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**Taverns and Tavern-goers in Upper Canada,
the 1790s to the 1850s**

**A Thesis submitted in conformity with the requirements for the
Degree of Doctor of Philosophy in the University of Toronto**

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Taverns and Tavern-Goers in Upper Canada, the 1790s to the 1850s

Ph.D. dissertation, 1999

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Abstract

The thesis presents the taverns of Upper Canada as orderly places of public resort that satisfied a variety of practical and social needs. It defines a tavern as a house that was open to the public, provided lodging and other services to travellers, and was licensed to sell liquor, wine, and beer by small measure. The first chapter introduces those places that were 'the tavern' in Upper Canada. It describes tavern clientele, hours of operation, the physical organization of public houses, and three broad grades of public houses. It measures persistence rates amongst tavernkeepers and discusses women's work in the tavern. The second chapter traces the responses of the taverns and tavernkeepers to economic and institutional development in the colony. It shows the links between the taverns and the transportation network, the taverns' extension of the economic sphere, their facilitation of free political exchange, and their use as community resource centres. A two chapter section then looks at tavern culture. While no challenge is offered to the central narrative line of temperance historiography - that the movement wrought a cultural reorientation in people's approach to liquor - the thesis does seek to correct certain misapprehensions about the taverns that flow from it. Chapter 3 describes the symbolic value of drink in tavern sociability and the ways in which people managed it as a substance. It stresses that the taverns were characterized, on the whole, by controlled

drinking, discusses popular approaches to drunkenness and the methods employed by keep and company alike to maintain good order. Chapter 4 considers taverning beyond the culture of drink and looks at contemporary tavern pastimes amongst plebeian and bourgeois patrons with the intent of depicting the taverns as peaceful, civil places. The final two chapters ask: 'how public was the public house really?' Chapter 5 discusses colonial racialism and its effects upon Native and Black access to the public houses. Chapter 6 considers the importance of gender as an aspect of public sociability and attempts to understand women's taverning within the context of the acknowledged 'maleness' of tavern culture.

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brought the Benchbooks of the Upper Canadian judges to my attention. Jack Schecter, Librarian and Archivist at Upper Canada Village provided me with copies their research files on taverns and with a copy of Thomas Robinson's account book. Joanne Spoelstra of the Chatham-Kent Museum informed me of the existence of the Matthew Dolsen Journal. And at the Lambton County Archives I was permitted to make copies of the Henry John Jones Diary - a huge boon which saved extensive travel. I extend thankyou to each.

Introduction

[T]ake nine tailors, a few barbers, half a dozen strolling players, three or four quack doctors, some few waiters at taverns, hackney coachmen, shoe makers, and lawyers' clerks [...] Now place them in a large room in an inn [....] with benches to lie on and chairs to sit or throw themselves back against the wall, or pace up and down, in and out of the room as they think proper. Partition off one corner of the room, the bottom with boards, the top with latticed wooden bars, like pallisadoes, with three or four in the middle to slide up and admit two or three hands or more at a time [....] In this partition which we will call a bar, place one of the quack doctors and after he has locked himself in, let him give out drams of whiskey, "Jamaica spirits" (best rum), "bitters" (any kind of liquor taken in the morning ostensibly for procuring an appetite), "sling", "blackstrap" & c, from a tier of yellow painted kegs, standing behind him with gin, whiskey, & c in large letters on them, to the others as they pace up and down the room. By the time they have all taken a "drink" or two apiece and swallowed a mouthful of water after it you will have "guessing and calculating enough [....] Some of them will smoke cigars and others chew tobacco therefore be careful and keep a good 'look out' [...] But hark, the horns blow and the bells ring to call the [whole] of them [home] 'right away straight,' to a dinner of 'fat pork and molasses,' then 'johnny cake and pumpkin pie.' After you have awakened 'them [th]'are two men asleep on the benches' (who were 'high' when they came in and full of 'develtry' having been on a drinking 'scale' of late) and cleared out the room, I will drop the curtain and leave you to ruminate on a scene in an American tavern.¹

Through poetic license, Joseph Pickering, the author of the passage and a British traveller, places his readers in the midst of the company in an Upper Canadian barroom in St. Catharines about 1831, and in the midst of the subjects of this thesis: "Taverns and Tavern-goers in Upper Canada, the 1790s to the 1850s." He fills his barroom with professional and

¹ Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer From the Year 1824 to 1830: During Which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* 2nd ed. (London: Effingham Wilson, 1831), 92-93. The words in square brackets replace Pickering's confusing attempts to replicate a North American accent with creative spelling.

artisanal men and emphasizes the integral place of spirituous liquor to their sociability in the public rooms. He acknowledges the heavy drinking spree of the two sleeping men. But together with this familiar association of the tavern with men, male sociability, and their alcohol and tobacco use, Pickering puts another set of observations. The men there drink in a controlled way, taking their liquor, a glass or two, with water. They engage in casual conversation. There is no violence. What drunkenness there is, is peacefully managed. And, all of them respond promptly to the summonses of those ringing bells and blowing horns to call them to their dinners. Overall, Pickering presents the tavern barroom as an orderly place and one that tavern-goers incorporated successfully with a domestic life over pork and pies at “home.”

The hundreds of other tavern-goers and the tavernkeepers who people the pages of this thesis agreed with him and it is their understanding of the taverns which provides much of its direction. The definition of the tavern is their's, coming from popular usage and licensing regulations. A tavern in Upper Canada was defined by three things: it was a house open to the public; it was simultaneously an inn providing meals, lodging, hostling² and stabling to travellers; and it was licensed to sell spirituous liquor, wine and beer by small measure. People distinguished between the taverns and three other public drinking options: beerhouses, licensed to sell fermented but not spirituous liquor; shops licensed to sell liquor by large measures of a quart or more, which sometimes purveyed it illegally by the glass; unlicensed, illegal drinking houses which were acknowledged in some neighbourhoods as places for

² An hostler, or ostler, was a person, in all found references a man, who took a traveler's horse upon arrival at a tavern, groomed, fed and watered, stabled or penned it. His services were referred to as hostling or ostling.

tavern-like gatherings. While some people patronised the unlicensed houses, they nevertheless distinguished between these and the taverns. Darius Doty, for instance, who lived, in 1830, in the Long Woods along the Thames River between London and Chatham, said that on "26 last January on [the] afternoon of that day was at Mr. Carroll's who keeps liquor - not a tavern."³ It is the taverns - the licensed public houses that combined legal liquor sales by the glass with innning services - that the thesis presents, specifically, as predictably orderly, well-regulated, and reputable places of public resort, as places with an integrated and harmonious relationship with the rest of colonial life - not antithetical to families, or work, or responsible social behaviour. It also suggests that the taverns and their history can be used as a key to society and culture in the colony in the pre-industrial period. Interpreting social relations in the taverns, amongst women and men, for instance, or amongst Natives, whites and Blacks, or amongst rank, and by the 1830s and 1840s, class groupings, helps to unlock patterns of social relations outside the taverns. The thesis, as the title indicates, is as much about tavern-goers as it is about the taverns.

Historians working within quite disparate areas have long recognised the presence of the taverns in Upper Canada. Indeed, spaced every six to eight miles along country roads, claiming prominent corners in the centres of the towns, close to the courthouses and the important churches, and found amongst the shops and offices of the smaller streets, the

³ Archives of Ontario. Record Group 22, Series 390, Box 20, File 3, J.B. Robinson Benchbook, Western/London Districts, 1830. *Rex v John Ward*. All subsequent references to the benchbooks are made in abbreviated format as, for example: AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex v John Ward*.

Beerhouses offered no lodging. Houses of public entertainment were licensed to provide and charge for innning but not for liquor sales.

taverns, known by the words above their doors, "licensed to sell wine and other spirituous liquors," were a familiar feature in the Upper Canadian landscape.⁴ They have been hard for historians to miss. J.J. Talman and M.A. Garland wrote in 1931 about the abundance of taverns in the colony and the ready flow of liquor within them amongst sociable groups, and their analysis, that the taverns contributed to the "prevailing drunkenness" of the "pioneers," set the tone for subsequent writing on the subject. Usually, we are presented with a few rather alarming details about the taverns within general histories and works on the history of "drink" and temperance. Gerald Craig's standard history of Upper Canada observes that the taverns were places where lumbermen made "intense efforts to spend the season's wages as quickly as possible." Maurice Careless' equally standard volume on the Canadas after 1841 contributes "brawling" and "the 'treating' evil" as customary tavern pastimes. Janet Noel's history of temperance activism offers a casual conflation of "tavern culture" with "habitual drunkenness." Cheryl Krasnick Warsh provides a summary of "striking statistics," including the fact that Toronto, in 1851, had more taverns than streets. Bryan Palmer adds that in them men sought "escape from the confinement of the family."⁵ The many taverns thus appear in close

⁴ [W.C. Keele], *A Brief View of the Township Laws up to the Present Time with a Treatise on [...] The Law Relative to [...] Innkeepers &c.* (Toronto: W.J. Coates, 1835), 51

⁵ M.A. Garland and J.J. Talman, "Pioneer Drinking Habits and the Rise of Temperance Agitation in Upper Canada Prior to 1840," *Ontario Historical Society Papers and Records*, 27 (1931): 341-362; Gerald M. Craig, *Upper Canada: The Formative Years 1784-1841*, *The Canadian Centenary Series*, 7 (Toronto: McClelland and Stewart, 1991), 147; J.M.S. Careless, *The Union of the Canadas: The Growth of Canadian Institutions, 1841-1857*, *The Canadian Centenary Series*, 10 (Toronto: McClelland and Stewart, 1967), 43, 29; Janet Noel, *Canada Dry: Temperance Crusades Before Confederation* (Toronto: University of Toronto Press, 1995), 6; Cheryl Krasnick Warsh, "John Barleycorn Must Die': An Introduction to the Social History of Alcohol," *Drink in Canada: Historical Essays*, ed. Cheryl Krasnick Warsh (Montreal: McGill-Queen's University Press, 1993), 12; Warsh, "Oh Lord, pour a cordial on her wounded heart': The Drinking Woman in Victorian and Edwardian Canada," in *Drink in Canada*, ed. Warsh, 70; Bryan Palmer, *Working Class Experience: Rethinking the History of Canadian Labour 1800-1991*, 2nd ed. (Toronto: McClelland and Stewart, 1992), 102

association with men, drunkenness and violence. They appear as multiple sites of disorder. The thesis demonstrates that this composite view is seriously misleading, including its assumption that public drinking was exclusively male. But there is also a second and more sympathetic representation of the taverns in Canadian history which competes only ineffectively with the dominant image of disorder. Warsh's work, for instance, also contains a sensitivity, gained predominantly from her reading of European and American historians, to the multiple social uses of the taverns and the cultural value of drink. And in the context of analyses which centre elsewhere, several historians of Canada, Judith Fingard, Allan Greer, Bryan Palmer again, and Jane Errington, offer brief discussions of the taverns as places of public sociability, as communication hubs, or as places of work, treating them in the process as legitimate social sites.⁶ This thesis unites the two competing historical interpretations of the taverns into one coherent whole, not ignoring the place of drink and violence within the public houses, but stressing that eruptions of disorder must be understood within a context of predominantly peaceful sociability and public interaction. Finally, because none of the historians discussed here actually present a history of the taverns, but simply follow their intemperate sods, or their sailors, workers or peasants into the public houses on occasion, in a very clear way this thesis fills a void in Canadian history. Peter de Lottinville's "Joe Beef of

⁶ Warsh "'John Barleycorn Must Die': An Introduction to the Social History of Alcohol," in *Drink in Canada*, ed. Warsh, 5; Judith Fingard, *Jack in Port: Sailortowns of Eastern Canada*, *Social History of Canada*, 36 (Toronto: University of Toronto Press, 1982), 139; Fingard, *The Dark Side of Life in Victorian Halifax* (Porter Lake, NS: Pottersfield Press, 1991), 26-27, 64-65, 87, 108; Allan Greer, *The Patriots and the People: The Rebellion of 1837 in Rural Lower Canada*, *Social History of Canada*, 49 (Toronto: University of Toronto Press, 1993), 56; Palmer, *Working Class Experience*, 102-106; Elizabeth Jane Errington, *Wives and Mothers, Schoolmistresses and Scullery Maids: Working Women in Upper Canada, 1790-1840* (Montreal: McGill-Queen's University Press, 1995), 192-197.

Montreal, Working Class Culture and the Tavern, 1869-1889," is the only scholarly work in Canada which focuses upon the tavern itself, analysing its social significance as a place of practical and moral support in one poor, working-class neighbourhood.⁷

In contrast European and American historians have studied the public drinking houses in a focussed manner and whether writing of taverns, saloons, alehouses or wineshops in various places and time periods, their analyses locate the public houses within wide historical processes. David Conroy argues that the public houses in the Thirteen Colonies explain how Revolutionary ideology was diffused, linking them to the history of communication in a pre-industrial setting. Roy Rosenzweig and Michael Kaplan each discuss taverning as a central part of the developing culture and identity of the (male) working class in industrializing American cities. Perry Duis studies saloons in Chicago and Boston in the late nineteenth and early twentieth centuries within the history of immigration and ethnicity, as an aspect of business history, and in terms of comparative urban development. Peter Clark traces the English alehouse from 1200-1830 as it responded to fundamental changes in British society, became respectable, and developed into the modern pub. Thomas Brennan looks at the urban wineshops of pre-Revolutionary Paris as sites which reveal the mutuality and the tensions running through popular culture, and hint at the common peoples' relationship with state authority. Scott Haine analyses patterns of sociability among the French working class in eighteenth and nineteenth-century Parisian cafés arguing that a "culture of contestation" survived within the cafés which in turn "made possible the growth of a proletarian public

⁷ Peter de Lottinville, "Joe Beef of Montreal: Working Class Culture and the Tavern, 1869-1889," *Labour/Le Travail* 8/9 (Autumn/Spring 1981/2): 9-40

sphere."⁸ Each, from very different perspectives, traces the links between the public houses and the society and culture of a specific time and place.

This thesis aims to do the same for Upper Canada and its taverns, locating them specifically within a colonial and pre-industrial society engaged in the process of settlement. Bounded by the Ottawa River in the east, Lakes Ontario and Erie in the south, and Lake Huron in the west, the colony had borders with the United States and French Canada. Its population was American, both loyalist and later comers, Irish, English and Scot emigrants of gentle and popular ranking, displaced First Nations peoples, and free and refugee Blacks, particularly in the western region. There were also small German and French-Canadian population groups. Increasingly the largest population group was the native-born children of emigrant and settled families. It was a farming economy but also included artisanal production, commerce, government service and professional sectors. Cities emerged during the period: Toronto had a population of over 5,000 by 1834, Kingston and Hamilton by about 1840, and Ottawa and London by the end of that decade. The population of the colony grew from about 10,000 in 1791, to about 34,000 in 1801, passed the quarter million mark in the

⁸ David Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1995); Roy Rosenzweig, *Eight Hours For What We Will: Workers and Leisure in an Industrial City 1870-1970, Interdisciplinary Perspectives on Modern History* (Cambridge: Cambridge University Press, 1983); Michael Kaplan, "New York City Tavern Violence and the Creation of a Working-Class Male Identity," *Journal of the Early Republic*, 15 (Winter 1995): 591-617; Perry Duis, *The Saloon: Public Drinking in Chicago and Boston 1880-1920* (Urbana Ill.: University of Illinois Press, 1983); Peter Clark, *The English Alehouse: A Social History 1200-1830* (London: Longman, 1983); Thomas Brennan, *Public Drinking and Popular Culture in Eighteenth Century Paris* (Princeton N.J.: Princeton University Press, 1988); W. Scott Haine, *The World of the Paris Café: Sociability Among the French Working-Class, 1789-1914*, *Johns Hopkins University Studies in Historical and Political Science*, 114th ser., no.2 (Baltimore: Johns Hopkins University Press, 1996), 236-237

early 1830s, and approached one million at the time of the decennial census in 1851-1852. The number of taverns grew apace, from 108 in 1801, to about 1000 in the early 1830s, to just over 2500 in 1851, meaning that they maintained a fairly consistent per capita relationship with the people. There were also, and increasingly, newspapers, churches, schools, postal and transportation services, libraries and bookshops, charitable and voluntary associations, and in general, signs of a progressively settled society with which taverning, the numbers indicate, went hand in hand.⁹

In order to situate the taverns themselves in this changing context the thesis offers many descriptive passages which dwell upon architectural arrangements, furnishings and table settings, beds, heat, food and drink. The intention, at one level, is to recreate the sounds and smells and general ambience of the taverns, but at another it is to make their integration into settled life apparent and visible through the decent and sometimes superior material standards which tavernkeepers maintained. Good liquor and a barroom were important, but so too were parlours and dining rooms, tea cups, light for reading, and wash basins. Comparisons to the public houses described by David Conroy in eighteenth century America, to Peter Clark's English alehouse and to the public drinking houses of continental Europe are suggested. Conroy's work describes public houses which were very similar in appearance and function to those established by the loyalists and late loyalists in Upper Canada. Similarly, as English alehouses, from the late eighteenth century, grew in size, sophistication and range of services

⁹ For a general history of Upper Canada see Craig, *The Formative Years*; population statistics from Frederick H. Armstrong, *Handbook of Upper Canadian Chronology*, 2nd ed., Dundurn Canadian Historical Document Series, 3 (Toronto: Dundurn Press, 1985), Table III, 275; for tavern statistics see my table in chapter 2 and appended notes

to compete with the declining British inn, their development in many ways paralleled that of the Upper Canadian tavern in the nineteenth century. The taverns' provision of practical public services is also analysed. The thesis traces their changing role in transportation, their gradually diminishing use as sites for diverse economic exchanges and their continued use as formal meeting grounds for courts and local government, voluntary associations and communities. Colonial people used the taverns as places to access valuable services and understood them as places which were conducive to the transaction of important public business and the political processes of a democratic country. The intent in introducing these themes is to demonstrate the long-lived legitimacy of the taverns as public institutions and to suggest that the taverns' public legitimacy is one explanation for their resilience during the years in which the temperance movement redefined the meaning of drink in the colony.

The rest of the thesis is about tavern-goers, about the ways in which they conducted themselves in the public houses, about their relations with each other, and about their relations with the society beyond the tavern door. An interest in the social relations of the people of Upper Canada provided the initial motivation to choose the taverns as a thesis topic. Perhaps oddly, given the number of references to men and to male sociability thus far, the topic emerged from a background in women's history and a desire to implement its call to integrate women within mainstream history writing. We already knew from the various perspectives of Marjorie Cohen, Janice Potter MacKinnon, and Katherine M.J. McKenna that gender affected women's 'private' lives in the colony but not much about how this translated into experiences of public life, a space where men have traditionally been located in historical writing. Although

the distinction now strikes me as somewhat simplistic given the complex connections between the public and the private traced in Cecilia Morgan's *Public Men and Virtuous Women*, it nevertheless led to the public houses as a site, similar to the streets, where men and women of different ranks or classes could be found together and as a site, therefore, which integrated women's and men's experience within its history. Women's patterns of tavern use, perhaps differentiated by rank or class, suggested one entry point into a more general understanding of women's relations with public places, defined quite simply as those open and available to, and shared by all members of the community.¹⁰

The thesis examines women's relationship to the public houses and the importance of feminine gender to tavern experience. It explores the link between women tavern-goers and prostitution but presents evidence suggesting, on the contrary, that most of the women in Upper Canadian taverns were respectable in a sexual sense and assumed to be so by other tavern patrons. Women's taverning and their desire for public sociability is analysed within the context of a set of popular regulations which controlled their access to and use of the taverns and tavern space. The question of a chronology of women's tavern use is discussed in relation to the emergence in the colony in the 1830s and '40s of a middle class ideology which theoretically restricted women from public life. In addition women have been integrated into the general history of the taverns whenever present, for example, as tavernkeepers when

¹⁰ Marjorie Griffen Cohen, *Women's Work: Markets and Economic Development in Nineteenth-Century Ontario, The State and Economic Life*, 11 (Toronto: University of Toronto Press, 1988); Janice Potter-MacKinnon, *While the Women Only Wept: Loyalist Refugee Women in Eastern Ontario* (Montreal: McGill-Queen's University Press, 1993); Katherine M.J. McKenna, *A Life of Propriety: Anne Murray Powell and Her Family 1775-1849* (Montreal: McGill-Queen's University Press, 1994); Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791-1850, Studies in Gender and History* (Toronto: University of Toronto Press, 1996)

discussing the trade, as travellers when discussing the taverns and transport, as buyers when discussing economic exchange, as singers when discussing popular amusements.

Other tavern-goers pushed the thesis into its consideration of race and race relations. I had not anticipated that a history of the public houses would allow questioning about race relations in colonial society, specifically about the interaction of Black settlers and First Nations peoples with whites. But because all three groups in fact patronised the taverns, albeit to differing degrees and for different reasons, the thesis explores the complex ways in which race mattered within social relations there. It traces the different value of the taverns for Native as opposed to Black tavern-goers, and discusses both experiences in terms of the flux of ideas about race in the colony and the uncertain place of racially-identified groups in public life.

Finally, tavern-goers as members of colonial society are important in another way. There is an unresolved dissonance in Upper Canadian historiography which relates to people of the popular ranks. Both Douglas McCalla and David Gagan treat the farm families of pre-industrial Upper Canada and Canada West with a great deal of respect, acknowledging their decisions about agricultural production, financing, land use, and the allocation of resources as rational and sensible. Others write of the value farm families placed upon land ownership, upon family, kin, and community networks, and of the motivation to provide a secure future for the next generation. Yet, in the context of histories of drink, and, in fact, some older, general histories, the same people, respectable, security-oriented and status conscious farmers, are characterized as an intemperate populace subject to few social controls and at odds with

the process of settlement.¹¹ Because farmers and artisans were a prominent group of tavern-goers, the taverns offer an opportunity to discuss the cleft between the two historical characterizations of the common people of Upper Canada, and particularly about popular attitudes towards liquor and its consumption, toward drunkenness, and its link with violence. The aim is to understand how public sociability in the taverns fit in with the demands of productive working lives, especially amongst those of the popular ranks, but also amongst the relatively privileged men who filled the professional offices and salaried government positions in the towns and cities.

Sources

Research for the thesis began with Edwin C. Guillet's multi-volume *Pioneer Inns and Taverns*. Published in the 1950s, it is an invaluable collection of material drawn from published and manuscript sources. It is not so much a history, as a compendium, and it proved

¹¹ Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784-1870*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1993); David Gagan, *Hopeful Travellers: Families, Land and Social Change in Mid-Victorian Peel County, Canada West*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1981); Marianne McLean, "Peopling Glengarry County: The Scottish Origins of a Canadian Community," *Historical Essays on Upper Canada: New Perspectives*, ed. J.K. Johnson and Bruce G. Wilson, Carleton Library Series, 146 (Ottawa: Carleton University Press, 1991), 151-174; Darrel A. Norris, "Migration, Pioneer Settlement, and the Life Course: The First Families," in *New Perspectives*, ed. Johnson and Wilson, 175-202; Bruce S. Elliott, *Irish Migrants in the Canadas: A New Approach*, McGill-Queen's Studies in Ethnic History, 1 (Kingston and Montreal: McGill-Queen's University Press; Belfast: Queen's University of Belfast, Institute of Irish Studies, 1988), 6, 231-232, 241; see also Chad Gaffield, "Children, Schooling, and Family Reproduction in Nineteenth-Century Ontario," in *The Invention of Canada: Readings in Pre-Confederation History*, ed. Chad Gaffield (Toronto: Copp Clark Longman Ltd., 1994), 502-531; Glenn Lockwood, "Temperance in Upper Canada as Ethnic Subterfuge," in *Drink in Canada*, ed. Warsh, 43-91, writes, for instance, p.49: "Simply because drinking had been an ongoing custom in the British North American colonies for generations, the thoughtful members of society were by no means blinded to the abuse of women and the general bouts of violence heavy drinking produced." Similarly, Jan Noel on p. 98 of *Canada Dry*, observes that temperance made the streetcars and "public places" safer for all minorities by reducing violence against them. Both fail to note that drink did not create or sustain violence against women or social outsiders.

especially helpful as a guide to the writings of British gentry travellers. These published travelogues, a familiar source in Upper Canadian history, are used here primarily to show and describe the range of taverns in existence. Tavernkeepers' advertisements were valuable on the same point and in describing the range of services provided by the taverns to travellers and communities.

Although the travellers provided good descriptions of remarkable tavern scenes, they did so from the perspective of visitors and many had difficulty responding to farmers, tavernkeepers, and 'Americans,' by which they meant settlers from the States, as other than various versions of the "lower orders."¹² This tended to blinker their insights into the nature of tavern sociability amongst the popular ranks. The source which allowed me inside tavern companies was the collection of Upper Canadian Judges' Benchbooks held by the Archives of Ontario. The judges carried these books with them to court and recorded the testimony of witnesses and prisoners in both civil and criminal trials as each responded to questioning by counsel or the judge himself. In them we come very close to the words and perceptions of tavern-goers and tavernkeepers, testifying, for instance, about the theft of a watch on the premises while they were in attendance, or about a pedlar selling goods and treating in a tavern the day before his death on a backwoods' road. Often the information revealed about the taverns is incidental and unrelated to the case at trial, and is, for instance, about the number of people in the tavern, the time of day of the tavern call, what and how much was drunk, the tavernkeeper's routine, and sometimes the occupations of tavern-goers, or whether

¹² See for instance, John Howison, *Sketches of Upper Canada: Domestic, Local and Characteristic [...] For the Information of Emigrants of Every Class [...]* (Edinburgh: Oliver & Boyd, 1821), 209-210

they were considered gentle or not. There is no reason to suppose the information was distorted because of a courtroom setting. The benchbooks also contain much of the evidence of barroom brawling discussed in the chapter on order, and here there is ample indication that men tailored the truth to suit their needs. I have looked at this testimony to discover how men framed their behaviour to look good and thereby describe what was considered desirable tavern behaviour, despite the evidence of its transgression.

Two diaries have been equally fundamental. Ely Playter's journal kept in York (Toronto) gives us, for the year 1802, a tavernkeeper's insights into his trade and into the conduct and identities of the patrons at his public house. It also provides much evidence about patterns of early tavern use by Playter himself and his circle of male and female friends in the beginning years of the nineteenth century. Henry John Jones also kept a journal, used here from the 1830s to 1843, in which he recorded his almost daily taverning in the country taverns of the Western District and the finer establishments of Detroit¹³, Toronto and Kingston. He comments upon standards of accommodation, travel, tavern amusements, women tavern-goers, relationships with tavernkeepers and their families, male sociability amongst his own bourgeois circle of acquaintance and, occasionally, upon the conduct of farmers and others in the public rooms of the taverns.

Amongst the other significant sources are the licensing records, published in the *Appendi[ces] of the Journal of the House of Assembly of Upper Canada* and of the *Journal of*

¹³ I have included Detroit in this study because Upper Canadians who lived within easy reach treated it as an extension of the British colony, going there frequently to shop or go to the theatre. They crossed the Detroit River casually on the ferry and sometimes more than once a day.

the Legislative Assembly of the Province of Canada which provide solid information on the numbers of taverns throughout the period, and list, until 1843, the names of tavernkeepers. Kept for the purpose of recording revenue paid and owed to the government's coffers by tavernkeepers in each district, the lists are accurate as far as **licensed**, that is, legal, inns, taverns, hotels, and steamship barrooms are concerned. Indeed, they provide a significantly higher figure for the number of taverns in the colony in 1851 than that of the much quoted census of that year.¹⁴ (Estimating the numbers of illegal, unlicensed drinking houses has proved impossible.) The *Journal* lists sustain the discussions of persistence rates amongst tavernkeepers, and allow me to observe that despite the effective work of temperance activists in the 1830s and 1840s in Upper Canada, the taverns did not diminish in relation to the population. Estate inventories permitted a detailed description of three tavern interiors. Published collections of early records of the Courts of Quarter Sessions in the colony, the body responsible for municipal administration until 1843, have provided information about tavern licensing and regulation. Tavernkeepers' account books, Abner Miles' in York 1795-1796, Matthew Dolsen's on the Thames River, 1797-1799, James Phillips' north of Ganonoque 1828-1830, and Thomas Robinson's in Prescott, 1843-1858, provide information about drink prices, typical barroom orders, and tavern patrons. Dolsen, for instance, noted Native patronage specifically, and Robinson often noted the occupations of his debtors. The letters sent, predominantly by local magistrates, to the lieutenant governor but screened and largely dealt with by his civil secretary, have provided an odd jumble of details about the

¹⁴ See footnote 2, Ch. 2 for sources.

taverns, usually conveyed in passing, unavailable in any other source. For example, the civil secretary's correspondence provides evidence that Upper Canadians drank toasts during the War of 1812 to the success of the United States in the contest. Data from the census returns, published collections of primary documents, published diaries and one painting, "A Country Tavern in Cobourg, 1849," have also proved useful.

Chapter Outline

The first chapter introduces the reader to those places that were 'the tavern' in Upper Canada. It describes tavern clientele, hours of operation, the physical organization of many public houses, the three grades of public houses (including the differences between town and country taverns), measures persistence rates amongst tavernkeepers, and discusses women's work in the tavern. The second chapter traces the responses of the taverns and tavernkeepers to economic and institutional development in the colony. It shows the links between the taverns and the transportation network, the taverns' extension of the economic sphere, their facilitation of free political exchange, and their use as community resource centres. Next, a two chapter section on taverning takes up the themes already discussed at length here. While no challenge is offered to the central narrative line of temperance historiography - that the movement wrought a cultural reorientation in people's approach to liquor - the thesis does correct certain misapprehensions about the taverns that flow from it. Chapter 3 describes the symbolic value of drink in tavern sociability and the ways in which people managed it as a substance. It stresses that the taverns were characterized, on the whole, by controlled

drinking, discusses popular approaches to drunkenness and the methods employed by keep and company alike to maintain good order. Chapter 4 considers taverning beyond the culture of drink and looks at contemporary tavern pastimes amongst plebeian and bourgeois patrons with the intent of depicting the taverns as peaceful, civil places. The final two chapters ask: 'how public was the public house really?' Chapter 5 discusses colonial racialism and its effects upon Native and Black access to the public houses. Chapter 6 considers the importance of gender as an aspect of public sociability and attempts to understand women's taverning within the context of the acknowledged 'maleness' of tavern culture.

Chapter 1

Taverns and Tavernkeeping in Upper Canada

Ely Playter kept a tavern at York, Upper Canada, in 1801 and 1802. He ran a respectable house, one of the six licensed for the town before the Court of Quarter Sessions, in which he kept the "good rule and order" required by the magistrates.¹ At night, "after all had gone to bed," Playter customarily "filled up the Journal of the day," and its pages describe his public house, the tavernkeeper's trade, and his place in the society of a colonial town at the beginning of the nineteenth-century.² His journal is the only known document which captures the world of an Upper Canadian tavern from the perspective of the tavernkeeper. Not only do Playter's house and the company within it remain vibrantly and intimately alive in the journal, but Playter's insights into the nature of his business provide a starting place to understand both his own and other taverns on their own terms and to ask questions about the evolution of the public house in colonial and pre-industrial Canada.

The journal, and phrases borrowed from its author, are used to structure the discussion of taverns and tavernkeepers undertaken in this chapter. When Playter writes about the rooms in his house and how people used them, it provides a cue to compare his tavern with the architectural arrangements of others built from the late 1790s to the end of the 1850s,

¹ Alexander Fraser, ed., "Minutes of the Court of General Quarter Sessions of the Peace for the Home District, 13 March 1800 to 28 December 1811," *Twenty-First Report of the Department of Public Records and Archives of Ontario, 1932* (Toronto: Herbert H. Ball, 1933), 16-17

² Archives of Ontario (AO), Playter [Ely] Diary, Feb. 1801 - Dec. 1853, Sept. 2, Oct. 9, 1802. (Hereafter EP)

in terms of size, sophistication, and standards of accommodation, and indicate patterns of difference amongst them. When Playter observes all the different people who gave him custom, a comparative look at patronage of the taverns more generally is taken, in terms of the breadth of the public who enjoyed access. Playter's long and unpredictable hours, his decision to leave the business, and his difficulties with his account books provide a point of entry for a discussion about the tavern as a place of work. The time he spent in the barroom indicates the nature of customary sociability there. And Playter's understanding of the public's expectations of his public house provides the basis for a suggestion that good order was part of the contemporary definition of a good tavern. The themes of public access and good order are developed at length in later chapters.

The Tavernkeeper

The tavernkeeper was twenty-six years old and single in 1802 and he ran his public house without the customary participation of a wife and landlady. The son of a loyalist family with substantial farms in the neighbourhood, he owned a house himself, let to tenants.³ He held local office for more than twenty years beginning in 1801, most often as town clerk, and fulfilled militia duties as a lieutenant. Both his father and his brothers served similarly. He and the Playter family established early and enduring ties to the tiny Town of York.⁴

³ For the Playter family see Edith G. Firth, ed., *The Town of York 1793-1815: A Collection of Documents of Early Toronto*, Ontario Series, 5 (Toronto: The Champlain Society, 1962), 99 and Edith G. Firth, ed., *The Town of York 1815-1834: A Further Collection of Documents of Early Toronto*, Ontario Series, 8 (Toronto: The Champlain Society, 1966), 147

⁴ About 500 people lived in York township in 1805-06. Douglas McCalla, *Planting the Province: The Economic History of Upper Canada 1784-1870*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1993), 16

Playter was a literate man who applied his skills, from the evidence in the journal, to his account books, amusing rhymes and companionable reading.⁵ There is a hint that the tavernkeeper offered his literacy skills to those without. He noted in his journal that "Mr. Moore and Mr. Hoss came in my room before I was up and I read Miles' Bond to Moore on the bailing business for them as I lay in bed."⁶

He enjoyed an active social network of warm male friendships, a prolonged courtship, and polite sociability in the parlours of York. Ely spent a great deal of time with his companions Mr. Thomas Ward and Mr. Stephen Heward. They dined regularly together, frequently "talking in our favourite conversation of our amours with the Ladies."⁷ "I have found myself lonely," he wrote after Ward left York, "we were attached to each other and often together."⁸ Playter dedicated many journal entries, in part, to the saga of his on again off again courtship with Miss Sophia Beman, the daughter of a neighbouring tavernkeeper. They married in 1806.⁹ Similarly many entries commemorated afternoons and evenings of tea, songs learned from "Musick Book[s]," and polite conversation with "the Ladys."¹⁰ Playter also joined in the popular life of his community. He and Heward "heard a sherivery going on in Town occasioned by the marriage of Miss Fisk and we could not be easy without being with

⁵ EP, Feb. 23, 1802, for example: "I read all the morning [...] part of the time reading to Miss T - one of which was Chloe's now married and looks on men no more/ Why then 'tis Plane for what she looked before."

