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Anthropological interest in those individuals within an American Indian culture who assumed the dress, social status and role of a person of the sex opposite to what had been assigned to them at birth primarily dates back to a study by Frank Cushing, "Birth of the Old Ones" in his famous *Zuñi Creation Myths* (1896: 401-403). These individuals, described in the early ethnographic literature as "berdache" (bardash etc.; updated by Jacobs et al. 1997), were soon after recognized within a number of traditional societies where they are normative members. An example, from among the Lakota, identifies beings known as *winyanktehca* (*winkte*) who were assigned a male gender at birth but who preferred to assume female roles. Williams (1986: 87-109; see also Callender and Kochems 1983) collected the literature on the subject, and extended recognition of examples back into the 1830s with the writings of Alexander Maximilian's travels in America. Since the 1980s, writings on this subject (e.g. Roscoe 1998; Williams 2010) had expanded enormously even before the

gay rights movement became a significant public and political issue in American society.

Mary Douglas's classic study, *Purity and Danger* (1966), provided an extremely useful theoretical framework with which to address these issues of sex and gender. James Thayer (1980) applied Douglas's model to the berdache, forming a focus for much of the later research. By 1990 a convergence of research led a number of scholars and Native American activists to focus on the term "two-spirit" as an acceptable pan-Indian term for "third gender" or other gender variant roles. This neologism tends to be used as a replacement for "berdache," but without clarification regarding its meaning

A Hermaphrodite among the Susquehannock in 1722

In early February of 1722, allegations reached Philadelphia regarding the death of an Indian at the hands of traders along the lower Susquehanna River. The colonial government immediately recognized this act as occurring on Pennsylvania's western frontier where settlements of Susquehannock, Shawnee, Ganawese and Lenape were clustered. Marauding bands from the Five Nations Iroquois often used the Susquehanna River as a conduit to travel to and through Maryland where they sought scalps and prisoners. Other members of the Five Nations also lived in the area, as outliers from their Native communities. Rupp (1844: 176) gives the name of the deceased as Saanteenee (see below for variant spellings) and identifies him as a Seneca who had a hunting camp in the lower Susquehanna drainage.

Despite the problems of conflicts between Natives and colonists along the frontier, even a single death such as this attracted considerable attention. The fine balance among and between tribes and colonies was maintained by paying attention to any conflict, and a possible killing called for immediate action. This news of a Native's death led, in March of 1722, to extensive

hearings on the matter being held at meetings of the Provincial Council of Pennsylvania in Philadelphia.

On 7 March, James Logan and Col. John French, two of Pennsylvania's foremost diplomats and specialists in Indian affairs, set out for Conestoga, the village then occupied by the Susquehannock (Becker 2018b). Their goal was to take official testimonies from members of the various Native groups and from several colonists who then were resident in the general area where the killing took place (Colonial Records of Penna. 1840, III: 165ff; 1852b, III: 145-152). On 21 March 1722, following "Colo. ffrench's Return from Conestogoe …," on his fact finding mission, French reported extensively on his discoveries regarding this case. His journey had begun as a mission to apprehend the alleged perpetrators of the murder, the "Brothers John & Edmund Cartlidge …" who were traders "towards Patowmeck" (Col. Rec. PA 1840, III: 146). When he reached the Susquehanna River, on 14 March, Col. French met with representatives of the four tribes then living along the lower reaches. These elders were later described as "the Chiefs of the *Conestogoes*, the *Delaware Indians*, on *Brandy-Wine*, the *Canawese*, and the *Shawanese Indians*" (Thomson 1759: 15). Present at this council were elders representing these three, or four groups, plus one Cayuga; names as follows:

> Civility, Tannacharoe, Gunnehatorooja, Toweena, and other old men of the Conestogoe Indians. Savannah, Chief of the Shawanese, Winjack, Chief of the Ganawese, Tekaachroon, a Cayoogoe, Oweeyekanoa, Noshtarghkamen, Delawares [Lenape?] [and] Present divers English & Indians.
>
> *Colonial Rec. of Penna. 1840, III: 146.*

Rupp (1844: 177) spells the name of "Oweeyekanoa" as "Oweeyekanowa" and also indicates that Satcheecho had already been sent to the Five Nations as a messenger regarding this affair since it involved the death of a Seneca. The concern of the Provincial Council was that a group of Seneca might come from

New York to avenge this death before the matter could be rectified without further bloodshed.

