

# Prologue

## From Exile to Belonging

John Collins arrived at the street corner in downtown Seattle on a Monday night, November 25, when the sun had already been settled for almost three hours even though it was only about 7 P.M. The electric lights in the red brick buildings were pinpoints in an otherwise dark, cold evening. It was 1895, and Collins was on shore leave from the naval ship *Philadelphia*, where he worked as a fireman, having joined the crew at Mare Island in San Francisco. Seattle at the time was less than fifty years old. Collins was a youthful eighteen, and every year hundreds of men like him arrived aboard the ships that docked at what had once been just a short strip of tidal mudflat fronting steep hills, a spot native tribes called “the little crossing-over place.” Thousands of other young men found their way to the flat from the logging camps set up near town to clear the greenly upholstered Northwest. Still others arrived from railroad camps where they maintained new links between Seattle’s protected port and the grain fields of the Midwest.

For these young men, the mudflat offered relief from the drudgery of rain and the casualties of work. There were saloons and halls for poker, steam baths to wash away the grime. And there was sex: the first brothel had been built in 1861, just a few years after the city’s founding. By the 1890s, when Collins arrived, Madame Lou Graham had opened the Northwest’s most famous bordello. It was located on Washington Street, which had already become legendary as a center of action, a nineteenth-century equivalent of the Strip in Las Vegas—or at least the best available along the thousands of miles of coastline and woodlands between San Francisco and Alaska.

Collins was just a block away from Madame Lou’s when he met two men slightly younger than himself selling crabs at the corner of Washington Street and Second Avenue. He stopped to banter with them. Whether Collins had aimed for that particular corner or was simply wandering, we do not know for certain. He might have heard of the People’s Theater, which was located in a basement on that corner and had developed a reputation as one of Seattle’s best bawdy theaters, offering women who danced and sang on stage and then strolled among the playing tables trolling for drinks. Couch-like box seats were deep enough for the men to draw the women inside and then pull curtains for whatever sexual pleasures could be had. But the People’s had temporarily closed. As Collins chatted on the

corner near the stairway, a third young man joined the two who were selling crabs. His name was Benjamin Layton. The night was about to take a distinctly sexual turn.

What, if anything, Collins might have been hunting for that night, we also do not know for certain. From county court records we do know what Collins found: an urban conflict over the future of Seattle that he probably knew nothing about.<sup>1</sup>

Not everyone in the city liked what Washington Street and the mudflat symbolized, as Collins would soon discover. Different impulses had lured different kinds of settlers to the Northwest. There were those like the pragmatic Arthur Denny, who brought his family and wanted to recreate the kind of Midwestern town he had left behind, endowing it with commercial success. There were also those like David "Doc" Maynard, who escaped from a worn marriage by moving west and then acquired a reputation for drinking. The story of the city's creation goes that when the two men surveyed the half-mile or so of mudflat, Denny set off north toward a small knoll, planting his stakes parallel to the beach, while Maynard walked in the opposite direction, following a compass heading rather than the beach line. When the two men rejoined at the end of the day, they had platted survey lines that did not match. The Northwest was a big territory, and some arguments between its few inhabitants were best passed over. Rather than redraw the lines to make the downtown grid consistent, they simply etched a diagonal line across their plats and connected the angled north-south lines, leaving later generations to cope with the sudden skew in the city's streets. In keeping with the compromise, the connecting diagonal was eventually named after a third settler, Henry Yesler, who ran the local sawmill, but for many decades it was better known as the "Deadline" and then as Skid Road. It came to symbolize the divide between two approaches to city life: Would Seattle, this frontier post, be "open" or "closed" to gambling, drinking, and sex?

The Denny knoll would house the institutions of the respectable elites: the City Hall, the courts, the police station, and the first campus of a state university, which in 1863 would instruct its students to stay out of the saloons and theaters and go to chapel instead. Below the Deadline, on Maynard's plat, saloons, cheap hotels, gambling halls, and brothels prospered, refuges for thousands of working-class single men and hundreds of single women.