⁶ EP, Aug. 19, 1802. see also Aug. 3, 1802. Both examples concern the same individual, Mr. [William] Moore, and to some extent Playter was involved in the dispute as it stemmed from Moore's agreement to take over Playter's license.

⁷ EP, Sept. 16, 1802

⁸ EP, Aug. 10, 1802. Thomas Ward married Mary Playter, Ely's sister in 1803, Firth, *Town of York: 1793-1815*, 90.

⁹ See for instance, EP, Apr. 4, 5, 10, 11, 12, 13 and passim. 1802; See also July 20, Aug. 23 - Sept. 2 for difficulties and her father's objections.

¹⁰ See for instance, EP, May 6, 1803

them which we were in a short time and well disguised."¹¹ The tavernkeeper, then, was a relatively young man tied to his community by a good family name, some property, local office and a network of familiar companions.

The House

"Mr. A. Macdonnell, A. Cameron, & T. Ward were drinking some Grog in the parlour and upon some private business besides."¹²

The house itself stood on King Street, within sight and sound of Elisha Beman's tavern.¹³ It was two stories tall and inside was a parlour with a card table, a barroom with a Bar and a place for "charging accounts," and a Sellar for "storing away my empty casks." There was Ely's own room with a door that fastened, a kitchen, a "south chamber," prepared one day for "Mr. J.D. Cozens [...who] came about 2 o'clock with his Indian," and beds enough for the numerous people who slept there each night.¹⁴ Some rooms were warm in winter. Both the parlour and the barroom had fires, and the tavernkeeper, or more likely his servants, kept the barroom fire going even if the house was empty.¹⁵ Outside was a yard for carriages and

¹¹ EP, Aug. 21, 1804, see the next day also.

¹² EP, Mar. 16, 1802

¹³ EP, Aug. 29, Aug. 16, 1802; Craig Heron, "Abner Miles," *Dictionary of Canadian Biography (DCB)*, vol. 5, (Toronto: University of Toronto Press, 1983), 596-597; The tavern stood on King between Berkley and Ontario Streets. See Edwin C. Guillet, *Pioneer Inns and Taverns*, vol. 1 (Toronto: The Author, 1954), 6. Guillet's book was simultaneously published as *Pioneer Inns and Taverns*. Combined Edition. 5 vols. in 2 bks. Toronto: Ontario Publishing Co., 1954-1962

¹⁴ EP, Apr. 2, June 30 (upstairs); Feb. 23, Mar 11, Mar 1 (parlour); Feb. 22, 27 (bar and barroom); July 6 (cellar); Sept 15 (Ely's room); Mar. 21 (kitchen); Feb. 25 (south chamber). All dates 1802. About seven people, plus any guests slept there most nights: Playter, Miss T., Abner and Mercy Miles, their daughter Betsy, the "black woman," and P. White.

¹⁵ EP, Mar. 7, 1802

sleighs, a stable, a place for tavern-goers' livestock, a barn and slaughterhouse.¹⁶ Beyond this, Ely offers no description of the actual size of the house, says nothing of the finishes of the walls, the furnishings, or the facade.

He does reveal the customary use of some rooms and in the process gives a better sense of the space itself. Tavern-goers might "go into the Parlour and take a cup of tea," or, amuse themselves "at the cards and sitting by the fire and telling stories 'til past 2 o'clock in the morning." It was probably the parlour that was well enough lit for literate pursuits after dark. "Mr. Cozens afforded us some mirth writing a note to Mr. Willcocks concerning some Sugar Kettles as he was quite elivated with Cyder [....] Miss T.[hompson] and I amused ourselves some time after the people had gone to bed with reading and singing." The parlour and rooms upstairs offered a degree of privacy. "Mr. A. Macdonnell, A. Cameron and T. Ward were drinking some Grog in the parlour and upon some private business besides." Private dinners could be arranged for invited guests if one "previously spoke" to the tavernkeeper. "Mr. H. Cozens had Mr. Heron to dine with him." A group of men "dined upstairs and drank plentifully of whisky."¹⁷ The barroom was a more public space, open to all comers without invitation or introduction. The bar itself was a narrow, enclosed space which the bar or tavernkeeper could lock, very different in appearance from the often long and open counter in modern use: "Partition off one corner of the room, the bottom with boards, the top with latticed wooden bars, like palisadoes, with three or four in the middle to slide up to admit two or three hands [....]" Inside it were kegs of liquor, bottles, glasses and measures.

¹⁶ EP, Feb. 26, Apr. 23, 10, Mar. 4, 18, 1802

¹⁷ EP, Mar. 16, Mar. 1, Feb. 26, Apr.2, 1802; see also Mar. 12, Feb. 27, 1802

Barrooms in all taverns shared common characteristics. They were quite bare, with plain wood floors, pine benches, chairs, tables and a fireplace or stove. Playter stocked his with whiskey, rum and grog, cider, wine, sling and bitters.¹⁸ The tavernkeeper rarely named the barroom patrons, simply observing "barroom full of people all the evening." He also indicated that sometimes conviviality in the public rooms became rough. "After supper we had a high time[?] with J. Thorn who being in liquor and getting offended at Orton would Box him. Orton humouring the joke in great earnestness made the company very merry and all subsided well."¹⁹

At Playter's people could choose or move between, the barroom, dining areas, and parlour. But the rooms were also flexible enough to be given over to drinking or loud sociability as desired. Liquor, both spirituous and fermented, flowed everywhere and belonged as much to gatherings in the parlour as it did to the amusements of the bar. Conviviality itself sometimes spilled throughout the tavern and the house might be found "in the evening full of noisy company singing in two or three different rooms at once."²⁰ By offering flexible spaces that allowed relative seclusion or full public engagement, depending upon the wishes of the company in the house, Playter encouraged members of a diverse public to seek their particular entertainments at his tavern.

¹⁸ See, Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer from the Year 1824 to 1830, During which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* (London: Effingham Wilson, 1831), 92; EP, Feb. 26, Apr. 2, 5, 21, June 10, July 31, Aug. 1, 1802

¹⁹ EP, Feb. 19, 22, 1802

²⁰ EP, July 6, 1802. Playter lived at the tavern at this date, but had signed his license over to Mr. Moore.

Most tavernkeepers did the same. Certainly Beman's, across the road from Playter's, had the same selection of rooms. James Donaldson's Amherstburg tavern, open in the late 1790s, contained a well appointed dining room, a simple barroom, and an area furnished with easy chairs and a backgammon table.²¹ Newspaper advertisements throughout the period called the public's attention to their "commodious" houses and to their provision of "well finished rooms," "parlours," "sitting rooms," a "large dining room," "private rooms fitted up for the convenience of ladies," or "a new and commodious barroom."²² The general pattern established in the 1790s in houses like Playter's, Beman's and Donaldson's remained the norm at mid-century. This long-standing Canadian pattern originated in the public houses of Britain and the Thirteen Colonies/United States. Peter Clark, in *The English Alehouse: A Social History*, describes the "purpose-built" structures of the seventeenth and eighteenth-century (a new development from alehouses located within "ordinary dwelling houses") as multi-roomed establishments. The majority of alehouses in this period had six to nine "principal rooms," furnished for "specialized" purposes: drinking rooms, lodging rooms, games rooms, and club rooms "set aside" for meetings of voluntary associations. Although the newer, posher alehouse predominated in London and smaller urban centres, even in the North of England "by the mid eighteenth century an ordinary country alehouse was likely to be neat and respectable in a modest sort of way." Unlike the predominantly upper class inns of England, and the still

²¹ For Beman's see, EP, Aug. 17, Sept. 9, 1802, May 6, 1803 and passim; AO, Surrogate Court Records, Essex Co., Wills, 1801 (no. 20), James Donaldson

²² *Niagara Spectator*, Mar. 15, 1816; *Niagara Herald*, Sept. 18, 1828; *Canada Constellation*, Sept. 6, 1799; *Kingston Chronicle*, Jan. 1, 1831; *Chatham Journal*, Oct. 9, 1841; *Stratford and Perth County Intelligencer*, Mar. 2, 1855; *Canadian Emigrant*, Oct. 19, 1834

elitist taverns (distinguished by a license to sell wine), the alehouses served the mass of the population made up of the respectable and the common people, and comprised eighty-six percent of all licensed establishments in England. David Conroy's detailed attention to the material conditions of the public houses of colonial Massachusetts reveals a similar pattern of multiple, specialized rooms in both town and country taverns in the decades prior to the Revolution. He describes "two-story substantial frame houses," some very simple, but others more elaborate, and refers to parlours, barrooms, an "east room," assembly rooms, and lodging or bed rooms.²³ Tavernkeepers in Upper Canada then, whether American or English immigrants, drew upon a common stock of architectural tradition in public house design.

Architectural drawings for "an Inn," dated 1835-1845, confirm the common division of space. Loyalist-Georgian in design, the building was large and plain, symmetrical in its proportions. A frame construction, painted white, it had plain double hung windows of twelve panes and a central doorway, framed by a fan, side lights, and portico. Inside, the front door opened to a central hall, with a "parlour" on the right and a "public room" on the left which had a doorway into the "bar". Tavern-goers could enter directly into the public room from outside. At the back of the house was the "bar parlour." A "kitchen" had access to a "log cellar" in which the architect drew liquor barrels on stands. A winding staircase led to an

²³ Peter Clark, *The English Alehouse: A Social History 1200-1830* (London: Longman, 1983), 195-196, 198, 14; David Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1995), 7, 89-94, 149, 209; Kym S. Rice, *Early American Taverns: For the Entertainment of Friends and Strangers* (Chicago: Regency Gateway in Association with Fraunces Tavern Museum, 1983), 23, adds that "the public house was one of the many long-standing traditions directly imported to the colonies from the mother country."

assembly or ball room, spanning the length of the house, and three sleeping chambers. The plan included a driving shed, stable, and privies.²⁴

The architect balanced rooms used primarily for the public consumption of liquor with those providing for relative seclusion and with those for public dining and for large festive or associational gatherings. A tavern, according to the architect's conception, offered the public access to a building of substance and beauty, a space designed to balance the differing claims upon it.

Despite the careful decisions about using space in taverns, even involving an architect, the specialised use of the rooms did not reflect a great deal of privacy. Public houses were full of noise. The hum of voices in the dining room, the work-directed talk of the women in the kitchen, songs from barroom and parlour all contributed to the aura of an inn. At night, walls without insulation, holes through the ceilings for heat circulation, echoey staircases, and doors which closed or not according to the weather, combined with a stillness outside all meant sound carried easily. Ely Playter lay awake one night in his tavern and "heard some very disagreeable conversation between Mr. Moore and his wife after they had got to bed."²⁵ A Black musician "grumbling and wrangling" about his poor pay for the night's work was heard clearly by William Pope after he had gone to bed. John Bigsby was dressing in the lean-to of

²⁴ Upper Canada Village Archives, Research Files on Taverns in Canada West, "Architectural Sketch of An Inn", taken from the collection of John Howard's work. An appended note by Anthony Adamson, architect and historical architect advises that the date of the inn was probably earlier than the 1835-45 period in which the sketch was made, and that the plan was probably done for alteration purposes; For a discussion of classical or neo-classical detailing and yeoman representations of respectability in the United States, see Nora Pat Small, "The Search for a New Rural Order: Farmhouses in Sutton Massachusetts, 1790-1830," *William and Mary Quarterly*, 3rd ser., 53, no. 1 (January 1996): 67-86

²⁵ EP July 29, 1802

Andrews' Inn when he heard Aurely and Irene Andrews discussing, with ill humour, washing the kitchen floor and dishes. Adam Fergusson had a good bedroom, "but a joyous ball in the apartment below with a noble frog concert outside" meant a wakeful night.²⁶ Sometimes combined noise levels would produce a kind of shelter for private business, but on the whole it seems that conversations in the parlour and barroom, sex in the bed chambers, family living for the tavernkeepers, not to mention filling up a chamber pot, all took place, potentially, in public.

There was a myth of privacy in the use of space in the public houses. Tavern companions knew their behaviour was seen and heard. Sometimes this meant the tavern was deliberately chosen to conduct an exchange which, while nominally personal, was meant to be witnessed by others in order to reaffirm or damage status, or reinforce the nature of a particular relationship. In the quiet of morning in his tavern, Abner Miles, Ely Playter's landlord and his brother's father-in-law, in the presence of any overnight company, as well as the servants, asserted his authority by vigorously criticising Ely's tavern management. Still in his own chamber, Ely "heard Mr. Miles' scolding before I was up..."²⁷ and while distinctly annoyed, he was resigned to a public drubbing by one commanding his deference.

²⁶ William Pope Journal, *Western Ontario History Nuggets*, no. 16, (London, Ontario: Lawson Memorial Library, The University of Western Ontario, 1952), pt. 2, 46. Pope wrote the journal in 1834 and 1835; John Bigsby, *The Shoe and Canoe: Or, Pictures of Travel in the Canadas [...]*, vol.2 (London: Chapman and Hall, 1850), 51; Adam Fergusson, *Practical Notes Made During a Tour In Canada and a Portion of the United States in 1831: Second Edition to Which Are Now Added Notes Made During a Second Visit to Canada in 1833* (Edinburgh: William Blackwood, 1834), 134

²⁷ EP, Mar. 8, 1802.

The Company

"The house was full of company in the evening."²⁸

The mixed and diverse nature of the company that frequented Playter's and other taverns shows them to have been truly public houses in another sense. They gave access to all people regardless of social rank or class, gender, or race. Here is a list of some tavern goers.

At Playter's members of a variety of social groups are visible. "2 American soldiers [...] had a great drunken bout and got quarrelling in the barroom, with some difficulty we got them parted and put to bed." "[F]ive gentlemen" dined together and "spent the evening very pleasant with songs and toasts 'til the wine began to operate." The master of a schooner, "Capt. Sillich spent the afternoon in the house, he and Kendreich with their vessel had arrived yesterday." Archibald Thompson, who farmed in Scarborough, and held extensive lands and local office, "came in about 9 o'clock took supper and staid all night." John Edgell, another substantial freeholder, "came in before noon." Archibald Cameron, a local merchant with an interest in the schooner *Peggy*, conducted business there.²⁹

Women also frequented Playter's. Archibald Thompson allowed his unmarried daughter, Mary, to live there. She was Ely's social equal, not a servant. "Miss T. joked and laughed much at me this morning on our high bout as Messrs. Ward and Heward had taken tea with her after I went to bed [...] and no doubt they had exposed the effects the wine had

²⁸ EP, Mar. 31, 1802

²⁹ EP, Feb. 27, Mar. 1, Apr. 10, Apr. 9, Feb. 25, Mar. 16, 1802. For lands etc. of Thompson, Edgell and Cameron see Firth, *Town of York: 1793-1815*, 69, 130, 163, 186. Edgell and Cameron also held town office at the time they appear at Playter's, see Christine Mosser, ed., *York, Upper Canada: Minutes of Town Meetings, Lists of Inhabitants 1793-1823* (Toronto: Metropolitan Library Board, 1984) 3, 30

on them."³⁰ Other women lodged at the tavern with their husbands and children. "A Dutch man and his family, with a number of cattle staid all night." One woman, "Mrs. Carpenter from the head of the Lake" seems to have been without a husband, or at least the tavern keeper's phrasing, when he writes, "dined with my Lady guest and Mr. Lawrence"³¹ suggests it. The phrase also suggests that he found the circumstance unusual.

Playter focussed on the religious or cultural identities of some patrons. "[T]wo families of Tunkers [...] staid in the kitchen with their children." "[J]oined Mr. Proctor and another man from the Quaker settlement in the barroom."³² Others were unknown to the tavernkeeper. "Two strangers from the westward on horseback came in about 4 o'clock and staid all night." "Some strangers from the Rice Lake staid at night."³³

Neither York's political elite, nor its poor, appear to have frequented Playter's but all those who fell in between did, from travelling strangers, to settlers, to soldiers, to substantial farmers and respectable women, to the gentlemen who filled professional positions in the town.

Similarly wide patronage characterized many taverns. Markle and Hamilton's Hotel, the Yellow House, at Niagara enjoyed the "favourable partiality [...] of all ranks" in 1802.³⁴ In 1817, Charles Fothergill found Fralick's tavern, twenty miles from Kingston, "full of people, obliged to take tea with divers Yankees of no agreeable cast [....] [T]he kind of freedoms of

³⁰ EP, Mar. 2, 1802; "Miss T.'s" full name is given, EP, Mar. 27, 1802; for Thompson as Mary's father see EP, Apr. 9, 1802

³¹ EP, Apr. 10, Mar. 21, 23, 1802

³² EP, Apr. 7, 4, 1802

³³ EP, Feb. 20, Mar. 19, 1802

³⁴ *Niagara Herald*, Apr. 3, 1802

manner amounting to downright impertinence and great mixture of rank and persons in Yankee inns" made them "unagreeable to an Englishman." The numerous women amongst the company were "lounging in attitudes in their chairs in a way that in Britain would be unpardonable...."³⁵ Mary Gapper O'Brien, an English gentlewoman, stopped at an inn near the Credit River in 1829: "to share our supper we had the contents of the stage from Ancaster," including a young man "playing the fine gentleman" and a storekeeper.³⁶ Patrick Shirreff commented that a tavern "table seemed surrounded by all the inmates of the house, including boarders and travellers of all description." At another, his "waggoner breakfasted and dined at the public table in company with two gentlemanly persons [...] without any explanation from the landlord." And Fisher's Hotel "was crowded with workmen of all descriptions."³⁷ At William Mann's Kempenfeldt Bay tavern in 1833, five men who identified themselves as either yeomen or farmers, five gentlemen, one clerk, one carpenter, one deputy surveyor, one storekeeper and one innkeeper "had been frequently inmates and visitors in his house."³⁸

People of colour sometimes went to the taverns. At Abner Miles', the same house that Playter kept a few years later, Peter Long, a Black man, often came in for a drink of rum.³⁹ At Schaeffer's, on the shores of Lake St. Clair, "[a] coloured man named Thompson," stopped

³⁵ Thomas Fischer Rare Book Room, University of Toronto, Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817," 41

³⁶ Mary Sophia Gapper O'Brien, *The Journals of Mary O'Brien: 1828-1838*, ed. Audrey Saunders Miller (Toronto: Macmillan of Canada, 1968), 75

³⁷ Patrick Shirreff, *A Tour Through North America: Together with a Comprehensive View of the Canadas and the United States [...]* (Edinburgh: Oliver & Boyd, 1835), 173, 161-162, 172

³⁸ National Archives of Canada (NA), RG5 A1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, vol. 132, p.72732, Petition of William Mann, Kempenfeldt, July 18, 1833.

³⁹ Baldwin Room, Metropolitan Toronto Reference Library, Abner Miles Account Book, Sept. 1, 1795 - Dec. 15, 1796, Accounts of a General Store and Tavern, Sept. 15, 1795

and took breakfast in 1834 "with another coloured man, his assistant."⁴⁰ James Ferinson, a Black soldier, called for some whiskey at Dolsen's tavern in St. Catharines in 1843.⁴¹ Patrick Campbell drank punch, conversed, and shared a room with "Captain Thomas" a Native fur trader at the Kingston Coffee House in 1791. Many Native people traded and bought supplies at Matthew Dolsen's tavern complex on the Thames River the late 1790s. "Betsy M. Waman," for instance, bought fabric and wine; "Tobias Indian" had breakfast and a drink while there. "[T]hree Indians in full hunting costume" shared the public room of a backwoods tavern in 1821 with "several Scotch Highlanders," a "couple of New England Americans," and "some children belonging to the house." And, an un-named Native man stopped for whiskey at the taverns along the stage route between Hamilton and Port Dover in 1852.⁴²

The public houses, then, were quite open spaces in the sense that people of all ranks or classes, both men and women, and persons of colour, found access to them and enjoyed the sociability and services of the public houses.

⁴⁰ *Canadian Emigrant*, July 26, 1834

⁴¹ AO, Record Group 22, Series 390, Box 38, File 2, Hagerman Benchbook, Niagara District, 1841. *Q. v Wm. Henry Byron and Farrel Foy*. All subsequent references to the bench books are made in abbreviated format as, for example: RG 22-390, 38-2, Hagerman, Niagara District, 1841. *Q. v Wm. Henry Byron and Farrel Foy*

⁴² Patrick Campbell, *Travels in the Interior Parts of North America in the Years 1791 and 1792* (Edinburgh: Printed for the author and sold by John Guthrie no. 2 Nicolsen St., 1793) 157; Chatham Kent Museum, Matthew Dolsen Journal, 1797-1799, [authorship attributed], May 9, 1799, Oct. 17, 1798; John Howison, *Sketches of Upper Canada: Domestic, Local, and Characteristic [...] For the Information of Emigrants of Every Class [...]* (Edinburgh: Oliver & Boyd, 1821), 180-181; *St. Catharines Journal*, July 8, 1852

The Hours of the Day

"A. Cameron wakened me knocking at my window and wanting a p[in]t rum."⁴³

Ely Playter put in long working hours attending to the needs of his company and his house. "Domestic business" filled the mornings although the diary provides few details. It is evident that he stored away empty casks, saw that rooms were prepared, or saw to the mending of a teapot. He spent time in service to tavern-goers, like "assisting Mr. T. Rogers to get [the] remainder of his goods in his Sley." Because Abner Miles kept a butchery on the premises, Playter, in his absence, "had frequently to trudge to the slaughterhouse to wait on people for Beef." He passed many regular hours "engaged in drawing up my accounts" and collecting accounts due.⁴⁴

Playter also integrated his own sociability with the predictable rhythm of the tavern day. Afternoons, from the tavernkeeper's perspective, focussed upon dinner. Every day at 2 or 3 o'clock in the afternoon, two professional gentlemen of the town, his friends Ward and Heward, arrived to dine, usually with the tavernkeeper. "Mr. A. Macdonnell, and Messrs. Ward and Heward dined with me by candlelight." Any private dinners were served at the same time. The journal offers no information about the work of cooking, serving, or tidying away meals, nor does it contain anything about meals for other tavern-goers. Perhaps the "black woman" who lived in the house, or "Betty" who is mentioned "in the kitchen" performed much of this labour.⁴⁵ For Playter the often long interlude of dinner was a quiet time which

⁴³ EP, Feb. 26, 1802

⁴⁴ EP, Feb. 25, 26, Mar. 5, Apr. 1, 18, July 6, 1802

⁴⁵ EP, Feb. 28, Mar. 4, Apr. 1, 8, 1802; Betty may in fact be the "black woman."

might stretch into the early evening. Then supper, and the arrival of barroom patrons changed the tone of the tavern again, and pushed the tavernkeeper into the busiest hours of his day.⁴⁶

While the journal portrays the barroom as a freer space than the parlour, there is no suggestion that those resorting to it indulged generally in the sort of activity which troubled the tavernkeeper. Playter does chronicle the boxing match of Thorn and Orton, cited above, which did not amount to much in the end. He makes a brief reference to "A. Galloway and a McBride wrestling" until one pulled a muscle, and to the two soldiers glimpsed already who "got quarrelling in the barroom" and had to be separated by the keep and company and put to bed.⁴⁷ But in each instance the tavernkeeper, with the assistance of a cooperative company, quelled the eruption and restored good order.

Most often the tavernkeeper simply put in routine working hours in the barroom and his journal notations are brief. "I was detained in the barroom." "It was late before the barroom pinters went to bed." "The barroom was full of people all the evening. I spent the time tending Barr and charging accounts 'til 10 o'clock." "I was employed in the barroom near all evening."⁴⁸ The repetitiveness of his entries impresses an image of consistently peaceful barroom sociability.

With the closing of the bar, the barroom emptied, guests went to bed, and the tavernkeeper locked the house. But his night hours were unpredictable. "[I was] called up by 3 strangers who wanted lodging just after I got to bed, past 12 o'clock." Another night, past

⁴⁶ EP, Feb. 19 - 28, Mar. 1, 1802

⁴⁷ EP, Feb. 19, June 29, Feb. 27, 1802

⁴⁸ EP, Mar. 11, 2, Feb. 22, Mar. 17, 1802

midnight, "Hunter knocked at the Door. P. White not being in bed let him in, and he plead for me to get up and let him have a whiskey but I answered him very determined that I would not and he went off[f] sometime after. [S]ome time after I had got to sleep A. Cameron wakened me knocking at my window and wanting a p[in]t rum. I tried to put him off[f] but he was resolved to have it. I got up and supplied him and sent him off[f]."49 Although there were servants in the house, it was clearly the tavernkeeper's responsibility to attend to late lodgers and control access to the bar in the night.

The round the clock pattern of tavern sociability evident at Playter's was common to all taverns. People expected entrance at all hours and showed no reluctance to rouse tavernkeepers from their beds. At an "unreasonable hour" in Cobourg in 1831, Thomas Fowler and two companions "wanted to go to a tavern" for lodging, getting no answer at one, they "went to another and after repeatedly knocking got admission." In Chatham, a late night traveller found the "new hotel, a vast, rambling, rickety, wooden concern, which soon resounded with kicks and blows, 'till a light gleamed from a window." In 1836 in the Western District, Harry Jones "clambered into L.[aughlin] McDougall's infernal house through a window. [W]aked him and his wife out of bed." He wrote that another night, "Kyffin and myself, found a bed at the NNI by breaking open the window thereby frightening the women and all that sort of thing."⁵⁰

⁴⁹ EP, Mar. 30, Feb. 26, 1802

⁵⁰ Thomas Fowler, *The Journal of a Tour Through British America: [...] with a Description of the Country, and of the Manners and Customs of the Inhabitants [...]* (Aberdeen: Lewis Smith, 1832), 148; Morleigh, *Life in the West: Backwood Leaves and Prairie Flowers: Rough Sketches on the Borders of the Picturesque, the Sublime and the Ridiculous: Extracts from the Note Book of Morleigh in Search of an Estate* (London: Saunders and Otley, 1842), 196; Lambton County Archives, Henry John Jones Diary, Sept. 4, 1837, Oct. 28, 1836 (Hereafter HJ)

The taverns had no formalized opening time. Bartholomew Ralph and William Ross came to John Linfoot's Richmond Hill tavern "a little after 4 o'clock a.m. on Thursday morning [...] each got a glass of whiskey."⁵¹ Because the tavernkeeper was "up early" the tavern was open. Access to drink and sociability continued throughout the day. In Niagara, Adam Stull "went to town before 10 o'clock - drank something in the morning," and fell asleep in Milton's barroom about one in the afternoon.⁵² A group "from ye canal" gathered at McGuin's tavern, and Frazer's across the road for some early afternoon taverning in the Midland District in 1830.⁵³ "[A]bout four o'clock in the afternoon," Edward Simpson "came in with a load of lumber" and took a drink with one Rogerson and John Robson at Arnett's in Toronto. Men of the Tomlinson family drank there at about six-thirty the same evening⁵⁴ J. Thom was "in liquor" at Playter's "after supper."⁵⁵ "[C]ommon women of the town" kept "late hours" and made "great noise" at Case's beer shop in Hamilton.⁵⁶ And George Cooper was drinking at Waugh's Toronto tavern late at night.⁵⁷

⁵¹ AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v Bartholomew Ralph*

⁵² AO, RG 22-390, 4-1, Macaulay, Niagara 1837. *Q. v James Stevenson and John Milton*

⁵³ AO, RG 22-390, 1-8, Macaulay, Midland District, 1830. *K. v William O'Brien et al.*

⁵⁴ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Q. v Alfred Tomlinson et al.*

⁵⁵ EP, Feb. 19, 1802

⁵⁶ McMaster University Archives, Mills Memorial Library, Marjorie Freeman Campbell Collection, Hamilton Police Village Minutes, Dec 19 1836. In 1823 legislation created a category of license allowing the sale of "ale, beer, cider and other liquors not spirituous," as distinct from distilled liquor. Ale and beer houses provided bread and meals, but no accommodations for travellers. Alehouse keepers provided sureties for the maintenance of good order. See Robert E. Popham, *Working Papers on the Tavern 2: Legislative History of the Ontario Tavern 1774-1974*, Substudy no. 809, (Toronto: Addiction Research Foundation, 1976) 16, citing *Statutes of Upper Canada*, 4 Geo. IV, C. 15, (1823)

⁵⁷ AO, RG 22-390, 21-2, Robinson, Home District, 1832. *John Waugh v George Cooper and George Underhill v George Cooper et al.*

Neither did the taverns close on Sundays.⁵⁸ Regulations which routinely barred liquor sales to members of the local community contained wide exemptions for travellers, lodgers, and sick people. "[O]n Easter Day" in 1794 a party of labourers "amused themselves with drinking in good fellowship," at Gouin's tavern. One of them lodged there.⁵⁹ At Playter's tavern, the barroom remained open to lodgers and travellers on Sundays. There is a glimpse of the departing and "tipsy" lodger, Mr. Cozens, and of two men in the barroom who had come in from the Quaker settlement.⁶⁰

Playter himself usually observed the Sabbath as a full day of rest. Yet, despite memories of an early Quaker upbringing, he was, at the time he kept tavern, remarkably secular in his thoughts and pursuits. "[D]id not feel disposed for church," he wrote one Sunday, and in general his church attendance was irregular at best.⁶¹ Instead, he and his companions spent the Sabbath visiting and riding and called at the taverns along their route. In 1805, "[w]e dined at Miles', met P. Kennedy and Wm. Cody at the Mills and rode with them to Wilson's Inn [...] and after we drank some whiskey we all started on together." And one Sunday at Heron's tavern, "all were merry and full of company tomorrow was election &c."⁶²

⁵⁸ Tavern regulations from the 1790s onwards routinely barred Sunday liquor sales except to travellers, and sick people. See for instance the "Tavern License of Matthew Dolsen" in *The John Askin Papers*, vol. 1, ed. Milo M. Quaife, *Burton Historical Records* (Detroit: Detroit Library Commission, 1928), 395. Usually lodgers at the tavern were also exempt, see for instance, "Huron District, Rules and Regulations for Innkeepers," 1849, Canadian Institute of Historical Microreproductions, no. 52535.

⁵⁹ William Renwick Riddell, *Michigan Under British Rule: Law and Law Courts 1760-1796* (Lansing: Michigan Historical Commission, 1926) 343, 345

⁶⁰ EP, Feb. 28, Apr. 4, 1802. The rest of the Sundays, the house was either "empty" (Mar. 7) or there is no reference to barroom activity. On Sunday April 11 Playter got P. White "to mend a teapot the Sunday."

⁶¹ EP, Feb. 28, 1802

⁶² EP, Sun. Oct. 27, Feb. 24, 1805

Many local people also gathered in the taverns on their day of rest and socialized there. A missionary, William Case, reported about 1803 that at "some bad houses kept by tavernkeepers [...o]n Sundays, evenings and other times, large companies of neighbours and others, convene for the purpose of drinking, dancing."⁶³ In 1833, people gathered at the Edwards' tavern near Kingston throughout the week, but neighbours complained it was kept in a disorderly manner: "Worst on Sunday."⁶⁴ A butcher's assistant, his brother, and some local companions spent a Sunday at Woon's tavern in Whitby in 1848.⁶⁵ At Sebach's tavern on the Mitchell Road in 1846, the Sebach brothers, two boys who worked at the tavern and local residents Edward Lynch, Jacob Cramer, Christian Uberholt and Theobald Phrennes sat in the barroom on a Sunday about 3 in the afternoon. Most of the company, all locals, remained until 7 in the evening, drinking beer and amusing themselves.⁶⁶

The taverns remained open to the public around the clock and throughout the week. There seems to have been wide community tolerance for peaceful Sunday sociability in them. The barroom tended to be busiest in the evening but customers for drink and sociability appeared throughout the day and found someone to serve them. Although the barroom closed,

⁶³ United Church Archives, William Case's Journal, 1803-1809, June 20, pp.37-38

⁶⁴ AO, RG 22-390, 2-6, Macaulay, Midland District, 1833. *K. v Adonijah Edwards*

⁶⁵ AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

⁶⁶ *Stratford and Perth County Intelligencer*, April 4, 1846; John C. Weaver, *Crimes, Constables and Courts: Order and Transgression in a Canadian City, 1816-1870* (Montreal: McGill-Queen's University Press, 1995), 46-47, makes a similar point regarding Sunday and popular festivity. See also, AO, RG 22-390, 20-3, Robinson, Western District, 1830. *Rex v Charles Dyer*; Hamilton Police Village Minutes, Sept. 1, 1835; AO, RG 22-390, 3-3, Macaulay, Brantford, Gore District, 1835. *K. v Thomas Browering*; AO, RG 22-390, 1-9, Macaulay, Midland District, 1830. *K v John and Jane Wright*

usually at 10 o'clock until early the next morning, the tavern remained open to nighttime travellers.

Taverns, Inns, and Hotels

"... got on to Loyd's about 26 miles from York before dark where we staid all night our accommodation was not very good but we fared pretty well tho our horses had no stable."⁶⁷

Playter's problem with the standards of accommodation afforded by a country inn suggests that the public houses differed in important ways. Three broad and overlapping patterns are visible: backwoods taverns on the settlement frontier; the minor public houses in both the country and the towns; principal inns and taverns, often using the title hotel, located exclusively and centrally in towns and cities.

Backwoods taverns were characterised, primarily, by a promiscuous use of space.

