suitable mates (sometimes their own relatives). And slaves, who were unable to marry legally and would not be counted in a state's vital statistics, nevertheless wed ceremonially and lived as husband and wife. They often did so at very young ages.

A number of factors combined to make early marriage common in the West as well. The first was demographic: in many areas of the western United States, men far outnumbered women, driving the age of marriage down for girls. This was especially the case when white men confined their marital prospects to white brides or in insular groups that practiced polygamy, like the Church of Jesus Christ of Latter-Day Saints, in both its western locations—Nauvoo, Illinois, and Utah Territory. Second, marriage soon after arrival at puberty had long been the custom among Native Americans, and this continued through the antebellum era. Newly arrived Anglo explorers and speculators took advantage of this by marrying Native girls. Spaniards and Mexicans with claims to whiteness also found it advantageous to marry their daughters off to older Anglo men. Last, historians have found that makeshift life on the frontier, far from what many at the time called “civilization,” tended to blur the meanings of age and allow for the marriage of girls who might be seen as too young for marriage in other situations. Travelers on the Overland Trail during the 1840s and 1850s, as well as those who had reached their western destinations, seem to have married at earlier ages, as single men sought wives to make homes and frontier life (and the journey there) gave young girls the experience necessary to become wives at early ages. Although the reasons differed, many antebellum Americans—either in the United States itself or in territories that would be annexed into it by the end of this period—married within the realm of what we would consider to be childhood or adolescence.

MOTIVATIONS AND DESIRES

This chapter focuses on the overarching sociological explanations for early marriage, such as lack of age consciousness and imbalanced sex ratios. Important though they might be, they would probably not have been the reasons that a young person or her prospective spouse would have given for tying the knot.

In explaining why they were marrying each other, most couples, regardless of age, would have cited some combination of love, sexual desire, class- and race-based suitability, and practical considerations like economic self-sufficiency, household competence, or fertility. In the middle of the nineteenth century, the last considerations were much more salient than we like to believe they are now. That is, many couples, especially in the working class, were guided less by notions of romantic love and compatibility than they were by suitability, itself a product of proximity and mutual availability. Of course, premarital sex was also a consideration, particularly if it resulted in pregnancy. Though premarital pregnancy rates were lower in the mid-nineteenth century than earlier or later in that century, many brides continued to marry while already expecting, and some of those were legal minors. Pregnancy could carry a man and woman to the altar sooner than they might otherwise have planned.³

But what of motivations that might be particular to minor girls or the men who chose them as brides? Some of these were legal, which I will address in the next chapter. Bear in mind also that in a society less structured around age norms, marrying a minor would be less noteworthy both for the child herself and the man she married. Though there is no way of knowing definitively, most minors and their spouses probably married not *because* of age but rather *regardless* of it. In many places in the antebellum era, age was not meaningful enough as a social category that men sought out especially youthful brides, and those brides were not motivated toward marriage because of their age. Even those who married the young because of demographic shortages of suitable spouses would, most of the time, have been unaware that demography was guiding their choices. And in turn those choices would have further normalized marriage at young ages. The age minimums that legislators were writing into the law were only beginning to have traction among larger numbers of Americans. This was a transitional moment in the history of marriage and of age, where it was still acceptable among wide swaths of people to marry at young ages.⁴

It is possible that people married at younger ages in the past because they also died earlier, but this explanation for the phenomenon is, in the end, unsatisfactory. First, the average age of first marriage has gone up and down over the course of American history—it is not just a slow and steady rise—dipping to one of its all-time lows during the 1950s, by which time life expectancy was many years longer than it had been in the colonial era or the nineteenth century, when average marriage ages were higher. Second, the average age of first marriage, itself related to the number of people who married at particularly young ages, has sometimes varied by region, meaning that

it was also a product of such factors as demography, race, culture, and religion. There were, to be sure, also regional differences in life expectancy (especially in the colonial era), but these did not always map seamlessly on to marriage ages and a lengthening of one did not systematically produce a consequential postponement of marriage. Last, I have found little evidence to suggest that people themselves considered their possible youthful demise an incentive to marry early. If they had done so, then surely more men would have married as boys, given that in almost all places at all times, they were far more likely to die before their wives.⁵

Other factors account for the appeal of youthful marriage or, at the very least, the lack of disincentive toward it. One of the primary reasons that most minor spouses were female is that girls, unlike boys, did not need to reach a moment when they could support a spouse and family in order to marry. Indeed, marriage actually relieved some working girls of having to support themselves. Girls were also fully expected to move from a position of dependence in one household to a similar position in another. They did not need to be a certain age for that transition to occur. Although being a daughter was not the same as being a wife, there might actually be little difference in terms of the labor that a working-class girl performed in either her father's or her husband's house, and one of the primary qualifications for becoming a working-class wife was an ability to labor. Middle- and upper-class daughters would arguably have a more marked transition in roles because a middle- or upper-class wife was responsible for the running of a home in the way that a girl's mother, but not she as a daughter, would have been.⁶

From the perspective of a man, the precise age of a girl—especially if she were in the fuzzy region between thirteen and seventeen that we would now call adolescence—might be less important than her attractiveness, capability, and willingness. Americans of the nineteenth century did not identify particular men as child predators or pedophiles, so sexual desire for a younger girl was not stigmatized as it is now. Modern statutory rape laws were not passed before the 1880s. The age of consent to sex outside of marriage was ten in most states. And precisely because a man who married a young girl legitimized his relationship with her through matrimony, socially and legally, both his intentions and their relationship would not achieve the notoriety that it might today.⁷

The girls who married older men may have done so for many of the reasons that contemporary readers might fear: they were tricked, coerced, or were simply naive. Perhaps they did not realize what was in store for them, persuaded as they were by love, infatuation, and promises of devotion. That said, these

men were marrying them, not seducing and abandoning them, the great fear of much nineteenth-century literature about young girls, especially in cities. *Charlotte Temple* (1791), the best-selling novel of the early national era, depicts exactly this scenario. Its eponymous heroine, though only fifteen, believes that she is running away to get married; instead, her suitor seduces and abandons her. Had he actually married her, even though her parents would not have approved, she would not have suffered the loss of respectability that is the moral of the story. Charlotte's age, which author Susanna Rowson depicted as adding to her naïveté, certainly did not prevent her from marrying. In the eyes of many around them, the youthfulness of brides simply faded as they aged, their marriages not necessarily better or worse than those who married later in life. Most evidence, then, suggests that minor girls and the men they married did so for precisely the same reasons that many others did, and did not consider their age to be particularly relevant; those around them probably felt similarly.⁸

There were, however, exceptions, one of which gives us as good an idea as we are likely to find of why a man might choose to marry a girl rather than a woman. In 1868, best-selling adventure novelist Captain Mayne Reid published a novel called *The Child Wife*. Reid had been born in Ireland in 1818 but immigrated to the United States in 1840, serving in the Mexican American War, suffering a severe wounding at the Battle of Chapultepec, and resigning his commission soon thereafter and moving to New York. His novels were primarily about men conquering untamed wild settings and their occupants (Theodore Roosevelt was a fan), and although *The Child Wife* is partially about the hero's service in the Mexican War, the Bavarian Revolution, and a number of other conflicts, it is also the story of the wooing and wedding of a child bride. The hero's name in the novel is "Captain Maynard" and at least one edition of the novel comes with a frontispiece endorsement from Reid's own wife, Elizabeth, explaining that "most of the events related in this book were actual incidents in the life of within the experience of the author." Mayne Reid and Elizabeth Hyde were married in 1853, when she was fifteen. Reid was also friends with Edgar Allan Poe, who married his own first cousin, Virginia Clemm, in 1835 when she was thirteen and, according to biographers, may have preferred the company of younger girls to adult women. Although Poe did not leave us with a literary endorsement of child marriage, we are fortunate that Reid did.⁹

When Captain Maynard, who is thirty, meets the girl he will marry, Blanche Vernon, she is thirteen. Reid writes the novel so that Blanche notices



Mayne Reid. The celebrated adventure novelist was thirty-five when he married fifteen-year-old Elizabeth Hyde in 1853. His novel *The Child Wife* (1868) is an extended rumination on why a man might prefer to marry a girl rather than a grown woman. From Elizabeth Reid, *Captain Mayne Reid: His Life and Adventures* (1900).