As the city's sexual history began to unfold in this urban geography, the "respectables" of the knoll often locked in bitter combat with the riffraff below the Deadline, trying to control their behaviors. Sometimes, of course, the "respectables" also fought among themselves over whether the city should actually be "closed," since the prospect of making money from the mudflat's gambling, drinking, and sex was a more powerful incentive than their professed morality. Two years before Collins arrived, the national panic of 1893 had so wracked the local economy that the mudflat was now booming more with unemployment than profits, and, in that climate, the "respectables" in favor of a closed city had won

two important battles. In 1894 they seized control of enough city council seats to prohibit women from being present in places where liquor was sold, such as the combination saloon/theaters like the People's at Washington and Second. If Collins had walked down the stairs into the underground theater, he would have found that its manager had fled to Spokane to open another theater out of the reach of moralists and that men like himself had turned the box seats previously used for sex into sleeping quarters.

It was the other moralist victory, won early in 1893 just as the economic panic was starting, that was about to become more pertinent to the young sailor.

According to court records, Benjamin Layton, the young man who had joined Collins and the two others on the corner, lived with his mother just a few blocks away, at Sixth and Main. His father was gone, working for the Great Northern Railroad, which had arrived in Seattle the same year as the great panic. Layton himself washed dishes at a nearby restaurant called the KP, where he usually took his meals. As the four men talked, Layton apparently told none of this to Collins. There is also no indication in the records that he mentioned his age, fifteen. Layton seems typical of the restless male teenagers who gathered at night on the mudflat. They were not really "boys" as we might call them now. Rather, they were more experienced and mature, the sons of fathers who had also gone to the camps. The young men foraged for meals where they could, took jobs to help the family income, and either cared for their mothers or else declared their separation in whatever ways they could find. On the mudflat, they presumably discovered initiation and independence, particularly after dark and particularly on Washington Street with its appeal to that free-floating male audience of whatever age, whatever marital status—and whatever sexual desire.

According to Collins's later testimony, Layton quickly made it clear that he wanted the two other young men to leave him alone with the sailor. The two left. Collins then told Layton he needed to return to his room in one of the cheap hotels a short distance away. Layton supposedly asked, "Would you please give me enough money to eat on and get a bed?" Collins said he replied, "I got no money, but you can go up and sleep with me." Layton agreed, even though he would later testify that he normally slept at his mother's home.

It was an innocent enough pick-up. In the bed-starved West, it was not uncommon for two men or two women to sleep together—although the speed of the suggestion between the two strangers might have signaled something out of the ordinary.

At the Canal Saloon on Washington, Collins first checked with the manager to get a key. Although he told Layton that he had previously rented the room, it is not certain whether he actually had or whether he was just now renting it for the two of them—in a hotel apparently known for its upstairs brothel, according to the court records. Layton waited on a nearby staircase. He must have been an attractive young man, because in the few minutes he stood there he immediately ignited

the attention of a woman named Fay Carlson, who had been chatting with several other women a short way down the hall. She later tried to convince an attorney she was just a housekeeper who cleaned rooms, but under questioning she would admit that by living above the saloon, she knew she was rooming in a brothel. The implication of the attorney's questioning was clear, although Carlson denied she was a prostitute. When the two men headed down the hall to the sailor's room, Carlson excused herself from the other women and drifted slowly after them.

The two men went into Collins's room and closed the door, leaving the electric light burning. Outside in the hallway, Carlson listened. "I heard them pulling off their shoes," she would later tell the court. "I said something wrong is going on there. . . . I heard the boy making a groaning noise and from that I took a stand and went around in the hallway, put the stand against the door, and got up on the stand and looked over the transom, and I saw the boy lying on his face." Neither man had underwear on, she would testify, only their shirts, and Collins was on top of Layton.

A moment or two passed. Then Layton turned his head. To his shock, he saw Carlson peering through the window. From the look on Layton's face, Collins must have known instantly that something had gone wrong.

"Who's there?" the sailor called out. Carlson forced the transom window wider and shouted at the men, "Come out of there!"

Layton pulled on his pants, opened the door, and dashed from the room with Carlson in pursuit. She caught him and, with help from another woman in the hotel, she summoned a police officer. Meanwhile, Collins made no attempt to leave or even to dress. By the time the policeman arrived, Collins had shut off his light and fallen asleep. He would later testify, "I didn't know what I was arrested for 'til we got up to the station house."

The charge would not have anything to do with the two being teenagers, because in the nineteenth century adolescent sex was not as scandalous as today, and neither man was a "minor" in the present legal sense. Instead, the charge was a new one for Seattle.

Sodomy.