...they consist for the most part of small log houses, with three apartments, a kitchen, a bedroom, and a barroom in each. The bar room is alike the coffee room, the dram shop and the counting house. The kitchen is the scullery, dining room and drawing room. And the bed chamber is both store room and wardrobe.⁶⁸

William Pope found one in 1834 which "consisted of a miserable log building - only one apartment below and a kind of cock-loft above [...] at one end of the house opposite the

⁶⁷ EP, Dec. 28, 1803

⁶⁸ Edward Allen Talbot, *Five Years' Residence in the Canadas: Including a Tour Through Part of the United States of America In the Year 1823 [...]*, vol. 2 (London: Longman, Hurst, Rees, Orme, Brown and Green, 1824), 262

fireplace were ranged three or four beds into which at the proper time tumbled men, women, and children....⁶⁹

Backwoods taverns lacked customary ornamentation having "no varnished clock to cleck behind the door, no pictures placed for ornament or use, [...] no broken tea cups wisely kept for show." They lacked customary services, like fresh water in the rooms, and proper care for the horses. They lacked the furnishings required for respectable living; a backwoods bedroom was "*sans* wash-hand-stand, *sans* dressing table, *sans* bureau, *sans* pot de chambre, *sans* everything."⁷⁰

The sometimes appalling material conditions in backwoods taverns, in combination with the lack of privacy, meant that the gentry commented upon them extensively in their published travelogues. But their individual histories were brief. The same source indicates that primitive public houses were a thing of the past in core population areas and along important travelling routes by the end of the 1830s. Upper Canada's expanding settlement frontier, however, meant that the frontier or primitive tavern could still be encountered well into the second half of the nineteenth century in newly settling areas. A probably apocryphal story about Mccauley's tavern, located north of the Trent Lakes on the Burleigh Road in the 1860s is told in Edwin Guillet's *Pioneer Inns and Taverns*. There was no other house at which to call. "[I]t was a log structure of one and one half storeys [....] The tavern is known to have often given shelter to as many as sixty people in a single night." James Alexander, a British

⁶⁹ Pope Journal, *Western Ontario History Nuggets*, pt. 2, 39

⁷⁰ Talbot, *Five Years' Residence*, vol. 2, 262-267

traveller through the Long Woods west of London about 1850, stayed at Reuben Martin's "small wooden hostel," and found the sleeping accommodation to be a "cock-loft to which we ascended by a ladder."⁷¹ The late regional date of the frontier tavern was not unique to Upper Canada. Elliot West, in *The Saloon on the Rocky Mountain Mining Frontier*, shows very crude structures made of canvas, posts, and log 'foundations,' in which a keep "commenced the sale of intoxicants across a bar made from a row of barrels," operating as saloons into the 1880s and 1890s in newly populated mining districts. All concerned considered the primitive saloon functional, but far from ideal. "A larger mining town's liquor trade [...] had not 'arrived' until a drinking place appeared whose size, construction, and elegance, set it apart from the usual class of saloons."⁷² Similarly, in Upper Canada, the frontier tavern was never thought of as typical or adequate, just as a necessary and temporary response to the shifting frontier of early settlement conditions. A final travelogue, Adam Fergusson's in 1833, suggests their context. "Higgeldy-piggeldy adventures no doubt occur in the backwoods, but we would scarce hold it fair (I guess) to produce a hedge alehouse or a Highland *clachan* as a fair sample of what travellers are to expect when passing through Britain."⁷³

In Upper Canada, what travellers could expect was decent and sometimes excellent standards of accommodation in the minor public houses of town and country alike. One

⁷¹ Guillet, *Pioneer Inns and Taverns*, vol. 4, 101; James Alexander, *L'Acadie: Or, Seven Years' Explorations in British America*, vol. 1 (London: Henry Colburn, 1849), 272

⁷² Elliot West, *The Saloon on the Rocky Mountain Mining Frontier* (Lincoln: University of Nebraska Press, 1979), 30-38

⁷³ Fergusson, *Practical Notes Made During a Tour*, 90

traveller, Patrick Shirreff, in the 1830s, suggested differences between town and country taverns, by damning the majority in the country with faint praise, noting as exceptional a "good establishment for the country," or a "wealthy looking place for the country."⁷⁴ But most people generalized amongst the minor public houses throughout the colony: "instead of churches we have taverns"; "the crown is seen waving in the wind over the doors of the numerous taverns"; "most of the taverns in Upper Canada are indeed a burlesque upon what they profess to be."⁷⁵ And here is Tiger Dunlop for instance:

Our inns are bad: that is to say, many of them are clean and comfortable indeed enough, and the landlords almost uniformly civil and obliging, but the proverb of God sending meat and the devil cooks never was so fully illustrated as in this country [....]

To Dress a Beefsteak: Cut the steak about a quarter of an inch thick, wash it well in a tub of water, wringing it out from time to time after the manner of a dish clout; put a pound of fresh butter in a frying pan (hog's lard will do but butter is more esteemed) and when it boils put in the steak, turning and peppering it for about a quarter of an hour; then put it into a deep dish, and pour the oil over it until it floats and so serve it.⁷⁶

Yet the Tiger's own remarks about cleanliness, comfort and civility, Ely Playter's admission that he and his mother "fared pretty well," and an abundance of traveller's testimony indicates that generally, the minor houses provided a good service to the public. "[A]nd if not fine, they will, as far as my experience goes, be found clean, respectable, and moderate as

⁷⁴ Shirreff, *A Tour Through North America*, 179, 189-190

⁷⁵ Francis Hall, *Travels in Canada and the United States 1816 and 1817* (London: Longman, Hurst, Rees, Orme & Brown, 1818), 156; Phillip Stansbury, *A Pedestrian Tour: of Two Thousand Three Hundred Miles in North America [...]* (New York: J.D. Myers and W. Smith, 1822) 121-122; Howison, *Sketches of Upper Canada*, 119

⁷⁶ A Backwoodsman [William 'Tiger' Dunlop], *Statistical Sketches of Upper Canada: for the Use of Emigrants* 2nd ed. (London: John Murray, 1832), 55-57

respects charges. On the present occasion for the accommodation of a small sitting room, warmed by a stove, tea, and beds for two persons, the charge was only four English shillings."⁷⁷

Dunlop's phrasing also suggests that people judged the taverns according to the quality of their basic provisions: food, drink, and beds. Here again the experiences of most travellers indicate that the small inns and taverns provided substantial, if monotonous meals, a good selection of liquor, and sleeping arrangements which recognised peoples' needs for privacy and space.

The staple tavern meal consisted of "wheat bread, butter, boiled potatoes, fried pork, pickles and tea."⁷⁸ In addition, beefsteak, poultry, game, eggs, cheese, pies and cakes also appeared regularly on inn tables. And sometimes tavernkeepers served delicacies: "finely preserved plums [...] in maple sugar," "delightful venison [...] kept three or four weeks [...] in such a fine state that it almost fell to powder under the knife," "a brace of fine fat wood ducks

⁷⁷ William Chambers, *Things As They Are in America* (London and Edinburgh: William and Robert Chambers, 1854), 123-125; see also, Fergusson, *Practical Notes Made During a Tour*, 90, 118-119; Susanna Moodie, *Roughing It In the Bush: Or, Life in Canada*, vol. 1 (London: Richard Bentley, 1852), 252; Pickering, *Inquiries of an Emigrant*, 71

⁷⁸ A.D.P. Van Buren, "Pioneer Annals," *Pioneer Collections: Report of the Pioneer Society of the State of Michigan* 5 (1884): 241; Upper Canada Village Archives, Thomas Robinson Account Book, 1843-1858, supper for William Ambrose, September 1844, p. 46; See also, Fothergill, "A Few Notes Made [...] 1817," 19; Shirreff, *A Tour Through North America*, 177; Pope Journal, *Western Ontario History Nuggets*, pt. 2, 39, 46; pt. 3, 62; HJ, Feb. 8, 1843, May 22, 1856; Thomas Need, *Six Years In the Bush: Or, Extracts from the Journal of a Settler in Upper Canada, 1832-1838* (London: Simpkin, Marshall and Co., 1838), 15-16; George Head, *Forest Scenes and Incidents in the Wilds of North America: Being a Diary of a Winter's Route from Halifax to the Canadas [...]* (London: John Murray, 1829), 277; Basil Hall, *Travels in North America in the Years 1827 and 1828*, vol. 1 (Philadelphia: Carey, Lea and Carey, 1829), 126-127; See also Jeanne Hughes, "Inns and Taverns," *Consuming Passions: Eating and Drinking Traditions in Ontario. Papers Presented at the 101st Annual Conference of the Ontario Historical Society at the Radisson Hotel, Ottawa, Ont. May 1989*. Willowdale, Ont.: Ontario Historical Society, 1989: 93-112

and fried black bass," "a fry of delicate pink fleshed trouts," "very good turkey," and "excellent stew."⁷⁹ At a cost of between 1s and 1s6d per meal,⁸⁰ tavern-goers bought satisfying, and occasionally, surprisingly good fare.

In addition they chose from a wide range of liquor, both spirituous and fermented, available in the taverns by the glass and larger measures. Rum, whiskey, and brandy were most popular, with rum clearly dominant in the 1790s, to be replaced with a more even distribution amongst the three by the 1830s. Customarily, tavern goers swallowed a mouthful of water after one of spirits, or, mixed spirits and water together.⁸¹ Grog, a blend of rum and water was also very popular. Gin, although stocked in the taverns, was rarely called for. Tavernkeepers also served the expensive, sweet, fruity, spiced concoctions with various names, shrub, sling, punch, sangaree or toddey, depending upon their spirit base. Bitters, understood as good for the stomach, was generally restricted to early morning use.⁸² Imported wine (Canary wine, Madeiras, Tennerife and some French), cider, and brewery made beer completed the barroom stocks. Prices dropped on all liquors from the late 1790s to the 1850s. In the 1830s and 1840s a two ounce glass of whiskey usually cost 2d, of rum 2 1/2d,

⁷⁹ Fothergill, "A Few Notes Made [...] 1817," 54; Howison, *Sketches of Upper Canada*, 165; Samuel Strickland, *Twenty-Seven Years in Canada West: Or, The Experiences of an Early Settler*, vol. 1, ed. Agnes Strickland (London: Richard Bentley, 1853), 66; Fergusson, *Practical Notes Made During a Tour*, 125-126; HJ, Nov. 20, 1834; Shirreff, *A Tour Through North America*, 189

⁸⁰ For prices see Sir James Alexander, *L'Acadie*, vol. 1, 148 and citations in the two footnotes above.

⁸¹ Pickering, *Inquiries of an Emigrant*, 92-93; EP, March 1803; HJ, April 18, 1840, Jan 30, 1843, Feb 4, 1843

⁸² *Niagara Herald*, "The Honest Fellow and the Tippler", Aug 1, 1801; EP, Nov 15, 1805, Aug 1, 1802; Fowler, *Journal of a Tour*, 137; Strickland, *Twenty-Seven Years in Canada West*, 144-145

and of brandy 3d. Many tavern goers ordered a gill at the bar, double the quantity and double the price.⁸³

Although contemporaneous literature stressed the cheapness of liquor,⁸⁴ arguing that low cost and ready availability explained alcohol use, in fact, taking the reasonable daily amount of a gill of whiskey⁸⁵ cost many tavern goers half a day's pay each week, or, very nearly 10% of their annual income.⁸⁶ Liquor in the taverns, even whiskey, was not particularly

⁸³ All information concerning popularity, drinks available, prices and, the observation that tavernkeepers bought their beer, is taken from: Matthew Dolsen Journal; Abner Miles Account Book, NA, Daybook of James Phillips, 1828-30; Thomas Robinson Account Book, 1843-1858; See also, *John Askin Papers*, vol. 2, 159-160; For cider see, EP, June 10, 1802

⁸⁴ Edward Talbot insisted in 1824 that "the Canadians are much addicted to drinking; and on account of the cheapness of liquor, are frequently under its influence." Talbot, *Five Years' Residence*, vol. 2, 57-8; The Rev. Christmas, asserted that unmeasured drinks circulated freely in taverns because "the cost price of the liquor being perhaps to the publican not above 1s per gallon, thus the decanter is put down and everyone is free, for three or four coppers, to dash into his tumbler as much of the dangerous stimulant as he fancies; and he must have a determined will indeed who begins to taste and keeps within anything like moderation." A.W.H. Rose [The Reverend Christmas, pseud.], *Canada in 1849: Pictures of Canadian Life, Or, The Emigrant Churchman [...]*, vol. 1 (London: R. Bentley, 1850), 104-105

⁸⁵ A gill measured a quarter of a pint.

John Askin instructed the Captain of the *Mackinac*, about 1780, that it "seemed best to give McDonald and the Indian each a quarter of a pint of rum per day while on the voyage, and half that quantity to Pomp. The whole will not amount to much and will be an incentive to good work besides keeping them from helping themselves to the cargo." *Askin Papers*, vol. 1, 92. The letter "Supplies to the Militia on Duty at Ganonoque," Kingston, June 12, 1813, NA, RG 5 A1, vol. 17, p.7377, informed a militia commander that "some liquor will be sent down to Ganonoque that a daily allowance of a quart among six men may be issued," or, 5.3 oz. each a day.

John Rice and Thomas Barrocklough, in 1820, "being on the way [...] with the Post, called in to Patrick Nowlan's Tavern - called for a quart of sprits, sat down, and drank what we wished, put the remainder in a bottle for their nourishment on the road." RG 5 A1 vol. 49, p.24428, Petition of Patrick Nowlan, Beckwith, October 16, 1820.

In 1837, John Prince made a notation in the margin of his diary that "the 2 Pereaus came [to work] at 5s per day and two glasses of whiskey." AO, John Prince Diary, Margin of Friday 14 April, 1837 entry.

And, by averaging the daily consumption per individual for a one month period in Thomas Robinson's 1844 account book, a very similar 4.81 liquid ounces per day per tavern-goer was found. Thomas Robinson Account Book, September to October 1844.

It would appear, then, that drinking a gill at a tavern was more common than not.

⁸⁶ Four shillings (4s) a day in the 1830s to 1840s period was a typical wage. Bryan Palmer's colony-wide survey of wage differentials which illustrates the variability of labouring peoples' standards of living according to region, nevertheless points to a 4s daily average. Douglas McCalla argues that hardly anyone made less

cheap, and people earning modest wages customarily consumed the other, more expensive drinks available at the bar.⁸⁷

Sleeping accommodations recognised peoples' desire for privacy. Even small taverns provided private bedrooms as a matter of course,⁸⁸ with beds "clean and plain, with cotton sheets and linsey-woolsey coverlets, but having neither posts nor curtains."⁸⁹ French Canadian taverns in Upper Canada customarily added another element of comfort. Just as Francophone householders usually had "a small stove in every room and often a large one in the hall or

than £50 a year, a slightly lower figure than 4s a day, but he suggests that room and board was often added. Bryan D. Palmer, *Working Class Experience: Rethinking the History of Canadian Labour, 1800-1991*, 2nd ed. (Toronto: McClelland and Stewart, 1992), 49; McCalla, *Planting the Province*, 114-115

The focus upon the male wage may either overestimate or underestimate the economic significance of drinking upon household economies. By ignoring the economic production of women, household income is underestimated, meaning the percentage spent on taverning may be overestimated. On the other hand, without consideration of the number of days of unemployment normal, or any attempt to move beyond anonymous averages, the numbers given may underestimate the economic significance of taverning upon individual households.

It cost 2s4d (28d) weekly to take a gill a day in a tavern. A 4s/day wage for a six day work week means earnings of about £62 per annum. Spending 2s4d a week on tavern whiskey cost about £ 6 per annum, or just under 10%.

⁸⁷ For example, William Dunfy, a regular at Phillips' tavern, worked there for five days in January 1828, earning a fraction over five shillings a day. He took both whiskey and brandy, and opted for genuinely expensive drinks like sling on rare occasions. See Phillip's Account Book, January, 1828; Phillips also hired Robert Parsons in 1828 to 1830 to "work at Potash", to hoe, and to perform other labouring tasks. He paid him from 2s6d by the day to 3s6d, seemingly without room and board. Parsons regularly consumed brandy, at double the price of whiskey and hard cider on occasion. See Phillips' Daybook, 25th of January to the 12th of February 1830, for example.

Thomas Robinson identified the occupations of some of his drinkers. A similar pattern of drinking practices emerges amongst those whose occupations suggest a modest income. Jubby the painter and oddjobsman, a tall artilleryman named Monday Jacob, the small artilleryman, several soldiers, and a carpenter drank brandy, rum and whiskey. There was a marked preference for rum amongst the military men. Several took brandy and rum exclusively, such as the Welsh shoemaker, a stage driver, a potter, and the perhaps more prosperous Engineers Lilly, Beale and Huron, a stonemason, a lawyer, a schoolmaster, and a Captain Taylor. See Thomas Robinson Account Book, *passim*.

⁸⁸ Alexander, *L'Acadie*, vol. 1, 187-188; Bigsby, *The Shoe and Canoe*, vol. 2, 72

⁸⁹ Talbot, *Five Years' Residence*, vol. 2, 263

entry," so "[t]he taverns occupied by them are the best places [...] that a traveller can resort to in the winter; for they will afford him the luxury of a warm sleeping apartment."⁹⁰

But since most minor houses had only the three to four beds required under licensing regulations, the arrival of a large party strained their resources and pallets on the floor, shared rooms, and shared beds resulted. The circumstance was neither usual, nor limited to especially small or primitive taverns. The ostler at a Toronto hotel, the Clyde Inn, also known as Arnett's, remembered a very busy time in 1854: "we had to put two to a bed at that time." A guest there tried to remember a precise date by working his mind around the memory of having to sleep with a stranger in his bed. That the experience was memorable indicates that it was not the norm.⁹¹ Double or multi-bedded rooms were more common - at Comstock's Inn Harry Jones got half a bed in a six bedded room, "which luckily for me was close to a window, in spite of the smell and other disagreeables soon went to sleep."⁹² But even these attempted to provide as much privacy or space as possible, filling the beds singly at first, and,

⁹⁰ Howison, *Sketches of Upper Canada*, 209

⁹¹ AO, RG 22-390, 47-5, Draper, Home District, 1854. *Q. v Alfred Tomlinson et al.*

⁹² HJ, Sept. 16, 1833; In 1792 Patrick Campbell and a native fur trader, Captain Thomas shared a room in Kingston. In Prescott Charles Fothergill was "fortunate enough to get a single bedded room - a thing not frequent in American houses." Near Chatham, in the 1830s, Patrick Shirreff and three other gentlemen shared a room and two beds in which "we were told by way of recommendation, the Chief Justice and Attorney General had slept a few nights before." Campbell, *Travels in the Interior Parts*, 157; Fothergill, "A Few Notes Made [...] 1817," 22; Shirreff, *A Tour Through North America*, 189

placing them in "opposite corners of the room."⁹³ Under its varying conditions a tavern bed cost a predictable 6d a night. A space on the floor could often be had for 3d.⁹⁴

Although people preferred single rooms or at least a single bed - "McDougall's full of all manners of fellows in search of land, ponies, etcetera, but succeeded in getting a whole bed to myself, this the landlady's friendship"⁹⁵ - no one ever objected to sharing a tavern bed with a friend or travelling companion. When tavernkeep Daniel Ball told pedlars Robert Bird and Patrick Coyne that they would have to share a bed one Saturday night near Chatham, "they said it would not be the first time."⁹⁶ And, the need to share was not unique to the taverns. In 1802 Ely Playter spent the evening drinking J.R. Small's wine with friends who "all got pretty merry, [he] went home with H. Heward and took a share of his bed 'til morning."⁹⁷ A similar easy familiarity between Harry Jones and William Baby in the 1830s ("Freeman [the tavernkeeper] in bed, Baby obliged to sleep with me"⁹⁸) indicates that bed sharing was a practice, at least sometimes, in private spaces.

The possibility of sharing sleeping accommodation in the minor public houses, while not the preferable occurrence, did not distinguish them as particularly odious or even unusual

⁹³ Talbot, *Five Years' Residence*, vol. 2, 265; Head, *Forest Scenes*, 278; Howison, *Sketches of Upper Canada*, 27

⁹⁴ Alexander, *L'Acadie*, vol. 1, 148; Guillet, *Pioneer Inns and Taverns*, vol. 2, 16, citing Henry Taylor, *Considerations of the Canadas* (1839). Travellers testify to the mixed nature of stage coach parties and other overnight lodgers in the taverns - that is, labourers as well as the better off used these facilities. Their observations suggest a wide proportion of the populace found them affordable.

⁹⁵ HJ, Oct 23, 1835

⁹⁶ AO, RG 22-390, 3-3, Macaulay, Western District, 1835. *King v Robert Bird*

⁹⁷ EP, Feb. 13, 1802

⁹⁸ HJ, Apr. 2, 1837

places. Constraints of space and limited resources meant that tavernkeepers, who normally provided private sleeping accommodations, laid pallets on the floor, put several people in a room, or two people to a bed when confronted with a large travelling party, or an overflowing house. But as a rule, the minor public houses offered a decent level of entertainment. They delivered on the promise "described in large characters " upon a tavern sign "swinging between two upright posts [...] that 'good liquor, good beds, and good accommodations' [...] could be had from the proprietor."⁹⁹

The principal public houses differed from the rest in their scale and in the immediacy of their connections to public offices, commerce, transportation, and fashionable living. Their location in towns and cities, at Niagara Falls, and, very rarely, along a main transportation artery gave the public who could afford them a range of choice not available in the countryside.

Sheer size distinguished the principal houses in many cases, particularly after 1840. Travellers described them as "large," "rambling", "vast," "extensive," "tall," or as a "monster."¹⁰⁰ Advertisements stressed size. The Eberts' House at Chatham, in 1841, was "three stories high, containing 5 large sitting rooms, 25 bed rooms, bar room and other apartments." The Albion Hotel in Stratford, built in 1855 to meet the railway traffic, boasted

⁹⁹ Strickland, *Twenty-Seven Years in Canada West*, 141-144

¹⁰⁰ Head, *Forest Scenes*, 170; Morleigh, *Life in the West*, 196; Moodie, *Roughing It in the Bush*, vol. 1, 252; Bigsby, *The Shoe and Canoe*, vol. 2, 4-5; Charles Mackay, *Life and Liberty in America: Or, Sketches of a Tour in the United States and Canada in 1857 - 1858* (New York: Harper and Brothers, 1859), 380

"40 rooms," a "large and truly warm and comfortable Bar-Room," "large dining room and sitting rooms."¹⁰¹

The principal houses stood in "central" or "marketplace" sitings.¹⁰² For example, the Hotel at the corner of Front and Yonge Streets in Toronto in 1847, was "the best situation in Canada for a first class hotel, being opposite the principal Wharves and the Custom House and in the immediate vicinity of the Banks and leading Mercantile Houses."¹⁰³ In 1836, James McDonald's British American Hotel enjoyed a "most desirable site [...] directly opposite the Court House and nearly opposite St. George's church in one of the most pleasant, healthy and fashionable streets in Kingston."¹⁰⁴ A siting "in the very heart of a city" connected the principal public house and its clientele to a swelling "population and Political and Commercial consequence."¹⁰⁵

Inside, patrons found superior standards of service. "The Steamboat Hotel which has a beautiful terrace towards the water offered me everything which was comfortable and accommodating," wrote Philip Stansbury in Prescott in 1821.¹⁰⁶ Generally this meant a "Table d'Hotel [...] kept in the very best style," with the "finest fish and fowl," "mutton chops and lobster," "Oysters, [...] Salmons, Sardines &c", "choice wines," "choice liquors," and

¹⁰¹ *Chatham Journal*, Oct. 9, 1841; *Stratford and Perth County Intelligencer*, Mar. 2, 1855

¹⁰² *Colonial Advocate*, Jan. 6, 1831; *Globe*, Oct. 14, 1845; *Globe*, Mar. 31, 1849; *Correspondent and Advocate*, June 14, 1837; *Globe*, July 9, 1844; *Kingston Chronicle*, Jan. 23, 1830

¹⁰³ *Globe*, Sept. 15, 1847

¹⁰⁴ *Patriot and Farmers' Monitor*, Sept. 2, 1836

¹⁰⁵ *Colonial Advocate*, Oct. 9, 1828, essay advertisement for the sale of John Scantlebury's Commercial House at the Market Square in Kingston. It was erected at a cost of £ 2400 and apparently profitable at his death.

¹⁰⁶ Stansbury, *A Pedestrian Tour*, 150

apartments of "excellence and comfort [...] in regard both to parlours and bedrooms; all of which are furnished in the very best style."¹⁰⁷

Certainly the services, location, and ambience of the principal public houses made them expensive. Charles Fothergill decided to go to "a new coffee house" in Kingston in 1817 "because I understood that Walker's, the head inn, in the market place, was most extravagant."¹⁰⁸ Upon his arrival in Kingston with the government offices in 1841, Harry Jones was "very desirous to get quarters" at the Sydenham Hotel, "but \$9 a week which Botsford asked was out of sight."¹⁰⁹

Many principal houses from the 1790s claimed the name hotel¹¹⁰ and people accepted the term as an indication of quality. In 1819 John Goldie stopped in Stoney Creek. It had "three taverns within one hundred yards. I was careful to survey them before entering and pitched upon one which was dignified by the title of hotel."¹¹¹ The currency of the word hotel throughout the period, in both advertisements and popular use, suggests that people recognised a hierarchy of public houses and the possibility of obtaining superior entertainment in the principal houses of the colony.

¹⁰⁷ *Correspondent and Advocate*, Jan. 11, 1837; *HJ*, Nov. 28, 1842; *Stratford and Perth County Intelligencer*, Nov. 2, 1855; *Canadian Freeman*, Dec. 2, 1830; *Kingston Chronicle*, Jan 1, 1831

¹⁰⁸ Fothergill, "A Few Notes Made [...] 1817," 31

¹⁰⁹ *HJ*, July 3, 1841

¹¹⁰ See for instance, *Upper Canada Gazette*, June 30, 1798

¹¹¹ John Goldie, *Diary of a Journey: Through Upper Canada and Some of the New England States 1819* (Toronto: Wm. Tyrell & Co., 1897), 20; see also Shirreff, *A Tour Through North America*, 89, 102-103, 146, 147, 179, 161-162, 170, 189-190, who uses the word 'hotel' exclusively for public houses in the towns and reserves the words 'inn' and 'tavern' for country or wayside locations.

But, most of them were also called taverns or inns.¹¹² A lengthy advertisement reminded the "travelling public" that "there is no greater comfort than after the day's journey to arrive at a good place of rest; and a house of entertainment, under the varied names of Hotel, Inn, and Tavern fitted up [...and] with an attentive landlord or host may be certain of being a 'house of call.'" Similarly, Claude Cartier's advertisement read: "he would further state that as a good name is essential to a Good Tavern, he has adopted for his the title of 'The Steam Boat Hotel.'"¹¹³ The title "hotel" for much of the Upper Canadian period simply distinguished a very good or principal tavern from the minor public houses.

In the 1850s something no longer definable as a tavern appeared in the urban landscape. The best hotel in Upper Canada, reputedly the best west of New York, was the Rossin House in Toronto, purchased by the Rossin brothers in 1853. It represented the height of publican splendour at mid-century. The *Descriptive Catalogue of the Provincial Exhibition*, published in 1858, dwelled upon it at length. It was "one of the chief architectural ornaments of the city", acquired and refurbished at a cost of £ 55,000, replete with "white pressed brick, with substantial dressings of Ohio freestone, handsome iron pillars, cornices,

¹¹² The terms had no legal content. All licensees, whatever they called their premises, were subject to the same regulations within each district. Government language was similarly mixed, referring to "Duties on Licenses issued to [...] Inn Keepers [...]" but reporting the revenue under the heading "Taverns." See for example, *Appendix to the Journal of the House of Assembly of Upper Canada*, 2nd Sess., 9th Parl., Public Accounts no. 9, (1825); During the 1830s the terminology became inns and innkeepers, but by 1848 it referred again to tavern licenses. The term inn did emphasize the services for travellers offered by a public house, but does not seem to have connoted any particular status: "The matter of fact is that Jacob Bonisteil has kept a kind of grog shop for many years in which he has contrived to sell spirituous liquors without a license and without the necessary accommodations for travellers as an Inn." NA RG 5 A1 vol. 227, p.124498, Petition of Jacob Bonisteil, Chinguacousy, Sept. 1, 1839.

¹¹³ *Stratford Beacon and Perth County Intelligencer*, Mar. 2, 1855; *Canadian Emigrant*, Mar. 22, 1834

and balconies." It was a massive structure of five stories with a two hundred and two foot frontage on King Street. The hotel could accommodate five hundred guests in over two hundred rooms, "exclusive of reading-rooms and the principal parlours," at the price of \$2.50 a day. Alfred Sylvester, a Victorian historian of Toronto, wrote that "within its walls is congregated every appliance which affluence can desire, every pleasure which luxury can crave." He noted its

two private entrances...an extensive reading room, lighted by a large and handsome glass dome...fifteen elegantly furnished stores on the ground floor...a long row of parlours and reception rooms, the principal of which is a ladies parlour...a dining room 100 feet by 38, and 18 feet high adjoining which is the carving room, dish room, dessert room ...three staircases, two for the use of guests and the third for servants...a very extensive barroom, with billiard table underneath...a barber's shop and gentlemen's bathing room containing ten baths...and a book and news depot where one may obtain local and European journals, or handsomely bound volumes which address alike the students of light or abstruse literature.¹¹⁴

Nobody would have referred to the Rossin House as a tavern and its presence shows the evolution of the public house in Upper Canada between the 1790s and the 1850s. Although many taverns in the 1850s remained quite recognizable to late eighteenth century eyes, both in the towns and in the country, the Rossin House and pretenders to its image, marked a distinctly new style in public entertainment, one that left the pre-industrial tavern behind.

In fact with the building of the Rossin House in Upper Canada and similar establishments in Lower Canada, particularly in Montreal - where Donegana's and the St.

¹¹⁴ Cited in, Guillet, *Pioneer Inns and Taverns*, vol. 1, 121-123

Lawrence Hall served a "fashionable" and international clientele - the Canadian colonies entered the sphere of truly first class hotel accommodation. There is every indication that Upper Canadian proprietors recognized the standards of first class service from the early days of the colony, but were unable because of limited economic development and a small population to attain them. William Cooper, for instance, advertised the opening of his tavern in York in 1801: "Nothing shall be wanting on his part to place it as nearly on the footing of an English Inn as local circumstances permit." Here he invoked two English models - the upper class inn and the fashionable coffee house patronized by elite society and by those who chose to participate in the culture of informed conversation within. Nothing in Upper Canada in the 1790s or early 1800s seems to have been able to compete with either of the English establishments named by Cooper in terms of scale or exclusive clientele. Neither did any meet the standards of New York's or Philadelphia's finest places of call. Philadelphia's City Tavern in the mid 1750s, and Oeller's Hotel in the 1790s, as well as New York's Tontine Coffee House and the Astor Hotel, both of the 1790s, boasted locations amidst government buildings, fashionable residential districts, and exclusive shops; elegant decor; a sophisticated array of rooms, including music galleries and elaborate ballrooms. As Richard Bushman puts it:

So there arose above the score of taverns in the cities a tiny handful that polite society called their own. Erected in the polite end of town and housed in structures as pretentious as the patrons' own residences, this elite group of taverns created an additional genteel environment beyond the parlours and the gardens of the great mansions.

In 1801 nothing in York equalled the great taverns of the urban centres of the United States or England - neither Playter's, nor as he acknowledged in his advertisement, Cooper's. But by the 1860s the first class hotels of Canada did compare more favourably. In his travelogue *Out West: Letters from Canada and the United States* (1865), G.T. Borrett remarked on the point: "the St. Lawrence Hall of Montreal is intended to give and does give an excellent miniature portrait of the vast hotels of New York [...] I must ask you to imagine a fine handsome house, after the style of the new hotels in London or Paris." He goes on to describe the "noble entrance-hall," "the reading room" with journals and desks, "the bar or coffee room - a sort of well dressed English taproom," the library, barber shop and many "handsome salon[s]." Unfortunately no one speaks so directly of the Upper Canadian hotel in comparison to its American and European counterparts, but it seems clear that unlike in 1800, the Canadas as a whole offered international standards in urban hotels from the mid-1850s.¹¹⁵

The rest of the legal public drinking houses¹¹⁶ in Upper Canada - the licensed public houses of primitive, minor and principal grades - all share much longer historical ties to the public drinking places of Britain, and of early and republican America. These inns and taverns formed the vast majority of all public houses in Upper Canada as a cursory glance at any city

¹¹⁵ Firth, *Town of York: 1793-1815*, "William Cooper Opens a Tavern," 116, citing the *Upper Canada Gazette*, Mar. 7, 1801; Richard L. Bushman, *The Refinement of America: Persons, Houses, Cities* (New York: Alfred A. Knopf, 1992), 162-164; Guillet, *Pioneer Inns and Taverns*, vol. 2, 87-90

¹¹⁶ Unlicensed drinking houses of course existed in unknown and probably unknowable numbers. Selling liquor there, not its consumption, was illegal. Similarly shops licensed to sell liquor often illegally condoned its consumption on the premises. Upper Canadians also traditionally drank in groups at logging, mowing, or barn-raising bees, at militia musters (although these were usually associated closely with taverns), and at festive family and religious occasions. See Reginald G. Smart and Alan C. Osborne, *Northern Spirits: Drinking In Canada Then and Now* (Toronto: Addiction Research Foundation, 1986), 4-8; See also Chapter 2, footnote 2

directory for the period indicates. Toronto, for instance, as late as 1856 had only seven "first class" hotels, or a little less than four percent, amongst a listing of 185 inns and taverns.¹¹⁷ Travellers, from Britain and the United States, whether immigrants or visitors, would have found the inns and taverns of Upper Canada to be familiar institutions. Patrons of the English alehouse cum public house in the early nineteenth-century were accustomed to a "relatively attractive ambience," including substantial furnishings, prints and clocks on the walls, good lighting, reading material, and well-warmed premises. Many of Upper Canada's minor public houses and all its principal ones offered similar amenities. The English public house bar, as in Upper Canada, was typically an enclosed storage and service space, although the modern counter had begun to appear toward 1830. Similarly all English public houses had kitchens and provided meals for their customers, often served in the taproom. Overall, the material conditions of the English pubs suggest that travellers to the Upper Canadian colony found generally familiar surroundings in the inns and taverns, excepting, of course, backwoods conditions.¹¹⁸ One important difference which British travellers repeatedly remarked upon was the personality or deportment of the tavernkeepers and serving personnel as compared to England. In general, North American tavernkeepers were characterized as "democratic," "republican," or "independent" in their dealings with customers. Susanna Moodie's husband

¹¹⁷*Brown's Toronto General Directory 1856*, as reproduced in Guillet, *Pioneer Inns and Taverns*, vol. 1, 148-155; The only statistic offering a comparative look at England which I have found is dated 1577. At that time inns and taverns (those catering specifically to the prosperous, the genteel and the aristocratic) comprised 14% of the total. See Clark, *The English Alehouse*, 6, 12, 14

¹¹⁸ Clark, *The English Alehouse*, 275-277

observed of tavernkeepers that, "the British traveller is not a little struck and in many instances disgusted, by a certain air of indifference in the manners of such persons in Canada, which is accompanied with a tone of equality and familiarity exceedingly unlike the limber and oily obsequiousness of tavern-keepers in England." Similarly, another British traveller, Thomas Need, arrived at the Washington's Head Tavern in Oxford Township in the late 1830s:

Captain ----, late of the U.S. militia [...] did profess to entertain travellers, we groped our way to the bar where we found the redoubtable Captain occupying all the chairs in the apartment [...] and smoking a cigar. After a cool survey of our persons, which he contrived to effect without moving himself or removing his hat, he calculated that 'we must be tarnation wet, for it did rain almighty,' and then continued puffing away as composedly as before; this we supposed was to impress 'us Englishers' as he immediately discerned us to be with due notion of his independence; for when he saw that we neither blustered nor swore, he soon put aside his cigar and bestirred himself and his helps so effectually that in less time than appearance warranted a huge fire was roaring in the stove, eggs and bacon smoked upon the board, and we were comfortably established in dry clothes, solacing ourselves with a glass of hot whiskey punch.¹¹⁹

The not unfamiliar physical setting, then, of a colonial tavern could be nonetheless disorienting to a travelling "Englisher." Probably this observation is class specific. It is unlikely that a labouring man or woman was customarily treated with "obsequiousness" by tavernkeepers in England. For American travellers, of course, the inns and taverns of Upper Canada closely paralleled those which they frequented at home. As we have noted, wealthy Americans may have experienced an absence of first class establishments prior to the mid-1850s, but in terms

¹¹⁹ Moodie, *Roughing It In the Bush*, vol. 1, 246-247; Need, *Six Years in the Bush*, 15-16

of the normal run of inns and taverns, the material conditions, the three grades of public houses, and services rendered, all was much the same. Indeed the "tavernkeepers in Upper Canada are mostly from the United States,"¹²⁰ wrote an Englishman in 1824 and their proprietorship strongly influenced the Upper Canadian pattern of development. Tavernkeepers served the same staple meals, and served them as in the United States and unlike England at fixed hours, often announced by a bell. And, the common Upper Canadian tavern practice of charging an inclusive per diem rate for lodging and board was called the 'American plan.' In contrast, the 'European plan' charged bed and meals separately. The thought of sharing a bed under crowded conditions was also more familiar to American travellers accustomed to the difficult conditions of colonial settlement. But as to the south, in Upper Canada both the country taverns and the minor public houses of the towns sought to provide their patrons with decent standards of privacy, something to read and light to see it by, a warm hearth, an ample supply of liquor, wine and beer, sometimes coffee and black or local (herbal) teas. The brief discussion of the common architectural tradition of the public houses of the United States and Canada has already suggested their similarities in the provision of space.¹²¹ In sum, the Upper Canadian inns and taverns can best be characterized as a derivative of both English and American public house models.