Colonel French had brought with him to this conference at least two belts of wampum, one of which was to be presented to the family of the deceased, who had been killed about 40 days earlier. That first wampum belt served as a condolence belt, and perhaps also a form of wergild sent by the Provincial Council. At the actual hearing at Conestoga, on 14 March 1722, Secretary Logan, after "laying down of [the] Belt of Wampum on the Board before them" asked for a recounting of the relevant events. Also in attendance at the meeting was "Smith the Ganawese, who excels in the skill of those Languages" and who was serving as translator (Colonial Records of PA 1852b, III: 148-149; Eshleman 1909: 266). According to Colonel French's findings recorded at Conestoga, the death occurred at Manakassy, a branch of the Potomac River The victim was named Sawantaeny and he was identified as a member of the "Tsanondowaroonas or Sinnekaes" tribe. French described him first as a warrior, then as "a civil Man of very few words." Sawantaeny had a hunting camp along the Potomac where he operated along with a Shawnee woman named Weynepreeueyta keeping his cabin.

It was to this hunting camp that John Cartlidge, his Ganawese guide named Aiyaquachan, and others had come to trade with Sawantaeny for the skins that he had amassed, presumably over the winter hunting season. Aiyaquachan must have been very familiar with this area as the Ganawese people had originally been identified as the Piscataway of Maryland and had lived in this part of the upper Potomac before relocating into Pennsylvania about 1700, after which they were identified as "Ganawese" and then Conoy. Colonel French gathered all these people to hold an official inquest into this death. Included were Aiyaquachan together with:

> ...two Indian Shawana Lads [who] came thither about the same time, whose Names are Acquittanachke and Metheegueyta; also, his Squaw, a Shawanese Woman named Weynepreeueyta, Cousin to Savannah, Chief of that Nation, who are all here present.
>
> Then Winjack and Savannah, Chiefs of the Ganawese & Shanawese [respectively], were required to Charge those

> four witnesses of the ffact, of their respective Nations to speak the Truth impartially, without malice or hatred [etc.]
>
> *Colonial Records of PA 1840, III: 148; 1852b, III: 150*

Since the term "Seneca" often was used collectively for some or all of the Five Nations it was important to identify the specific tribal identification of the deceased. "Sawantaeny of the Tsanondowaroonas or Sinnekaes" can be confirmed as a true Seneca through later discussion of the Colonial government sending wergild to the deceased's family. The three Shawnee witnesses in this case were asked to withdraw so that Cartlidge's guide "Ayaquachan, the Ganawese, aged according to appearance, about thirty years, was called upon to give an account of what he knew." Acting as guide for the traders, he had arrived in the evening at the deceased Indian's cabin together with the Cartlidge brothers and their servants, "William Wilkins and one Jonathan." The deponent and their Seneca host Sawantaeny "were drunk that Night." The fateful encounter the next day is described in some detail, but many aspects were recognized by Colonel French as missing as "this Deponent was in Liquor at that time and knows no more."

Then "Aquannachke, the Shawana, aged in appearance about twenty two years" testified that he had also arrived on the scene along "with John Cartlidge and his Company." His testimony largely duplicated that of Ayaquachan, but provided several specific details of the fateful encounter. The day following that night of drinking, the Seneca named Sawantaeny had been "pressing for more Liquor" when John Cartlidge "threw him down cross a tree." Sawantaeny got up and went toward his cabin, followed by William Wilkins who:

> met him coming out of the Cabin with his Gun, That Wilkins laid hold of him & the Gun and they both struggled, but not much; That Edmund Cartlidge coming up forced the Gun from the Indian, struck him three blows on the Head with it, with which it broke. He struck him also on the Collar Bone [and after further abusing the bleeding Sawantaeny] ... John Cartlidge and his Company went to the Fire, made up his Goods and came away; That the Sinneka in the mean time went into his Cabin where these Shawanese Lads left him, and followed John

> Cartidge to trade with him; That this happened about nine in the morning, and John Cartlidge himself says, he left the place at ten by his watch.
>
> Metheequeyta, the other Shawana Lad, aged about seventeen or eighteen years, confirms what the other Yong Man his Companion said, nothing further. ... The Indians could not be prevailed with [to speak further] alledging it was to no purpose to repeat what others had already declared, and it was by many leading Questions that Acquannachke was induced to mention any part of what the Ganawese had said before.
>
> Weenepeeweytah, the Squaw, was then examined and said, That she was in the Cabin when her husband came in for the Gun, that She shrieked out...
>
> *Colonial Records of PA1840*, III: 149