It was a moral transgression that churches had long condemned, but until just two years before Collins arrived, it had not been a crime in frontier Washington. Legislators had changed that in 1893, and now Collins faced a sentence of ten to fourteen years in the state penitentiary. A new legal weapon had suddenly publicly penetrated what had been two young men's private search for companionship on the mudflat. Collins stood accused of being among Seattle's earliest sodomites.

The story of Seattle's present gay and lesbian community can be said to start with Collins and Layton, and with others whose individual stories of same-sex affection began to be recorded at the turn of the century because of legal prosecutions arising from the 1893 law.

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To be sure, there are a few earlier stories. Anthropologists have studied indicators of same-sex desire and cross-dressing among several of the Northwest's native tribes. It also appears that Chinook, the sparse trade language used by the tribes, absorbed the word that French-speaking Catholic missionaries used to denounce the practice of men loving men—*burdash*, as dictionaries of Chinook spelled the French word for sodomite, *berdache*. Additionally, there are stories of sexual freedom among early pioneers in the Northwest. For example, Sarah Yesler, the wife of the same Henry Yesler for whom the Deadline was named, is said by some historians to have had a love affair with Eliza Hurd, who once ran a dressmaking shop and who wrote passionate letters about the two of them sleeping and bathing together.<sup>2</sup>

However, it was with the passage of the Washington sodomy law in 1893 and with the almost simultaneous rise of a new psychiatric definition of “homosexuality” that certain of Seattle's citizens began to be singled out as a group of criminals and psychotics based on their same-sex desire. Northwest historian Norman Clark has pointed out that even though the bonds between church and state were dissolved after the American Revolution, citizens still demanded moral leadership from government and, I would add, from other social institutions such as medicine. It was not enough to have laws against actual crimes such as murder or theft. “People wanted protection also from slavery, dueling, gambling, adultery, prostitution, and drunkenness,” Clark argues.<sup>3</sup> Add certain sexual desires, even if consensual and between adults, and the list is complete.

At the end of the nineteenth and beginning of the twentieth century, the desire for moral order in America became even more acute, as the panic of 1893 leveled the economy, as waves of immigrants from non-Anglo countries challenged virtually every social structure, and as capitalism's abuses began to be steadily revealed by muckraking reformers. Clark and other historians have explored the responses by moralists: the drives to prohibit alcohol, to eliminate saloons, and to control certain kinds of entertainment through strict licensing; the launching of campaigns both for and against sexual education; and the creation of tools like the initiative, referendum, and recall processes so that if legislators did not act, majorities could impose their own morality directly rather than balancing it against values held by a minority.

All those factors influenced, even fueled, the rise of a new community in Seattle that coalesced in reaction to the moral response. The pages that follow look at what happened in Seattle when a small and quite diverse band of its citizens became defined as legal and psychological outcasts. These outcasts, like their counterparts throughout America, faced the challenge of recreating a sense of belonging—belonging with each other and belonging within the city's own civic conversation about who constituted citizens worth hearing.

Often, the manner in which they chose to respond seemed a direct counterpoise to what was considered to be morally correct. If moralists considered the

saloons to be evil, then for this emergent minority the saloons would become the first and the most basic of their community institutions. If certain kinds of theater offended the moralists, then the outcasts would make their cult heroes out of the most outrageous and theatrical of the entertainers on the mudflat—the men lipsticked and dressed in drag. If sexually expressive dancing offended the moral enforcers, then a dance of sweat and exhibitionism would be a way of constructing a new bond with one another. If moralists wanted the talk about certain kinds of sex to be carefully hedged, then being suggestive or bluntly graphic could be used to sift members of the new minority from outsiders. If the respectables did not like the People's Theater, then the People's space would become the place where the new outcasts found their first community of belonging. And if the citizens who thought they were moral wanted to use the initiative or the referendum to control homosexual behavior, then there would be recurring electoral contests to determine whether the majority would ever respect the minority.

What is most fascinating is that those who became homosexual outcasts in Seattle at the beginning of the twentieth century did actually succeed. By the end of the century, the group not only had defined a new identity for itself but had established its own public role in the city's conversations about law, health care, business, theater, church, and family. After a one-hundred-year struggle—concentrated especially in the final forty years of the twentieth century—homosexuals, who had been so in conflict with notions of progress at the beginning of the 1900s, by the end were part of the civic and moral landscape.