and becomes attracted to Maynard first. She has agency throughout the courtship—indeed, *she* actually rescues him at one point—though considerable obstacles are thrown in their way (it is an adventure novel, after all). Maynard first sees Blanche at a moment when he had been recovering from unrequited love for another girl, but “he saw a face so wonderfully fair, so strange withal. . . . In less than ten minutes after, *he was in love with a child.*” Reid acknowledges that some readers might find this “an improbability” or “unnatural,” but it was indeed true for Maynard. When he explains to a traveling companion (the meeting occurs on a ship) that he wants to make the girl his wife, the friend reacts with incredulity: “Wife! A child not fourteen years of age! *Cher capitaine!* you are turning Turk!” He later says that “the girl’s only an infant.” Maynard responds, “That child has impressed me with a feeling I never had before. Her strange look has done it.” Important here is that Reid acknowledges, through having his protagonist do so, that Blanche is indeed a child and that others might think it inappropriate for Maynard to take an interest in her. Indeed, the reference to “turning Turk” indicates that by 1868 there was already clearly an association between youthful marriage and an exoticized Orient. This is not a defense of mistakenly falling for a girl who happened to look older than her years; it is an exploration of knowingly marrying a girl. In this regard, Reid offers a description of the advantages of falling for a thirteen-year-old: “And it is true, though strange, that with them, the man of thirty has more chance of securing their attention than when they are ten years older! Then their young heart, unsuspecting of deception, yields easier to the instincts of Nature’s innocence, receiving like soft plastic wax the impress of that it admires. It is only later that experience of the world’s wickedness trains it to reticence and suspicion.” Reid here explains that a girl is simply more likely to fall in love at an early age than later, in part because she will be more innocent and less jaded; a man has a better shot of winning her if he approaches her when she is a child. Also crucial is that, unlike in *Charlotte Temple*, where the seduction of an innocent girl is a tragedy, this author expects the reader to countenance the seduction because it ends in marriage.¹⁰

Blanche and Maynard move closer to love throughout the novel, but her cousin, age eighteen and in love with her himself, tries to thwart the relationship. When Maynard finally confesses his love for her and asks, “Blanche Vernon! do you love me?” her father overhears and responds, ominously, “*A strange question to put to a child!*” Blanche is by now fifteen, but her father thinks her far too young for marriage and sends Maynard away. Throughout, Maynard continues to dwell on the fact that Blanche remains a child. In the

end, Blanche's father relents when he finds himself on his deathbed and wants someone to take care of his daughter after he has died. Maynard rejoices: "His presentiment was upon the point of being fulfilled; the *child* was to be his wife!" Reid also notes that the marriage was to take place not clandestinely, or by abduction, but by consent of the father. The novel ends soon after the marriage, when Captain Maynard and his child wife, Blanche, are happily settled in the United States, the wedding having taken place in Blanche's native England.¹¹

All of this could easily be dismissed as just so much foolishness, but for the fact that Reid so self-consciously wrote *The Child Wife* as an exploration of marrying a child and that he did so himself in circumstances not unlike the ones he describes in this novel. In her biography of her late husband, Elizabeth Hyde Reid affirmed the broad outlines of their courtship, describing herself at the time of their meeting as "a fair little English girl, a child—scarce thirteen years of age." She explained that she met Reid at her aunt's home, where he had been invited for dinner, and that he immediately took a shine to her and returned to pay her visits repeatedly thereafter. For her part, Elizabeth had little interest in Reid, could scarcely remember who he was, and was otherwise preoccupied with her dolls. She describes him as "my middle-aged lover" and herself as still being enough of a child not to fully understand what he was after. Two years passed during which they did not see each other until one day they met again. At that meeting the two were drawn to one another, recognizing each other instantly, and before they could be parted, Reid thrust his address into her hands. She wrote to him the next day and they were soon engaged, though Elizabeth's father was reluctant to give consent. She claimed that a letter Reid wrote to her while they were engaged contained the following lines: "I am getting old, and *blasé*, and fear that your love for me is only a romance, which cannot last when you know me better. Do you think you can love me in my dressing-gown and slippers?" Evidently she could, because they were married soon thereafter. Throughout their marriage Elizabeth was mistaken for Mayne's daughter—to their amusement, she claimed—and sometimes her father for her husband (though he was the same age as Mayne, he looked younger). As she wrote of her husband, "Mayne Reid used to say that he could not have endured having an old wife. . . . Mayne Reid was proud of his 'child-wife,' and liked her to remain the 'child-wife' until the end." Reid died in 1883.¹²

Mayne Reid gives us one way of understanding why a man might specifically seek out a young bride: because he found her childishness appealing and because he believed that very youth might make her amenable to him.

Not surprisingly, there is no mention of sex in his or her depictions of their courtship or marriage. Rather, he staged the union as being about romance and affection, with Blanche's youth facilitating both his and her own love. Reid also does not frame Maynard's desire for Blanche as being about the ability to train his bride because of her youthfulness, though he may have considered this, and certainly some men later in the century discussed this practice explicitly. But Reid's novel does give us one view of the distinct advantages to be gained by a man in selecting a younger bride. Even if most Americans were not attuned to the precision of chronological age, they were certainly aware of age as a stage of life, and the youthfulness of a child bride might have been especially attractive to some men. Mayne Reid provides us a view into why a man might have found it appealing to choose a young bride, the selection of which would only become more obvious in later eras as the spread of age consciousness made the disparity in their ages, and Blanche's youth particularly, all the more striking.

THE NORTHEAST

Even though most states in the Northeast and Mid-Atlantic, unlike those in the Midwest, did not have laws that mandated a minimum marriageable age, early marriage appears to have been least common here. As we have seen, by the 1850s, when a few states had begun to collect vital statistics, girls and women married later in New England than they did in the South. By the time the U.S. Census Bureau began to collect comprehensive statistics linking marriage and age, 1880, the Northeast ranked last in terms of minors' marriages. This was partially because northerners pioneered the notion that childhood was a stage of life demarcated by precise age boundaries. Marrying below certain ages was seen as unsuitable by citizens of the Northeast before their counterparts in other areas of the country. The Northeast was on the leading edge of a trend that would eventually be embraced by almost all Americans, but it was a trend in its infancy.¹³

Massachusetts began to collect vital statistics in 1842, though in its third published report, in 1844, the compilers would admit that the marriage statistics were "extremely defective," largely because some counties simply did not comply, and even those that did tended to collect incomplete data where ages were often missing. That said, from 1845, when Massachusetts first published its official tally of marriage ages, it offers us the earliest comprehensive calculations for any state during this period (table 2.2).¹⁴

Table 2.2. Percentage of Marrying Massachusetts Men and Women below the Age of Twenty by Year, 1844–1861

Year	Boys	Girls
May 1844–April 1845	1.2	15.2
May 1845–April 1846	1.3	17.7
May 1846–April 1847	1.2	21
May 1847–April 1848	1.2	21.4
May–December 1848	1.3	18.2
1849	1.4	17.8
1850	1.8	21.8
1851	1.9	23.2
1852	1.9	23.5
1853	1.9	23.1
1854	1.7	22.7
1855	1.8	22
1856	1.6	22.3
1857	1.7	22.2
1858	1.6	22.1
1859	1.7	21.6
1860*	–	–
1861	1.9	23.5

* Report missing from archives.

Sources: *Fourth through Twentieth Annual Reports to the Legislature, Relating to the Returns of Births, Marriages, and Deaths in Massachusetts* (Nineteenth missing), Massachusetts Archives.

The compilers of these reports are clear that many marriage licenses simply did not record an age—though that remained constant throughout the period—but the numbers here reveal that between 1 and 2 percent of Massachusetts marriages were contracted annually by men under the age of twenty, whereas between 15 and 24 percent of Massachusetts brides in any given year were in their teenage years. In both cases, the greater proportion of these marriages of youthful brides and grooms were concentrated in the eighteenth and nineteenth year, but a minority of the Bay State’s brides and grooms were marrying at younger ages as well. By the 1850s, these reports’ compilers had begun

Table 2.3. Number of Massachusetts Grooms and Brides of Certain Ages, 1854–1861

Year	M-13	F-13	M-14	F-14	M-15	F-15	M-16	F-16	M-17	F-17
1854	0	2	0	12	0	35	2	172	6	383
1855*	0	1	0	10	0	40	1	72	7	35
1856	0	1	0	11	0	63	2	176	11	321
1857	0	0	0	11	0	31	3	163	8	348
1858	0	0	0	10	0	30	2	130	11	308
1859	0	4**	0	4	0	47	5	129	8	285
1860†	–	–	–	–	–	–	–	–	–	–
1861	0	0	0	5	0	28	1	137	6	302

* Numbers are organized differently in this year and seem suspiciously low for ages 16 and 17.