Weenepeeweytah's further testimony provides confirmation of what the others had reported while adding information regarding what followed after John Cartlidge had come back from stripping off his own, apparently bloodied clothes. He came back and found Sawantaeny:

> ... sitting, and he gave him one Kick on the side with his foot, and struck him with his ffist; That the man never spake after he received the Blows, save that after he got into the Cabin he said his Friends had killed him ... That he died the next Day, about the same time he was wounded the Day before; That she was a lone with the Corps, and went to seek some help to Bury him; That in the mean time an Indian Woman, wife of Passalty of Conestogoe, with the Hermaphrodite of the same place [Conestoga] coming thither by accident, and finding the Man dead buried him in the Cabin and were gone from thence before She returned, but She met them in the way and understood by them that they had laid him in the Ground.
>
> Passalty's Wife and the Hermaphrodite being called, declare that Kannannowach, a Cayoogoe Indian, was the first who found the Man dead, and that he hired them to go bury him lest the Beasts or Fowls should eat him; That it was about seven Days after his Death that they went thither, for the Body then Stunk; ...

Colonial Records of PA 1840, III: 149-150

Passalty's Wife and the Hermaphrodite then described the wounds and bruises that they claimed to have seen on the deceased. The bruising pattern would have been visible a week after death, particularly since the corpse was relatively well preserved in the February cold. Following the testimonies recorded, Colonel French reported that the commission "had not reason to be fully satisfied with the management of the three Shawana Indians, viz: the two Lads and the Squaw, especially the two first, for they seem all to have agreed on their story before hand" (*Colonial Records of PA 1840*, III: 150). French suspected that the lads had related details that they heard from the woman. Of interest here is the record of "the Hermaphrodite being called" to testify during these proceedings (*Colonial Records of PA* 1852b, III: 152). At present no other record is known of this unusual individual, who in 1722 was identified as coming from or living at Conestoga along the lower Susquehanna (Becker 2018b). While we may infer that "the Hermaphrodite" was a Susquehannock, this conclusion is only indicated by the cited place of residence.

At the end of that long day of testimony, Colonel French made preliminary arrangements to send to the Seneca one of the belts of wampum that he had brought to condole the death of Sawantaeny. "The Belt of Wampum was then taken up and shewed to the Indians, and they were told that it was sent from the Governour by us, to be forwarded with a message to the Sinneka Indians upon this unhappy accident" (*Colonial Records of PA 1840*, III: 150). As would be expected, the testimony regarding this death had attracted the attention of various elders and others throughout the region, impelling them to come to these hearings. The many elders were asked by Colonel French "to think by the [next] morning of a proper person to carry" the belt to the Seneca. To end the day's activities, and provide recompense for the assembled participants at this March legal proceeding, Colonel French then ordered two gallons of rum made into a punch with the above for those assembled. They also were fed with "a Hundred Weight of Meat and Bread" brought from the store of John Cartlidge, the accused, to be distributed among the large company assembled. Note was also made that

provisions were exceedingly scarce among them, a normal situation at this season the year when winter stores were running out.

> The next day, viz., the 15th of March, We met the same Chiefs without other Company to consult about sending the message before mentioned, and Colonel French, by the same Interpreters, spoke to them … [explaining that his delegation had come in haste to Conestoga and did not have time to bring presents, but had found goods at Conestoga] … very scarce. We have however procured two Strowd Coats to be sent to our Bretheren, the Sinnekaes, to cover our dead Friend, and the Belt of Wampum (which was again taken up) is to wipe away Tears.
>
> *Colonial Records of PA 1840*, III: 150

Discussion

Hermaphrodites have been discussed in texts since Classical Greek and Roman times, where they had accepted roles (cf. Williams 1986). The Byzantine scholar Photius offers a lengthy commentary on the subject, in several passages, now being reconsidered in a translation by Laura Pfuntner (pers. Com. 16 Oct. 2017). The recorder of the 1722 account cited here, like Photius, does not provide any description of what is meant by the term. Whether these individuals are gender indistinct, as by manifesting indeterminate genitalia, or if they manifest behaviors that are not culturally congruent with their biological "sex," remains speculative. Modern cases in which external genitalia are ambiguous (see Kessler 1990) are quite different from situations where external biology appears "normal" but preferred gender-related behavior is distinct from a socially assigned role.