¹²⁰ William Bell, *Hints to Emigrants: In a Series of Letters from Upper Canada* (Edinburgh: Waugh and Innes, 1824), 65-66

¹²¹ See Conroy, *In Public Houses*, 2-5, 14, 48, 89-94, 119-123, 148-149, 209, 257-258, 270

Tavernkeepers and Tavernkeeping

"Stopped at Mr. Beman's and spent an hour or two discussing with him. [H]e appeared to persuade me to give up keeping tavern by observing the trifling profit that could be made by it, the disagreeable life it was &c."¹²²

Ely Playter kept tavern for two years. A troubled relationship with his partner and, apparently, difficulty making an adequate living contributed to his decision to leave the business. Playter held license to the tavern jointly, first with his brother James, and, in 1802, with Abner Miles, an enterprising York merchant who had kept the tavern for five years and still owned the property.¹²³ The diary does not cover the period of James' tavernkeeping with Ely. It does make clear that in 1802 Miles had nothing to do with the tavern's management. Although he and his family were often about the premises and slept there sometimes, Miles worked the butchery on the property, and was usually "busy selling beef" or "engaged all day at the slaughterhouse."¹²⁴ Responsibility for the tavern's accounts, its provisions, management of the servants, and working the barroom, fell to Playter.

The business arrangement was a difficult one. Conflicts centred on the account books. When Ely proved unable to collect monies due to the house, "Mr. Miles got disappointed in receiving money [...] the disappointment vexed him and he appeared to blame me for paying out so much cash lately but I rendered an account wherein I had paid it according to his

¹²² EP, Feb. 26, 1802

¹²³ Heron, "Abner Miles," *DCB*, vol. 5 (1983), 596-597; "Tavern and Shop Licenses", Home District, 1801 and 1802 in , *Eleventh Report of the Bureau of Archives for the Province of Ontario*, ed. Alexander Fraser (Toronto: A.T. Wilgress, 1915), 752, 775

¹²⁴ EP, Feb. 25, Mar. 3, 1802

directions and he seemed satisfied." But the problem was a constant one, Miles "often hinted that he could not account for the waste of the money."¹²⁵ Other tavernkeepers, like all tradespeople or merchants giving goods and services on credit, shared Ely's problems collecting the accounts. Innkeeper Thomas Hamilton warmly thanked the public, in 1807, for their "liberal patronage" over the years, then remarked that "he has given a generous credit when required, and as many of the credits are still of the original amount [...they] will, if not speedily satisfied, be collected by process at the Court of Requests."¹²⁶

However, in 1816, tavernkeepers lost access to the Court of Requests when legislation specifically excluded tavern liquor debts from its jurisdiction.¹²⁷ By forcing tavernkeepers to sue, far more expensively, in the District Courts, the act had the effect of making small claims uncollectible. Their inability "to collect small accounts," prompted Catharine Campbell "and 39 other Innkeepers of the Eastern District" to petition for "an act to enable them to collect tavern bills to the amount of two pounds c'y." Robert Dickson, the member for Niagara, gave a supportive speech in the House, asking that something be done in the interests of tavernkeepers to "shield them from the [...] frauds to which they are particularly liable." Two years later the *Canadian Freeman* raised the issue of fairness. It could not "see why a tavernkeeper has not as good a right to sue for and recover the price of a quart of liquor as

¹²⁵ EP, Mar. 3, 5, 6, Apr. 15, 1802

¹²⁶ *Upper Canada Gazette*, Sept. 5, 1807

¹²⁷ Popham, *Legislative History*, 14, citing *Statutes of Upper Canada*, 56 Geo. III, C.5; The act also barred actions for gambling debts from the court. It was intended to limit the credit given by tavernkeepers, and therefore limit consumption to sales for ready cash, protecting drunkards from themselves and unscrupulous tavernkeepers. See discussion in House of Assembly, *Kingston Chronicle*, May 16, 1823

well as the shopkeeper." Still, in 1834, John Klasgye, a tavernkeeper in Sandwich was reduced to threatening a lodger, James Gill, "that unless he comes forward and pays his account within 3 weeks [...] his effects left in my possession will be sold at Public Auction." ¹²⁸

But Ely's hours at the accounts and his lack of monies owed to Miles, suggest that he may have had more fundamental problems making money in the tavern. Similarly, a long conversation with Elisha Beman, an experienced tavernkeeper who prospered through mercantile trade, implies that he sought a more substantial return for his work than he made. "Stopped at Mr. Beman's & spent an hour or two discussing with him. [H]e appeared to persuade me to give up keeping tavern by observing the trifling profit that could be made by it, the disagreeable life it was &c." In the end, Ely's journal provides no concrete explanations for his decision, he simply left the tavern anxious to "try some other business." ¹²⁹ Playter stayed in York. After he left the tavern, friends proffered advice. One suggested that he "set up a small store," another "was recommending to me to engage with him and undertake to keep tavern again, but I rather declined." In November, Playter "commenced doing business " for Mr. Gray, a York solicitor, who "agreed to allow me one third of the fees for the busyness I did for him." Later, he farmed the family lands. ¹³⁰

¹²⁸ "The Petition of Catharine Campbell and 39 Other Innkeepers of the Eastern District [...]," *Appendix to the Journal of the House of Assembly of Upper Canada*, 1st Sess., 10th Parl. (1829), 40; *Upper Canada Herald*, Mar. 4, 1829; *Canadian Freeman*, Mar. 24, 1831; *Canadian Emigrant*, May 24, 1834

¹²⁹ EP, Feb 26, Mar. 27, 1802; Robert E. Saunders, "Elisha Beman," *DCB*, vol. 6 (1987), 51-52

¹³⁰ EP, Aug. 9, Nov. 2, 1802, for farming see 1803 *passim*

His experience was not an uncommon one. Most Upper Canadian tavernkeepers spent less than five years in the trade. On average, just one-third of the tavernkeepers licensed in the Western, Niagara, and Midland Districts still kept tavern five years later.¹³¹ Over a ten year span, 1827 to 1837, the persistence rate dropped to a 15% average across all districts.¹³² Peter Clark, in *The English Alehouse: A Social History*, presents quite different findings. Only in the period prior to the Civil War did more than two-thirds of the licensed publicans give up their houses after a short tenure. By the 1820s more than two-thirds stayed for at least six years. Clark concludes from the evidence of increasing stability amongst them, that "[p]ublicans were establishing a solid base in the local community."¹³³

The Upper Canadian averages do hide the lifetime careers of some tavernkeepers such as Benjamin Olcott, Peter Davy, Joseph Losee and Daniel Ostrum in the Midland District, and

¹³¹ Based on persistence rates from two five year spans, 1820 to 1825 and 1832 to 1837, dates selected according to the availability of licensing records. In the 1820 period the rates of persistence for each district were: Western, 57%; Niagara, 29%; Midland 37%. See, "Schedule of Public Accounts," *Tenth Report of the Bureau of Archives for the Province of Ontario*, ed. Alexander Fraser (Toronto: L. K. Cameron, 1913), 291-301; *Appendix to the Journal of the Legislative Assembly of Upper Canada*, 2nd Sess., 9th Parl., Public Accounts no. 9 and subsequent "Names of Persons Licensed as Innkeepers ..." (1825). Between 1832 and 1837 the rates of persistence were: Western District, 33%; Niagara District, 23%; Midland District, 27%. See, *Appendix*, 4th Sess., 11th Parl., Public Accounts no. 10 and subsequent "Names of Persons Licensed as Innkeepers..."; *Appendix*, 3rd Sess., 13th Parl., Public Accounts no. 14 and subsequent "Names of Persons Licensed as Innkeepers..."

In the 1820 period the persistence rate averaged 41%, and in the 1830 period dropped to 27%. But the appearance of declining rates of persistence from the 1820s to the 1830s may be misleading. For instance, in the Western District, between 1820 and 1825, 57% of tavernkeepers persisted. Between 1827 and 1832 the rate fell to 28.6%, but between 1832 and 1837 was back up to 53%. The question of declining persistence is an interesting one, nevertheless, and suggests an area for further research.

¹³² The average hides wide variations. Midland, 18.5%; Eastern, 26%; Johnstown, 15.7%; Newcastle, 11.6%; Home, 5.6%; Gore, 13%; Niagara, 12.4%; London, 7.4%; Bathurst, 6.9%; Western, 25%; Ottawa, 26.6%. See note 131 above and *Appendix*, 4th Sess., 9th Parl., Public Accounts no. 12.

¹³³ Peter Clark, *The English Alehouse*, 286.

Michael Fox in the Western District, all of whom kept tavern for at least seventeen years. And they also hide the careers of keeps like George Washington Post and Russell Inglis, both of whom put in apprenticeships in the trade as barkeepers before opening their own houses. Post began as a barkeeper to William Moore in York, in 1802, kept his own house in Scarborough, and later moved to Pickering Township and kept tavern west of Whitby. A George Washington Post was licensed in the Home District in 1825. Inglis had "kept an Inn himself for 9 years," in 1853, the Wellington Hotel in Toronto. Before that "he was with William Campell for several years when he kept the North American."¹³⁴ Mrs. C. Anderson, kept "the oldest [inn] upon the road" into Grimsby in 1824. Its sign depicting "a deer, a huntsman, a hound, a double barrell'd rifle, and a green tree" also bore a "date some twenty or thirty years antecedent to 1824." And, Paul Shipman got old and rich while he kept "the Inn of Twelve Mile Creek for many years." It is clear, then, that some tavernkeepers enjoyed long and prosperous careers in the business.¹³⁵

Some had few other options, for tavernkeeping provided a way to make a living for disabled and unskilled people. Three magistrates recommended Henry Elliot "as a fit person to Keep a House as Innkeeper on the York Road three miles from Port Hope and more especially as he is a person not able from wounds rec'd in his Majesty's service to earn a living

¹³⁴ For Olcott et al.. see *Appendix to the Journal of the House of Assembly 1820 though 1837* as cited above; EP, Aug. 18, 1802, Firth, *Town of York: 1791-1815*, 140; AO RG 22-390, 78-1, Richards, Toronto, 1853. *Christopher Walsh v Russell Inglis*

¹³⁵ "The Irish Hostess," "Paul Shipman," *Colonial Advocate and Journal of Agriculture, Manufactures and Commerce*, July 1, 1824

for a large family by labour not having learned a trade."¹³⁶ In Sandwich Gregoire LeDuc kept tavern because of "the lameness and infirmity which has rendered him unfit for hard labour."¹³⁷

Nevertheless, the tavernkeeping trade in Upper Canada clearly differed in its stability from Clark's British sample and reflects instead the mobility characteristic of colonial or settlement societies, low population density, and a less developed economy. Tavernkeepers, like other people, moved on when unable to establish or maintain a wanted way of life in one place or one occupation.¹³⁸ In Edward Talbot's words in 1824:

After I had walked about twenty miles through the woods to a place where a tavern had been lately opened, stopped for the purpose of taking some refreshment. Knocking at the door of the inn, I discovered that, although the nest remained, the birds had flown. It had been established some time before by one of those speculating Yankees who roam from settlement to settlement [...] not being able to realize their expectations in any place are almost continually upon the wing.¹³⁹

Many tavernkeepers pursued another occupation at the same time they kept a public house, which might facilitate movement out of the business. Tavernkeeping was often not a sole support, its profits complemented merchant, artisanal, and farming incomes alike.

¹³⁶ NA RG5 A1, vol. 105, p. 5934, John Broblo [?], J. [?] Huston, Charles Fothergill, Justices of the Peace, Hope, Jan. 13, 1831.

¹³⁷ AO, Windsor Quarter Sessions Records, Tavern and Shop Licensing Records

¹³⁸ See, for patterns of mobility and migrancy, Michael B. Katz, *The People of Hamilton, Canada West: Family and Class in a Mid-19th-Century City*, Harvard Studies in Urban History (Cambridge: Harvard University Press, 1975) and David Gagan, *Hopeful Travellers: Families, Land, and Social Change in Mid-Victorian Peel County, Canada West*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1981); Many Upper Canadians pursued multiple occupations, see J. Keith Johnson, *Becoming Prominent: Regional Leadership in Upper Canada, 1791 - 1841* (Kingston: McGill-Queen's University Press, 1989)

¹³⁹ Talbot, *Five Years' Residence*, vol. 2, 257

Country merchant Matthew Dolsen operated a tavern as part of his mercantile complex. Some details of his business are known. Just below the site of Chatham on the River Thames in the late 1790s Dolsen's was at the furthest point upriver navigable by schooners carrying trade goods in and out of Lake St. Clair and Lake Erie. It included a wharf, a boat for upriver trade and transport, and a general store with a wide array of goods, from flour to spades, end tables, and silks. He was also in close association with a saw milling company and erected a distillery prior to 1812.¹⁴⁰ Dolsen kept a set of books which suggest the logic of integrating taverning with a complex of money-making ventures. His accounts, which show links to both local marketing and long-distance trade, survive for December 1797 to June 1799. According to the form of the entries, the tavern functioned as the focal point of the complex. Dolsen interspersed debits for a gill of rum, a bottle of wine, a supper, or for "a man, Horse & Hay, 1 day," with those for sundries and household goods, and credits for agricultural produce. The flow of the records in the long, unwieldy ledger suggests a common location for drinking, lodging, buying, selling, negotiation and bookkeeping.¹⁴¹

Other tavernkeepers similarly engaged in trade or, as merchants, ran taverns in conjunction with their other enterprises. Abner Miles combined tavernkeeping and store keeping with a cartage business and co-ownership of two schooners plying Lake Ontario in

¹⁴⁰ Fred C. Hamil, *The Valley of the Lower Thames, 1640-1850* (Toronto: University of Toronto Press, 1951), 60-64; *The Illustrated Historical Atlas of the Counties of Essex and Kent* (Toronto: H. Belden and Co., 1880 and 1881), 58-59, notes that Dolsen's also included a tannery, blacksmith shop, cooperage, and gristmill - but the information is uncited and unconfirmed; For the boat see, Fred C. Hamil, "Early Shipping and Land Transportation on the Lower Thames," *Ontario Historical Society Papers and Records* 34 (1942): 46-62

¹⁴¹ Matthew Dolsen Journal, *passim*

the late 1790s.¹⁴² Elisha Beman similarly operated a store with his tavern, and later, after leaving the King Street tavern, expanded his interests to milling, distilling and shipping.¹⁴³ The links between tavernkeeping, store keeping and milling established by publican/merchants in the 1790s were still apparent in the late 1820s and '30s. James Phillips ran a tavern north of Ganonoque in combination with a general store and contracted with Jonah and James Brown, perhaps relatives of his wife, Salome Brown, for the operation of a "small" mill on his property. Prior to Phillips' death at the Battle of Windmill Point, 1838, he added a tannery and potashery.¹⁴⁴

Country tavernkeepers usually farmed. Charles Fothergill reached Hartwell's Inn, about forty miles east of Scarborough, in 1817. "Hartwell has a good farm with nearly 150 acres cleared and an excellent orchard rented of Major Wilmot [....] The tavern is as good as the country affords." He reached Cornell's Inn the next night. "Cornell is a ci-divant Quaker, doing well with his farms and mills - a house full of fine girls."¹⁴⁵ In 1835 Patrick Shirreff stopped at "Mrs. Aldego's tavern" in the Longwoods, "the most comfortable house of entertainment in this part of the country." The tavernkeeper told him of her fine husband, who left her 4 horses, 15 sheep, 20 cows, 40 hogs, farm utensils and fields to work at his death.¹⁴⁶

¹⁴² Heron, "Abner Miles," *DCB*, vol. 5 (1983), 596-597

¹⁴³ Saunders, "Elisha Beman," *DCB*, vol. 6 (1987), 51-52

¹⁴⁴ Daybook of James Phillips. An accompanying biography by F.C.L. Wyght reproduces two petitions of Salome Brown, itemizing the buildings associated with the tavern and the agreement concerning the mill; see also Harry Pietersma, "James Phillips," *DCB*, vol. 7 (1988), 695-696

¹⁴⁵ Fothergill, "A Few Notes Made [...] 1817," 90, 91

¹⁴⁶ Shirreff, *A Tour Through North America*, 189-190

Some tavernkeepers worked as artisans. Joseph Pickering "stopped," in 1831, "at a tavern 2 miles from York [...] kept by an agreeable American who is just starting a furnace for casting all kinds of iron ware."¹⁴⁷ The *Toronto Commercial Directory* for 1836-37 listed John James' "steam saw mills [and] Tavern, Kingston road," and James Watson's "Rising Sun Tavern & tinsmith, Newgate-st."¹⁴⁸ Morgan's Inn, in Mille-roche had a "good blacksmith's shop with two fires."¹⁴⁹ In 1854 "there were inns," between London and Sarnia, "adjoining which might be seen a blacksmith's and carpenter's shop."¹⁵⁰ Harry Jones "reached James' [tavern] on Bear Creek [in 1837....] James is a tanner by trade."¹⁵¹ Ben Diffen kept tavern in Pelham township in the Niagara Peninsula in the 1840s and '50s while also operating a cooperage.¹⁵²

The ability to pursue tavernkeeping in combination with a trade, store keeping, farming, or even a profession, suggests that others worked about the place. Dr. Henry Lawson, who juggled a medical practice with tavernkeeping, managed with the participation of his wife.¹⁵³ When Harry Jones arrived at the Lake St. Clair tavern in the summer of 1834,

¹⁴⁷ Pickering, *Inquiries of an Emigrant*, 76

¹⁴⁸ "City of Toronto Commercial Directory for 1836-7: An Alphabetical List of the Inhabitants," in George Watson, *The City of Toronto and the Home District: Commercial Directory and Register with Almanack and Calendar for 1837* (Toronto: T. Dalton and W. J. Coates, 1837), 23, 48. The "Commercial Directory" follows p. 48 of the *Almanack* and is repaginated as pp. 1-51.

¹⁴⁹ Upper Canada Village Archives, Research File on Taverns in Canada West, *Cornwall Observer*, Oct. 9, 1835.

¹⁵⁰ Chambers, *Things As They Are*, 135

¹⁵¹ HJ, Sept. 30, 1837

¹⁵² "Trial of William Townsend, alias, Robt. J. McHenry, at Merrittsville, Canada West," (1852) Canadian Institute of Historical Microreproductions, no. 63556, 45

¹⁵³ HJ, Aug. 16, 1834; for a discussion of women's productive and reproductive labour in the household economies of Nineteenth-century Ontario, see Marjorie Griffen Cohen, *Women's Work: Markets, and Economic Development in Nineteenth-Century Ontario*, *The State and Economic Life*, 11 (Toronto: University

he found "the doctor not at home, but Mrs. Lawson" attended to his needs.¹⁵⁴ In fact, tending the tavern seems often to have been women's work. Although women made up only 4% of all licensed tavernkeepers in Upper Canada,¹⁵⁵ the statistic underestimates their actual participation in the business.

While the men worked elsewhere, women managed the taverns. In 1850, John Bigsby "arrived at Andrew's Inn, near Mallory's Town, on the highroad to Kingston [....] Arriving late and leaving early we saw nothing of the men; but the womenkind were tall, goodlooking, and barely civil."¹⁵⁶ In 1843, in Chinguacousy Township, Thomas Burell declined renting his house and farm to Mr. and Mrs. Samuel Reid, "knowing" that Samuel "was not a good farmer. - Had no objection to them as Tavernkeepers - Mrs. Reid is an active person and manages the business of the tavern." They later did obtain the place as a sublet and Mrs. Reid argued with their landlord over the rent owed. "Mrs. Reid had promised to give him \$49 for the house and the License, the orchard and some oats growing in it and some meadow, and that Mrs. Reid said it was only \$39. Mrs. R. said that rather than have any further trouble she wd. pay the

of Toronto Press, 1988).

¹⁵⁴ HJ, June 5, 1834

¹⁵⁵ See *Appendix to the Journal of the House of Assembly of Upper Canada* as cited in fn 131 above. In 1827, 27 women kept tavern in Upper Canada, and 41 women in 1837. (There were 588 tavern licenses issued in 1827, in 1837, 1013.) The percentage of women tavernkeepers differed across the districts, from a low of 1.8% in the Home District to a high of 13.3% in the Ottawa District in 1827. In 1837, the London District showed a low of 2.3%, and a high of 8.6% in the Eastern District. Ottawa, at the later date had fallen to 5% women keeps. Rice, *Early American Taverns*, 42, notes percentages of women tavernkeepers from 0% to 24% in the mid to late eighteenth-century Thirteen Colonies. See also p.54 for women's management of taverns licensed to their husbands. The 4% figure for women tavernkeepers matches the percentage of women in "business," tavernkeeping included, in Brantford, Ontario in the mid-nineteenth-century. See David G. Burley, *A Particular Condition in Life: Self Employment and Social Mobility in Mid-Victorian Brantford, Ontario* (Montreal: McGill-Queen's University Press, 1994), 99.

¹⁵⁶ Bigsby, *The Shoe and Canoe*, vol. 2, 50-51

\$49." Thomas Phillips who then purchased "the premises formerly occupied by Reid as an Inn [...] wished them to remain." Despite acknowledging her husband as the legitimate tenant, he reiterated that Reid's "wife [was] an active woman and has a great share of the management of the tavern."¹⁵⁷ Not surprisingly then, the sort of woman a prospective tavernkeeper was married to was clearly a factor in licensing decisions. Thus the Uxbridge license inspectors reported in 1852, that "with reference to Leonard Long we have had no complaint [...] & we believe himself & wife are well & suitably adapted to Keeping an Inn."¹⁵⁸

More generally, tavern goers noticed the work of women about the inns. Charles Fothergill observed that his landlord "had a clever, managing wife, who makes excellent cheese and butter amongst other things."¹⁵⁹ Basil Hall noted a "comely young woman" who cooked and served a meal to a party of travellers in a tavern near the Grand River in 1829.¹⁶⁰ Women attended the public dining tables and poured tea or coffee for the patrons.¹⁶¹ At the Farmer's Inn "a bevy of smiling damsels had everything about the house perfectly neat and clean," served a tea "not without some regard to display; cakes of various kinds, capital cold apple pie and many a nice etcetera besides, with one of the fair daughters to do the honours of the board - an office she performed with singular propriety and ease."¹⁶² Jane Goodfellow

¹⁵⁷ AO, RG 22-390, 39-1, Hagerman, Home District, 1843. *Samuel Reid v John Macdonald*

¹⁵⁸ AO, Uxbridge, Township of, Municipal Records, Council Minutes, 1850-1880, [Report of the Inspectors of Houses of Public Entertainment, 1852]

¹⁵⁹ Fothergill, "A Few Notes Made [...] 1817," 56

¹⁶⁰ Basil Hall, *Travels in North America*, vol. 1, 127

¹⁶¹ Shirreff, *A Tour Through North America*, 122

¹⁶² Fergusson, *Practical Notes Made During a Tour*, 118-119

worked in the kitchen of her brother Henry's tavern.¹⁶³ Margaret Graham lived at Stinson's Niagara tavern for seven months in 1845. "My daughter and others attended bar at that time."¹⁶⁴ Robert Zimmerman's sister "kept house" for him after he "left home - to keep a tavern," in 1850. "She never attended the bar that I knew. She has frequently been in the barroom, has been behind the counter - She did not make a practice." Ann Zimmerman, Robert's wife "never left" her sister-in-law "alone in the house [....] I am sure I never left her alone."¹⁶⁵ In other words, young Miss Zimmerman, did indeed attend to the barroom on occasion, and probably was sometimes responsible for the house.

The discussions of women's work make it evident that the taverns were family homes. When William Moore, took over his tavern Ely Playter "spent the day packing up my goods as we expected Moore down with his family."¹⁶⁶ At Fisher's Hotel, Patrick Shirreff was "invited to breakfast with the family."¹⁶⁷ "[S]ome children belonging to the house" joined the company in the public room of a backwoods tavern in 1821.¹⁶⁸ John Bigsby recalled "thoughtlessly walk[ing] by a back entrance into what might be called the family room" of the inn where he lodged.¹⁶⁹ The tavernkeeping couple and their children, then, lived on the premises as tavern regulations required them to do.¹⁷⁰

¹⁶³ AO, RG 22-390, 2-10, Macaulay, Niagara District, 1834. *King v Charles Frier*

¹⁶⁴ AO, RG 22-390, 43-5, Sullivan, Niagara, 1850. *John Stinson v Th. Stinson, admin. of Joseph Stinson*

¹⁶⁵ AO, RG 22-390, 47-3, Draper, Western District, Chatham, 1852. *Zimmerman v Sexton*

¹⁶⁶ EP, Apr. 23, 1802

¹⁶⁷ Shirreff, *A Tour Through North America*, 172

¹⁶⁸ Howison, *Sketches of Upper Canada*, 180-181

¹⁶⁹ Bigsby, *The Shoe and Canoe*, vol. 2, 73-74

¹⁷⁰ See, [W.C. Keele], *A Brief View of the Township Laws up to the Present Time with a Treatise on [...] The Law Relative to [...] Innkeepers &c.* (Toronto: W.J. Coates, 1835), 49-50

Children worked at the tavern.¹⁷¹ George Head, at a public house on Lake Simcoe in 1829, "was awakened early in the morning by the busy sounds of a farmhouse. The mistress was up, the maid, and the children, and each had something or other to do."¹⁷² Joseph Busby remembered that as a boy, it was his task to go to the river and haul water for use in his family's Eagle Tavern.¹⁷³ At an inn near Guelph the landlord's daughter, "a simple and good natured girl" collected payments for lodging and meals.¹⁷⁴ And Mr. Lambert's "little boy" was about his tavern early one Wednesday morning when William Barclay came in with a slit neck. He "informed" his father "that there was a very sick man in the barroom." He then carried out the common children's task of carrying a message. "Sent my son off to inform his son, Mr. George Barclay of the state of his father."¹⁷⁵

Given women's engagement in every aspect of the tavern business, from managing the house on a daily basis, to negotiating rental terms and arguing with landlords, providing meals, presiding over the public tables, and keeping bar, it was natural for them to succeed their husbands when widowed. Much of the work had been women's already. All the women licensed in the Western District, for example, from 1824 to 1842, with the exception of two

¹⁷¹ For a discussion of children's work see John Bullen, "Hidden Workers: Child Labour and The Family Economy in Late Nineteenth-Century Urban Ontario," *Canadian Family History: Selected Readings*, ed. Bettina Bradbury, New Canadian Readings (Toronto: Copp Clark Pitman Ltd., 1992), 199-219.

¹⁷² George Head, *Forest Scenes*, 278

¹⁷³ Joseph Busby, *Pioneer Collections: Report of the Pioneer and Historical Society of the State of Michigan* 9 (1886): 121

¹⁷⁴ Chambers, *Things As They Are*, 125

¹⁷⁵ AO, RG 22, Unprocessed 19thC and Early 20thC Records List, (Temp. Box 1) Hiram Walker Collection, Western District, Coroner's Inquests and Inquisitions, 1845-1855, Inquest into the Death of Wm. Barclay, Sept. 14, 1850

whose marital status is not known, were widows. Many are known to be the widows of tavernkeepers. For instance, Veronique Charon succeeded to her husband, Jacques', license in 1833; Mary Middleton took over from George in 1839. Mrs. T. Mary Moore wrote to the justices in 1838 to inform them that as "the widow of the late Wm. Moore, deceased, [...] it is my wish and intention to continue the tavern lately kept by my husband."¹⁷⁶ When William Hawkins died in 1832 his widow, Honor, continued in the trade for at least ten years. Elizabeth Lytle also kept tavern for more than a decade in the Western District, as did Maria Pierce and Catherine McDonnell in the Eastern District, and Margaret Terriberly in Gore. Women maintained, in fact, an 18.5% persistence rate over the ten year span, 1827 to 1837, slightly higher than the overall average. And, about a third of them paid the highest licensing rates in their districts, indicating their location in central areas, and suggesting that widowed tavernkeepers did not cluster in the poor public houses.¹⁷⁷

In York, Jane Jordan spent twenty years in the tavern, both as a married woman and as a widow. Three times wed, both her second and third husbands were tavernkeepers. Paul Marion obtained his license to keep tavern in the Town of York in 1806. At his death in 1808, it was "duly assigned to his widow Jane Marion." The Marions' tavern, run in combination with a bakery and confectionary was "in the rear of Jordan's York Hotel." Shortly after Marion's death, Jane married Jordan. The York Hotel was a substantial one. It entertained and

¹⁷⁶ AO, Windsor Quarter Sessions Records, Tavern and Shop Licensing Records

¹⁷⁷ *Appendix to the Journal of the House of Assembly*, as cited in fn 131 above. The maximum rates in some districts were high indeed, £10 in the Midland, Johnstown, and Home Districts, and £7 10s to £10 in the Niagara, London, Gore and Eastern Districts.

boarded members of the House of Assembly, and hosted sittings of Parliament and the Court after the official buildings burned during the War of 1812. Ely Playter, with "25 officers of the militia dined at Jordan's, all very agreeable." It was also the stage house of the York - Kingston coach line in 1820. At John Jordan's death in 1821, Jane inherited "forever," the hotel, all John's freehold estates, his household estates, and "all sums of Money that may be owing or due" to him. His "beloved Wife Jane Jordan, formerly Widow of the late Paul Marrow, otherwise Paul Marion of the Town of York" also became sole executrix under the terms of the will. She promptly published a notice in the *Upper Canada Gazette*: "The subscriber being grateful for past favours during her late husband's time begs leave to acquaint her friends and the Public, that she continues to carry on business at the York Hotel."¹⁷⁸

Conclusion

Jane Jordan and Ely Playter were contemporaries who experienced the fortunes of tavernkeeping quite differently. Jane Jordan's success story contrasts with Ely Playter's far

¹⁷⁸ AO. Probate Court Records, York, Will, Paul Marrow/Marion, 1808 (he names a son of Jane's - John Burke, so I assume she was formerly married to a Mr. Burke); "Minutes [...] Court of General Quarter Sessions, Home District," *Twenty-First Report*, ed. Fraser, 64, 78, 115, 121; John Ross Robertson, *History of Freemasonry in Canada: [...] embracing a general history of the Craft and its Origin but more Particularly a History of the Craft in the Province of Upper Canada [...] vol. 1* (Toronto: Hunter Rose, 1899), 77; Firth, *Town of York: 1793-1815*, 186, 140, 252, 281; Firth, *Town of York: 1815-1834*, xviii; *Kingston Chronicle*, Jan 14, 1820, (Stage house); York (Toronto) Surrogate Court Estate Files, John Jordan, 1822; *Upper Canada Gazette*, Jan 14, 1822; Jane Jordan continued the bakery business and was licensed to keep tavern in the Home District until 1825, see *Appendix*, 2nd Sess., 9th Parl., Public Accounts no. 9; See also, Elizabeth Jane Errington, *Wives and Mothers, Schoolmistresses and Scullery Maids: Working Women in Upper Canada, 1790-1840* (Montreal: McGill-Queen's University Press, 1995), 192-197 for a discussion of Jane Jordan and women's work in taverns.

more typical experience of a short tenure in the business.¹⁷⁹ Yet it is Ely's journal, his descriptions of his public house, the company within it, the hours of his day, his own taverning, and his decision to leave the business, which bring the world of the early Upper Canadian tavern to life. His perspectives enliven and provide a solid grounding for a comparative analysis of the taverns and tavernkeeping throughout the colony until the end of the 1850s.