** There was also one bride of 12.

† Report missing at archives.

Sources: *Thirteenth through Twentieth Annual Reports to the Legislature, Relating to the Returns of Births, Marriages, and Deaths in Massachusetts* (Nineteenth missing), Massachusetts Archives.

to note what they thought of as the extremes, the particularly young *and* old who married each year and, by the middle of that decade, to document the youthful numbers systematically (table 2.3). These numbers are also instructive. In a state where parental permission was required for girls below eighteen and boys below twenty-one, significant numbers of people below those ages were marrying, presumably with that parental consent if they were being truthful about their ages when applying for a marriage license.

New York State, which collected and published marriage statistics for only two years in the 1840s, found similar results (table 2.4). Unfortunately New York did not specify the ages of those who married under twenty and after these two years suspended its collection and publication of vital statistics altogether until later in the nineteenth century, so these data are fragmentary, but they make clear that marriage under the age of twenty was just slightly more common here than in Massachusetts.

Anna Cora Ogden provides some insight into why a quarter of New York girls married young. Ogden was born in Bordeaux, France, in 1819 to wealthy American parents. She and her family returned home to New York in 1826. When Anna was thirteen, her older sister, Charlotte, met a New York lawyer

Table 2.4. Number and Percentage of Total Grooms and Brides Marrying under Age Twenty in New York State, 1847–1848

Year	Boys	Percentage	Girls	Percentage
1847	325	3.2	3013	29.5
1848	356	3.1	3050	26.3

Sources: *Report of the Secretary of State, of the Number of Births, Marriages and Deaths, for the Year 1847*, Senate Report No. 73, April 12, 1848, chart following page 7; *Report of the Secretary of State, of the Number of Births, Marriages and Deaths, for the Year 1848*, Senate Report No. 86, April 10, 1849, chart following page 7, New York State Archives.

named James Mowatt while on vacation. He was interested in her; Charlotte responded that although she was already married, she had a number of younger sisters, one of whom particularly looked like her. Soon after arriving back in the city, Mowatt called on the Ogdens and immediately took a shine to Anna. As she recounted it, he told a friend after their meeting that “I feel as though I should never marry unless I marry that child.” “From that moment he conceived the project of educating me to suit his own views—of gaining my affections, and, the instant I was old enough to be considered marriageable, of taking me to his own home—his child wife.” He first proposed when she was fourteen. He also asked her father, who explained that if they were both still enthusiastic about the idea when she turned seventeen, he would consent; for now she was too young.¹⁵

Not to be stymied, Anna promised Mowatt she would marry him within the week: “Young as I was, and totally incapable of appreciating the importance of the step I was taking, I did not come to this determination without much suffering. But once having *resolved*, once having *promised*, nothing earthly could have shaken my resolution.” Working in cahoots with her sister, she found a clergyman willing to perform the ceremony, and with that difficulty overcome, the couple eloped, and Anna Cora Ogden became Anna Cora Mowatt on October 6, 1834. As she put it,

What could a girl of fifteen know of the sacred duties of a wife? With what eyes could she contemplate the new and important life into which she was entering? She had known nothing but childhood—had scarcely commenced her girlhood. What could she comprehend of the trials, the cares, the hopes, the responsibilities of womanhood? I thought of none of these things. I had always been lighthearted to a

degree that savored of frivolity. I usually made a jest of everything—yet I did not look upon this matter as a frolic. I only remembered that I was keeping a promise. I had perfect faith in the tenderness of him to whom I confided myself. I did not in the least realize the novelty of my own situation.

The marriage lasted until her husband's death in 1851, by which point she had published a number of novels and plays and taken to the stage as a well-reviewed actress. In her 1854 autobiography, Mowatt was clear that she considered her marriage at fifteen to have been an oddity for which she was ill prepared, happy though it might have been. Although marriage at fifteen was indeed increasingly seen as bizarre in the industrialized Northeast, especially among the moneyed elite, in many other regions of the country, it was not out of the ordinary.¹⁶

THE SOUTH

This was true for the South among a number of different racial and socioeconomic groups. While some colonial era planter families had married their children (as young as eight or nine) to each other in order to solidify family dynasties, this practice had largely been eliminated by the antebellum era. Some continued to marry in their teenage years, however. Writing a series of sketches for her grandchildren in 1906, North Carolinian Margaret Devereux, who grew up in a wealthy slave-owning family and married into another in 1842, explained, "I was so young a bride, only seventeen, when I was taken to our winter home, and so inexperienced, that I felt no dread whatever of my new duties as mistress. The household comforts of my childhood's home had seemed to come so spontaneously that I never thought of *processes*, and naturally felt rather nonplussed when brought into contact with realities." These realities included the slaves she was expected to manage in her new role as mistress.¹⁷

Other elite women shared her experience. Famed southern diarist Mary Boykin met her prospective husband, the future U.S. senator James Chesnut Jr., at thirteen and married him at seventeen in 1840. South Carolina governor James Henry Hammond married Charleston heiress Catherine Fitzsimmons in 1830 when she was seventeen and he was twenty-four (he would have married her when she was sixteen if her parents had consented earlier). Explorer John Frémont first became engaged to Jessie Benton, daughter of Missouri senator Thomas Hart Benton, when she was fifteen; the two eloped in 1841

when she was seventeen. Elite white women like these would all have attended school, and it was the expectation of all around them, including their families, that they marry suitable men. Most would have come out formally as debutantes in their teenage years, the very point of which was to secure a husband.¹⁸

Historian Anya Jabour notes that once they had come out, many elite young women did their level best to postpone marriage because they knew that the period of being a “turned-out young lady” was their last gasp of independence before commencing the duties of wifehood and the dangers of pregnancy and motherhood. Some went so far as to make fun of those who paid them attentions, older gentlemen especially, either bachelors or widowers with young children at home. But in a culture that, Jabour notes, smiled on the marriage of older men and young girls, clearly these men would not have come calling had they thought their attentions unreasonable. Although some young women responded with incredulity—“The idea of an old bachelor of 36 coming to see a girl of sixteen? Preposterous!!!”—others encouraged such attentions and responded in the affirmative when asked for their hand in marriage.¹⁹

Although it slightly predates the antebellum era, the 1769 marriage of the Reverend John Camm, then a minister and professor at the College of William and Mary (later its seventh president), is instructive. Legend has it that Camm, in his capacity as parish rector, had been prevailed on by an unsuccessful suitor to convince Betsy Hansford, fifteen, to acquiesce to a marriage proposal. When Camm approached Hansford, using the Bible as justification for women’s duty to marry, she demurred and pointed him in the direction of a different verse, 2 Samuel 12:7: “And Nathan said to David, *thou art the man.*” Hansford and Camm, then fifty-one, were married that August, though not without comment on their age difference, especially because Camm had been minister presiding over Hansford’s baptism. The College of William and Mary also threatened to withdraw his professorship because custom dictated that professors remain unmarried and reside on college grounds. At least one Williamsburg resident thought that all the fuss was overblown. Filling in a correspondent abroad on the local gossip, Martha Goosley explained, “Mr Camms Marriage has made a great Noise here but Pray why may not an old man afflicted with the Gout have the Pleasure of a fine hand to rub his feet and warm his flannells comfortable amusement you will say for a Girl of fifteen but She is to have a Chariot and there is to be no Padlock but upon her mind.” A few things are worth noting about this particular marriage. The Reverend Camm, as well as Betsy Hansford’s first suitor, both thought her perfectly eligible for marriage at fifteen, as presumably did her parents. Second,

though marriage was seen as her destiny, Hansford herself chose her husband, defying the wishes of at least some of those around her. And third, as in the marriage of Arthur and Justina Dobbs mentioned in the previous chapter, the main source of amusement seems to have been with the groom's relative elderliness vis-à-vis his bride, not with her ineligibility to marry based on her age.²⁰