In the mid-1990s, I sought to learn how that had been done in Seattle. The gradual acceptance of homosexuals has often been told as a national story, but I believe it is the local stories that are more compelling. It is at the local level that neighbor confronts neighbor—or, to use a metaphor, that Denny and Maynard look each other in the eye and then decide what to do with the sudden angle that disturbs both of their visions of public order. I wanted to learn how several generations of Seattle citizens, whose sexual desire was considered a sign of mental illness and whose expression of that desire was criminal at the start of the century, had eventually claimed a public role in the discourse about who matters in a city.

Three elements were important in the research. First, most obviously, were the historical stories about individuals and important events that had played a role in the evolution of the gay community—such as the story of Collins and Layton, the passage of the sodomy law, and, more recently, the arrival of AIDS. Second, less obviously, were the challenges of communication faced by each generation—the ways in which gay men and women, coming from diverse backgrounds, learned to talk among themselves as a group, and the way they spoke publicly to the rest of the city. Finally, there was the journey the group had taken as it wove itself into the city's geography, first looking for refuge and then claiming new space.

Easily visible racial and ethnic minorities often find their identities symbolized by particular pieces of geography. In Seattle, African Americans were quickly

identified with the city's Central District; Scandinavian immigrants with a village to the north called Ballard; Asian Americans with an International District east of the mudflat. In Seattle, the story of homosexuals differs in that theirs has been a "moveable" community that has relocated its symbolic center as its visibility in the city has changed. First, during its least visible stage, it became a part of the city's ongoing and very divided discourse about the Deadline area of Pioneer Square. Then, lesbians in particular claimed a role in the city's intellectual center around the University of Washington. Gay men moved into a previously established mental and physical "healing zone" on the southern edge of the city's Capitol Hill. Finally, with their visibility in the city's discourse assured, gays and lesbians claimed as their symbolic center Capitol Hill itself. There, they encountered an already existing social geography, the symbolic center of the city's Catholic community. In each "zone," the gay and lesbian story has been shaped by the story that was already present in the geography—and, in turn, has helped reshape it.

Examining this movement from exile to belonging thus incorporates history, communication, and the geographic creation of a sense of place. This is true whether it is the story of an individual that is told—the story of a gay or lesbian teenager, for example—or, as here, the story of an entire group of individuals. As the theologian Walter Bruggemann once said when writing of those whose common experience is not race, class, or religion, but living emotionally as outcasts, "the central problem is not emancipation but rootage, not separation from community but location within it, not isolation from others but placement deliberately between the generation of promise and fulfillment."<sup>4</sup>

The book is divided into three parts. Most of its focus—in parts 2 and 3—examines the way in which gays and lesbians first created refuges and then organized to claim a visible civic role in Seattle. Practically speaking, that effort to "come out" began in 1958 when two gay bar owners sued the city to fight police harassment of their customers and won—sort of. The most fervent political period occurred from 1958 until 1978, when gays and lesbians forged a new public identity, fought against the legal and psychiatric designations inherited from earlier in the century, and ultimately won a major political battle to protect their civil rights in the city. The following two decades marked a period of maturation, as gays and lesbians became more visible in other areas of the city's life.

Part 1 of the book serves a different function. It represents a scan of the earlier period of gay invisibility in the city. This is not a detailed review of the history of this period—Northwest researchers still have much work to do to uncover more information about early gay and lesbian history. However, part 1 aims to give a flavor of the imaginations, rhetoric, and stories of prosecution that later generations of gays and lesbians had to overcome. Without such a scan, it would be difficult to understand, for example, why a police payoff system that stemmed from the 1890s became important to gays in the 1950s and 1960s. Or why it was important in the 1970s for homosexuals to secure the repeal of the state's sodomy law from

the turn of the century. Or why gays and lesbians so distrusted the local mental health system that they felt motivated to set up their own counseling structures even when psychiatry stopped viewing homosexuals as “sick.” I also hope that part 1 helps those interested in Seattle’s general history see connections between battles waged in the early twentieth century and those later fought by the gay and lesbian community.