Playter's tavern was typical in many ways. His rooms offered space for public sociability or the choice of relative seclusion. Its standards of accommodation were decent, or Mary Thompson, the respectable daughter of a substantial farm family, would not have made her home there. Its standards of service and food were sufficient to encourage the steady patronage of professional men. Playter's also enjoyed the custom of the broad middling ranks of the Town of York and the surrounding settlement communities. The tavernkeeper was usually busiest in the evening when customers for drink and sociability frequented the barroom most heavily and although the company was often merry, they gave the tavernkeeper little trouble. Like most colonial taverns, Playter's gave good service to an orderly public.

¹⁷⁹ The absence of occupational persistence in the trade, combined with the different grades of public houses kept means it is not possible to understand tavernkeeping as an occupation with a particular social status. Paul Romney makes this point: "[S]ome occupations cannot be fitted into a single status category. *Tavern-keeper*, for instance, included both the landlord of the North American Hotel, the highest-assessed building in the city at £300 a year, and at the other extreme the likes of James Watson, tinsmith and landlord of the Rising Sun, assessed at £15 [...]." Paul Romney, "On the Eve of the Rebellion: Nationality, Religion and Class in the Toronto Election of 1836," *Old Ontario: Essays in Honour of J.M.S. Careless*, ed. David Keane and Colin Read (Toronto: Dundurn Press, 1990), 201; see also Burley, *A Particular Condition in Life*, 80.

Chapter 2

Public Houses and Public Service

There is compelling evidence of a cultural transformation in peoples' attitudes toward drink and its consumption in the 1830s, '40s and '50s in Upper Canada and much of the Anglo and American world. The temperance crusade attained the character of a mass movement in these decades and sobriety came to be defined as a crucial component of respectability and prosperity.¹ One might expect, then, the history of the taverns across the same decades to be one of decline; yet the numbers tell a different story.² Between 1800 and 1852 the number of licensed taverns

¹Janet Noel, *Canada Dry: Temperance Crusades Before Confederation* (Toronto: University of Toronto Press, 1995), 218, see also 119-121, 125-126, 137-139, 142-145, 223

²Because tavern licenses generated government revenue the *Appendices* to the *Journal of the Legislative Assembly of Upper Canada* and the *Appendices* to the *Journal of the Legislative Assembly of the Province of Canada* included, in the Public Accounts, the numbers of taverns licensed each year in each District. Because the records were kept for the purposes of determining monies paid and owed to the government by license-holders these lists can be assumed to provide an accurate record of the number of legal drinking establishments in the colony. They do not, of course, allow any insight into the numbers of unlicensed houses selling liquor illegally. I have found no way to estimate the numbers of these.

Records published in each *Appendix*, for tavern, shop, and ale and beer house licenses have survived for 1800-01, 1820, 1824 - 1829, and then solidly through the 1830s, 1840s and to 1853 when revenue reverted to the municipalities. A tavern license was usually taken from 6 January to 5 January the following year. Shops refer to those licensed to sell alcohol and the records for the whole period distinguish between shops and taverns. Between 1840 and 1852 records for "Ale and Beer House" licenses appear in the same reports. After peaking at 172 in 1843 their numbers fell to 3. Also, to 1840 tavernkeepers' names are listed, usually several pages after the numerical summation, while in the Union period only a numerical figure for each district appears.

For "Tavern and Shop Licenses" 1800-01, and some 1801-02 see "Accounts of the Receiver-General of Upper Canada" in *Eleventh Report of the Bureau of Archives for the Province of Ontario*, ed. Alexander Fraser (Toronto: A. T. Wilgress, 1915), 749-50, 752-53, 757-8, 774-5; for 1820 see "Tavern and Shop Licenses" in *Tenth Report of the Bureau of Archives for the Province of Ontario*, ed. Alexander Fraser (Toronto: L.K. Cameron 1913), 293-297; For 1825 see *Appendix to the Journal of the Legislative Assembly of Upper Canada*, 2nd Sess., 9th Parl., Public Accounts no. 9. This listing records licenses issued between Jan. 5 and Oct. 4, 1825 only - which accounts for the low number of taverns this year, for 1827 see, *Appendix*, 4th Sess. 9th Parl., Public Accounts no. 12, (1828); for 1832-1833, see, *Appendix*, 3rd Sess., 11th Parl., Public Accounts no. 10, (1833) and *Appendix*, 4th Sess., 11th Parl., Public Accounts no. 10, (1834); for 1837 see, *Appendix*, 3rd Sess., 13th Parl., Public Accounts no. 14 (1838) and *Appendix*, 4th Sess., 13th Parl., Public Accounts no. 5, (1839); for 1839 and 1840, see *Appendix*

increased from 108 to 2,723. This is not a surprising finding in a period when the population grew from about 34,000 to a point approaching the one million mark.³ More surprising is the consistency, despite some fluctuations, in the per capita relationship between the people and the taverns over the same years.

Year	Population	Taverns	Ratio	All Points of Sale	Ratio
1801	34,600	108	1 / 302	187	1 / 185
1820	109,740	428	1 / 256	634	1 / 273
1825	154,381	476	1 / 324	744	1 / 207
1827	177,174	588	1 / 301	838	1 / 211
1832/33	295,863	931	1 / 317	1,386	1 / 213
1837	400,286	1,099	1 / 364	1,504	1 / 266
1839	409,048	1,114	1 / 367	1,475	1 / 277

to the *Journal of the Legislative Assembly of the Province of Canada*, vol. 1, 1st Sess., 1st Parl., Appendix B, Public Accounts no. 4; for 1842 see *Appendix*, vol. 3, 3rd Sess., 1st Parl., Appendix A, Public Accounts no. 3; for 1843 see *Appendix*, vol. 4, 1st Sess. 2nd Parl., Appendix A, Public Accounts no. 3; for 1845 see *Appendix*, vol. 5, 2nd Sess., 2nd Parl., Appendix C, Public Accounts nos. 3 and 5; for 1846 see *Appendix*, vol. 6, 3rd Sess., 2nd Parl., Appendix A, Public Accounts nos. 3 and 30; for 1847 see *Appendix*, vol. 8, 2nd Sess., 3rd Parl., Appendix A, Public Accounts nos. 3 and 34; for 1849 see *Appendix*, vol. 9, 3rd Sess., 3rd Parl., Appendix C, Public Accounts, nos. 3 and 24; for 1850 see *Appendix*, vol. 10, 4th Sess., 3rd Parl., Appendix B, Public Accounts, nos. 3 and 28; for 1852 see *Appendix*, vol. 13, 1st Sess., 5th Parl., Appendix B, nos. 3 and 22. For the shift in revenue distribution in 1853 see *Statutes of the Province of Canada*, 16 Vict., C. 84, "An Act to repeal certain duties of excise, so far as regards Upper Canada, and to invest certain powers in the municipal authorities...." cited in Robert E. Popham, *Working Papers on the Tavern 2: Legislative History of the Ontario Tavern, 1774-1974*, Substudy no. 809 (Toronto: Addiction Research Foundation, 1976)

³ I have relied, for population figures, upon Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784-1870*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1993), Appendix B, Table I.1, p.249; The 1827, 1833, 1836, 1839, and 1852 population figures are taken from Frederick H. Armstrong, *Handbook of Upper Canadian Chronology*, 2nd ed. (Toronto: Dundurn Press, 1985), Table III, p. 275. Calculations for all other years are my own based upon McCalla's estimates that annual population growth averaged 7% after the first twenty years of settlement, see McCalla, *Planting the Province*, 3-4, 15-16.

1840	437, 681	1, 446	1 / 303	2, 076	1 / 210
1842	487, 000	1, 084*	1 / 449	1, 677	1 / 290
1843	521, 090	1, 611	1 / 323	2, 181	1 / 239
1845	596, 596	1, 970	1 / 303	2, 607	1 / 229
1846	638, 357	2, 096	1 / 305	2, 723	1 / 234
1847	675, 067	2, 218	1 / 304	2, 853	1 / 237
1849	776, 691	2, 367	1 / 328	2, 863	1 / 271
1850	885, 364	2, 523	1 / 351	3, 117	1 / 284
1852	952, 004	2, 723	1 / 350	3, 280	1 / 290

* The number of tavern licenses reported for 1842 is surely wrong, and probably a result of incomplete reporting. For instance, the Eastern District reports only 10 taverns in 1842 while reporting 70 in 1841 and 65 in 1843. Similarly the Home District reports only 184 taverns in 1842, but 294 in 1841, and 323 in 1843. See fn2 for sources.

Overall, the taverns maintained a consistent presence amongst the people, with one tavern for, on average, 326 people from 1800 to 1852. If all points of sale are considered, that is, taverns plus shops, plus ale and beer houses, then there was, on average, one point of sale for each 245 people across the same years.⁴ There was no decline, in fact, until several years after Confederation.⁵ In England, as a point of comparison, there was one "on-license" for every 168

⁴ It was this ratio which parliament decreed as appropriate in 1860 when it passed "An Act to diminish the number of licenses issued for the sale of intoxicating liquors" Clearly directed at problematic urban areas, the alignment of the prescribed ratio with the actual average ratio across the period suggests that Upper Canada, as a whole, was hardly awash with taverns and beer houses and groceries at any point in its history. The act limited the number of licenses granted to one for every 250 residents and required a supportive petition signed by 30 resident municipal electors. See Robert E. Popham, *Legislative History*, 22

⁵ Ian M. Drummond, *Progress Without Planning: The Economic History of Ontario from Confederation to the Second World War*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1987), 294, 292-299, shows that the real decline in taverns per capita came after 1874. His numbers for that year are 4,793 licensed taverns, and 6,185 points of sale (ie: including vessel, shop, and wholesale licenses) overall for a population of 1.6 million (the 1871 Census figure), or a ratio of 1 person / 338 taverns and 1 / 262 points of sale. Both ratios remain in the familiar pre-industrial range.

persons in 1831 and one per 174 persons in 1841.⁶ The colony, in other words, was not overly endowed with public houses. Nevertheless, if people in Upper Canada came to think differently about liquor and its social influences in the temperance years, their new perspective did not affect the number of taverns.

The resiliency of the taverns in the decades when half a million people were moved to sign temperance pledges⁷ calls for explanation. Yet, it does not necessarily challenge the evidence that a cultural reorientation toward drink occurred. It may suggest instead that a more complex relationship existed between the people and the taverns than one premised solely upon liquor. The following pages explore some of the reasons people had for going to a tavern, practical reasons quite apart from the culture of convivial drink.⁸ This chapter shows the taverns to have been, collectively, places which facilitated transportation, places which extended the sphere of economic activity, places for free political expression, and places for community gatherings. It suggests that the constellation of services provided by the taverns explains their continued relevance to the public despite the successful reforming crusades of the pre-Confederation years.

⁶ Brian Harrison, *Drink and the Victorians: The Temperance Question in England, 1815-1872* (London: Faber and Faber, 1971), Table 7, "Persons per On-licence in England and Wales: 1831-1966," 313. In Paris, about 1750, the only date for which a tavern / population ratio is available, there was one tavern for approximately every 200 persons, see Thomas Brennan, *Public Drinking and Popular Culture in Eighteenth Century Paris* (Princeton N.J.: Princeton University Press, 1988), 76

⁷ Noel, *Canada Dry*, 217, 289; The number refers to British North America as a whole.

⁸ See, Cheryl Krasnick Warsh, ed., *Drink in Canada: Historical Essays* (Montreal: McGill - Queen's University Press, 1993), 4-11

I. Transportation

Like the coaching inns of England and the taverns and travellers' inns of the United States,⁹ people used the taverns as points of access to the transportation network, particularly the roadways. Integral to the organization of travel by stage coach and for local travellers with loads and teams, the taverns also offered more limited services to summer steamboat and, later, rail passengers.

Both the government and the military regarded the taverns' role in transportation as a central one. Government houses - taverns owned and operated by the colonial administration¹⁰ - were built "to facilitate communication,"¹¹ as Elizabeth Simcoe put it. Her husband, the first lieutenant governor, reserved crown lands "to remunerate for the expenses of [...] building Inns

⁹ Alan Everitt, "The English Urban Inn 1560-1760," *Perspectives in English Urban History*, ed. Alan Everitt, Problems in Focus Series (London: Macmillan Press, 1973), 91-137; J.A. Chartres, "The Capital's Provincial Eyes: London's Inns in the Early Eighteenth Century," *The London Journal* 3, no. 1 (1977): 24-39; Paton Yoder, *Taverns and Travellers: Inns of the Early Midwest* (Bloomington: Indiana University Press, 1969), passim; Kym S. Rice, *Early American Taverns: For the Entertainment of Friends and Strangers* (Chicago: Regency Gateway in Association with Frances Tavern Museum, 1983), 44-45.

¹⁰ For James Odell Roach's and George Roach's separate petitions for tavernkeeping jobs at the Government House "at the head of Lake Ontario" and the Credit River, respectively, see, National Archives of Canada (NA), RG5 A1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, Correspondence Received, vol. 11, p.4880, May 26, 1810 and NA RG1 E3, Upper Canada Sundries, Executive Council Papers, vol. 12, pp. 240-241, York, May 16, 1815. Government houses were open to the general public. Ely Playter stopped at one, the King's Head Tavern at Burlington Beach, with a party of friends and a young tailor on the way to Niagara in 1805. AO, Playter [Ely] Diary, Feb. 1801 - Dec. 1853, (Hereafter EP)

¹¹ Elizabeth Simcoe quoted in John Ross Robertson, *History of Freemasonry in Canada: [...] embracing a general history of the Craft and its Origin but more particularly a History of the Craft in the Province of Upper Canada [...]*, vol. 1 (Toronto: Hunter Rose Co., 1899), 626; There is a sketch of the tavern by E. Simcoe on p.625.

or Posts necessary for Communication [....]."¹² Similarly, two military cartographers, Philip John Bainbridge, in the 1830s,¹³ and Major Baron de Rottenburg, who drew a "Map of the Principal Communications in Canada West" in 1850, each mapped the sites of inns and taverns.¹⁴ Their work suggests that, like the Simcoes, they understood the public houses to be natural links in the movement of people, information and goods.

Stage Travel

A description of a trip by stage-coach from Toronto to Chatham in January 1837 shows the centrality of taverns to road travel.

Friday 20th Walked down to the Stage office and back [....] Breakfasted [....] told it was at Cotter's¹⁵ walked down there [....] Supposed it had gone off without me - Swore - a false alarm for it soon again made its appearance and

¹² Quoted in Gerald M. Craig, *Upper Canada: The Formative Years 1784-1841*, The Canadian Centenary Series, 7 (Toronto: McClelland & Stewart, 1963), 35. Emphasis in the original. The reserves were to pay as well for "military roads" and "a wharf at York."; See also W.H. Breithaupt, "Dundas Street and other early Upper Canada Roads," *Ontario Historical Society Papers and Records* 21, (1924): 6, who quotes an unidentified "report" of Simcoe's: "Dundas Street [...] will connect by internal communication the Detroit and the settlement on the Niagara."

¹³ R. Louis Gentilcore and C. Grant Head, with a cartobibliographical essay by Joan Winnearls, *Ontario's History in Maps*, Ontario Historical Studies Series (Toronto: Published for the Ontario Historical Studies Series by the University of Toronto Press, 1984), 155

¹⁴ Gentilcore and Head, *Ontario's History in Maps*, 157; portions of the map are reproduced 157-159; The inns and taverns, not comprehensively shown, were included to show "the number of Men and Horses who can be billeted in each [...] town, Village or Tavern."

¹⁵ John Cotter's New British Coffee House, Chewett's Buildings, King Street at York, at the "west end of the City." George Walton, *The City of Toronto and the Home District Commercial Directory and Register with Almanack and Calendar for 1837* (Toronto: T. Dalton and W. T. Coates, 1837), 6, advertises Cotter's as one of the five "Principal Hotels" of the city. The others were James Hutcheson's City Hotel, David Botsford's Ontario House, William Campbell's North American Hotel, and John Grantham's Old British Coffee House, all on Front Street.

called at Perry's [...] - Reached Hamilton before dark and took up my quarters at Burley's - drank tea, took two or three horns, smoked a Segar - laughed at Stevenson, the Stage proprietor, who was on a Spree, most particularly drunk and went to bed in a dirty room.

Saturday 21st Found on coming down that the Brantford Stage had been off for more than an hour - very pleasant - swore immensely and then smoked a Segar [...] Major Holcroft came up in the Stage from Toronto - engaged with him in the evening in making a series of chemical experiments with the view of determining how little warm water was necessary to the manufacture of port wine negus - Took my seat in the Stage and went to bed [....]

Sunday 22nd Called up at 6 o'clock and of course kept waiting until near 8. Made a very slow passage to Ancaster, [....] All the tavernkeepers on this road rejoice in the name of Odell - Dined [...] lots of pious Christians in every stage of bluism at every Tavern. [....] Proceeded at a fine pace and reached Martin's tavern (Oxford) early in the evening, where we found we were to remain until morning, which mightily irritated a Yankee fellow passenger.

Monday 23rd Started at 4 am and reached London by 11[am] [...] quarrelled with the stage driver who wanted to force breakfast down our throats before daybreak [....] Found on our arrival that the Chatham stage had left - Yankee [...] offered me \$20,000 if a railroad or anything else wes[t] went through Canada direct [....]

Tuesday 24th Got up at 2 ½. [....] Breakfasted at Miller's. Got out to ease nature at Nash's - Stage went off during the operation and obliged to run a half mile with my breeches [...] stopped a few minutes at Aubrey's and arrived at Chatham before dark [...] and again took up my quarters at Freeman's.¹⁶

The diarist, Henry John Jones, travelling on government business, waited for the stage at Cotter's New British Coffee House in Toronto, ended his journey at Freeman's tavern in Chatham four days later, and called, minimally, at twelve other taverns along the way.¹⁷ He passed a day at Burley's in Hamilton, spent the evening there socializing over drink, and booked a seat there in the stage before retiring. He and the other passengers made regular stops for breakfasts, teas,

¹⁶ Lambton County Archives, Henry John Jones Diary, Jan. 20-24, 1837 (Hereafter HJ)

¹⁷ In all, fourteen taverns are explicitly mentioned: the nine quoted, plus Mosier's at the Credit River, a tavern at Oakville, Rosseau's past Hamilton, a tavern in Burford and another in Delaware which have been omitted from the quote.

dinners, horns, cigars, lodging and toilet facilities.

To reserve and pay for a seat in the stage, one often went to a tavern. "Books for entering the names of the passengers, who will at the same time pay the stage fare," for the York to Kingston route in 1820, were "kept at the house of Daniel Brown, opposite the market place, Kingston, and at Jordan's Inn, York."¹⁸ Brown kept a "well known Stand for an Inn."¹⁹ At Hart's Newmarket Hotel in 1833, "Passengers and Luggage" could be "Booked," on stages to York and the Holland Landing.²⁰ Also in the 1830s, W.D. Dutton's Brantford Cottage, John Howard's inn at York, Jones' at Dundas, and Dyer's Merchant Exchange in St. Catharines were all stage offices for the daily line connecting the towns.²¹ General Stage Houses, those taking bookings for multiple stage lines also occupied tavern space. In 1851 the City Hotel, Hamilton was the General Stage House and General Booking Office for lines running between Hamilton and many other cities. In Kingston, it was the British American Hotel.²²

Examples of dual proprietorship - tavernkeepers who also owned or co-owned stage lines - are numerous. Joshua Fairbanks and Thomas Hind, both tavernkeepers, owned and operated

¹⁸ *Kingston Chronicle*, Jan. 14, 1820

¹⁹ *Kingston Chronicle*, May 4, 1821; Also, H. Norton and J. Ogden announced the opening of their line of stages between Kingston and Toronto in 1827. "Stage Books kept at Howard's Hotel, York and at the Mansion House Hotel, Kingston". *Colonial Advocate*, Jan. 3, 1828. The stage left Kingston and York on Mondays and Thursdays at noon, arriving Wednesdays and Saturdays in the morning.

²⁰ *Canadian Freeman*, Sept. 12, 1833

²¹ J.J. Talman, "Travel in Ontario before the Coming of the Railway," Ontario Historical Society, *Papers and Records* 29 (1933): 91

²² *Globe*, Jan 21, 1851; see also *The Canada Directory: Containing the Names of the Professional and Business Men [...]* (Montreal: J. Lovell, 1851) 107, 126-7

the line between Newark and Chippewa in 1801.²³ In 1818 Alexander Rogers "inform[ed] the Public that he intends running a stage from his Hotel in Niagara, to Forsyth's Tavern in Niagara Falls."²⁴ In Kingston, 1820, Daniel Brown's tavern was not only the stage office but he was also a partner in ownership of the line.²⁵ In 1832 Benjamin Lundy stayed at Joseph House's Pavillion Hotel and noted House "likewise keeps a stage office and a ferry."²⁶ Plumer Burley, the keeper of the house where Jones stayed in Hamilton in 1837, was also proprietor of a line of stages between Ancaster and York in 1828, a year for which he held a tavern license in the Gore District.²⁷ In 1841 the Eberts brothers of Chatham, owners of the steamboat *Brothers*, and of the Royal Exchange Hotel opposite the wharf, also operated a line of stages. Their advertisement promised: "Every attention will be paid to the comfort and convenience of passengers on board of the Brothers, and also by the Stage Drivers and Innkeepers along the road: the former will be

²³ Talman, "Travel in Ontario," 88; Richard D. Merritt, "Early Inns and Taverns: Accommodation, Fellowship and Good Cheer," *The Capital Years: Niagara-on-the-Lake, 1792-1796*, ed. Richard Merritt, Nancy Butler, Michael Power (Toronto: Published for the Niagara Historical Society by Dundurn Press, 1991) 213; Frederick Markle and James Hamilton, partners in the Yellow House Hotel at Niagara and James Macklem, an innkeeper and merchant at Chippewa took over Fairbank's and Hind's line in May 1801. *Niagara Herald*, Feb 7, 1801.

²⁴ *Niagara Spectator*, May 28, 1818

²⁵ *Kingston Chronicle*, Jan 14, 1820

²⁶ Fred Landon, ed. "The Diary of Benjamin Lundy: Written During His Journey Through Upper Canada January 1832," *Ontario Historical Society Papers and Records* 19 (1922): 131

²⁷ Talman, "Travel in Ontario," 91, *Appendix to the Journal of the Legislative Assembly of Upper Canada*, 4th Sess., 9th Parl., Public Accounts, "Names of Persons Licensed as Innkeepers [...]," (1828); Michael Doucet and John Weaver, "Town Fathers and Urban Continuity: The Roots of Community, Power, and Physical Form in Hamilton, Upper Canada, in the 1830s," ed. J.K. Johnson and Bruce G. Wilson, *Historical Essays on Upper Canada: New Perspectives*, Carleton Library Series, 146 (Ottawa: Carleton University Press, 1991) 445, identify Plumer Burley as an hostler based on the Hamilton Assessment Roll of 1839.

found sober and civil, and the latter kind and accommodating."²⁸

Not surprisingly, taverns functioned as the embarkation, transfer and termini points for stage journeys. All dual proprietors operated their lines from their tavern premises. Patrick Shirreff's friends drove him into St. Catharines in 1833, to Dyer's Hotel, to get the stage for Hamilton.²⁹ Stages to London and "all places East" left the British Hotel in Chatham in 1841.³⁰ Phelp's Inn was the Holland Landing Terminus of the stage from Toronto in 1837³¹ Probably the stages stopped at many of the central hotels and taverns in the towns, as well as private residences. Jones mentioned that his stage called first at Cotter's before he caught it at Perry's boarding house. And an advertisement for the stage operating out the Roxburgh Castle Inn, indicated that after booking their seats at the tavern, passengers could be "called for at their residence by applying."³²

Jones' approximately 180 mile trip between Toronto and Chatham averaged a tavern stop

²⁸ *Chatham Journal*, Dec. 17, 1842

²⁹ Patrick Shirreff, *A Tour Through North America: Together with a Comprehensive View of the Canadas and the United States [...]* (Edinburgh: Oliver & Boyd, 1835), 102-03

³⁰ *Chatham Journal*, July 3, 1841

³¹ *City of Toronto and the Home District [...]* Directory, 1837, 42

³² *Globe*, Mar 31, 1849

every thirteen miles.³³ At normal rates of travel in Upper Canada, three or four miles an hour,³⁴ this meant a pause about every three and a half hours. His Sunday reference to the "pious [...] at every tavern," made in the context of a "very slow passage to Ancaster," suggests there may have been more stops, and certainly more taverns, than those precisely identified. In fact, taverns stood perhaps six, perhaps eight miles apart along most roads.³⁵ Under favourable conditions, the stages stopped only at scheduled places, for instance, the Newmarket Hotel on the York-Holland Landing route, Andrew Nobles' Halfway House on the Kingston-Toronto line, and Forsyth's Pavillion at Niagara on the way to St. Catharines.³⁶ Boarding passengers could pay their fares to

³³ Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer from the Year 1824 to 1830. During which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* (London: Effingham Wilson, 1831), 83 estimated that travellers in sleighs stopped every ten to twelve miles.

³⁴ Estimates of travel speed vary. Most people reported an average speed of three miles per hour. See, William Chambers, *Things as They Are in America* (London and Edinburgh: William and Robert Chambers, 1854), 124-125. See also, *George Stanley: Or, Life in the Woods; A Boy's Narrative of the Adventures of a Settler's Family in Canada*, ed. John G. Geikie (London: Routledge, Warne, and Routledge, 1864), 155; Shirreff, *A Tour Through North America*, 177; Samuel Strickland, *Twenty-Seven Years in Canada West: Or, The Experiences of an Early Settler* vol. 1, ed. Agnes Strickland (London: Richard Bentley, 1853), 141

Francis Hall noted that the five miles of road "betwixt the head of the lake and the main road ... took us three hours to accomplish." Francis Hall, *Travels in Canada and the United States in 1816 and 1817* (London: Longman, Hurst, Rees, Orme & Brown, 1818), 21; Five miles an hour was exceptional: "From Port Sarnia to Chatham - sixty miles at least in less than twelve hours - Glorious Travelling!" declared Harry Jones in 1837 HJ, Aug., 4, 1837. On the other hand, William Chambers, *Things As They Are*, 135, claimed that upon reaching a plank road "in a minute we were bowling along at a rate of 10 miles and hour."

³⁵ "On all public roads houses of this kind are conveniently stationed at intervals of from six to ten miles." Chambers, *Things As They Are*, 123; "Owing to the great deal of travelling in waggons and on horseback in Canada, taverns are situated every seven or eight miles [...] on an average of every six miles [...]" James B. Brown [A Four Years' Resident, pseud.], *Views of Canada and the Colonists: Embracing the Experience of a Residence; Views of the Present State, Progress, and Prospects of the Colony; with Detailed and Practical Information for Intending Emigrants* (Edinburgh: Adam & Charles Black, 1844), 43-44

³⁶ *Canadian Freeman*, Sept. 12, 1833; *Globe*, Apr. 10, 1851; *Globe*, Jan. 28, 1851

"agents at the different stage houses."³⁷

Travellers comments indicate that formal arrangements³⁸ may have been in place between the tavernkeepers at the stage houses and stage coach proprietors. Jones' driver seems to have had a specific stop in mind when he "wanted to force breakfast down our throats before daybreak". A traveller to the Holland Landing in 1850 noted that "at Mr. May's tavern, [h]ere you have to stop for the night, except I believe on Saturday."³⁹ And Benjamin Lundy's stage stopped, five miles past Chatham, at Goss' "pretty good tavern" where the horses were also changed.⁴⁰

Despite the implications in a Yankee's criticism that travel in Upper Canada lacked the efficiency of travel in the United States, the stage-tavern combination effectively moved people through the often difficult colonial landscape.

Livery Stables

In addition, people sometimes went to a tavern to rent "Horses, Coaches, Gigs, Waggons, Sleighs & c upon reasonable terms."⁴¹ It was not unusual for tavernkeepers also to keep livery

³⁷ *Kingston Chronicle*, Jan 14, 1820

³⁸ Yoder, *Taverns and Travellers*, 56, presents evidence from a traveller that tavernkeepers were paid \$350 annually by the stage lines to change and care for horses, and provide meals for the driver if the scheduled stop was for passengers meals as well, but \$500 a year if the stop was only to change horses and refresh the driver; see also Rice, *Early American Taverns*, 44-45.

³⁹ A.W.H. Rose [The Reverend Christmas, pseud.], *Canada in 1849: Pictures of Canadian Life, Or, The Emigrant Churchman*, vol. 1 (London: R. Bentley, 1850), 104

⁴⁰ Landon, "Diary of Benjamin Lundy," 129

⁴¹ Notice for the Old British Coffee House and Livery Stable, *City of Toronto and the Home District [...]* Directory, 1837, 42

stables "for the accommodation of the public."⁴² The *Canada Directory* for 1851 listed seven livery stables for Hamilton, two of them run by tavernkeepers. In Toronto, the Lovejoy House Hotel and Livery Stables, and the Wellington Hotel Livery Stables, like George Mink's Telegraph House, General Stage House, and Livery Stables in Kingston, and J.S. Gilman's Commercial Hotel, Stage House and Livery Stables in Prescott, offered combined services.⁴³ Even small taverns might keep animals available. At Tesimond's, in the Western District, Harry Jones "luckily procured a horse, a regular bog trotter glorying in the name of Jerry."⁴⁴

Many taverns and hotels kept carriages and drivers for hire. William Forsyth advertised that "carriages will always be kept in readiness for the convenience of passengers who may miss the stage."⁴⁵ At Howard's Hotel, York and the Mansion House Hotel, Kingston, "[e]xtras [were] furnished [...] for any part of the Country."⁴⁶ "[F]rom the master of the Inn at London I hired a vehicle and driver for eight dollars" noted Anna Jameson in 1839.⁴⁷ At House's hotel Harry Jones "hired an extra [...] a one horse waggon, Mr. House himself driver."⁴⁸

⁴² *Canada Directory*, 1851, notice for the Mansion House Hotel; *Kingston Chronicle*, Jan. 1, 1831

⁴³ *Canada Directory* 1851, 107-108, 448, 449, 456, 542, 126-7, 285

⁴⁴ HJ, Oct. 30, 1837

⁴⁵ *Niagara Spectator*, May 28, 1818

⁴⁶ *Colonial Advocate*, Jan. 3, 1828

⁴⁷ Anna Jameson, *Winter Studies and Summer Rambles in Canada*, vol. 1 (New York: Wiley and Putnam, 1839), 326

⁴⁸ HJ, Apr. 25, 1833

Local Travellers

The majority of those using the roads, however, were local travellers driving their own horses and oxen, wagons or sleighs.⁴⁹ "The little snow that had fell," wrote Ely Playter in 1802, "brought people to town from the country and it looked quite lively. We had four or five sleys in the yard that stayed all night."⁵⁰ Historian Thomas McIlwraith in "Transportation in the Landscape of Early Upper Canada," recognized the taverns as an integral part of a local transportation network which worked well for settlers, particularly farmers. They relied upon the taverns for accommodation because of the length of time required for even relatively short journeys.⁵¹ As one published travelogue put it: "owing to the great deal of travelling in waggons and on horseback in Upper Canada," settlers needed "taverns [...] along the roads for the accommodation, feeding and watering of horses, and rest and food for the traveller."⁵² The law recognized the need. It required tavernkeepers to provide adequate stabling and secure storage. In the Huron District in 1849, for instance, tavernkeepers had to "provide for the use of Travellers [...] good Stabling and [a] Lock-Up Barn or Driving House, for the safe keeping of

⁴⁹ McCalla, *Planting the Province*. 136

⁵⁰ EP, Feb. 26, 1802

⁵¹ Thomas F. McIlwraith, "Transportation in the Landscape of Early Upper Canada," *Perspectives on Landscape and Settlement in Nineteenth Century Ontario*, ed. J. David Wood, Carleton Library Series, 91 (Toronto: McClelland and Stewart Ltd., 1975 in Association with the Institute of Canadian Studies, Carleton University), 57-58

⁵² Brown, *Views of Canada and the Colonists*, 43-44

Horses, Cattle, Carriages, and Waggon."⁵³ Tavernkeepers' advertisements suggest that it made good business sense to do so. Virtually all appended a comment about the quality of their stabling and hostling. "A plentiful supply of hay and oats and a careful man to attend horses."⁵⁴ "Good stabling and an extensive yard."⁵⁵ "[E]nlarged [...] accommodations for horses and Carriages."⁵⁶ "Good stabling and a steady Hostler in attendance."⁵⁷ Many specifically addressed farmers and teamsters and stressed the convenience of their facilities. John Hynes kept tavern near the "upper Barrack Gate" in Kingston in 1819: "Travellers of all descriptions; Farmers or others ... can be accommodated with ease and comfort."⁵⁸ George Carside of the Neptune Inn, New Street, York, boasted in 1830 that "farmers and others with teams will find every necessary convenience in stopping at his House."⁵⁹ On the "main road" from York to the Township of Albion, the Cold Spring Inn offered travellers "the best Refreshment for themselves and their cattle."⁶⁰ Michael

⁵³ "Huron District, Rules and Regulations for Innkeepers," (1849), Canadian Institute of Historical Microreproductions, no. 52535

⁵⁴ *Niagara Herald*, Apr. 3, 1802

⁵⁵ *Kingston Chronicle* July 7, 1826

⁵⁶ *Kingston Chronicle*, May 4, 1821

⁵⁷ *Globe* Apr 10, 1851; See also *Canada Constellation*, Sept 13, 1799; *Kingston Chronicle*, May 14, 1819; *Upper Canada Gazette*, Sept 16, 1819; *Niagara Spectator*, Nov 2, 1820; *Canadian Freeman*, Dec 6, 1827; *Canadian Freeman*, Dec 2, 1830; *Kingston Chronicle and Gazette*, Jan 18, 1837. See also *Niagara Herald*, Sept 18, 1828, and *Niagara Chronicle*, Jan 17, 1839.