Historians have demonstrated for this period that in particular regions, upcountry Georgia, for instance, marriage beginning at fourteen or fifteen was common. In her sample of antebellum North Carolinian planter families' daughters, historian Jane Turner Censer found that 3.9 percent married at fifteen or under, 5.8 percent at sixteen, and 7.1 percent at seventeen. The most common age of first marriage was nineteen, and the average was twenty years, six months. In one family, the Kearneys, the six sisters married at fifteen, sixteen, seventeen, twenty-two, and two at twenty-five. Censer and Jabour are clear that most girls and women married based on their own choices—their parents did not arrange their marriages for them—though location and suitability always constrained marital selections and sometimes induced girls to marry sooner than they might have liked out of fear that another man might not be available later on. During the colonial era it had been much more common for wealthy parents in the South to arrange the marriages of their young children, often to families who lived nearby and were sometimes related. By the antebellum era, most parents had abandoned this practice in favor of the belief that marriage was built on the mutual desire of the bride and groom. Letting girls make their own decisions, albeit with proper guidance, was how marriages were meant to begin. But that this decision might occur at fifteen or sixteen was perfectly appropriate. As one young southerner explained in 1839, "So you see we have the Town full of young girls who will soon be Ladies." Marriage would effect this transformation.²¹

As we saw in the Introduction, Susie Baker, an escaped slave, married at the age of fourteen and made no mention of it when she wrote her autobiography forty years later. That was because marrying in the teenage years was, so far as historians have been able to tell, not unusual for enslaved people in the United States. There are difficulties in assessing slaves' marriage practices, because they could not enter into legally binding contracts, marriage among them. Nevertheless, slaves entered into partnerships that were regarded as marriages by all around them, including their masters, who usually insisted on slaves gaining their permission before doing so. In one instance of permission for an abroad marriage—that is, a marriage between slaves on different plantations—a master sent his slave with a note

to another slaveholder: “The bearer ‘Billy’ has our permission to take your ‘Servant Flora’ for his wife provided it met with your approbation.” As plantation mistress Catherine Edmonston recorded in her diary in 1862,

A furor of marriage seems to possess the plantation. On Thursday, the 20th, Fanny after bustling aimlessly about the room came out with “Master, Joe, Joe Axe from the ferry wants to see you. He wants to axe you & Miss to let him marry me.” So Joe was admitted into the dining room, the preliminaries settled & they left with the permission to fix their own time. This was of the shortest for the next day, Sat the 22d, I was called on for the materials for the wedding supper & then on Sunday came Dempsey with a request for Rachel, on Wednesday Lorenzo Dow to marry Mela, & on Thursday Hercules with a similar request for Chloe! So Cupid gave place to Hymen in a shorter time than usual—primitive customs one will say, but Cuffee strips off the elegancies & refinements of civilization with great ease. White people would have been months in accomplishing what they have been days about!

Here Edmonston demonstrates the way that slave marriages were managed—through asking and granting of permission, then through the master supplying the wedding supper—and also notes, at least from her perspective, how few preliminaries there were to the unions. Of course Edmonston probably did not observe the courtship process that led up to the request for marriage, but she was not incorrect that it was sometimes more abbreviated than for elite white women like herself.²²

Slaves tended to marry early for a number of reasons. First, they began to work early, often as small children, commencing the hard labor of fieldwork around the age of twelve. The early onset of adulthood in the realm of labor tended to abbreviate their adolescence in other ways as well. On one undated list of slaves purchased as a group from a plantation, for instance, the buyer has them grouped into three columns: men, women, and children. Included on the list of adult women are thirteen-year-old Barbara and fourteen-year-old Rosetta; on the list of men is sixteen-year-old Albert. If youthful slaves were expected to behave like adults in one way—by working—many also sought the perquisites of adulthood, marriage being one of them. They also lived in a world in which far more depended on their physical growth than on reaching precise age markers. Slaves achieved functional adulthood when they were large or strong enough to labor. Although slaveholders often knew

the ages (and sometimes birthdates) of their slaves, in case they might need to sell them, slaves themselves sometimes had little sense of their birthdays or ages. Lack of age consciousness was the result. Second, in crowded slave quarters, marriage and the establishment of a family was one of the only ways to gain new accommodations, so there could be distinct spatial benefits to marriage for slaves living in crowded shacks with their natal families. Third, it was always in slave owners' best interests to encourage early marriage, because they presumed (often correctly) that it would lead to childbearing, which would enrich their holdings with more slaves. Although only a minority of slaveholders probably engaged in forced breeding, it was in all slaveholders' interests to encourage marriage at young ages. Rose Williams, interviewed in Texas in the 1930s through the Federal Writers' Project, explained that she had been forced by her master to marry at the age of sixteen. As her mistress had explained it to her: "Yous am de portly gal and Rufus am de portly man. De massa wants you-uns to bring forth portly chillen." Rose gave birth to two children before being freed; she then left Rufus and never remarried. Some young slaves believed that early marriage to a partner of their choosing would mean they would not be forced into a marriage with a partner not to their liking. That is, the threat of forced breeding or marriage may have encouraged early marriage. Last, many slaves believed (at times correctly) that slaveholders were less likely to sell slaves apart from their conjugal families.²³

We know from slaveholders' records that most slave women did not bear their first children until their late teens or early twenties; two studies have found average ages of 19.7 and 20.6. It was not uncommon for slave women to begin having (or being forced to have) sex, and sometimes bearing children, before marriage, however. All of this means that the average age of marriage for slave women was probably in the later teens or early twenties, but as with wealthy white women in the South, marriage in the younger teenage years was common enough not to be seen as abnormal. Determining precise marriage ages in plantation records is challenging, however, because masters were far less likely to record precise dates of marriages than they did births. This was because birthdays were necessary to calculating ages, which could be useful in the event of a sale. Marriage dates were monetarily worthless.²⁴

There were exceptions to this rule, however. The Dromgoole family of Virginia kept a special book entitled "Negroe Ages," in which they recorded the births, deaths, and a few of the marriages of their slaves. Of the five marriages recorded, it is possible to determine the ages of only a few of the new spouses. When John and Ohio married in March 1860, Ohio was twenty years

old and John may have been twenty-four. By 1865, Ohio gave birth to three children, the first one just four months after the wedding. When Frank and Mariah were married in 1846, Mariah was fourteen. She bore seven children by 1863, when she would have been thirty-one. On the Devereux family's North Carolina plantations (the family into which Margaret Devereux, discussed above, married), plantation records do not explicitly record slaves' ages at the time of their marriages but do list family groupings with birth dates of individuals. Births of first children came at a variety of ages for mothers, but ages eighteen and nineteen were not uncommon, indicating that slave girls probably married at least a year earlier. A similar pattern emerges on the Louisiana sugar plantation owned by the Corbin family through the 1860s. John Blount Miller kept a meticulous record of the Cornhill Plantation in Sumter, South Carolina, from 1827 through 1860, documenting the births and marriages of his slaves. For instance, Jim, nineteen, married Ellen, whose age is unrecorded, in May 1838. They had seven children before Ellen died in 1853; one of those children, Maria, married a slave from another plantation, "Mr. Pugh's boy," when she was seventeen. Jackson and Emma wed on Christmas Day, 1842, when Jackson was seventeen and Emma was nineteen; they had four children. Nat and Zilpha wed when they were both eighteen (or twenty-two; the records are contradictory); between 1845 and 1868, they had fifteen children, thirteen of whom survived infancy.²⁵

Clearly, not all slaves married when they were in their teenage years. If they worked on small plantations, this would have been particularly difficult because the choice of marital partners was circumscribed by the availability of eligible spouses. Many slaveholders preferred to have their slaves marry within the plantation. On a list of "Negroes rules for government," John Blount Miller of Cornhill Plantation explained: "*Marriages*. Not to marry from House if to be avoided." Francis Wilkinson Pickens of Edgefield, South Carolina, had a similar rule in his plantation book: "No negro man is to have wife off of the plantation, + no strange negro is to have a wife on the plantation." This was because masters could better control slaves if they owned both of them; those who owned men also preferred not to have them impregnate the property of a different master, increasing another's fortune instead of his own. This meant that some slaves lacked the opportunity to marry early. But others, either because of pressure from masters or because of love and sexual attraction, married at young ages. Such early marriages were partially a consequence of living in a society where ages and birthdays were often of little consequence to enslaved people and where slaves became functional adults quite early.²⁶

THE NATIVE AMERICAN WEST

By the dawn of the nineteenth century, a once vibrant population of Native Americans had been reduced to approximately 600,000 people. Contact along the eastern seaboard had resulted in death by warfare and disease. European, now American, settlers had also forced Native peoples farther west, a process that continued through the antebellum era, culminating in the forced removal of southeastern tribes to Indian Territory and eventually relocation to reservations. Throughout these years, Native peoples continued to marry according to the Indian custom, and states with significant Native populations sometimes wrote statutory law allowing for Natives to marry by those traditions, those marriages accorded the same legal status as any other union.²⁷