Exactly what is meant in Pennsylvania's Colonial Records by the use of the term "hermaphrodite" remains unknown. Whatever social or biological characteristics this person manifested were sufficient to provide a reference to this specific individual on the

Pennsylvania frontier; an individual who was functioning in an accepted, normal role within the community. Of particular interest in this narrative within which an individual identified as "the Hermaphrodite" is in no way indicated in this record to be strange, exceptional, or meriting special comment. "Passalty's Wife and the Hermaphrodite" went about their business and when asked, testified at a legal hearing. They apparently did the activities related to the preparation of a body, of a person not of their family, for burial. Whether the preparation of a corpse was a gendered activity among any of the several tribes in this area is not known (see Becker 2018b). There is no indication that these two people hired for the task were a couple or partners, and Passalty's wife is identified not by name, but by her marital status. Were these two hired to tend to a decaying body for any reason other than that they were available? Some might be tempted to ascribe characteristics of pollution to "the Hermaphrodite" as a person hired to conduct burial procedures for a corpse from another culture; one whose kin lived far away. However, Passalty's wife in no way appears unusual. Her availability and willingness to undertake this employment may be her only connection with the deceased. NOTE 1

The colonial people recording this event, involving the killing of a Native and his formal burial, clearly knew of this unnamed person identified as "the Hermaphrodite." As with many of the Indians of that period who appear in the legal records, "the Hermaphrodite" was known and identified only by characteristics or nick-names, distinct from personal names used for them by their own people. The Pennsylvania provincial government, following the path of friendship and equality established by William Penn, was extremely careful to use personal names in recording their dealings with their Native neighbors. The Pennsylvania documents are unlike the records from Maryland and even New York, where personal names are infrequently recorded in the documents recording interactions.

That no special reference or comments were made about "the Hermaphrodite" in the official records of Pennsylvania, an individual known from no other document, suggests that the colonial leaders did not see gender preference as an issue distinct from any other personal characteristic.

Prior to 1627, nearly a century earlier, "Thomas or Thomasine Hall, a hermaphrodite, came to Virginia" and entered the records not for sexual orientation, but because of involvement in theft (McCartney 2007: 280, also 354, 356). This case is both well documented and well known (Vaughan 1978, also see Norton 1997). Hall had been born in England and "christened with the name Thomasine." He had dressed as a female until age 12, dressed as a man, saw military service and then resumed the dress of a female. At the Court at James City in Virginia, in January of 1627, Thomas Hall was named as a receiver of stolen goods, given to him by William Mills. "*Thos Hall* aged about 26 years borne at *Wisbige* in *Cambridgeshire* ..." was one of three named accessories to various listed stolen goods (McIlwaine 1924: 159- 164). Punishment, if any, for the thefts have not been identified.

McCartney (pers comm. Oct 2018) notes that McIlwaine produced an expurgated version of these accounts for the published version. In April of 1629, after various more or less detailed examinations, and with different conclusions being reached, a description was offered. The examiner found "a peece of fleshe growing at the belly as bigg as the top of his little finger [an] inch longe" and determined to be non-functional. The General Court ordered "that hee shall goe Clothed in mans apparel, only his head to be attired in a Coyfe and Croscloth wth an Apron before him ..." (McIlwaine 1924: 194-195). McCartney interprets the microfilm record of the original as:

> It should be proclaimed throughout the community in which Thomas Hall lived that he was both male and

> female. As an outward sign of his medical condition, he was ordered to wear men's clothing but also to wear a woman's cap, cross-cloth, and apron.
>
> McCartney 2007: 280

Hall worked thereafter as a servant to John Atkins. The "Estate of Thomas Hall, deceased" was settled on 5 June, possibly in 1632 (McIlwaine 1924: 202). The term hermaphrodite was thus understood in the Virginia colony to apply to what I infer to be a biological condition, not simply a matter of gender preference. The same situation may have applied in Pennsylvania in the early 1700s.