⁵⁸ *Kingston Chronicle*, Jan. 22, 1819

⁵⁹ *Canadian Freeman*, Dec. 2, 1830

⁶⁰ *Canadian Freeman*, May 31, 1832

Homer advised that "[h]is stabling is adequate for the accommodation of Farmers."⁶¹ Two of the taverns in Toronto in 1836-7 were named to attract farmers, the Farmers' Arms Inn at 88 & 90 King-st., and the Farmers' Hotel, Market Square.⁶² William Rolph, keep of the Black Horse Inn, Front Street, east of the Market, Toronto, made known "to the farmers of the surrounding Townships, as well as to the many travellers and city friends," his reopening after the fire of 1849.⁶³ Clearly tavernkeepers assumed that farmers used the inns when travelling to town and the importance given to good innkeeping facilities suggests a steady custom came from them. For farmers and other travellers, the taverns provided public access to safe storage for valuable animals and loads while away from home.

This is not to suggest that travellers ignored tavern barrooms or dining tables. Mary Gapper O'Brien, a gentlewoman farming in the Thornhill area, made many trips into York with her family in the late 1820s and early 1830s. It was a distance of fourteen miles which they usually covered in a quick two and a half hours each way.⁶⁴ Customarily, O'Brien and her family stopped at a tavern. On a January 1830 shopping trip she "return[ed] to the Inn" for dinner. In the spring of 1831, "summoned to the Street to accompany Mama to York to sign some papers," O'Brien, "returned to the Inn," where, "the necessity of watching my baby also prevented my dining with

⁶¹ *Patriot and Farmers' Monitor*, Jan 10, 1837

⁶² "City of Toronto Commercial Directory for 1836-7: An Alphabetical List of the Inhabitants," 16, in Walton, *The City of Toronto and the Home District Commercial Directory and Register with Almanack [...]*. "The Commercial Directory" follows p. 48 of the *Almanack* and is repaginated as pp. 1-51.

⁶³ *Globe*, Oct. 2, 1849

⁶⁴ Mary Sophia Gapper O'Brien, *The Journals of Mary O'Brien, 1828-1838*, ed. Audrey Saunders Miller (Toronto: Macmillan of Canada, 1968), 20

Brant, the Indian chief, who is staying at the Inn where we stopped."⁶⁵ Recourse to the taverns was, as a group of tavernkeepers petitioning, in 1844, for lower license rates along "infrequently travelled roads" put it, "indispensably necessary to the comfort and convenience of [...] the community."⁶⁶

The location of stage coach offices, the interest tavernkeepers expressed through their advertisements in attracting farmers to their inns, and legal regulations at mid-century each testify to the continuing significance of the taverns to travellers.

Steamboats and Rail

The taverns and hotels provided less direct and more limited services to steamboat, and later, rail travellers. Tavernkeepers did advertise that "carriages will always be in attendance on the Steamboats to convey passengers to and from the house free of charge"⁶⁷ and "it was customary for" the keeps of small inns "to meet the steamers as they came in [...] and take passengers" for lodging.⁶⁸ Steamboat travellers were by far more numerous than stage travellers.⁶⁹

⁶⁵ *Journals of Mary O'Brien*, 40, 86, 162; see also, 73, 74-5, 90, 152, 182, 262-3

⁶⁶ AO, Windsor Quarter Sessions Records, Tavern and Shop Licensing Records, 1844, p.5551

⁶⁷ *Niagara Chronicle*, Advertisement for Miller's Hotel, Aug. 21, 1851; see also July 2, 1845 for Howard's Hotel, "carriages will be in attendance at the Wharf during the season of navigation."; *Canadian Freeman*, Sept. 12, 1833, ad for David Hart's Newmarket Hotel: "...conveyances at any time to meet the Steamer *Colborne* which plies round Lake Simcoe."

⁶⁸ Joseph Busby, *Pioneer Collections: Report of the Pioneer and Historical Society of the State of Michigan* 9 (1886): 122; Similarly, Thomas Saliniere kept an inn in Amherstburg and "was up looking out for passengers by the steamboat that was coming in" in 1845. RG 22-390, 40-2, Hagerman. Western District, 1845. *Q. v Joseph Dobin and Israel Wetherington*

⁶⁹ McCalla, *Planting the Province*, 136

But aside from the Eberts brothers in Chatham, mentioned earlier, who owned a stage line, a hotel, and a steamboat, no examples of dual proprietorship, or of booking offices, provisioning agreements, or termini occupying tavern space have been found.

With the completion of railroads connecting Montreal, Toronto, Hamilton, Niagara Falls, London and Windsor by 1856, transportation by rail supplanted many key stage routes, lessening or eliminating the significance of well-established stage houses. However, as the railways reinforced the pattern of urban development already created by the "technology of sail and steamboat, of horses, oxen, wagons, and sleighs,"⁷⁰ those taverns and hotels with urban locations and already oriented toward the steamboat trade, welcomed an opportunity to attain first class status. Beard's Hotel in Toronto, enjoyed, in 1853, "a great share of the patronage of the fashionable and general public." It stood only to gain from "the prosperity of the city of Toronto with its certain rapid advancement from general causes together with the influences of the Toronto and Lake Huron Railroad [...] and the Toronto and Guelph Railroad now commenced." The "great influx of travel [...would] add to the already liberal and generous patronage of the above establishment."⁷¹ Rail brought business to urban public houses, but it was a result of "general causes" not active management. Typically, a tavern or hotel keeper's interest in steamboat or railroad travel ended at the wharf or the station. Rather than sustaining the line of transportation itself, the public houses provided the important, but more limited services of accommodation and baggage handling to travellers.

⁷⁰ McCalla, *Planting the Province*, 140

⁷¹ *Globe*, Jan. 8, 1853

The customary use travellers made of the taverns as places to book a seat in the stage, rent a horse, or obtain secure storage for a load of goods, is one reason to suggest that people thought of them as useful public places. They did so from the early days of settlement, as the governor intended, and, in the case of local travellers, into the railroad era.

II. Economic Activity

People used the taverns as a customary site for economic activity. They bought land and goods at auction sales, sold agricultural produce, settled debts and accessed credit, organized mutual insurance companies, and generally, came to "transact business."⁷² In addition, some professionals and artisans sold their services from offices within taverns. And, a wide range of business meetings convened there.

Auction Sales

Auctioneers and sheriffs commonly held their sales in taverns at the beginning of the nineteenth century. R. Clench, auctioneer, advertised a billiard table, a calesh and harness, and assorted household furniture to be sold at Hind's Hotel in 1797.⁷³ At Stoyell's tavern, Thomas Mosley, auctioneer, sold a large assortment of men's, women's and children's clothing in 1807.⁷⁴ A sherriff's sale, of the "goods and chattels, lands and tenements" seized from Nathan Raymond

⁷² *Colonial Advocate*, July 8, 1824

⁷³ *Upper Canada Gazette*, Mar 1, 1797

⁷⁴ *Upper Canada Gazette*, Jan. 10, 1807

to satisfy his creditors was held at Hamilton's Hotel in Niagara, in April 1801.⁷⁵ Another similarly disposed of Thomas Nightingale's bedding and livestock at Thomas Hamilton's inn, York, in 1807.⁷⁶ But, according to the locations announced for sales in newspaper advertisements, virtually all auctions by 1840 took place in "commercial sales rooms" and "auction marts,"⁷⁷ and sheriffs' sales by the 1820s had moved to the courthouses⁷⁸ in places like York/Toronto, Kingston and Niagara.

In rural areas the country taverns may have retained their function as the normal venue for even court authorized auction sales much longer. In 1836, land seized by the sherriff's office for unpaid taxes was advertised for sale in the Western District. Fourteen township locations were announced for the sale. Twelve were certainly in taverns. Only one, held at Sandwich, the central or county town, was at the courthouse.⁷⁹ Similarly, the sale of a well cleared farm with loghouse and barn, held under the authority of the Court of Chancery in settlement of a suit took place at

⁷⁵ *Niagara Herald*, Apr. 4, 1801

⁷⁶ *Upper Canada Gazette*, Sept. 5, 1807

⁷⁷ See for instance, *Globe*, Oct. 18, 1843, advertisement for sale by auction. The same issue contains advertisers' references to an Auction Mart.

⁷⁸ See, *Upper Canada Gazette*, June 2, 1825, *Niagara Chronicle*, Jan 17, 1839, for example. In each example cited here a courthouse was actually in existence in the towns - by 1796 at Niagara, and a temporary one at York by 1797. The York courthouse was considered inadequate to meet basic spatial needs, a situation explaining recourse to the taverns. See, Jay Ormsby, "Building a Town," in R. Merritt, et al. *Capital Years*, 38 and Edith G. Firth, *The Town of York 1793 - 1815: A Collection of Documents of Early Toronto*, Ontario Series, 5 (Toronto: The Champlain Society, 1962), 46, 55.

⁷⁹ *Canadian Emigrant*, Sept. 20, 1836. The other location, "the house of William Taylor" in Dawn was probably also a tavern, but I have no licensing record, or diary mention of it.

Irish's Tavern in the County of Victoria in 1854.⁸⁰ While the land lay close the line of the Grand Junction Railroad, the judicial administrative apparatus was at a distance, the Court itself at Toronto, and any county offices at Peterborough.⁸¹ Lacking convenient access to public buildings, people in some rural areas continued to use the taverns in a traditional way into the railroad era.

Agricultural Sales

The taverns' role in agricultural sales was never a formal one in Upper Canada. There is no evidence, for example, of specialized traders establishing permanent links with specific taverns to market their hops, agricultural seed or other goods as they did in England throughout the eighteenth century.⁸²

But in 1798, farmers used Dolsen's tavern and mercantile complex on the Thames River as a local market for their produce. For example, on January 28, 1798, A. Ogden came in with 24 bushels of corn, T. White brought 12 ½ on the 31st and in February, M. Richeson received a credit for 20 bushels, "not good." While there, each breakfasted, took a drink, or treated a companion. Dolsen gathered in all 484 ¾ bushels of corn from his neighbours in 1798.⁸³ He traded also in peas, pork, beef and live cattle, wheat, whisky and lumber, buying in often small

⁸⁰ *Globe*, Jan. 9, 1854

⁸¹ *Illustrated Historical Atlas: Peterborough County 1825-1875* (Peterborough: Peterborough Historical Atlas Foundation, 1975), 19

⁸² See, Everitt, "The English Urban Inn", 91-137; Chartres, "The Capital's Provincial Eyes.," 24-39

⁸³ Chatham-Kent Museum, *Matthew Dolsen Journal, 1797-1799*, [authorship attributed], Jan 28, 31, Feb. 11, 1798 and *passim*.

amounts from local farmers.⁸⁴ He resold much of it at a 2 to 3 shilling a bushel profit to A. Innis and Company, Sawyers, who also boarded and fed a number of men at the tavern.⁸⁵ By 1802 Dolsen had expanded his buying to 2,000 bushels of corn annually in contract with the Northwest Company via merchant John Askin.⁸⁶

Other tavernkeepers bought agricultural produce from individual farmers, but in amounts which suggest its immediate use on site. Thomas Robinson at Prescott, for instance, in the 1840s regularly purchased apples, peas, and oats, from one Adams, in amounts of about a bushel and a half. He also bought beef, mutton and a goose from Wilson in similarly small quantities.⁸⁷ Small amounts of produce do not, however, appear in the account book with enough frequency to suggest that it was a routine means of payment for many of his customers.

One man sold a cow and a calf at a tavern in 1833. Entrusted to deliver the animals to a woman in the Guelph area, he stopped instead and "sold them at Galt, on his way, at the tavern of one Simpson, who would be able to tell her the name of the man who bought them."⁸⁸ While

⁸⁴ He credited T. Dolsen Senr.'s account by the value of 2 ½ lbs. of pork for example. Dolsen Journal, Oct. 17, 1798 and passim.

⁸⁵ He paid between 6 (Feb 26, 1798) and 8 (Feb 28, 1798) shillings a bushel for corn and sold to Innis for 10s (Dolsen Journal, Apr. 25, 27, 1798); For boarding see, Feb. 14, Apr. 29, 30, 1798 and passim. From Jan. 29 to May 1 Dolsen debited Innis and Co.'s account by £107.8.8 for 809 ½ "rations" at 2s each.

⁸⁶ Fred C. Hamil, *The Valley of the Lower Thames, 1640-1850* (Toronto: University of Toronto Press, 1951), 62

⁸⁷ Upper Canada Village Archives, Thomas Robinson Account Book, 1843 - 1858, pp. 171, 193, 201, 226, 227, 22, 26

⁸⁸ NA, RG5 A1, Vol. 132, p.72822, J.B. Robinson, Opinion of the Chief Justice recommending clemency for George Powell, Aug. 27, 1833.

actually a trade in stolen goods, the familiarity of the buyer to the tavernkeeper and his apparently open conduct of the exchange, suggests he saw the tavern as an unremarkable site for a livestock deal.

In terms of agricultural sales, then, the taverns provided only an occasional and casual market.

Personal Exchanges

It is certain that a man sold a cow and a calf at Simpson's tavern in Galt in 1833. Firm evidence survives of a woman buying a dress from a pedlar in a tavern in Toronto in 1848.⁸⁹ We know that tavernkeepers facilitated financial transactions amongst patrons because of the records in their account books.⁹⁰ Therefore, it is possible to portray the taverns as sites for personal economic exchange. But the evidence is so fragmentary and the other sites of economic exchange, both formal, like commercial sales rooms or general stores, and informal, like the waiting line at the mill, so numerous, that it is difficult to reach firm conclusions about the relative significance of the taverns in this sphere of activity. The only observation which can be made is that the taverns provided, as in England and the United States, room for a variety of personal economic transactions. Indeed by naming some taverns 'coffeehouses' tavernkeepers indicated their willing association with those of London in the seventeenth and eighteenth centuries. These, patronized

⁸⁹ AO, Record Group 22, Series 390, Box 9, File 5, Macaulay Benchbook, Home District, 1848. *Q. v Michael Moran*. All subsequent references to the benchbooks are made in abbreviated format as, for example: RG 22-390, 9-5, Macaulay, Home District, Oct. 1848. *Q. v Michael Moran*

⁹⁰ Dolsen Journal, Feb. 11 and Feb. 17, 1798; Robinson Account Book, pp. 16, 21 (August 1843)

by the propertied commercial and professional classes tended to cluster about the Exchange and sustain not only political and cultural discussion, but also mercantile transactions and information sharing. "[T]he association between the metropolitan bourse and the coffeehouse stuck in the provincial mind," in the Thirteen Colonies⁹¹ and continued to do so in the new Upper Canada.

John B. Coles kept the Queenston Hotel in 1824. His advertisement assumed the customary use of the public house as a site for economic activity. It promised that "gentlemen of the neighbourhood who may do him the honour to transact business at his house will receive every attention."⁹² Ely Playter's diary abounds with references to tavern business. He had a deed to sign over to Mr. Terry in 1803. "I found Mr. Terry at Cooper's [Coffee House], we got the writings from Mr. Ridout, went to Mr. Beman's [tavern] to get evidences where we executed the writings. Drank some gin and water and parted."⁹³ Richard Moore, who had taken over Playter's tavern, and his barkeeper, George W. Post, disputed over some "irregular" books. They "contended the dispute very warmly" but came to terms and "took me [Playter] to Beman's to draw the writings between them." And he noted three men at his own tavern "[...] engaged upon some private business [...]"⁹⁴ Similarly, a notice in the *Upper Canada Gazette* in 1798 requested the creditors of John McEwan, "supposed drowned," to meet at Weissshuhn's tavern at Queenston

⁹¹ David S. Shields, *Civil Tongues and Polite Letters in British America* (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1997), 57; Everitt, "The English Urban Inn, 1560-1760," *passim*; Rice, *Early American Taverns*, 34, 38

⁹² *Colonial Advocate*, July, 8, 1824

⁹³ EP, Mar. 24, 1803

⁹⁴ EP, Aug. 3, 26, 1802; Mar. 16, 1802

and "to bring with them a statement of their claims."⁹⁵ Matthew Dolsen's account book shows that his tavern complex facilitated transactions between or amongst patrons. On February 11, 1798, for instance, he entered:

L. Wilcox, Cr.[edit] by A. Hamilton - 16[s] -
A. Hamilton, D.[ebtor] to Paid Wilcox. - 16[s] -
A. Iredell, Paid Wilcox for Henry Hughs 2.8 - [£ 2 / 8s]⁹⁶

Dolsen thus transferred funds from Hamilton's and Iredell's accounts to Wilcox's, and from Hugh's to Iredell's, perhaps to satisfy an obligation between the latter two men. Similarly, Dolsen registered that Ludwick M. Indian "answered for Adam," to the amount of £ 8 and had received a credit by Petries for 18 shillings.⁹⁷ Dolsen performed, in other words, a simple banking service. He expanded his basic banking services to honouring a draft: "A Iredell, Cr. by a Draft on William David Smith £ 100"; and discounting a bill of exchange: "A. Iredell, Cr. by a Bill £ 40 sterling."⁹⁸ The standing of Dolsen's as a locus for economic exchange was probably encouraged by the keep's books and his ability to maintain a record of peoples' economic relationships.

And, both Dolsen and Abner Miles, who kept a similar tavern and mercantile complex in York in the 1790s, extended credit to tavern goers. They entered debits for purchases⁹⁹ or

⁹⁵ *Upper Canada Gazette*, Apr. 14, 1798

⁹⁶ Dolsen's Journal, February 11, 1798, see also transaction between C. Celly and B. Lightford, Feb. 17

⁹⁷ Dolsen's Journal, Oct. 17, 1798

⁹⁸ Dolsen's Journal, Oct. 14, Sept. 12, 1798; David William Smith was at this time Surveyor-General for the province, and Iredell a surveyor.

⁹⁹ Quakers staying at Dolsen's tavern learned that Moravian Indians on the Thames River had suffered a crop failure. In response they decided "that it would be right, strangers and pilgrims as we were, to try our credit to supply them with one hundred dollars worth of corn and flour. Which being procured from Matthew Dolson,

payments to third parties on the books, as above, and also 'lent' small cash amounts.¹⁰⁰ It is plausible that tavernkeeper/merchants provided banking services to their customers because of the scarcity of coin and the absence of "formal banking institutions" in the colonial economy.¹⁰¹ If so, the practice¹⁰² became entrenched as a custom beyond the practical need for it. Well established banking facilities existed in the 1840s and 1850s when Prescott tavernkeeper Thomas Robinson's account books still show frequent cash advances to patrons.¹⁰³ People continued to use the taverns as places for personal economic exchanges into the 1840s as well. Robinson's books provide one example. In 1843 he recorded a payment of just over £1 made by Ralph Burton to R. Headlam for insurance. A week later Burton was the principal in a deal involving three other men, the purchase of a horse and wagon, a plough, and a coffin, and the payment of a second amount for insurance. The account book shows the interrelated nature of the financial

we furnished them...." Jacob Lindley, "Jacob Lindley's Account" in "Expedition to Detroit, 1793," *Historical Collections: Michigan Pioneer and Historical Society* 17 (1892): 599

¹⁰⁰ Dolsen's Journal, Jan. 28, 31, Feb. 11, 1798 and *passim*.; Baldwin Room, Metropolitan Toronto Reference Library, Abner Miles Account Book, Sept. 1, 1795 - Dec. 15, 1796, Accounts of a General Store and Tavern, Sept. 15, 18, 23, 1795 and *passim*.

¹⁰¹ Craig Heron, "Abner Miles," *Dictionary of Canadian Biography (DCB)*, vol. 5 (Toronto: University of Toronto Press, 1983) 596-598

¹⁰² Tavernkeeper James Phillips regularly lent cash in small amounts in the late 1820s. In 1835 John Wallington twice borrowed money to treat companions at Job Perry's Blandford tavern. NA, Daybook of James Phillips, 1828 - 1830, Jan 20, 1829, Mar 5, 1829, Dec. 9, 1829; AO RG 22-390, 3-3, Macaulay. Western District, July - Oct. 1835. *K. v John Wallington*

¹⁰³ Robinson's Account Book, July 8, 1843, Oct. 15, 1843, Sept. 4, 1850, Dec. 16, 1851, Apr. 16, 1856 and *passim*. The largest amount advanced was 50s. Most were in the 5s range.

agreement amongst the men, and shows it as primarily a debt between Burton and the keep.¹⁰⁴ In 1848, in Toronto, Patrick McBride and several pedlar colleagues gathered at Johnson McBrien's tavern to treat and settle mutual accounts. McBride "was leaving his wife and wanted all ye money he could get. [H]e urged me to borrow ye money of McBrien and to settle ye bill he owed him and I said I would - McBrien assented to take me [...] which was then paid."¹⁰⁵ A bank appears to have had little relevance to such an exchange, and the example suggests that taverns continued, in an urban location and at mid-century, to facilitate financial transactions amongst individuals.

It is clear, however, that formal business activity left the taverns with the advent of specialized commercial and mercantile facilities. Tavernkeeper John B. Coles' advertisement in 1824 had reflected his understanding of the public house as a natural site to "transact business." Another advertisement in 1854 reflected its shift from the taverns. The St. Catharines Hotel stressed its suitability to "businessmen" by its siting in the "heart of town" and its easy access to the railway, telegraph and post offices,¹⁰⁶ not as in 1824, its attention to the needs of business itself.

¹⁰⁴ Robinson's Account Book, p. 16, July 26 and Aug. 1, 1843; Robinson knew Burton, making agricultural purchases from him with some regularity, see p. 48, 50, 58.

¹⁰⁵ AO RG 22-390, 9-5, Macaulay. Home District, Oct. 1848. *Q. v Michael Moran*

¹⁰⁶ *Globe*, Jan. 5, 1854

Professional Services

The public used the taverns as one place to reach professional or specialized services. Put another way, practitioners of various callings used tavern space as office space. Dentists in particular were regular tavern patrons. Doctor McKee, "from Quebec," stayed at Howard's Hotel in York in 1828, "where he will attend to all calls in the line of his profession."¹⁰⁷ In 1834, Dr. E.A. Bigelow advised the public that he practiced at the Steamboat Hotel and would "if required [...] call at their dwellings."¹⁰⁸ Mr. Samuel Wood offered his extensive services at the Ontario House Hotel, York, in 1832, and patronized the Commercial in Kingston in 1835.¹⁰⁹ Mr. C. Kahn, a dentist "from Paris," inserted an advertisement in the *Kingston Chronicle and Gazette* in 1844 which suggests his tavern office had permanency. He informed the public he had "taken the Office lately occupied by Dr. Bowker, at Daley's Hotel," and made no mention of a limited stay.¹¹⁰ A physician, Dr. J. Glennon, similarly "commenced business" at Paul Marion's York tavern in 1807, and a Doctor Tolman took a room at Dexter's in Vaughan to attend to the "inhabitants of Yonge Street."¹¹¹ Unlike dentists, physicians do not appear to have made regular use of the taverns beyond this very early date.

An assortment of other trades took space in the taverns. A "Hair Dresser from London"

¹⁰⁷ *Canadian Freeman*, Aug. 21, 1828

¹⁰⁸ *Colonial Advocate*, Oct. 16, 1834

¹⁰⁹ *Colonial Advocate*, Dec. 6, 1832; *Kingston Chronicle*, Oct. 14, 1835

¹¹⁰ *Kingston Chronicle and Gazette*, Oct. 16, 1844

¹¹¹ *Upper Canada Gazette*, Sept. 26, Sept. 6, 1807

opened shop at Cooper's Tavern in York in 1800.¹¹² John Hulin, shoemaker, established his "factory of boots and shoes" at the Lion Tavern, Niagara, 1801.¹¹³ Elisha Pudney, watchmaker, took a room at Marther's in York and offered a "small but elegant assortment of jewellery" for sale. Aaron Leonard pursued the same trade at the Union Inn at York in 1815.¹¹⁴ Morton Manners offered his services as a portrait painter and teacher in Niagara in 1838. Specimens of his oil and water colour work could be viewed at R. Moffatt's Neptune Hotel. Mr. R.B. Hall, portrait painter and miniaturist, took rooms at the North American Hotel in Toronto in 1843, to receive "ladies and gentlemen" but would also "wait upon" them "at their own residences."¹¹⁵

The taverns might also be used as office space in a less service oriented way. An official on military business complained in 1814 that "agreeable to yr. Request I Repaired to Mrs. Simpson's Inn in the Township of Thurlow [...] where I met Maj. Meyers, Capt. Harris, Capt. Meyers, and Solomon Hazleton, Esq. We waited all the day for the officer of the Commissariat who did not appear, consequently no prices [for agricultural supplies] were fixed."¹¹⁶ Lawyers customarily resorted to the taverns to conduct business. According to W.W. Baldwin, lawyers travelling to York "enter[ed] into public bar-rooms & in taverns" pursued their clients' interests.¹¹⁷

¹¹² Firth, *Town of York: 1793 - 1815*, 114, citing *Upper Canada Gazette*, Apr. 5, 1800

¹¹³ *Niagara Herald*, May 9, 1801

¹¹⁴ *Upper Canada Gazette*, Apr. 19, 1800; *York Gazette*, Apr. 22, 1815

¹¹⁵ *Niagara Chronicle*, Jan. 17, 1839; *Toronto Examiner*, Apr. 12, 1843

¹¹⁶ NA RG5 A1, vol., 21, p.9074, John McIntosh to Ed. MacMahon, Thurlow, Dec. 14, 1814

¹¹⁷ Quoted in, *Provincial Justice: Upper Canadian Portraits from the Dictionary of Canadian Biography*, ed. Robert L. Fraser (Toronto: Published for the Osgoode Society by the University of Toronto Press, 1992), xlv.

There is an example of a merchant house utilizing tavern space in 1827. Donald Creighton quotes a journalist of the *Montreal Gazette* at a Niagara tavern: "We entered another room which was occupied by 11 Lower Canada Merchants and their runners. They were busily employed writing mortgages & cognavits [...]"¹¹⁸ Ian Radforth's "The Shantymen" presents evidence of the taverns' use as labour exchanges. In the 1830s and 1840s in Bytown/Ottawa, tavernkeeper William Stewart acted as an employment agent for timber firms and by the early 1850s the provision of employment services to both shantymen and bosses had become routine on the part of some keeps. In 1859 the hotel keepers cooperated with timber employers by keeping blacklists against problem shantymen.¹¹⁹

A wide range of business meetings convened in the taverns. William DeForest's York inn hosted a General Meeting of the stockholders of the Bank of Upper Canada in 1822.¹²⁰ The "committee appointed to manage the affairs of the Two Subscription Bridges propose[d] a meeting of the subscribers to be held at the Mansion House Hotel."¹²¹ A public meeting convened in Brantford in 1827 at Lovejoy's Inn to petition "the Legislature ... for a charter to incorporate a Company with sufficient capital to make the Grand River navigable from Lake Erie to

Baldwin made the observation - a highly critical one - in support of a bill providing for the incorporation of the Law Society and its corporate ownership of a specialized building.

¹¹⁸ Donald Creighton, *The Empire of the St. Lawrence*, 2nd ed. (Toronto: Macmillan, 1972), 264, quoting *Montreal Gazette*, Sept. 24, 1827

¹¹⁹ Ian Radforth, "The Shantymen," *Labouring Lives: Work and Workers in Nineteenth-Century Ontario*, ed. Paul Craven, Ontario Historical Studies Series (Toronto: University of Toronto Press), 244, 245-246

¹²⁰ *Upper Canada Gazette*, Apr. 25, 1822

¹²¹ *Upper Canada Gazette*, Mar. 14, 1822

Brantford.¹²² The stockholders of the Farmers Store House Company met at John Montgomery's Yonge Street tavern in 1828 to settle accounts and "to set the concern on that permanent footing" required for expanding business.¹²³ Also at Montgomery's, in 1836, members of the public met "for the purpose of considering whether it be expedient to establish a Fire Insurance Company for the Home District."¹²⁴ The Board of Directors of the Desjardin Canal Company met at Jones' Inn, Dundas, in 1831.¹²⁵ Delegates elected by the magistrates of the Western District met at Gardiner's tavern in the Longwoods in 1834 to form a company to improve the navigation of the Thames.¹²⁶ John Prince "attended the great rail meeting" at the same inn in 1836: "I was afterwards made one of the directors and was subsequently made the President! All went off well, met several friends and got rather tipsy."¹²⁷

In sum, tavern space provided an extension of office space in response to the public's needs, both for those directly dependant upon public patronage and those requiring room to do business or negotiate.

People used the taverns as sites of economic exchange. They attended auctions, called in

¹²² Quoted in David G. Burley, *A Particular Condition in Life: Self-Employment and Social Mobility in Mid-Victorian Brantford* (Montreal: McGill-Queen's University Press), 23

¹²³ *Colonial Advocate*, Oct. 9, 1828; Henry Scadding, *Toronto of Old*, abridged and edited by F.H. Armstrong, (Toronto: Oxford University Press, 1966), 319, cites an earlier notice of meeting of the same company at Montgomery's Bird in Hand which makes clear that the storehouse itself was not at the tavern.

¹²⁴ *Correspondent and Advocate*, Sept. 21, 1836

¹²⁵ *Colonial Advocate*, Oct. 27, 1831

¹²⁶ HJ, July 28, 1834

¹²⁷ AO, John Prince Diary, Sept. 20, 1836

the rooms of shoemakers and jewellers to purchase their wares, and visited the travelling dentist. They did this much more frequently in 1800 than in the 1840s for the taverns steadily lost their prominence as sites for formal economic activity through the Upper Canadian period, especially in the towns and cities. Although the fragmentary nature of evidence makes firm statements difficult, it does appear that people continued to use the taverns to negotiate agreements amongst themselves, settle accounts, and obtain small credit advances into the 1850s.

III. Political Expression

The taverns sustained political life at many levels. Meetings convened there for both routine and revolutionary purposes. Companions "sat in the barroom and gossiped on politics."¹²⁸ Politicians held open house during elections. So clear was the link between the public houses and politics that the *Niagara Spectator* complained in 1816, that its only source of political news, lacking an official channel, was "what we hear in Bar-Rooms and in the public Streets."¹²⁹ If we can recapture something of the diversity and complexity of political life in the taverns, then a fuller sense of their importance to the public is gained.

Many public drinking houses in different places and different times similarly sustained political life. In pre-Revolutionary Massachusetts, tavern companies doubled as local networks of political communication to produce a wave of popular Revolutionary will and resolve. The Parisian café of the popular classes similarly provided an important force of political mobilization.

¹²⁸ HJ, Mar. 6, 1842

¹²⁹ *Niagara Spectator*, Mar. 15, 1816

According to their historian, "the idea of the *sansculottes* emerged" from the cafés, patrons donned the pro-Revolutionary *bonnet rouges* there and the café offered a forum for political petitioning. At the same time, counter-Revolutionaries recognized the cafés as valuable sites in which to spy. In periods of political repression the Parisian café provided shelter and "helped sustain the working class movement." The pubs of early Victorian Britain nurtured "local radical opinion" through working class debating societies as the middle classes withdrew to private clubs or philosophical societies, "leaving the publican to preside over the growth of working class articulateness and self-confidence." In Germany, between 1870 and 1914, the taverns allowed a "proto-political" exploration of thought amongst the working class and also permitted the Social Democratic Party and the labour unions a point of entry into popular gatherings of potential support. The examples could be multiplied, but it is apparent that in their pursuit of politics in the taverns, Upper Canadians located their actions within a shared international context.¹³⁰

Much of the political business conducted in the taverns had a routine administrative character. Township and city officials often chose a tavern as a meeting site. When the inhabitants of York met to elect town and parish officers and enact by-laws, they convened at Miles & Playters' Hotel in 1802, stayed in the house after Dr. Thomas Stoyell took it over, and in 1812

¹³⁰ Conroy, *In Public Houses*; W. Scott Haine, *The World of the Paris Café: Sociability among the French Working Class, 1789-1914*, Johns Hopkins University Series in Historical and Political Science, 114th ser., 2 (Baltimore: Johns Hopkins University Press, 1996), 211, 215; Brian Harrison, "Pubs," *The Victorian City: Images and Realities*, vol. 1, ed. H.J. Dyos and Michael Wolff (London: Routledge and Kegan Paul, 1973), 179; James S. Roberts, "The Tavern and Politics in the German Labour Movement, c. 1870-1914," *Drinking: Behavior and Belief in Modern History*, ed. Susanna Barrows and Robin Room (Berkeley and Los Angeles: University of California Press, 1991), 98-111

met at Abbott's tavern.¹³¹ The tavern seems to have housed township records. "Mr. Ross," wrote Playter, "called to see the rules of our town meeting in regard to fences & sat some time & drank some grog telling me some of his old stories."¹³² In 1818, at Niagara, a meeting of the inhabitants to choose three trustees for the district common school convened at Alexander Roger's Inn.¹³³ And the Hamilton Board of Police, the body responsible for municipal government, met at John Bradley's Court House Hotel in 1839.¹³⁴ The preliminary stages of elections sometimes occurred in inns. In 1842 the inhabitants of Chatham met at Henry Smith's tavern to choose "a fit and proper person" to stand as a candidate in the District Council election.¹³⁵ The selection of a candidate for the election of Ward Councillors in Toronto similarly took place, in 1854, at O'Neil's tavern.¹³⁶ Public meetings, convened to attend a broadly political or socio-political agenda also enjoyed access to tavern space. The inhabitants of Chatham gathered at the British Hotel in the fall of 1841, "for the purpose of petitioning Her Majesty on behalf of our fellow subject Alexander McLeod still incarcerated in an American Gaol, on the charge of obeying the orders

¹³¹ Christine Mosser, ed., *York, Upper Canada: Minutes of Town Meetings, Lists of Inhabitants, 1793- 1823* (Toronto: Metropolitan Toronto Library Board, 1984) 31, 56 and *passim*

¹³² EP, July 22, 1802; also, Mar. 1, 1802: "the town meeting was held here and commenced about 11 o'clock, ended about one. Father and mother were down in the sley, returned home at the close of the meeting."

¹³³ *Niagara Spectator*, May 28, 1818

¹³⁴ McMaster University Archives, Mills Memorial Library, Marjorie Freeman Campbell Collection, Hamilton Police Village Minutes, Apr. 2, 1839; Doucet and Weaver, "Town Fathers and Urban Continuity," 446, 454 note that Bradley was a member of the Board, and represented Irish Catholic Corktown from 1837 to 1839.