Many Native American tribes sanctioned marriage once girls reached puberty. Although talking about “Native Americans” as one group obscures the differences between what was an enormous number of different tribes with a variety of cultural traditions, many historians and anthropologists have demonstrated that what most disturbed European observers of the Indians they encountered were their sexual practices, many of which were similar in regard to marriage. Premarital sex was sanctioned and did not necessarily lead to marriage. Divorce was also possible when a couple chose to end a relationship. Although arranged marriage by tribal elders and parents was common in some tribes, in many tribes young people took up with each other in marriage when they wanted to without benefit of a formal ceremony. Records documenting age of bride and groom do not exist for Indian tribes during this era, so we cannot know what the average age of contracting parties was. Some historians have found an average age of marriage for Indians in California missions (where marriages *were* documented) between eighteen and twenty, but others have demonstrated that sexual relations and also marriage could commence any time after the onset of puberty, meaning that girls and boys could have been in their teenage years when they married. It is also the case that age and birthdays themselves were less important to Native Americans as markers of identity. Most evidence suggests that when that is the case, marriage tends to occur earlier.²⁸

These traditions were sometimes documented by Anglos pushing further westward, Spaniards farther north, and French farther south and west, interacting with Indians they had not previously encountered. Father Gerónimo Boscana, for instance, who was stationed at a number of missions in Alta California and spent fourteen years at the mission at San Juan Capistrano between 1812 and 1826, recounted of the Acagchemem tribe (or Juañenos,

named for their proximity to this mission) that marriages could be arranged by the couple themselves with parental permission or were sometimes orchestrated by town elders, at times against the consent of the girl in question. Occasionally “some parents, even, when their children were in infancy, by mutual agreement, would promise them in marriage, and the same was ever adhered to, and when parties were of sufficient age, they were united with the customary ceremonies. During the period of their childhood, they were always together and the house of either was a home to both.” Boscana himself presided over such a marriage in 1821 between a girl of “eight or nine months” and a boy of two years. Whereas Boscana was clear that some children “threw off the alliance” if it was not to their liking, others considered such ceremonies to be binding. Key here also is that Boscana did not mention specific ages at which girls were expected to marry, with the exception of babies who were betrothed to each other, simply noting that boys might approach girls when they were ready or that tribe elders might arrange for the marriages of “girls.” Once these girls reached puberty they seem to have been eligible for marriage.²⁹

Intermarriage with Indians was a longstanding tradition among fur traders and trappers as well as explorers and some settlers in the West. In part this was because there were few white women with whom these men might marry in the North American borderlands where they made their living. But these marriages could also cement important alliances between white traders and settlers, who brought European goods with them, and the Native tribes that knew the land around them. Intermarriage and conversion to Catholicism might also prove a boon to Indian women and girls who could call on the power of the church to regulate their new husbands’ sexual and marital behavior. Because of the young age of marriage for Native Americans, many of these alliances involved older men and those we would consider to be girls. Famed interpreter and guide to Meriwether Lewis and William Clark Sacagawea was one such girl. Born into a Lemhi Shoshone tribe in present-day Idaho, Sacagawea was kidnapped with a number of other girls by a group of Hidatsas and taken to their village, located in present-day North Dakota, when she was probably about twelve. Soon thereafter, Québécois trapper Toussaint Charbonneau, who was living in the village, took her for his wife. He had already taken another young Shoshone girl named Otter Woman as a wife and may have purchased both girls or won them through gambling. Sacagawea was pregnant with her first child when Lewis and Clark hired her and her husband to be their guides. The kidnapping and marriage would likely have been traumatizing for Sacagawea and Otter Woman, but their young ages at marriage

were not the primary issue for them or their new husband. Marrying early was both accepted and common.³⁰

Another legend of western American history, trapper, guide, and Indian agent Kit Carson, had multiple marriages that cemented alliances with three cultures. In 1835, Carson married a Southern Arapaho girl named Waa-nibe in the upper Green River region of what is now western Wyoming. Carson was twenty-five and Waa-nibe seems to have been in her mid- to late teens. It is likely that Carson paid her family a customary bride price. Marrying into a Native family made a white man a member of her tribe and thus gave him safe passage as a trapper in that tribe's family. Within two years they had two children together; Waa-nibe died shortly after the birth of their second. In 1840, while living at Bent's Fort, a stopping point along the Santa Fe Trail and a trading point for buffalo hides with both the Southern Arapaho and the Cheyenne, Carson married his second wife, Making Out Road, a member of the Cheyenne Little Bear band. There was no formal ceremony, but such ceremonies were not always part of entrance into marriage in Making Out Road's tribe. Once again, there were particular advantages for Carson in marrying a Native woman, who also seems to have been quite young. Making Out Road's Little Bear Clan was seen as among the elite of the Cheyenne. Carson also needed someone to look after his children. It is unclear why this arrangement did not suit Making Out Road, but in any event, she left Carson within two years, exiting the marriage in the same informal style that it was entered.³¹

Another eastern white man who settled in the West (in his case, Montana), John Owen, helps us to see the makeshift nature of marriage arrangements between white men and Indian women. He recounted in his diary in 1858 that "Myself Mr. Harris & Mr. Irvine did this day Sign marraige [*sic*] contracts with our Indian Wives[.] I have often thought of the Correctness of it & in absence of any person duly authorized to perform the Marraige [*sic*] Ceremony We did it ourselves in the presence of Witnesses[.] I have been living pleasantly With My old Wife Since the fall of 49 and in case of accident I should feel Much hurt if I had not properly provided for her accoding [*sic*] to law." While Owen and his fellow settlers attempted to formalize their ties with Native American women, it is clear that in Owen's case, at least, he had already been living with Nancy (who was of the Flathead or Shoshone tribe) for nine years when he did so. Marriage, even when one spouse was white, was often not formally regulated in frontier communities and when the Indian women to whom these men were married would not necessarily have expected it. Even when they did attempt to formalize their unions, they had no one there to do so, so they did it themselves.³²

Owen and his friends were clearly attempting to do right by, and provide for, their Indian wives. While this type of loyalty and indeed reciprocity may have characterized many mixed-race unions, others were clearly more exploitative. One of the consequences of the difference between formal sanctioned marriage and marriage according to Indian custom was that some white men took advantage of Indian women, entering into marriages they did not consider to be legally binding. Some of these men had more than one wife, and others simply abandoned their wives once they were ready to move on, leaving behind their children as well. These men may have thought about their “wives” as something akin to concubines. In the 1840s up and down the valleys of the California coast, for instance, white settlers took multiple Native wives, many of whom were in their early teens. Known as “squaw men” by their detractors, these men often left their wives when a more racially suitable woman became available or when they themselves moved on. They had taken advantage of Indian marital practice (both customary marriage and polygyny) but refused to honor its commitment.³³

THE SPANISH AND MEXICAN WEST

About Kit Carson’s third and final wife, Josefa Jaramillo, there is considerably more evidence, in part because they remained married until his death but also because she was not Indian and they were married formally by a Catholic priest. Carson probably met her at the Taos home of his employer Charles Bent, who lived in an informal union with Josefa’s elder sister, María Ignacia. In order for Carson to marry Jaramillo formally, however, he would have to convert to Catholicism, which he did in January 1842. The two were married a year later, on February 6, 1843. She was fourteen and he was thirty-three. Marriage into the Jaramillo clan may have provided Carson with advantages in Taos similar to those he gained through marrying two Native girls, but the family was not particularly influential in the town. The age gap between Carson and Jaramillo was large (he was more than double her age), but it was also not uncommon. The Catholic Church, which controlled marriage in the province of New Mexico until it became a U.S. territory after the conclusion of the Mexican American War in 1848, stipulated eleven and thirteen as the minimum ages of marriage for girls and boys, respectively. Historian Ramón Gutiérrez has found that between 1694 and 1846, one quarter of all girls who legally married in New Mexico did so by the age of fifteen. The lowest mean age of marriage during this period, 15.5, was during the first decade of the

nineteenth century, itself a result of demographic changes due to a smallpox epidemic. Similarly, Gloria Miranda has found that demographic patterns affected age of marriage in two regions of Alta California, Santa Barbara and Los Angeles: where men outnumbered women and settlement patterns were unpredictable, girls married at younger ages. This pattern tended to characterize the earlier presidial settlements, where girls married at sixteen or seventeen, rather than the pueblos, where most, but not all, married somewhat later. Taken together, we can see that early marriage for girls (and some boys) was culturally and religiously sanctioned in the colonial Southwest during both the Spanish and Mexican periods. A number of factors explain the prevalence of early marriage among Spaniards and Mexicans. Spanish traditions of familial honor were linked with girls' premarital chastity; girls' marriage soon after menarche meant that they had little chance to besmirch the honor of their families through premarital sex or pregnancy. Frontier life also led young people to assume adult responsibilities at earlier ages, and sex imbalances placed pressure on girls to wed young.³⁴