Although the ethnographic literature includes abundant references to situations regarding non-binary gender that may be relatively infrequent, the incidence then, as now, remains uncertain. Relatively recently archaeologists have sought to evaluate mortuary data in ways that might provide clues to the lives of Native American individuals of genders that are not binary. Sandra Hollimon, following the work of L. B. King (1969, 1972) has produced a long series of papers on the subject (1996, 1997, 2006, 2017), emphasizing various aspects of these data sets that she believes support the presence of a two-spirit individual among the Chumash. She also suggests that the preparation and interment of the bodies of individuals of another culture, or whose families were located at a distance, might be "an occupation staffed by third-gender males and postmenopausal women" (Hollimon 2006:442). Hollimon's (2001) efforts to link shamanism, broadly defined, with gender, fails to link these roles with mortuary activities. Her data base, beginning with the Chumash, remains remarkably static and with only indirect reference to J. R. Harrington's work, or to a recent review by Haley and Wilcoxon (1999) that specifically discusses the Chumash Land of the Dead and cultural processes related thereto. NOTE 2

At classical sites in Italy and elsewhere, large cemeteries often provide archaeological evidence for gender in the form of grave goods. At some of these sites, individual graves have been identified in which objects commonly found only with males are found together with objects commonly found only with females (see Toms 1998; cf. Becker 2000, 2005). No study of the skeletons associated with these graves with ambiguous funerary goods has ever been conducted. Recently, funerary objects from three North American Native burial grounds of the seventeenth century have been reviewed in which grave goods appear to be gender specific (Willison 2018). Two of the individuals were buried with assemblages that reflect both male and female interments. Further studies with each of these many cases are warranted. These issues regarding human gender are ideally suited to multidisciplinary studies, bringing together documentary review, archaeological evidence, and skeletal analysis.

Conclusions

The single known reference in Pennsylvania's Colonial Records to a Native person identified in 1722 only as "the Hermaphrodite" provides a glimpse of the neutral attitude held by the colonists regarding this individual. The person referred to appears to be one of the Conestoga (Susquehannock) Indians living along the frontier then demarcated by the lower Susquehanna River. The extensive data from Susquehannock mortuary contexts that predate this record (B. Kent 1984) may provide an opportunity to search for other individuals who may not have been identified in common binary categories of gender.

Notes

1. According to Callender and Kochems's listing of 113 Native American cultures recognizing "Berdache Status" (1983: 445), there is but one culture area in which a "berdache" embodied

both supernatural powers and was charged with specific "occupations" related to burial and mourning (447-448). They identify only those California groups reported by A. L. Kroeber (1925: 497, 500-501) as specifically hiring a berdache for these tasks. Hollimon's (1997, 2000: 183) association of berdache with mourning rituals, specifically applied to her California data, appears to have its intellectual origins with Kroeber's reporting. I have been unable to find an association between berdache and mortuary rituals reported in any of the literature beyond California.

2. Attention should be directed to the most minimal evidence that becomes taken for fact as scholars cite, but do not consult, earlier sources. Callender and Kochems (1983: 446) indicate that berdache status may have existed among the several cultures glossed as "Delaware," probably based on Goddard's (1978: 231) gratuitous suggestion: "There are indications of the presence of berdaches, but no information on their social role." Goddard offers no references and he could not distinguish among those several cultures he refers to as Delaware. Thus his non-data provide no better indication for the presence of a berdache than found among the early "observers." Bacqueville (1722: 41) mentions what may be homosexual behavior, stating only that it is "trés-rarement parmi les Iroquois." Lafitau follows a discussion of the Amazons with reference to men who dress and live as women, as "chez les Ilinois, chez les Sioux, à la Loüisiane, à la Floride & dans le Jucatan" (1724: 52), none even near the Northeast. Loskiel's mention of what may be homosexual behavior in the Northeast covers the more than seven different tribes composing the "Delawares and Iroquois" to whom he refers; stating only that "in secret, they are nevertheless guilty of fornication, and even of unnatural crimes" (1794: 14). Similarly, allegations that Charlevoix (1744: 4-5) refers to Iroquoian berdache is dismissed by Callender and Kochems as referent only to homosexuality. Kate (1976: 281-

334) offers an overview of data on homosexuality among the American Indians.

Recently, several of my Iroquoian informants directed me to read Erminnie Smith's piece on customs and language of the Iroquois, suggesting that Smith had learned of a third gender among the Native peoples with whom she lived. In fact, Smith (1890:63) refers to page 399 in an edition of Lewis Henry Morgan's *League of the Iroquois* where she found a "statement of the existence of three genders" and lists page 399 as her source. Smith appears to be referring to Morgan's (1922: 66) grammatical note that about 1850, in the languages of the "Iroquois nouns have three genders…" (male, female, neuter). Morgan offers no reference to two-spirit, berdache or other gender unusual individuals. Readers unfamiliar with grammatical rules appear to have inferred a sexual aspect to this simple statement regarding Iroquoian languages.

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