¹³⁵ *Chatham Journal*, Dec. 17, 1842

¹³⁶ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Wilson v. O'Neil*

of the British Government as a militiaman." They reconvened "for the purpose of [...] erecting a monument to the memory of Tecumseh, the late Indian warrior, who consecrated his honour and patriotism, and sacrificed his life in defense of the British flag."¹³⁷ If unexciting in their details, elections of township officers in the taverns, the conduct of routine political business there by elected municipal officials, and their use for politicized community gatherings each show the taverns to have been places capable of sustaining the democratic process.

Conversations between barroom companions preserved in scattered documents, and the political activities they engaged in at the public houses both suggest that people enjoyed considerable freedom of expression there. Exchanges between barroom companions during the War of 1812 provide one example. Some expressed pro-American sentiments quite freely. Alfred Barrett, the keeper of a respectable tavern where the York town meetings were held, was overheard in Michael Dye's tavern in Markham "drink a toast, 'success to the American fleet' in company with John Lyon and Simeon Morton."¹³⁸ Yeoman Robert Laquey met David Hill at Holden's Inn and "was suspicious from the tenor of his conversation that he was anxious to come into town to give the Americans information." On the basis of his remarks in the tavern, Laquey believed David Hill "to be a person very disaffected with the British Government."¹³⁹

But it is the mixed nature of barroom companies which is most salient. The evidence that

¹³⁷ *Chatham Journal*, Aug. 30, 1841

¹³⁸ NA RG5 A1 Vol 16, p.6548, Deposition of George Cuttler, Aug. 16, 1815

¹³⁹ NA RG5 A1 Vol.16, p.6624, Information of Rob't Laquey, Home District, Aug. 21, 1813; see also, p.6626, Information of Stiles Stephans, Home District, Aug. 23, 1813; and for other toasts or drinks to the Americans, not explicitly identified as taking place in taverns, see p.6634, p.6642, pp.6674-5

Alfred Barrett and David Hill voiced their disloyal sentiments at Dye's and Holden's respectively, comes from other tavern-goers. The fact of their testimony against these individuals and the sometimes active suppression of suspected treasonous activities by other loyal tavern companions suggests a politically mixed company. Tavernkeeper Osborne Cox, for instance, cooperated with one of his lodgers, artificer William Tepley, to obtain evidence against Jacob Frazer who had come in for a drink and raised their suspicions that he participated in organized support of the American cause.¹⁴⁰ Similarly, a conversation between William Patrick, a gentleman, and tavernkeeper John Kerr in Pickering Township centred on their vague suspicions "respecting persons in that neighbourhood going into the U.S. or holding intercourse with the inhabitants of the said States now at war with us."¹⁴¹ The tavern conversations show a populace engaged with the issues of the war, employing the taverns as one public place for their airing, and as a site in which expressions of loyalty vied with declarations of American support.

In peaceful times the taverns provided space for a variety of political purposes and philosophies. The majority of the township meetings held in response to Robert Gourlay's 1817 "Queries" into the state of colonial development took place in taverns and hotels.¹⁴² And Reformers, once the movement developed, frequently met at the taverns throughout the

¹⁴⁰ NA RG5 A1 Vol. 16, pp.6796-7, pp.6800-6803, Wm. Dummer Powell, re: charge against Jacob Farrier, excerpting deposition of William Tepley, York, May 18, 1814; Baldwin Room, Metropolitan Toronto Reference Library, Powell Papers, "Circuit papers" 1783-1820, p. 101

¹⁴¹ NA RG5 A1, Vol. 20, p.8539, Information of William Patrick, Home District, June 18, 1814

¹⁴² Gourlay's published summation of the "Township Reports" do not always identify a meeting site, but the overwhelming majority of those identified were taverns. Robert Gourlay, "Township Report[s]," *Statistical Account of Upper Canada*, vol. 1, *Canadiana Before 1867* (1822; reprint, Wakefield, England: S.R. Publishers, 1966), 275-583

province.¹⁴³ In Toronto in 1834 Henry Jones listened to "some speechifying from the windows and in the British Coffee House by James Crooks, Draper, McNab, and Major Bowen," tories or moderate tories all.¹⁴⁴ Similarly he attended a meeting of the anti-reform Constitutional Society "at the British Coffee House. Rather a humbugging, a few miserable speeches [....] The parties present, 1-2 lawyers, the others place holders or persons of no political influence [....] I am if anything more disgusted with the tories than the radicals."¹⁴⁵ In 1836 at Freeman's tavern in Chatham there was a reception for Governor Bond Head. Local residents presented an address. "[I] must say the scene was highly ludicrous, two-thirds of the gentlemen present being obliged to balance themselves against the wall in order to maintain an upright position."¹⁴⁶ Critics of the government, reformers or "radicals" as contemporaries called them, moderates, and tories all found room at the inn. The taverns functioned to support the diverse political interests of the population and provided room for their public expression.

Yet J.M.S. Careless has presented the taverns as chaotic sites of essentially anti-democratic activity. In the context of a discussion of election violence he writes that "[n]early

¹⁴³ They also met at other public buildings. See for example, *Colonial Advocate*, Jan. 30, 1834 (Notices for "Public Meeting[s]"); *Brockville Recorder*, Mar 14, 1834 ("Public Meeting at Beverley"), Oct. 13, 1831 (Report of a public meeting regarding the "State of the Province"); *Correspondent and Advocate*, Feb. 1, 1837 ("Important Public Meeting, County of Lincoln," District of Niagara); for Courthouse, *Canadian Freeman*, Mar. 22, 1832 ("Hamilton Grievance Meeting")

¹⁴⁴ HJ, July 17, 1834; For political position of Crooks, Draper and McNab, in 1834, see respectively, David Ouellette, "James Crooks," *DCB*, vol. 8 (1985), 185-190; George Metcalfe, "William Henry Draper," *DCB*, vol.10 (1972), 253-259; Peter Baskerville, "Alan McNab," *DCB*, vol. 9 (1976), 519-527

¹⁴⁵ HJ, May 18, 1836

¹⁴⁶ HJ, Sept. 22, 1836

inns at times were battle headquarters, centres of vote-buying, mob-hiring, and the 'treating' evil, where the simple citizen might be plied into fuddled acquiescence or fired to battle lust."¹⁴⁷ The qualifications get lost in the image created.

Indeed, "at times" the taverns functioned as Careless described them. Allen's Coleraine Tavern in Toronto, for instance, was the acknowledged centre of Orange-Tory popular politics. A riot centred there during the provincial election of 1841. Those testifying before Commissioners investigating the violence consistently singled it out. Allen's was "a notorious partisan's house," known by its "general character [...as] an Orange Lodge District House - **it was an open house during the Election for Sherwood and Munro's friends.**" It was "**a famous place of rendezvous for that class of persons.**"¹⁴⁸ The emphatic nature of the statements suggests that such a strong political association was not the norm for most taverns. Allen's appeared atypical and problematic to contemporaries precisely because of its rigid political identity.¹⁴⁹ In Toronto, they implied, the taverns and tavernkeepers habitually housed freer expressions of politics or no politics at all.

The differences of opinion engendered by electoral politics were easily accommodated by

¹⁴⁷ J.M.S. Careless, *The Union of the Canadas: The Growth of Canadian Institutions, 1841-1857*, The Canadian Centenary Series, 10 (Toronto: McClelland and Stewart, 1967), 43

¹⁴⁸ Emphasis in the original. *Appendix to the Journals of the Legislative Assembly of the Province of Canada*, vol. 1, 1st Sess., 1st Parl., Appendix S, "Report of the Commissioners appointed to investigate certain Proceedings at Toronto, connected with the Election for that City laid before the House by Message from His Excellency the Governor General, dated Kingston, 3rd Aug. 1841," (unpaginated), see third page of introductory remarks; For the testimonies see attached "Appendix to the Report of the Commissioners [...]," nos. 10, 39, 12.

¹⁴⁹ Although Allen's name appears in the poll book, it appears neither in the 1841 list of tavern licenses included in the Commission's report, nor in the 1842 list published by the *Toronto Patriot and Farmers' Monitor*, Mar. 1, 1842

tavern companions. George Stanley recalled a political meeting in the 1840s. He "listen[ed] to the speeches, which were delivered from a small balcony before the window of the tavern [...] the crowd stood patiently in the snow to hear them."¹⁵⁰ In Toronto, on an afternoon in March 1840, Henry Jones walked "up to the Blue Bell [...] met Thornhill & Galt, the latter a little 'corned' and very violent against Robert Baldwin who Thornhill thinks is most prudent, I imagine, to support at the next election."¹⁵¹ And in barrooms political differences were often expressed quite peacefully. At Thomas Robinson's tavern in Prescott the keep "Bet a Keg of Oysters with T. Fraser, Esq., that Mr. Patrick Clark gets 50 votes over Dr. Jessup. John McMurray, witness."¹⁵² Unlike at Coleraine's people found the taverns conducive to the exchange of political views.

In fact, the excessively democratic potential of the public houses raised official concern. The Rebellions of 1837 reminded the Executive Council of the seditious potential of tavern gatherings. The Council sent a set of directives to the Chairmen of the Quarter Sessions for circulation to the Justices of the Peace which centred upon the political character of tavernkeepers and the companies within their houses. "Several of the tavernkeepers in different parts of the province," it read, "are openly disaffected [...] and allowing their houses to be made places of resort by persons disaffected and evidently for seditious and treasonable purposes."¹⁵³ The

¹⁵⁰ Geikie, *George Stanley, Or, Life in the Woods*, 151-153

¹⁵¹ HJ, Mar. 1, 1840

¹⁵² Robinson Account Book, Nov. 27, 1857

¹⁵³ NA RG1, E3 vol. 38a, p.188, Draft of a Letter addressed to the Chairman of the Quarter Sessions of every district [...] relating to Tavern Licenses, Dec. 24, 1838

Council advised a rigid enforcement of existing licensing regulations that a potential tavernkeeper present sureties and testimonials as to his good character - that "he is a sober, honest, and diligent person, a good subject of our Lord the King." The circular made very clear that only some houses were potentially problematic and that by a good subject, the Council had in mind not "that he should belong to either the one or the other of the political parties into which all free communities are divided, but that he should be a loyal man - attached to the British Constitution - and evincing that attachment, coming forward to defend it when its supremacy is menaced[....] In such times as these there can be no such thing as neutrality."¹⁵⁴

There was some basis to the Council's fears. John Wayling, a tavernkeeper across the road from Hewitt's inn, testified that Samuel Lount "addressed [his volunteers] at Hewitt's inn in a revolutionary style." Silas Fletcher "served out whiskey to the party previous to firing bidding them keep up their spirits."¹⁵⁵ Multiple rumours spread, after the suppression of the Toronto rebellion, that Detroit taverns housed the rebels. Joseph Tessman actually encountered a party of 20 to 30 men at the Eagle tavern "who I was informed by a Mr. Aspinall were Rebels."¹⁵⁶

¹⁵⁴ Ibid.

¹⁵⁵ NA RG5 A1 Vol. 179, p.98908, 18 Nov. 1837 (Newmarket), Wayling quoted in J. Hill, memorandum regarding an assembled meeting, Home District, Nov. 25, 1837

¹⁵⁶ NA RG5 A1 Vol. 184, p.102875, John Prince and John A. Wilkinson, Justices of the Peace, letter regarding sedition charges against Raymond Wingfield and Anton Rocico [?], enclosing deposition of Joseph Tessman from which quote is taken, Western District, Jan. 1, 1839; *The Western Herald and Farmers' Magazine* suspected a tavernkeeper named Heath in Detroit of storing rebel arms. *Western Herald and Farmers' Magazine*, vol. 1, no. 5, p. 36 (1838); William Baby thought rebellious settlers "spread themselves among the lower order of taverns in Detroit, making Uncle Ben Woodworth's their headquarters." William L. Baby, *Souvenirs of the Past: with illustrations, an instructive and amusing work [...]* (Windsor, Ont.: n.p., 1896), 94

But, as in 1812, the taverns provided room for the expression of the many shades of political opinion present in the populace. Tavernkeeper William Hall proclaimed himself loyally in print: "[With] flashing swords and arms to guard/ Roast Beef and British Beer/ We'll drink and sing, long live the Queen/ We're ready to defend her/ 'Gainst Yankee Patriots and Brigands/ To whom we'll ne'er *surrender!*"¹⁵⁷ Henry Jones travelled east to Toronto in December 1837 to defend the colony against the Upper Canadian rebels. At London he wrote in his diary:

Every bar room was full of politicians the greater part of who if not radically inclined, showed no great attachment to the other side - I heard from no single individual anything like a warm expression of loyalty [....] Took up my quarters at O'Neil's [Hotel] which appeared to be the headquarters of the tories, and was on the whole tolerably quiet.¹⁵⁸

The passage shows barroom politicians, at least broadly sympathetic to a reform agenda, and tories, who made O'Neil's their headquarters, using tavern space for the expression of their political views. The passage suggests that the taverns, as a whole, housed the diversity of opinion customary in a democratic society. But it also suggests that specific taverns might be identified with certain political perspectives.

It is a point which has been addressed briefly by Gregory Kealey. He has argued that the Tory/Orange Corporation governing the City of Toronto in the period immediately following the Rebellions strategically allowed an expansion in the numbers of taverns they licensed. Because "[t]he influence exercised by tavernkeepers at public elections is notorious" the Corporation

¹⁵⁷ *Western Herald and Farmers' Magazine*, vol 1, no. 48, (1838), p.342

¹⁵⁸ *HJ*, Dec. 14, 1837

followed a "pattern of rewarding friends and punishing enemies" through their control over licensing. "[C]ustomary plebeian culture" was "supported and extended by the Corporation in return for electoral aid."¹⁵⁹ The taverns, in other words, functioned like other recipients of patronage to ensure tory and Orange dominance of the city's electoral politics. But evidence that the taverns actually "expanded" under tory/Orange control is not strong.¹⁶⁰ And, it appears the Corporation was limited in its ability to dictate the political identity of tavernkeepers. Kealey's evidence is drawn primarily from the "Report of the Commissioners [...]" investigating the election riots in Toronto in March 1841, during the provincial contest. Five tavernkeepers came before the Commission: John Lindsay, Peter Harkin, Arthur Clifton, John Power, James Kearney. Lindsay and Harkin described Orange intimidation, including demands that they run open houses and cast their votes for Corporation candidates. Upon refusal each lost his license and became subject to harassment for selling without it. By citing this testimony Kealey demonstrates the "pattern" of reward and punishment exercised. But the same testimony is open to a more complex interpretation. Without denying that the Corporation attempted to extend its influence through

¹⁵⁹ Gregory S. Kealey, "Orangemen and the Corporation: The Politics of Class During the Union of the Canadas," in *Forging a Consensus: Historical Essays on Toronto*, ed. Victor L. Russell (Toronto: Published for the Toronto Sesquicentennial Board by the University of Toronto Press, 1984), 47-48, 49

¹⁶⁰ Kealey cites the testimony of a former Alderman, John Eastwood, that there were 36 taverns in the city under the Reform Corporation of 1836-7, as compared to the 140 tavern and beer shop licenses issued by the Tory/Orange Corporation in 1841.

In fact, the "City of Toronto Commercial Directory for 1836-7," lists 83 taverns. The figure does not include beer houses. It is also incomplete, for instance John Montgomery's famous tavern on Yonge St. is not advertised in it. Given population expansion through these years, (from 9,654 in 1836 to 14,262 in 1841) the taverns increased only marginally - from one per 116 persons in 1836/7, to one per 102 persons in 1841. Kealey's figures would show an 1836 ratio of one tavern per 268 persons. See fn. 62 above for full reference to the Directory.; Population figures from Armstrong, *Handbook of Upper Canadian Chronology*, Table III, 275

patronage, it is worth noting the limitations to its power.

The Corporation's influence seems to have operated in cases where tavernkeepers were unusually vulnerable to the licensing authority. With the exception of John Lindsay, whose experience appears to be a clear cut case of persecution, none were denied a routine license renewal. Arthur Clifton did not apply. John Power claimed he did not apply, saying "from the part I took at the last Election, I am sure the Corporation will not grant me a renewal." But, he did in fact obtain a license.¹⁶¹ That leaves James Kearney and Peter Harkin and their cases suggest the circumstances in which the Corporation could exert its power. Kearney applied for his first tavern license in 1841, the point at which all prospective tavernkeepers were most vulnerable to refusal. He became subject to intense scrutiny of his political character. He was asked how he planned to vote and given no definite answers about his license prior to the election. Having "interested himself in favour of Messrs. Dunn and Buchanan," his application was refused. Peter Harkin lacked the accommodations required by law of a licensed tavern. Yet he was initially promised a license and tolerated to sell without it in return for political support. Upon changing his mind, "on the grounds that all his neighbours voted the other way - that he was dependant on the good will of his neighbours, and wished to vote with them," Harkin was prosecuted for selling without a license.¹⁶² Only one of the five, then, was denied a routine license renewal.

¹⁶¹ *Toronto Patriot and Farmers' Monitor*, Mar 1, 1842 "List of Persons who have taken out Tavern Licenses in the City of Toronto for the Year 1842." List issued by the Inspector of Licenses for the Home District, James McDonnell.

¹⁶² "Appendix to the Report of the Commissioners [...]" Testimonies: no. 14 Arthur Clifton, no. 10 John Power, no. 31 James Kearney, no. 29 Peter Harkin, and for rebuttal of much of Harkin's testimony to do with the specifics of a bribe he claimed to pay, see *Appendix to the Journal of the Legislative Assembly of the*

More compelling evidence on the point is provided by the *City of Toronto Poll Book*. It identified by occupation the electors in the provincial contest between Dunn and Buchanan "on the part of the government and people" and Sherwood and Munro "on the part of the family compact and corporation." The poll book listed, in other words, the voters in the same election that spurred the riots investigated by the Commission noted above. Of the 67 men identified as tavernkeepers in the poll book, 21 names appear in the reform column, 46 under the corporation. Of the 21 classified as reform, 4 in fact split their votes, one for a reformer, the other for a corporation candidate.¹⁶³ Again according to testimony before the Commission, vote splitting was an acceptable strategy to the Corporation: John Lindsay said that "just before the Election, Davis, the City Inspector, called at my house and told me that 'if I would either not vote at all or split my vote'" the corporation would nevertheless pay to keep open house there.

It is interesting to observe the relatively significant proportion of tavernkeepers, roughly a third, voting reform in an Orange licensing climate. More interesting is a comparison of the poll book names with those licensed to keep tavern the year after the election. A "List of Persons who have taken out Tavern Licenses in the City of Toronto for the year 1842, up to the 1st of February," was issued by the Inspector of Licenses for the Home District, James McDonnell, and

Province of Canada, vol. 1, 1st Sess., 1st Parl., Appendix OO, "First Report." For John Lindsay see testimony no.32.

¹⁶³ AO, *City of Toronto Poll Book Exhibiting a Classified List of Voters at the Late Great Contest for Responsible Government*, (Toronto: Lesslie Brothers, 1841). My warmest thanks to Jeff McNairn for bringing the pollbook to my attention - it has been fundamental to this discussion.

published in the *Toronto Patriot and Farmers' Monitor*.¹⁶⁴ Just over 76 per cent of those voting reform obtained renewals. Removing the four who split their votes, the proportion renewed drops to 57 per cent. Of those voting for the corporation, at most 59 per cent¹⁶⁵ obtained a license in 1842. The similarity in the figures is striking. By 1843-1844, 52 per cent of reform voters still kept licensed taverns, as did 48 per cent of the corporation voters.¹⁶⁶ Whatever the Corporation's willingness to exploit its patronage powers amongst those with vulnerabilities, it does not seem to have organized (at least successfully) any sustained campaign against reform oriented tavernkeepers. It does not seem to have controlled political choice in Toronto taverns in 1841.

Even politicians' widespread practice of keeping open house in the taverns during elections did not lead necessarily to intimidation at the polls. John Prince "opened all the taverns (except Hall's) for my Friends" in Sandwich in 1836. Leading in the polls four days later he found "all noise, gaiety & uproar (tho at my expense!)."¹⁶⁷ In Kingston, Eliza Grimason supported John A. Macdonald on election nights in the 1850s.¹⁶⁸ There is also the sense from both Prince's remark and D.W. Smith's letter to his friend John Askin, quoted below, that open houses offered a

¹⁶⁴ *Toronto Patriot and Farmers' Monitor*, Mar. 1, 1842. The list contains 94 people licensed as tavernkeepers and one for ale and beer.

¹⁶⁵ A 52% renewal rate may in fact be more accurate. Three of the names included in the higher calculation share only a surname.(Graham, Noble and Schofield)

¹⁶⁶ Excerpt from Francis Lewis, *The Toronto Directory and Street Guide for 1843-1844* (Toronto: H. & W. Roswell, 1843) reproduced in Edwin C. Guillet, *Pioneer Inns and Taverns*, vol. 1 (Toronto: The Author, 1954), 138. Guillet's book was simultaneously published as *Pioneer Inns and Taverns. Combined Edition*. 5 vols. in 2 bks. (Toronto: Ontario Publishing Co., 1954-1962)

¹⁶⁷ Prince Diary, June 26, July 1, 1836

¹⁶⁸ Lena Newman, *The John A. Macdonald Album* (Montreal: Tundra Books, 1974), 56

celebration to supporters at least as much as they procured votes for the price of a glass of whiskey.

[I]n case of success [...] you will throw open Forsyth's Tavern & call for the best he can supply. I trust you will feel very young on the occasion, in the dance, & I wish that Leith and you should push about the bottle, to the promotion of the Settlements on the Detroit. The more bloody noses & broken heads there is the more election like. and in case of Success (damn that if!) let the White Ribbon favours be plentifully distributed, to the old, the Young, the Gay, the lame, the cripple & the blind - half a score of cord wood piled hollow, with a tar barrel in the middle, on the Common, some powder, pour tiner, & plenty of Rum.¹⁶⁹

Like the Common, the tavern functioned as a public place with a flexible identity, changing in response to those who paid for access to it. At times a tavern might tolerate a seditious company, at times one which reinforced existing authority, or was open to favours in return for political support. But political identity remained with the people, the taverns merely opened to their diverse expressions.

IV. News, Official Business, Amusements, and Community Relations

The taverns provided one venue for the dissemination of printed news and information. People posted notices there, read newspapers, and discussed matters of local importance. They also gathered in response to advertisements or word of mouth to see professional players and travelling exhibits in the taverns. And, they utilized the taverns as places to define community relationships. People used the taverns, in other words, as a community resource, a centre for information, amusement, and social negotiation amongst neighbours.

¹⁶⁹ Milo M. Quaife, ed. *The John Askin Papers*, vol. 1 pt. 2, *Burton Historical Records* (Detroit: Detroit Library Commission, 1828), 427

Tavernkeepers subscribed to newspapers and made them available to patrons. Five of the ten new subscribers to William Lyon MacKenzie's *Colonial Advocate* in 1826 in the Cornwall area, were innkeepers. Jane Jordan subscribed in York.¹⁷⁰ Thomas Robinson, in Prescott, recorded payments to agents for the Kingston *British Whig* and the Toronto *Patriot* in his account book.¹⁷¹ Tavern advertisements announced the availability of newspapers to the public. At the Mansion House in Sandwich in 1835 the "drawing rooms have literary periodicals and Journals of the day." The City Hotel, Toronto, had an "extensive bar and reading room," supplied with "the Principal Periodical publications of the day." At the Nelson Hotel, on Dundas Street, 35 miles from Toronto, "[n]ewspapers from England, Ireland, and Scotland are expected regularly by each Packet, which will be laid on the table for the amusement of customers immediately upon their arrival."¹⁷²

People read them. A traveller named Morleigh remembered a man "lending me the well-thumbed newspaper" in the barroom of a tavern in Chatham. He noted in Detroit that "[t]he barroom of the American was the only place in which a newspaper could be seen for five minutes."¹⁷³ Also in Chatham, in 1837, Harry Jones borrowed and "read Freeman's [the

¹⁷⁰ AO, Mackenzie-Lindsay Papers, Charles McDonell to W.L. Mackenzie, 20 February 1826 and W. Beggin to W.L. Mackenzie, Aug. 31, 1824. My thanks to Jeff McNairn for this reference.

¹⁷¹ Thomas Robinson Account Book, 45, 80, 98, 196 (1844)

¹⁷² *Canadian Emigrant*, Jan. 24, 1835; *Patriot*, June 14, 1836; *Correspondent and Advocate*, Jan. 11, 1837

¹⁷³ Morleigh, *Life in the West: Backwood Leaves and Prairie Flowers: Rough Sketches on the Borders of the Picturesque, the Sublime and the Ridiculous: Extracts from the Note Book of Morleigh in Search of an Estate* (London: Saunders and Otley, 1842), 203, 227

tavernkeeper's] Emigrant," the Sandwich newspaper.¹⁷⁴ At Burley's in Hamilton he "[r]ead a whole file of New York papers (the Spirit of the Times)."¹⁷⁵ Tavern space appears to have been conducive to both Jones' sustained reading and the multiple readings of one issue indicated by Morleigh's noticeably "well thumbed" barroom copy.

Sometimes those without literacy could hear the printed word read aloud in its original form in a tavern. At Freeman's, for instance, there was a political gathering the night before the District Council election in 1849. Patrick Flanagan was there. He was an illiterate but politically active man, who planned to attend the poll ten miles away. He went to Freeman's barroom where the tavernkeeper "offered" drink, and he agreed to distribute "a bundle of handbills" at the poll. John Shirreff was also "ye night before ye election at Freeman's Tavern - I was in ye bar room." In company with the "n[umber] there" he "heard one read in my presence."¹⁷⁶

Regardless of the number of men and women who did not get their printed news at the tavern - and Jones, for instance, customarily got his at the newsrooms, having subscriptions at different times in Sandwich, Chatham, York, and Kingston - the taverns nevertheless offered a venue for its dissemination to locals and travellers, readers and non-readers alike.¹⁷⁷

¹⁷⁴ HJ, Apr. 3, 1837

¹⁷⁵ HJ, Jan. 21, 1837

¹⁷⁶ AO, RG22-390, 10-1, Macaulay, 1849, Sandwich. *Larwill v O'Reilly*

¹⁷⁷ For a brief discussion of Upper Canada taverns as communication centres see Fred Landon, "The Common Man in the Era of the Rebellion in Upper Canada," *Aspects of Nineteenth-Century Ontario: Essays Presented to James J. Talman*, ed. F.H. Armstrong, H.A. Stevenson, J.D. Wilson (Toronto: Published in Association with the University of Western Ontario by the University of Toronto Press, 1974), 156-157; see also Jane Errington, *The Lion, the Eagle and Upper Canada: A Developing Colonial Ideology* (Montreal: McGill-Queen's University Press, 1987), 40.

People spread local news and information through the taverns. Captain Beale, a Special Constable in Woodstock in 1837, removed and destroyed "a handbill stuck up in the barroom" which "stated that Special Constables could only act when called upon." A magistrate in a back township of the Western District posted a reward notice "on the wall of the next tavern where all could see it."¹⁷⁸ Samuel Strickland heard of his wife's death when he "stopped at the tavern" in Darlington Mills. "Some men entered [...] discussing what was to them merely local news, but the question 'When is the funeral to take place?' rivetted my attention at once."¹⁷⁹ In Prescott, in 1829, "some people at the inn were conversing on the subject of a lot of cattle which had been stolen and they seemed to think it almost certain that they had been driven over the ice to the American side."¹⁸⁰ "Several settlers" at an inn near Lake Chemong "freely furnished" Englishman Thomas Need "with information about the different townships." And, apparently, Mrs. Henry Coyne, who kept the tavern closest to the Talbot settlement gave advice to callers about "how to manage the old Colonel [Talbot]" when asking for land.¹⁸¹ Community members made customary use of the taverns to discuss matters of importance to them and newcomers recognised

¹⁷⁸ NA, RG5 A1, Vol 180, p. 99452, Examination before Magistrates, Statement of Thomas Love [?], Woodstock, Dec. 18, 1837; Geikie, *George Stanley, Or, Life in the Woods*, 197

¹⁷⁹ Strickland, *Twenty-Seven Years in Canada West*, 103

¹⁸⁰ Thomas Fischer Rare Book Room, University of Toronto., Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817", 22; George Head, *Forest Scenes and Incidents in the Wilds of North America: Being A Diary of a Winter's Route From Halifax to the Canadas [...]* (London: John Murray, 1829), 170-171

¹⁸¹ Thomas Need, *Six Years in the Bush: Or, Extracts From the Journal of a Settler in Upper Canada, 1832 - 1838* (London: Simpkin, Marshall, and Co., 1838), 27; Fred Coyne Hamil, *Lake Erie Baron: The Story of Colonel Thomas Talbot* (Toronto: Macmillan, 1955), 158

the local tavern as a source of bridging information to the surrounding area. Recourse to the taverns provided one means of accessing local news.

Official Business

The taverns often provided a local site in which to conduct official business. The Courts regularly convened in them. John Beverley Robinson presided over the "Bloody Assizes," or treason trials, after the War of 1812 at the Union Hotel in Ancaster. The Court of Requests, the body hearing small civil cases, convened at Beaupré's tavern in London in 1830. Midland justices met in Quarter Sessions, in 1849 and 1850, at Leach's tavern. Coroners' inquests also used tavern space. "An Inquisition" in 1829, for example, was "taken at Butterfield's Tavern [in the District of Newcastle...] upon the view of body of Esther Bradley then & there lying dead." At Niagara in 1849, an inquest was held at a local tavern into the deaths of members of the Gunter family in a house fire. In addition, government agents distributed timber licenses at the taverns as Peter Robinson did at Forth's Inn at Point Nepean, District of Bathurst, in 1829. "Her Majesty's Guard" stationed at Bryant's Tavern during the 1837 Rebellion in Upper Canada and were "furnish[ed] every accommodation" by "Thomas and Mary Bryant. And "the "Medical Commissioners for examining disabled Militia" received applicants for certificates at Oswald's Tavern in Stamford, Niagara District in 1843. Those on official and government business regarded the taverns as legitimate and workable meeting sites.¹⁸²

¹⁸² W.R. Riddell, "The Ancaster 'Bloody Assizes' of 1814," *Ontario Historical Society Papers and Records* 20 (1923):107-125, esp. 109; AO, RG 22-390, 20-3, Robinson, Western/London, 1830. *Luke Teeple v Enock Moore*; AO, RG 22-390, 58-2, Burns, Kingston, 1853. *Shuman v Hearn*; AO, RG 22, Unprocessed Court

Voluntary societies met in the taverns. Agricultural societies resorted to the public house throughout the period. There is a notice, for instance, in the *Upper Canada Gazette* of 1807 informing York members that a meeting "will be holden at Moore's Hotel on Tuesday the 13th instant at two o'clock." The Kent Agricultural Society published a similar notice, indicating the Royal Exchange Hotel in Chatham as the site in 1843. J. Ross Robertson's *History of Freemasonry* names many taverns as meeting places for the Masons early in the nineteenth-century. They usually let a room on an annual basis and its use was restricted to Masonic use and was decorated and arranged according to Masonic ritual. The Hibernian Society convened at Mrs. Patrick's Inn in Kingston in 1820. In April 1832 the "magistrates and gentry" of Cobourg met at "Stiles Inn, [...] resolutions were passed expressing the intention of those present to form a relief society." In 1835 an "assembly of Masons and stonecutters convened at Carnerous' Inn [in Cornwall] to condemn" attempts to reduce their earnings. The Malahide and Yarmouth Committees of Vigilance met at Burbee's Inn in 1832. And, as was apparent in the discussion of political expression in the taverns, the Orange Lodge customarily gathered in rented tavern quarters—decorated, like the Masons', with the emblems of their association—from the founding of the Lodge in Upper Canada about 1803 to 1859 when a temperance-inspired leadership banned Orange meetings in public houses. Many voluntary associations withdrew from tavern space as they obtained their own premises, but agricultural societies in particular continued to use the

Records, Northumberland and Durham Districts [but record comes from Newcastle] Crown Attorney/Clerk of the Peace, Coroner's Records, Box 1, Folio 1830, record dated Sept 19, 1829, regarding E. Bradley; AO, RG 22-390, 47-1, Draper, Niagara, 1849. *Rex. v Christian Gunter*, *Kingston Chronicle*, Sept. 13, 1828; NA, RG 5, A1, vol. 180, p.99618, M. Blair and Capt. C [illegible], Bryant's Tavern, Dec. 20, 1837; *Niagara Chronicle*, Nov. 10, 1843

public houses at mid-century, as did those gathering at Chartre's in Fredricksburg in March 1851.¹⁸³

Organized Amusements

Tavern space also provided for public entertainments. It did so consistently through the period and provided a wide range of amusements to a wide public. Professional travelling players brought their shows to the taverns. In Kingston in the 1820s, a circus came to Moore's Coffee House and "Mr. Rowley" gave "an entertainment [...] at Mrs. Darley's Inn, consisting of Slack Wire Performance, Tumbling &c."¹⁸⁴ At York a "Grand Caravan of Living Animals," including lions, tigers, a camel, a lama, and a leopard, exhibited at Mr. Howard's Steamboat Hotel. For a separate admission price, one could hear the "Grand Musics' Machine from Germany."¹⁸⁵ In a tavern near St. Thomas in 1835 "a travelling mountebank exhibited his tricks of eating fire, different coloured ribbands, tumbling &c. admittance 1/6 york [...]." Forty men and women

¹⁸³ *Upper Canada Gazette*, Jan. 10, 1807; *Chatham Journal*, Mar. 18, 1843; Robertson, *History of Freemasonry*. See discussion here, ch. 4, pp. 196-197. The Masons also built or let private Lodge properties; see, for instance, "Masonic Notice," *Kingston Chronicle*, June 17, 1825; for Hibernian Society, *Kingston Chronicle*, Apr. 28, 1820; for relief society, Dennis Carter-Edwards, "Cobourg: A 19th- Century Response to the Worthy Poor," *Victorian Cobourg: A Nineteenth-Century Profile*, ed. J. Petryshyn (Belleville: Mika Publishing Co., 1976), 168; for stone cutters, Bryan D. Palmer, *Working Class Experience: Rethinking the History of Canadian Labour 1800-1991*, 2nd ed. (Toronto: McClelland and Stewart, 1992), 58-59; for vigilance committees, Hamil, *Lake Erie Baron*, 190-191; for Orange Lodges, Cecil J. Houston and William J. Smyth, *The Sash Canada Wore: A Historical Geography of the Orange Order of Canada* (Toronto: University of Toronto Press, 1980), 112-116; HJ, Jan. 10, Jan. 19, 1837, May 6, 1840; Gregory Kealey, "Orangemen and the Corporation," 47-49; Michael S. Cross, "The Shiners' War: Social Violence in the Ottawa Valley in the 1830s," *Canadian Historical Review* 54 (1973): 17, 19

¹⁸⁴ Edwin E. Horsey, *Kingston: A Century Ago*, (Kingston: Kingston Historical Society, 1938), 11, 12; *Kingston Chronicle*, Sept. 29, 1826

¹⁸⁵ *Canadian Freeman*, June 19, 1828

came.¹⁸⁶ Tavern-goers went to "freak shows" at the tavern. "[F]or one day only [...] an opportunity is now offered [...] to see the young men known as the Siamese Twin Brothers who have excited so much astonishment [....] They will be at Mr. John Allen's Steam Boat Hotel [....] Admission 25 cents."¹⁸⁷ In 1849 itinerant players displayed "wax figures of Siamese twins" at a wayside inn.¹⁸⁸ Others entertainments played upon popular historical events, in this case the quest for a sovereign Scotland:

Went to an exhibition of wax figures in the evening at the other tavern [....] Sir W. Wallace in 'genuine' highland costume looked rogue enough to have merited all the treatment he received from Edward [...] ... Lady Helen Mar in a fly cap and modern cook maid's costume looked very little better than she should be, and the bloody murder and hanging matches in the background horrible enough [....]¹⁸⁹

American history was showcased at a wayside inn on the road to Ancaster in 1831: "a printed bill was struck up, to inform the public, that a Yankee show would be exhibited there tomorrow; and among other things will be the 'glorious victory over the British at New Orleans!' which is a public insult."¹⁹⁰ Pseudo-science attracted a crowd. At London, during a stage stop-over, Harry Jones found:

[a] lecture on astronomy at O'Neil's [...] the house in consequence in an uproar. The astronomical part of the exhibition was confined to two or three magic

¹⁸⁶ William Pope Journal. *Western Ontario History Nuggets*, no. 16 (London, Ont.: Lawson Memorial Library, The University of Western Ontario, 1952), pt. 2, 45

¹⁸⁷ *Canadian Emigrant*, July 27, 1833

¹⁸⁸ Sir James Alexander. *L'Acadie: Or, Seven Years' Explorations in British America*, vol. 1 (London: Henry Colburn, 1849), 196-197

¹⁸⁹ HJ, Aug. 6, 1834

¹⁹⁰ Pickering, *Enquiries of an Emigrant*, 45

lantern pictures of the most conspicuous heavenly bodies, very nearly as large as life - the moon however, very soon gave place to 'catching a pig by the tail,' Saturn's ring to 'the witch's dance on broomsticks,' and the sun to (by your permission Ladies and Gentlemen) General Jackson, the whole to conclude with the much admired comic song "Darly O'Gallagher" by the Astronomer - the last part of the performance was to me the most annoying of the whole as it effectually prevented my sleeping."¹⁹¹

Quite a range of people attended. Larratt Smith, a Toronto lawyer went, in 1840, to "the Theatre at the City Hotel where I saw acted *Hunter of the Alps & Perfection*. Very tolerable acting by an English Company."¹⁹² In 1854, a music and dance show toured the Niagara Peninsula taverns. They stopped at Ben Diffin's in Pelham, at O'Strongers in Bayham, at Waldan's, and at John Latimore's in Caledonia. William Townsend, a white man, blacked his face, "played the tamborine and danced like a negro," sometimes with the accompaniment of a violin player. Calvin Kelsey, who was employed driving a threshing machine, saw Townsend "at John Clark's tavern, at Canboro', where he had shows to which my boys were very anxious to go."¹⁹³ The forty people at the mountebank's show, the "uproar" at O'Neil's and the eagerness of the Kelsey boys to see the song and dance show, all suggest substantial audiences were attracted to the taverns by professional players. When people went to a tavern to see a play or an exhibit they used it as a public building, open and accessible to a wide spectrum of the population, for a purpose only tangentially linked to drink. The taverns' role as amusement centres and their use as places to

¹⁹¹ HJ, July 24, 1834

¹⁹² Smith, Larratt Wm. Violet, *Young Mr. Smith in Upper Canada*, ed. Mary Larratt Smith (Toronto: University of Toronto Press, 1980), 40

¹⁹³ "Trial of William Townsend, Alias Robt. J. McHenry, At Merrittsville, Canada West," [1854] from the *Hamilton Spectator*, Canadian Institute of Microreproductions, no. 63556, 8, 16, 19

define community relationships, discussed below, each suggest that the taverns provided an informal "infrastructure for social intercourse" to complement the "formal" ones of Lodge and church.¹⁹⁴

Community and the Taverns

People used the taverns as public forums where they mediated community membership and defined social relationships. Through gossip and the agreed upon power of the publicly-spoken word, people used the taverns as courts of public opinion.