The one change to Spanish law governing marriage came in 1776 when King Charles II issued his Royal Pragmatic on Marriage, in which he declared that all people below the age of twenty-five now required parental permission to marry. This was designed to cut down on cross-class marriages and, obviously, youth marrying against the wishes of their parents. The pragmatic cautioned that this should not be used to pressure children into marrying people against their will, but it clearly did give parents a greater say in the choice of spouse. Historians of this region and period debate the degree to which early marriage necessarily meant that parents were controlling their children's (usually daughters') marital choices. Although it remains difficult to know how frequently parents made such decisions, there is clear evidence that some girls were forced into marriages against their will. In one 1842 case discovered by historian Miroslava Chávez-García, Casilda Sepúlveda, who was about seventeen years old, used the Royal Pragmatic to contest a marriage that she claimed her father and stepmother both forced on her. Appealing the case all the way to the Bishop of Alta and Baja California, Sepúlveda won her case and had the marriage annulled. Although this case ended with annulment, far more often girls would simply have remained married to men their parents had chosen for them, some of whom were not well known to them at the time of their marriages.³⁵

The church conducted matrimonial investigations (*diligencias matrimoniales*) for each marriage, just as it did for Arcadia Bandini and Abel Stearns, Josefa Jaramillo and Kit Carson; the primary concern remained whether the

couple might already be related. Consanguineous and affinal marriages were officially prohibited, but the authorities sometimes were willing to look the other way in an outlying territory like New Mexico or Alta California, where the choice of marital partners was limited by the low population or where prosperous families wished their children to intermarry and were not closely related. The prospective spouses' ages were always a part of the diligencias, even though some were recorded with approximate numbers, indicating the degree to which ages were not always known, even by the people themselves. When Juan Francisco Gutiérrez, thirty-five, and María Concepción Pino, fifteen, petitioned the church to marry in 1809, for instance, they stated that they were related in the third and fourth degrees of consanguinity in the transverse line; this meant that they descended from a common ancestor and were probably second and third cousins to each other. When Father Alvarez questioned them about this, they explained that they were both lifelong residents of the area (Belen, New Mexico) and were "related to most of the people of their station in the area." One witness also appeared to say that he knew María Concepción and that she had her parents' permission to marry.³⁶

A bride's poverty was sometimes a factor in why she wanted to marry at a young age, and certainly in why the couple believed the authorities should grant her permission to do so, even if she was related to the groom or was particularly young. In 1805, José Mariana de la Cruz Quintana, twenty-two, and María Antonia Velarde, fourteen, asked for a dispensation to marry even though they were related in the fourth degree of consanguinity. María Antonia was poor and her father had many children; José attested that he would be able to support her and that she had her parents' permission to wed. When the petition was forwarded to Bishop Olivares y Benito, he approved the dispensation. Similarly, the poverty of the bride's widowed mother was a factor in the 1821 diligencia of Pedro Sandoval, a soldier in the National Company in Santa Fe and twelve-year-old María Altagracia Ortiz.³⁷

Although blood or consanguineous relationships seem to have been the most common proposed marriage to require dispensation, affinal or spiritual relationships, where one party had had sexual relations with someone related to the second party, also needed to be confessed in order for marriage to be possible. María Soledad Martín, fourteen, was granted a dispensation to marry Antonio José Valdez even after she confessed that she had borne an illegitimate child by her brother-in-law, who also happened to be Antonio José's first cousin. Both were residents of the plaza Blanca in Abiquiu. Because María Soledad and Antonio José were also third cousins, they were mandated

to say a rosary of the fifteen mysteries; in penance for the sin of affinity (the sex with Antonio José's cousin), María Soledad was required to go to confession, take communion, cite an additional rosary of the fifteen mysteries, and obtain certification that she had done as ordered. More important for our purposes is that María Soledad lived in a society that sanctioned her marriage at fourteen even though she had already borne her brother-in-law's child, which was probably conceived when she was thirteen. Indeed, that society had well-established procedures for punishing her for having done so, but in ways that were fully designed to facilitate her marriage to another man. The demographics of colonial societies like those of New Mexico and Alta California—few people, especially unrelated; sometimes fewer men than women; and always a state and religious mandate to reproduce and repopulate—meant that girls often married at young ages. Those girls who married foreign men to whom they were clearly not related also did so at early ages, often without knowing their new husbands particularly well before agreeing to become their wives.³⁸

As in the marriage of Don Abel and Doña Arcadia, marriages between Anglo men and Mexican or Spanish women could also be used to cement economic and diplomatic alliances. When the cultures into which these men married already sanctioned the marriage of girls at young ages and when explorers, trappers, and merchants were eager to make alliances with long-established families, marriage to one of their daughters could prove a strategic move as well as the basis for a happy union. For similar reasons, Anglo men also married widows with property. Even though Abel Stearns had been in Alta California for some time, uniting himself with the influential Bandini clan only enhanced the status (and landholdings) of a man who was, after all, a naturalized citizen originally from Massachusetts. The same applied for many other men far less established than Stearns. But these unions did not just benefit the man alone. In this case, not only was Stearns himself wealthy, but his unequivocal whiteness as the descendant of Massachusetts Puritans would have been very attractive in Alta California, where there were fewer white men and where many Spanish Mexicans claimed whiteness when they were actually of mixed-race heritage. Even more significant for a girl who married young was the way that Spanish law governed marital property. Unlike the English common-law doctrine of coverture, whereby all a man's property and that which he acquired during a marriage passed to his heirs at his death (his wife retaining the *use* of only a third of the property), under Spanish law a wife not only owned her own property but jointly owned any property acquired during the marriage.

These laws carried over when territories became U.S. states. This meant that a girl like Arcadia who married in her teens could amass significant property by the time of her husband's death, which almost always preceded her own. Wealthy Californios used the Spanish legal code to facilitate the establishment of a Californio elite, much of it brokered through the marriage of young girls, but many of those girls benefited in the process.³⁹

MARRIAGE ON THE OVERLAND TRAIL

At the same time that a diverse array of young people were marrying in colonial New Mexico and Alta California, colonists of a different sort were setting out on the Overland Trail, the long trek between Missouri and either California, Oregon, or Utah Territory during the middle third of the nineteenth century. For a variety of reasons, they too married early, both on the trail and once they had arrived at their destinations. In part it was because children had more independence freed from their home communities—some had lost parents who might have objected to the matches had they been alive—but it was also that men were in need of wives if they were going to establish households of their own. And girls needed husbands, especially if they had lost parents, or if they just wanted to relieve their living parents of the burden of supporting them. The pressures toward couplehood that were falling away in urban places—where men were increasingly able to live on their own in boardinghouses, for instance—were intensified on the frontier. Joint male and female labor was necessary to make a successful farming household. There was also, on the Overland Trail, and in the areas in which they settled, a sex imbalance that made men seek out girls to be their wives. Further, the traditional ways that age was accounted for in stable communities did not exist on the trail or in many of the new frontier settlements, if age was even a particularly important way of marking identity to begin with. In this liminal space away from homes, improvisation and spontaneity may have played a greater role than they did in pioneers' "normal lives."⁴⁰

In ways similar to the marriages of Indian women and white men, many of these couples probably married without registering their unions or acquiring marriage licenses. Especially if they were on the trail or in newly established settlements, these bureaucratic steps would have been difficult, if not impossible, to meet. But they were also unnecessary. Under common law the only thing required for a valid marriage was that a couple declare, in the moment, their acceptance of each other as husband and wife. Whether they actually did

so—most probably did not—was largely irrelevant, because if they cohabited thereafter and acted as married people in the eyes of their community, they were as married as any other couple, legally and, perhaps more important, socially. Many, of course, went one step further and had a minister perform the ceremony for them, lending an air of official (and religious) sanction to the union. Although the legality of the marriages is not in doubt, one can see how doing away with licensing and the reading of the banns that was common in some locations would allow for more spontaneous marriages, including those of younger people. Some could also marry without the parental consent that might be necessary in stable communities where such laws were more apt to be enforced.⁴¹