As a writer trained in communication and journalism, I have tried to keep the focus on the narrative as it unfolds through time, rather than on an academic analysis of demographics or of social development theories, which would be an approach more suitable for a historian or social scientist. My hope has been that by offering people’s individual voices through oral histories and public records, and by adding a few reflections for context, I could construct what might be called a “community narrative,” told as much as possible from the perspective of the community itself—the gay and lesbian voices and the public accounts in the news media that were registering a steadily increasing visibility. Embedded in this overall “community story” are individual stories that have been particularly important in the oral history of Seattle’s gay and lesbian community and that this book retells and documents by using archival, published, and interview sources.

By no means does this book cover all of the stories that have shaped or intertwined with a gay and lesbian presence in Seattle, nor does it attempt to address the urban history of other sexual minorities such as bisexuals or transgendered persons. I am especially aware that a great deal more historical research needs to be done to surface the voices of those in the city who were members not only of its homosexual minority, but also of its racial and ethnic minorities. Also, many of Seattle’s underground stories overlap, for example among its alternative music communities, its sexual communities, its political activist communities, and its art communities. There is still a great deal of story-weaving to be done: this book is at best a thread, not a quilt.

The philosopher Martin Heidegger once asked, “What is it to dwell?” What is it to feel a sense of belonging rather than alienation? In his answer, he suggested that it is a process of communication. Each generation leaves symbols and stories, rooted in time and place.<sup>5</sup> Those of us in subsequent generations learn to belong by receiving and reinterpreting those stories, as well as by adding our own. My hope is that this book makes a small contribution to that effort in Seattle, not only for gays and lesbians, but for all of the city’s members.

To return, then, to the story. The existing King County court record of the prosecution of John Collins is rare in that it contains an actual transcript of the testimony. This affords a brief glimpse into the legal issues that were important in such early cases: the motivation of the men involved, whether the act was consensual, and whether there had been any actual sex. More importantly, though, it tells us what happened when two young men sought affection from each other.



## Prologue / II

By the time his preliminary hearing was called, John Collins had languished in jail for almost two weeks. To get any details at all, the prosecutor had decided not to charge Benjamin Layton with participating in sodomy, but rather to use the younger man as a state witness. The prosecutor wanted the court to believe that Layton had been an unwilling victim and that Collins had forced himself on the younger boy. So Layton at first testified that Collins had grabbed him and virtually carried him down Washington Street, and that the sailor had then locked him in the bedroom and demanded that the younger boy “get down and suck me off.” Then, Layton said, “he took me and turned me over on my belly and got on top of me.” But Collins’s defense attorney tore through that testimony. First, Layton admitted that he had voluntarily waited for Collins while the sailor got the hotel key—hardly the action of someone being forced to have sex.

“Did you try to get out [of the hotel room]?” the defense attorney asked.

“No sir,” Layton replied.

“Make any noise?”

“No sir.”

“Make an outcry?”

“No sir.”

Later, the defense attorney questioned Layton about the actual sex between the two men. Referring to Collins’s penis, he asked, “Was it hard?”

“Yes sir.”

“You say his private parts didn’t enter your rectum at all?”

“Well, a little.”

“How much?”

“Well, I didn’t measure it.”

“Did you feel it?”

“Yes, I felt it.”

“You had that thing done to you before, didn’t you?”

“No sir.”

“Were your legs spreaded [*sic*] out?”

“A little bit.”

“About how much?”

“Well, I guess my feet were about a foot and a half apart.”

“Didn’t you wiggle and close your feet up again?”

“Yes, I wiggled around but he was on top of me and I didn’t do much.”

For his part, Collins denied anything at all had happened. He had simply gotten into bed, he said, “and pulled up the blankets when I saw a lady looking over the transom. . . . The boy went out and I turned the light out, took off my pants, and went to bed.”

Reluctant to continue as a state witness against the sailor he had picked up, Layton was jailed after the preliminary hearing and his bail set at three hundred dollars to ensure that he would show up for the trial. Despite the size of the sum,

somehow Layton found the money, posted bail, and promptly skipped town. An entire month passed, with Collins still sitting in jail since he had been unable to post his substantially higher bail of five thousand dollars. Finally, on January 7, 1896, the case ended anticlimactically—but perhaps predictably. The prosecutor reported to the court that the state's key witness, Benjamin Layton, had last been seen in North Bend, a logging town thirty miles east of Seattle. He was on a train headed east.

With no witness, the prosecutor dropped the charge against Collins. Finally, the sailor went free. But for men in Seattle who wanted affection with men, the legal exile had just begun.