Mary Ackley, an emigrant to California in 1852, explained of a friend that “she was married to a worthy young man when she was sixteen years of age, and later became the mother of eight children. . . . It was customary in early days for girls to marry at fourteen, fifteen, and sixteen years of age.” Bethenia Owens, who emigrated from Missouri to Oregon with her family in 1843 and married one of her father’s farmhands, LeGrand Hill, at fourteen, regretted the decision almost immediately. As she explained of the 1854 wedding, perhaps alluding to differences between herself and her husband that made consummating the marriage painful: “I was still small for my age. My husband was five-feet eleven inches in height, and I could stand under his outstretched arm.” Her son was born two years later, in 1856, but she soon realized that she was unable to remain married to Hill. She was unhappy, and he could not seem to support his family. She explained of her choice to finally divorce Hill: “And now, at eighteen years of age, I found myself, broken in spirit and health, again in my father’s house, from which only four years before, I had gone with such a happy heart, and such bright hopes for the future.” By contrast, Rebecca Hildreth Nutting Woodson, who moved from New Hampshire to Massachusetts to Illinois to Iowa and finally to California in 1850 before she married in 1852, recounted, “I have never for one moment regretted my marriage to George and so far as I know or believe, neither did he.” She was married to George Woodson at sixteen by a Presbyterian minister and without a license (“at that time it was not necessary to have a marriage license”). She had been living with her father and stepmother near Sacramento, where her father and a number of others (including her husband) ran a mill and sold vegetables from a garden they cultivated. As she remembered it, “Father moved away the next morning after I was married, leaving me a girl of a little more than 16 years to cook and do all the work for 20 men, sometimes more.” She had her first child the next year.⁴²

Charlotte Matheny married her husband, John Kirkwood, in 1852 when she was fourteen. They did so in a double ceremony with her brother Jasper, eighteen, and his new bride, Mary Ring, who was sixteen. As she recounted of the marriage in Oregon Country, "The night before Xmas, John Kirkwood . . . the path finder, stayed at our house over night. I had met him before and when he heard the discussion about my brother Jasper's wedding, he suggested that he and I also get married. I was nearly fifteen years old and I thought it was high time that I got married so I consented." They celebrated that night with a pie baked from dried tomatoes made by Charlotte and Jasper's mother. Another new arrival in Oregon Country, Lucy Henderson Deady, recounted of her youth, "I was fifteen . . . and in those days the young men wonder[ed] why a girl was not married if she was still single when she was sixteen." She married soon thereafter. Historian Lillian Schlissel's study of women's diaries of the westward journey revealed that those who traveled in the early wave of settlement, the 1840s, were more likely to be poor and to marry early; those who came later, when the trail was better established, were better off and came with more possessions. They also married later. Schlissel links their class status with cautiousness, both in making their journeys and in delaying their marriages. But it could be more specifically that the middle class was more likely at this point to demarcate childhood from adulthood in a way that would make early marriage inappropriate. This was not yet so for those with fewer financial advantages; for them early marriage did not foreclose any opportunity that might be awaiting a middle-class girl who postponed marriage. Working people and farmers would marry eventually, regardless; doing it sooner simply allowed them to establish a household more quickly.⁴³

The story of Amanda Mulvina Fisk Stout combines a number of these elements. Amanda was born in 1832 in Chautauqua, New York. Her parents were early converts to the Church of Jesus Christ of Latter-Day Saints, and her father died two years after Amanda's birth, "stricken with cholera in the camp in Missouri," where he had been a part of the Zion's Camp expedition. Three years later Amanda and her widowed mother were also heading west with other Saints when Maria Fisk also died. Amanda was now an orphan. As her granddaughter explained, "Amanda was left alone, but she went from place to place, with the Saints, until she was fourteen years old." She finally ended up as a servant to a man named Allen Stout, who had lost his wife on the trail and was left with three children. He and Amanda married in 1848 when she was sixteen, at Winter Quarters, a resting place along the Overland Trail in

present-day Nebraska. Amanda would have two children of her own before they would finally make it to Salt Lake in 1851. The tragedies of the trail, for both Amanda and her new husband, combined to make her youthful marriage appealing to both of them. She was in need of someone to support her, and he was in need of someone to care for his children, and himself.⁴⁴

NAUVOO AND THE GREAT SALT LAKE

Many Mormon marriages also occurred at young ages for reasons similar to those of other early white settlers in the West. Mary Minerva Dart wrote that during her journey westward her mother and two siblings died of cholera in 1850 within a week of each other: "We buried them on the plains wrapped in a quilt with out any coffins we buried them all before we reached Fort Larime." After reaching Salt Lake she accompanied her father to Parowan in 1851 to begin a settlement there, where "my oldest sister Phebe M was Married to R H Gallispie and I became acquainted with Zadok K. Judd and with the consent of my Father we were married November 14 1852 and we had Lusinda A born October 18 1853." She was fourteen at her marriage and fifteen at the birth of her first child. She had fourteen children altogether as she and her husband moved about Utah working to settle the territory and convert Native Americans to their faith. Similarly, Lucy White was born in Nauvoo in 1842 and crossed the Plains to Utah in 1850, after the Mormons were driven out of their Illinois home. She was baptized into the church at the age of ten in 1852, and she and her family lived in Cedar City, Utah, which is where she met her husband, William Flake. She married him at the age of sixteen in December 1858. As she explained it, "Apostle Lyman gave us very good council told us how to treat each other called us children he was 19 in July myself 16 in Aug he said we was not set in our way like we would be if we were older he used most all the evening talking and counciling it was very plesant indeed." This is a rare instance in which someone remarks on the age of the bride or groom at the time of marriage. Lucy Hannah White Flake wrote this account of her life in 1894, more than thirty years after the wedding, but her pausing on her age and that of her husband seems as if it is more than just her own later awe at her youthfulness (if she felt that at all). She claims that the man who married the couple remarked on it at the time. Bear in mind, however, that he did not think their youth an impediment to a happy marriage but rather an advantage, for neither was set in his or her ways and they would be able to adapt to married life, and each other, together.⁴⁵

Although many Mormon marriages began early for the same reasons that other frontier marriages did, some girls became brides at young ages because of polygamy. Mormon Prophet Joseph Smith began speaking of plural marriage as early as 1831, and it was revealed in 1843, after his death, that he had both advocated and practiced plural marriage. Historians debate the number of wives that Smith had during his lifetime (in part because some may have been “sealed” to him posthumously). Historian Todd Compton has been able to document thirty-three actual marriages, but other historians have counted as many as forty-eight. Polygamy in its early years at Nauvoo, or later in Utah, was not a matter exclusively of marrying young girls and women. Although Smith married girls as young as fourteen, he was also married to women in their forties and fifties. Historian George D. Smith has demonstrated, similarly, that the next prophet, Brigham Young, who had 55 wives, did marry six girls below the age of eighteen, but the remaining 49 wives were above eighteen. Some were in their sixties. Smith demonstrates that of the 717 wives of 196 Nauvoo men, 65 were eighteen, 77 were seventeen, 76 were sixteen, 29 were fifteen, 21 were fourteen, 3 were thirteen, and 1 was twelve. There is certainly a pattern here of marrying young girls, yet there were also large numbers of women who were well out of childhood, some quite advanced in years.⁴⁶

The avowed point of plural marriage, the religious commandment dictated by God, was to increase the size of families and the number of children, thus increasing the number of Saints on earth and leading to the “fullness of salvation” (posthumous sealing accomplished the same goal for those who had died). For this reason, younger women would be preferred, though they need not be very young. Historians have argued about the role of the youth of brides in early polygamy. It is clear that Joseph Smith, for instance, married the daughters of families with whom he had become acquainted in his journeys between upstate New York, Ohio, Missouri, and Illinois. Historian D. Michael Quinn argues that this was also a way for Smith to link himself with particular families; by marrying their daughters, he gained the families as allies. As Smith’s power grew, moreover, some families may have been eager to unite with him and thus encouraged their daughters to marry him.⁴⁷

Polygamy flourished in Utah after 1852, when the church first went public with the practice, until the 1890s, by which point it had become so controversial that the federal government had sent marshals to Utah to jail polygamists and made renouncing polygamy a condition for statehood. During the mid-1850s some church leaders, particularly Brigham Young and church historian (and later president) Wilford Woodruff, believed that Saints were focusing

more on converting Gentiles (non-Mormons) than they were on cultivating their own faith and exhorted church members to rededicate themselves to the founding ideals of the church. The Mormon Reformation of 1855–57 produced, among other things, a 65 percent spike in polygamous marriages, many to young girls. As historian Thomas Alexander explains, “The pressure to conform prompted unprecedented numbers of men and women to apply to Brigham Young for permission to enter plural marriages as evidence of their obedience and righteousness.” The numbers were so high that Young had to turn many away. As a sign of dedication and faithfulness Wilford Woodruff himself offered Young his fourteen year-old daughter, Phebe Amelia, in marriage. Young declined. As a result of all the extra marrying the divorce rate also climbed following the Reformation, and Woodruff jokingly wrote to a fellow leader, “All are trying to pay their tithing, and nearly all are trying to get wives, until there is hardly a girl 14 years old in Utah, but what is married, or just going to be.” Joking aside, one can see how the combination of demographics and pressures toward plural marriage as a religious obligation would lead to the marriage of young girls in the territory.⁴⁸

Lucy Flake, who was sixteen when she married her husband in 1858 at the tail end of the Reformation, accepted her husband’s second wife, eighteen-year-old Prudence Kartchner, ten years later. As she explained: “Sister E R Snow asked me was I willing[.] said yes[.] she asked do you think you can live in that principle and I said am quite willing to try[.] my Mother and sister live in it and I think I can do as much as them and besides I wanted my Husband to go into that principal before I was old because I think it right.” She was only twenty-six at the time. One particularly introspective informant, Martha Cox, helps us to understand the motivations of a young girl who chose to enter a plural marriage. Cox was born in March 1852 in Mill Creek Ward in Salt Lake County. Her parents had become converts almost a decade earlier in Nauvoo and fled to Utah in 1849, making “the long trek in wooden wagons across the plains to the Rocky Mountains.” In recounting her story, Cox placed less emphasis on the particular man she married and more on the choice to marry a man who already had two wives. The decision did not please her family, but she explained, “I knew the principal of plural marriage to be correct, to be the highest holiest order of marriage. I knew to[o] that I might fail to live the holy life required and lose the blessings offered.” Her family was particularly upset that she had chosen to marry “into poverty.” As she looked about her little town she saw “but a very few men—not one in fifty of the whole city, who had entered it [plural marriage] at all.” She recounted the reaction of a

friend to her decision: "It is all very well for those girls who cannot very well get good young men for husbands to take married men, but she (me) had not need to lower herself for there were young men she could have gotten." By her telling Cox was attracted to plural marriage because it fulfilled a religious obligation, not because she was being pressured by her family or her eventual husband.⁴⁹

Martha entered a plural marriage with Isaiah Cox when she was seventeen. She did not claim that plural marriage was easy, but she found great strength in her co-wives: "To me it is a joy to know that we laid the foundation of a life to come while we lived in that plural marriage that we three who loved each other more than sisters children of one mother love, will go hand in hand together down through all eternity. That knowledge is worth more to me than gold and more than compensates for all the sorrow I have ever known." Cox and her sister wives cared for their children together; the first wife, Henrietta, who lost a number of her own children as infants, nursed the babies of her husband's two later wives. When Martha asked Henrietta how she had suffered through such hardships, she explained, "Whenever my heart comes between me and my Father's work it will have to break. And if you have not learned that lesson the sooner you learn it the better." Martha's reaction to this was to call her a "Glorious woman! No better ever lived. Israel never produced a better Latter Day Saint." Martha Cox was an unusual woman; she spent almost fifty years as a schoolteacher and wrote an exceptionally detailed history of her life in order to document the Mormon experience. Her life and choices should not necessarily be taken as representative, and her perspective on those choices may well be skewed by the fact that she wrote this account almost sixty years after her marriage. But they do help us to understand that while demographic and religious pressures may well have forced many young girls into polygamous (as well as monogamous) marriages sooner than they might have wanted, some girls chose plural marriage of their own volition, even against the wishes of their communities, precisely because they, too, believe it to be a religious calling.⁵⁰

Not everyone was so convinced. When Mary Elizabeth Cox, the daughter of Martha's husband and his second wife, was told that Bishop Milton Lafayette Lee was interested in taking her for a second wife, she had a "very pronounced dislike for the man" and said "with a good deal of emphasis that it wouldn't take her long to say 'no.'" Her mother instructed her to pray on the decision, and when her praying brought no immediate answer, "she started fasting and praying often, but still no peace of mind had come to her." Bishop Lee visited Saint George, where Mary lived, and brought his wife to introduce to her: "The sight of them made her joyless, and she felt as if she would

collapse.” She avoided talking with him for most of his visit. In the meantime a local young man who was interested in her also proposed marriage, but at her mother’s behest, she told him that she would need to wait before deciding. Mary recounted her story to someone who recorded it, so the descriptions of her feelings and actions are all in the third person, but they seem to come from her. Mary “felt like she was in a fire without any way of getting out.” She prayed and fasted for three more months, growing thinner and paler, but at the end of the period, “her instinctive dislike for Brother Lee had gone from her heart, and in its place was a deep respect and a profound admiration for him.” The “change had taken place without any persuasion of any kind from anyone, not even her parents.” Mary married Lee in the 1880s, a period when polygamous families were persecuted by U.S. marshals and when some members of the church reacted to this persecution with more avowed adherence to the doctrine of plural marriage. Immediately following Mary’s marriage in the sealing room at the Saint George Temple, Wilford Woodruff, now an apostle, “met her and put his hands on her shoulders and spoke words of encouragement and advice to her which gave her renewed strength and assurance.” Even if we acknowledge that Mary did eventually make the decision herself to become Bishop Lee’s plural wife at the age of seventeen, it is difficult to ignore the prior “instinctive dislike” for her eventual husband or not to see the three months of fasting at the behest of parents who might have wished to link their family with Lee, as being a crucial factor. Although Mary identified the decision as her own, the attentions of a senior church member and the encouragement of her parents and others clearly made the decision fraught for a girl who had not yet reached her eighteenth birthday. These sorts of cultural, familial, and demographic pressures almost always inhere in the history of early marriage, even if the participants themselves were not aware of their influence. Mary Cox reminds us that for every young person who chose marriage with open eyes, there was another who might have had little choice. Determining with any precision how many of each there were is simply an impossibility.⁵¹

By 1860, many acknowledged Abel Stearns as the most important ranchero in Southern California. Doña Arcadia was by his side as he amassed more and more wealth. In 1847, legend has it that she and her sisters, Ysidora and Josefa, stitched an American flag out of their own clothing and flew it at their father’s ranch in San Diego, the first time an American flag would fly in Alta California. Although the story itself may be apocryphal, in this and in so many other things, the Bandinis had embraced the future, which lay not with Spain

or Mexico but with the United States. Arcadia's marriage to Abel Stearns (her sister Ysidora also married an American) also exemplified this.⁵²

When Arcadia's father died in 1859, he left some of his fortune to Arcadia and Abel. The couple never had children, and when Abel died in 1871, Arcadia inherited everything. She remarried in 1875, this time to Colonel Robert S. Baker of Rhode Island, who had interests in the sheep trade in Southern California. They tore down the Palacio at Main and Arcadia Streets and built the Baker block, reputed at the time to be the largest and most expensive building south of San Francisco, where they maintained a luxurious suite. Their fortune grew, and the Bakers appear in newspapers through the late nineteenth century defending their various interests in lawsuits; they also founded the town of Santa Monica. Robert Baker died in 1894, and Arcadia inherited his fortune as well. When María Arcadia Bandini Stearns de Baker died in 1912 at the age of eighty-five she was the richest woman in Southern California. Her fortune was estimated at between five and twenty million dollars, and fifteen of her heirs would fight over it for a year following her death.⁵³

Arcadia Bandini de Baker was anomalous in her wealth, but given where and when she lived, in the circumstances of her first marriage she was not. Because of the racial and gendered demographics in colonial frontiers of the middle nineteenth century, the marriage of young girls with older men was common. Although there were clearly cases of exploitation brokered through such marriages, especially between some white men and some Indian women, in many cases the benefits were reciprocal. Especially because their own societies did not worry about the sexual exploitation of teenage girls and marriage was not allowed to occur before a girl had reached menarche, we must recognize the marriage of some young girls not as exploitation (economic or sexual) but rather as a consequence of the demography and cultural values of a wide variety of antebellum communities.