Intent on a shooting expedition, Harry Jones journeyed to Chartres' tavern in October 1841. He found the peninsula formed by Hay Bay and the Bay of Quinte¹⁹⁵ so "well cultivated and the land undulating you might almost fancy yourself in England."¹⁹⁶ From the language of his diary, the well-established farmers about Chartres' tavern appeared culturally distinct from Kingston society. "[T]he people with whom I have sojourned are an amiable, simple-minded set, particularly peaceable amongst themselves which is perhaps in some measure to be accounted for by the fact that there are no Irish whatever settled among them. Young Chartres told me that the inhabitants would not sell to a Paddy even at an advanced price."¹⁹⁷ The tavernkeeping family were an "old-fashioned U.E. Loyalist set, half Dutch, half English" and the area itself had been

¹⁹⁴ See Houston and Smyth, *The Sash Canada Wore*, 113

¹⁹⁵ Comprising the townships of Adolphstown, North and South Fredricksburgh in Lennox County and Ernestown Township in Addington County.

¹⁹⁶ HJ, Oct. 8, 1841

¹⁹⁷ HJ, Oct. 12, 1841

settled late in the eighteenth century by Loyalists.¹⁹⁸ While Chartres' consciousness of homogeneity signals ethnicity as a significant social concern, it also allows the Hay Bay community to be analysed as one where local reputation, as opposed to a social identity based upon religion, ethnicity or race, was of primary significance.

The visitor's characterization of the community as peaceable might have surprised the locals as the agricultural society gathered at Chartres' in March 1851. The Goose Scrape - in local parlance a compressed reference to a five year series of suits and counter-suits stemming from a dispute over the ownership of some geese¹⁹⁹ - dominated the informal agenda. Over the years the goose scrape ceased to be about birds and became a "scandal" constructed upon layered interpretations of the words "spoken publicly" by Magistrate Hearn in Clark's tavern in Kingston and at Chartres' at home in Fredricksburgh. The tenacity of the goose scrape as a source of long-lived community tension suggests the importance local families placed upon their community reputations, status and name, all of which were potentially at stake. "Other peoples' children have twitted Mr. Shewman's children saying 'goosey, goosey & c,'" testified Rebecca Elliot, a servant

¹⁹⁸ HJ, Oct. 8, 184, and Introduction to *Illustrated Historical Atlas of Frontenac, Lennox, and Addington Counties*; the goose scrape emphasizes the importance of community and continuity amongst the proportion of the populace who experienced "residential stability" in the midst of high rates of transiency. J. David Wood demonstrates, for instance, that about 50% of the population in regions settled in the late 18th century persisted for more than a decade, and that their children and children's families comprised about half the population in eastern Ontario townships. J. David Wood, "Population Change on an Agricultural Frontier: Upper Canada, 1796 to 1841," *Patterns of the Past: Interpreting Ontario's History*, ed. Roger Hall, William Westfall, Laurel Sefton MacDowell (Toronto: Dundurn Press, 1988), 63, 74

¹⁹⁹ For goose scrape see AO RG22-390, 58-2, Burns, Kingston 1853, Shuman v. Hearn. Baltis Shewman had originally brought Mrs. William Shewman with her daughter and son before Magistrate Hearn, claiming the geese as his own. William Shewman successfully counter-sued, insisting that he was the true owner of the geese and Baltis' wife the thief. Both gathered neighbors to prove ownership, which legally belonged to the men, despite the fact that the wives obviously managed the birds.

in the home, revealing the extent and the damaging potential of community gossip about the affair. The goose scrape reveals too the use of the tavern as a court of public opinion, as a place in which people defined their community relationships.

At some point in 1848 [Loisanne?] Shewman drove off some geese. [Hope?] Shewman²⁰⁰ apparently drove them back. Their husbands each brought the other's wife before Magistrate Hearn, and he found [Hope?] guilty of "picking, stealing, and marking William Shewman's geese." Not only did [Baltis?] Shewman appeal the decision to the Sessions, but he confronted magistrate Hearn at Clark's tavern in Kingston afterwards, claiming "in [the] presence of several persons [...] you have not done justice." Hearn "said you ought not to say a word. I would not lay under the scandal you do for £ 50." Martin Barnhart who was there said, "[w]e all knew that they were talking about the goose scrape." Hearn repeated his assertion at Chartres', and Hope, who was

²⁰⁰ Based on a creative reading of the *Census of Canada West 1850-51*, Lennox County, I cautiously suggest the probable names of the cast of characters in the goose scrape. Magistrate Hearn (we know he is a magistrate from the court record) was probably Simeon H[e]arn, age 45, locally born, married to Eliza, 38, who could afford to live in a brick house, and send three adolescent children to school. (Fredricksburgh, Part 2) Other Harns or Hearns too could in fact be the magistrate, although none had a similar combination of age, apparent wealth, and educated children. The Shewmans are more problematic as there are lots of them. But, based on the assumption that a dispute over the ownership of a parcel of geese could only take place between very near neighbors, (ie: the wife of William Shewman was first "brought up" before the bench with her son and daughter for "driving away" the geese) one of whom is known to be William from the court record. According to the census the main protagonists can be identified as William Shewman, carpenter, age 48, married to Loisanne and with an adult son in the house identified as a farmer. Baltis Shewman, 41 was separated from him by only one name in the census - that is by one neighbour, perhaps across the road or in between the two properties. The census was taken by travelling door to door. In between the two Shewman families on the census was Martin Barnhart who was also implicated in the original charge, fined, but "let off." His proximity to these two Shewman families suggests that they are the parties involved. But, Baltis, in the census is married to Elizabeth. One of the witnesses at the trial refers to "Hope" at Charters' in March 1851, and she seems to be the accused goose-stealer. She was also dead according to his testimony in 1853. No Hope Shewman lived in Lennox County or Addington County as recorded on the census of 1850-51. All parties were Protestant, Hearn a Lutheran, the Shewman men both C of E, the Shewman women both Wesleyan Methodist. See Fredricksburgh Township, Part 5.

there, "commenced talking" to the magistrate before the "several [who] were present." When Hearn said "he believed she stole the geese [....] Hope was indignant." Both conversations, one in 1848 the other in 1851, performed in the presence of the Fredricksburgh farm families suggest some element of formality or at least forethought. On neither occasion, particularly the meeting of the agricultural society, could the parties have been surprised at the other's presence. On neither occasion were separate rooms (except for [Hope?] who was at Clark's but "in the sitting room") resorted to, nor was the place avoided - presumably Fredricksburgh residents after the Sessions would recognise each others carriages or horses outside Clark's tavern. In the taverns, as in court, the Shewmans and Hearn testified before their peers in an informal, community-based, court of public opinion.

A statement made in the public room of a tavern carried similar weight to one made while under oath in a courtroom.²⁰¹ In Merrittsville, a witness in a murder trial had made a mistaken identification of the suspected killer in a deposition. He emphasised the earnestness of his new evidence to the court: "At Haw's tavern I said 'I wish I could swear my oath over again'." Louis Flute regarded an aspersion cast upon his friend's honesty very serious indeed because it "was said in a public house."²⁰² Luke Teeple and Enock Moore were at Francis Beaupré's tavern in

²⁰¹ The connection between the tavern's public room and the courtroom may have been particularly strong in a settlement society where judges travelled from tavern to tavern to hold court in areas away from the central towns. See also Susan Lewthwaite, "Violence, Law and Community in Rural Upper Canada," *Essays in the History of Canadian Law*, vol. 5, *Crime and Criminal Justice*, ed. Jim Phillips, Tina Loo and Susan Lewthwaite (Toronto: Published for the Osgoode Society for Canadian Legal History by University of Toronto Press, 1991), 356.

²⁰² "Trial of William Townsend, Alias Robt. J. McHenry, At Merrittsville, Canada West," [1854] from the *Hamilton Spectator*, Canadian Institute of Microreproductions, no. 63556; AO, RG22-390, 27-5. Robinson, Sandwich, 1848. *Joseph Bertrand dit Côté v Felix Lafferty*.

London in 1830 during a sitting of the Court of Requests. In the barroom, where "both were drinking" amongst others, Moore spoke without provocation but "in heat, shaking his fist," an accusation that Teeple was guilty of a rather famous local theft, eight months earlier, in which John Ross lost his doubloons. Teeple called him a "poor wretch" and a liar, "then took his hat and went away." The power of Moore's barroom words, which he had heard "often before", "satisfied" the keep that Teeple "had stolen that money." Moore used Beaupré's to create a public opinion favourable to his own construction of local events. Teeple charged him with slander in response.²⁰³ Before tavern companies, individuals raised issues of importance to them and invited serious response, whether litigation, sustained contention, or community deliberation.

Magistrate Hearn's introduction and reiteration of the word "scandal" identified the goose scrape as such an issue. A scandal refers both to a disgraceful action and the censure resulting from it, implying a body of ideas surrounding the behaviour carrying a significant level of cultural meaning. It is evident that each man, and in the case of Hope at Chartres', a woman too, had a voice in the taverns. Hope, together with her husband, spoke in defence of the Shewman name in the community. They used the taverns as informal courts of public opinion.

The concern with local reputation was a common one. Eli Blodgett took Joseph Abraham's watch from behind the tavernkeeper's bar in 1838. Abraham caught him a mile and a half from the Markham tavern and while Blodgett, a stranger, "admitted taking the watch, [he]

²⁰³ AO, RG 22-390, 20-3, Robinson. Western/London 1830. *Luke Teeple v Enoch Moore*. The confrontation was part of an ongoing conflict. In November 1829 Moore had arrested Teeple for the theft. At the time of the incident at Beaupré's the charge had not yet been proven false. Nevertheless, Moore was fined £5 in damages.

refused giving his name - said it would reflect upon his relatives."²⁰⁴ In 1833 William Mann, a tavernkeeper, read the initiative of local magistrates to deprive him of his license as "a foul conspiracy to rob me of my property, my character, and every social tie which binds man to man."²⁰⁵ In 1825, Daniel Haskell petitioned as much against the nature of a sentence (for allowing gambling at cards in his tavern) - "to remain one half hour in the pillory" - as he did against injustice done in his case. "In mercy grant relief if not in averting the whole sentence [...] that part of it which requires an exposure in the pillory which will entail lasting disgrace and infamy on the character of yr. petitioner and his family."²⁰⁶ They, like the Shewmans, sought to protect their family's name and their community standing, or at least invoked it as a compelling point in their favour.

People used the taverns to defend the integrity of their "name" and their local standing. The process was neither benign, nor particularly "rational," based as it was upon gossip and slanderous public accusations. Nevertheless, the taverns functioned as legitimate public places for the exercise of the informal politics by which people defined their communities. They did so in Upper Canada at a relatively late date compared to the United States. Particulars aside, none of the forms of tavern behaviour and tavern function described here - the exchange of news, the conduct of official business, the pursuit of organized amusement, and the negotiation of community relationships - were unique to Upper Canada, but the absence of alternatives in rural

²⁰⁴ AO, RG 22-390, 4-3, Macaulay, Home District, 1838. *Queen v Eli Blodgett*

²⁰⁵ NA, RG5 A1 vol. 132, p.72729, Petition of William Mann, Kempenfeldt, July 18, 1833

²⁰⁶ NA RG5 A1 vol. 74, p.39492-3, Petition of Daniel Haskell, n.d. inserted with Sept. to Oct. 1825

areas and along the shifting settlement frontier into the middle decades of the nineteenth-century was. Thus while we find evidence that pre-Revolutionary American taverns on the Eastern seaboard functioned similarly, by the mid-nineteenth century (where we see the Upper Canadian tavern continuing as often the sole locus for picking up a newspaper or attending the Quarter Sessions) historians shift their focus to an examination of the tavern or saloon as a place of conscious "leisure" for a people adjusting to the rhythms of industrial society. Patrons valued the sociability of the saloon and the ties of solidarity, whether class, ethnic or neighbourhood, which flowed from it,²⁰⁷ but extensive and affordable newspaper circulation, voluntary societies, trades organizations, libraries, theatres and etcetera, as well as specialized municipal and government buildings had long supplanted the taverns' performance of these functions. On the other hand, the saloons of the "Rocky Mountain Mining Frontier" in the western states of Colorado and Arizona in the 1880s served in a pre-industrial manner and "assumed the functions of other institutions not yet on the scene."²⁰⁸ As in Upper Canada the taverns' continued provision of multiple public services suggests their crucial significance within a settlement or frontier society.

²⁰⁷ The focus of historians of the urban drinking centres of Europe is similarly upon sociability and its multiple products, including the forging of political or class conscious ties. Discussion of the public drinking houses as essential service providers beyond the needs of sociability is limited to those of food and shelter. See, Brennan, *Public Drinking and Popular Culture*; Clark, *The English Alehouse*; Haine, *The World of the Paris Café*; Rice, *Early American Taverns*, xv, xvi, 19, 34

²⁰⁸ Conroy, *In Public Houses*, 18, 44-46, 74-76, 157-158, 190-191, 310-311, 316; Robert M. Weir, "The Newspaper Press in the Southern Colonies," *The Press and the American Revolution*, ed. Bernard Bailyn and John B. Hench (Worcester, Mass.: American Antiquarian Society, 1980), 133-134; West, *The Saloon on the Rocky Mountain Mining Frontier*, 74; See also Roy Rosenzweig, *Eight Hours For What We Will: Workers and Leisure in an Industrial City, 1870-1920*, Interdisciplinary Perspectives on Modern History (Cambridge: Cambridge University Press, 1983)

Conclusion

Despite people's positive reaction to the persuasive message of the temperance movement, the taverns remained important in their lives. Those who chose sobriety, and those who did not, had equally compelling reasons to visit the taverns in their neighbourhoods and in their travels. The taverns facilitated movement throughout the colony and augmented the sphere of economic activity. They sustained free political expression and community life. Collectively, the taverns extended multiple services and made space available to the public. The public's response is seen in its consistent use of the taverns and in the steady number of taverns per capita in the Upper Canadian landscape from the early days of colonisation until several years after Confederation. To the extent that behaviour can be read as an indicator of belief, people understood the taverns as valuable and flexible sites where they could attend to a variety of practical and social needs. Their perspective helps to explain the continued importance of the taverns in the temperance decades.

But it would be misleading to argue that the provision of public services was unconnected to the provision of drink. We see "Stevenson, the stage proprietor", on a "Spree," and Harry Jones and Major Holcroft experimenting with the "manufacture of port wine negus," during a stage coach journey in 1837. Farmers Ogden, White, and Richeson sold their corn to Matthew Dolsen in 1798 and took a drink in his tavern. Ely Playter and Mr. Terry sealed their business with gin in 1803. The pedlars at McBrien's in 1848, treated each other with beer while negotiating personal business. John Prince got "rather tipsy" at the "great rail meeting" at Gardiner's, 1835. Toasts are proposed in 1812, to the "success of the American fleet." Drunken "gentlemen"

propped themselves against the wall at the Governor's reception at Freeman's in 1836. Patrick Flanagan was offered free liquor there on the eve of an election in 1849. When Luke Teeple and Enock Moore, with business at the Court of Requests, sat in Beaupré's barroom in London in 1830, "both were drinking." Although there was more to people's relationship with the taverns than a desire for liquor, they certainly enjoyed drink there. Its place in the tavern, and in the tavern-going culture of colonial society deserves separate analysis.

Chapter 3

Taverning: Drink and Violence

“There were many taverns, and much drunkenness around the harbour, because of the sailors, and altogether it was just like the Tower of Babel.”¹

Margaret Atwood's picture of Toronto, by the harbour about 1840, draws upon a common association between the taverns, drunkenness and vice for its evocative power. It is an association that was present amongst contemporaries; an ex-settler wrote that "you will see every inn, tavern, and beer shop filled at all hours with drunken, brawling fellows and the quantity of ardent spirits consumed by them will truly astonish you."² The association remains present amongst historians whose works collapse "tavern culture" with "habitual drunkenness," and drink with violence.³ J.M.S. Careless writes of the "brawling and family suffering caused by the 'liquor evil,' which was endemic in this hard-drinking frontier society but was concentrated in the inns,

¹ Margaret Atwood. *Alias Grace* (Toronto: Seal Books, McClelland-Bantam, 1996), 142-143; see also 143, 238, 293, 464

² An Ex-Settler. *Canada In the Years, 1832, 1833, and 1834: Containing Information and Instructions to Persons Intending to Emigrate Thither in 1835* (Dublin: Philip Dixon Hardy, 1835), 25

³ Janet Noel. *Canada Dry: Temperance Crusades Before Confederation* (Toronto: University of Toronto Press, 1995), 6, 98; Donald Akenson observes that the "seriousness of alcohol as a social problem was also shown in the number of assault cases [....] it is not unreasonable to suggest that drink, drinking, and drunkenness were at the heart of many of the brawls and that most men with black eyes and swollen jaws also had hangovers." Donald H. Akenson, *The Irish in Ontario: A Study in Rural History* (Kingston: McGill-Queen's University Press, 1984), 103; and Glenn J. Lockwood, "Temperance in Upper Canada as Ethnic Subterfuge," *Drink in Canada: Historical Essays*, ed. Cheryl Krasnick Warsh (Montreal: McGill-Queen's University Press, 1993), 43-91, Lockwood shows, p. 49, "thoughtful members of society" responding, through temperance, to the "abuse of women and general bouts of violence heavy drinking produced"; Lynne Marks, "Religion, Leisure, and Working-Class Identity," *Labouring Lives: Work and Workers in Nineteenth-Century Ontario*, ed. Paul Craven, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1995)

bars, and squalid dram shops of the towns."⁴ Impressions of disorder and chaos dominate historical perceptions of the taverns, both analytical and fictional. Yet, a contemporary tavernkeeper tells a different story. According to Ely Playter, the people who frequented the taverns expected good order within them. When William Moore took over Playter's tavern license, the house could be found "full of people and dancing upstairs which they kept up all night and 'til after sunrise in the morning." Ely, who continued to live there, was not so much personally bothered - "I slept much better than I expected near such a tumult of noise" - but professionally concerned. He warned the new tavernkeeper that people would not tolerate the disorder. "Told Mr. Moore this morning that he must not allow such high capers at his house **or he would lose custom and get his house a bad name.**"⁵ In return for their custom people expected, in Playter's opinion, a well-kept public house.

Tavern-goers corroborate his insight. Their words and patterns of behaviour, captured in judges' benchbooks, diaries, letters to the lieutenant-governor, and newspaper articles, provide an insider's perspective upon what historians have termed "tavern culture," and the "male subculture" of drink.⁶ They insist that instead of chaos, good order dominated in the taverns. They insist that in the place of customary drunkenness and violence stood sophisticated cultural practices to monitor consumption, understand its consequences, and control its excesses.

⁴ J.M.S. Careless, *The Union of the Canadas: The Growth of Canadian Institutions, 1841-1857*, Canadian Centenary Series, 10 (Toronto: McClelland and Stewart Ltd., 1967), 29

⁵ AO, Playter [Ely] Diary, Feb. 1801 - Dec. 1853, June 30, July 6, July 4, July 5, 1802, **emphasis added**, (Hereafter EP)

⁶ Noel, *Canada Dry*, 6; Warsh, *Drink in Canada*, 5, 8, 12

This section called "Taverning" explores the taverns in two chapters from the perspective of tavern-goers and tavernkeepers. The first looks at the place of drink in the taverns, at drunkenness, and at the responses companions and community members made to excess. It looks also at the incidence and nature of violence in the taverns, and again, shows peoples' responsiveness to its eruption. The second chapter analyses taverning beyond the culture of drink. It describes tavern pastimes and recreates the nature of tavern sociability as fully as possible. In the process it shows taverning as a peaceful, civil pursuit and attempts to convey something of the good cheer which customarily characterized tavern companies. Because the following pages are shaped by the perceptions of those who frequented the taverns and kept them, they present the taverns as these people understood them: as orderly and well-regulated places of public resort.

Drink

Treating

Drink was as much a symbol as it was a substance. When tavern-goers "treated" they bought drink for one another at the bar and the gift of a glass or a share of a gill⁷ of liquor carried a value exceeding its financial worth. The treat extended an invitation to drink and it invoked the need for reciprocal return, whether in kind or in a more interpersonal sense, perhaps an afternoon's shared conviviality or a mutual pledge of good intent at the initiation of a working or courting relationship. The treat was a form of gift exchange which made, in the words of

⁷ A gill measured one quarter of a pint.

anthropologist Marcel Mauss, "the obligation of worthy return imperative."⁸

A British traveller to the Canadas in 1821 foreshadowed Mauss' insight into the nature of exchange when he observed the process of treating in Upper Canadian taverns. Although, he wrote, Americans were generally "parsimonious,"

[t]hey will pay for the liquor which their companions or even total strangers have drunk at a tavern, that they may prove their wealth and receive applause for their selfish generosity.⁹

He emphasized, in other words, the symbolic value of treating and its power in creating a sense of social obligation, however transitory or superficial that might be.¹⁰ And drink itself emerges as the symbol, not the purpose, of sociability, a traditional understanding of the treat linking

⁸ Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies*, trans. Ian Cunnison, with an Introduction by E. E. Evans-Pritchard (London: Cohen & West, 1970), 41; He wrote concerning gifts and exchange more generally defined and as a practice of "archaic" societies. See also Marianna Adler, "From Symbolic Exchange to Commodity Consumption: Anthropological Notes on Drinking as a Symbolic Practice," *Drinking: Behavior and Belief in Modern History*, ed. Susanna Barrows and Robin Room (Berkeley and Los Angeles: University of California Press, 1991), 376-395

⁹ John Howison, *Sketches of Upper Canada: Domestic, Local and Characteristic [...], For the Information of Emigrants of Every Class [...]* (Edinburgh: Oliver & Boyd, 1821), 114-115

¹⁰ Other travellers recognized treating as a characteristic practice: A stranger proposed a drink upon entering the barroom where Samuel Strickland was engaged in conversation, saying, "I guess it is my treat." Samuel Strickland, *Twenty-Seven Years in Canada West: Or, The Experiences of an Early Settler*, ed. Agnes Strickland (London: Richard Bentley, 1853), 144 - 145; George Stanley remembered a country tavern about 1840 where "'[t]reating' and 'being treated' went on with great spirit at the bar." *George Stanley: Or, Life in the Woods; A Boy's Narrative of the Adventures of a Settler's Family in Canada*, ed. John G. Geikie (London: Routledge, Warne and Routledge, 1864), 151 - 153; Susanna Moodie's husband observed that "'treating' is almost universal in this country." Susanna Moodie, *Roughing It In the Bush: Or, Life in Canada*, vol. 1 (London: Richard Bentley, 1852), 254; The Reverend Christmas found it "excessively common" amongst fellow travellers on stage-coach journeys. A.W.H. Rose [The Reverend Christmas, pseud.], *Canada in 1849: Pictures of Canadian Life, Or, The Emigrant Churchman*, vol. 1 (London: Richard Bentley, 1850), 104-105; See also Richard M. Reid, ed. *Upper Ottawa Valley to 1855*, Carleton Library Series, 157; Publications of the Champlain Society, Ontario Series, 14 (Ottawa: Champlain Society in Co-operation with the Ontario Heritage Foundation by Carleton University Press, 1990), 113

Upper Canadian tavern-goers to the drinking cultures of Britain, the United States, and continental Europe.¹¹ It carried many meanings: "a drop mixed with a friend; a reconciliation draught with an enemy; - a squib with an old acquaintance, or a bowl of congratulation, condolence, &c."¹²

Treating customarily accompanied financial transactions. It marked the exchange of money. Ely Playter, in 1803, "received 40 dollars from Mr. S. Ridout which I gave immediately to Proctor and treated him to a glass of Sling at Mr. Beman's." It marked the conclusion of business negotiations. "[B]usy all day drawing some writings from Smith to Mealey [...] had them signed and executed, went with the Parties & drank some Whiskey at McDougall's."¹³ And

¹¹ Compare the analysis in M.A. Garland and J.J. Talman, "Pioneer Drinking and the Rise of Temperance Agitation in Upper Canada Prior to 1840," *Ontario Historical Society Papers and Records* 27 (1931): 344-345.

The 'treating system' in vogue in Upper Canada was another cause of the prevailing drunkenness. Under this system a number of persons came to the bar and one bought liquor for the group. Others in a similar manner would treat their companions. Later they might saunter to another tavern and repeat the performance.

While they focus extensively upon the reciprocity inherent in the "system," its significance is lost because of the focus upon drunkenness, rather than the meaning of drink.

For international context of the treat see analyses similarly recognizing its inherent demands for reciprocity: Peter Clark, "The Alehouse and the Alternative Society," *Puritans and Revolutionaries: Essays in Seventeenth-Century History Presented to Christopher Hill*, ed. D. Pennington and K. Thomas (Oxford: Clarendon Press, 1978), 47-72; David W. Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1995), 4, 6, 22-25; Madelon Powers, *Faces Along the Bar: Lore and Order in the Workingman's Saloon, 1870-1920*, Historical Studies of Urban America (Chicago; London: University of Chicago Press, 1998), 93-119; Thomas Brennan, *Public Drinking and Popular Culture in 18th-Century Paris* (Princeton: Princeton University Press, 1988), 14-15; Roy Rosenzweig, "The Rise of the Saloon," *Rethinking Popular Culture: Contemporary Perspectives in Cultural Studies*, ed. Chandra Mukerji and Michael Schudson (Berkeley and Los Angeles: University of California Press), 145; For an analysis of treating which emphasizes its role in maintaining male honour, see Beverly Ann Tlusty, "Gender and Alcohol Use in Early Modern Augsburg," *Histoire Sociale/Social History* 27 (Nov. 1994): 255

¹² *Niagara Herald*, Aug. 1, 1801

¹³ EP, July 9, 1803; Dec. 7, 1802

treating sustained negotiations. Samuel Williams and Mrs. Stroebeck "were treating [in 1835] with Coyne," a pedlar, as he "spread his goods - many things" and traded.¹⁴ J. Dunbar Moodie, a gentleman settler writing of the 1830s, suggested, uneasily, that treating was routine amongst business associates: "Strangers are almost invariably drawn into it in the course of business."¹⁵

The treat had a place in on-going economic relationships. Michael Moran, Francis Terman and Patrick McBride went to McBrien's Tavern in Toronto in 1848 and treated. They all saw the initiation of the treat slightly differently. Tavernkeeper McBrien said he "came in to ye bar. Terman was behind ye bar. I said he was fined for going behind ye bar. He asked what it was and I said a treat all around." Terman thought he had agreed to treat at the request of another companion when they met on the street. "We met Halford and Whelan [...] Whelan said to me 'will you treat' I said yes - he said 'where shall we go?. I said McBrien's." The men were pedlars, indebted one to the other, and knew that McBride "wanted all ye money he could get" because he was leaving his wife. The treat itself was not a factor in the payment of the debts being collected. Rather, it maintained formal good will amongst them despite the fact that McBride considered Moran a "great rascal."¹⁶ Treating, in the context of commercial or economic relationships seems to have represented good intent and fair dealing by all parties.

Accepting a treat, or an invitation to mutual drink, implied a form of association between

¹⁴ AO, Record Group 22, Series 390, Box 3, File 3, Macaulay Benchbook, Western/Gore District, July-Oct. 1835. *K v Robert Bird*. All subsequent references to the benchbooks are made in abbreviated format as, for example: AO, RG 22-390, 3-3, Macaulay, Western/Gore Districts, July-Oct. 1835. *K v Robert Bird*

¹⁵ Moodie, *Roughing It In the Bush*, vol. 1, 254

¹⁶ AO, RG 22-390, 9-5, Macaulay, Home District, Oct. 1848. *Q. v Michael Moran*

the parties. At Baker's Inn in Osnabruck Township in 1817, Charles Fothergill "[f]ound the House filled with people who had been attending a funeral upon the strength of which they were getting jovial, much as it is in Scotland & Ireland." He "offended some of them because I would not drink Brandy before my dinner with them."¹⁷ The offence caused stemmed not from the refusal of liquor, but from the inclusion in the group that it implied. Similarly, one Hughes, a soldier in the 15th Regiment, discussed the possibility of his desertion with Lyles Alden Pinsky at Mrs. Gurtridge's Inn in Malden in 1835. The court later trying Pinsky for enticing a soldier to desert recognised the place of treating in their negotiations as significant. In response to questioning Hughes said he "got no liquor of" Pinsky the "first night, but did on ye second night." When he "did receive liquor of" Pinsky, it was "unsolicited." The treat and its acceptance were subjects of enquiry because they bore upon the relationship and the degree of association between the two men.¹⁸

Tavern-goers created a sense of group conviviality through treating. James King found three fellow soldiers drinking together at the Rob Roy tavern in Toronto in 1838. "When ye bugle sounded" one went home, but the others, Bertrand Garland and Michael Murry, stayed on and "invited" King "to go with them to another tavern to be treated." They went to Dagin's and drank. The treat unified the threesome in a common lark: their defiance of the military authority implicit in the bugle sounding tattoo, and in the military guard. They saw the Piquet coming, left the

¹⁷ Thomas Fischer Rare Book Room, University of Toronto, Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817," 18

¹⁸ AO, RG 22-390, 3-3, Macaulay, Western District, 1835. *K. v Lyles Alden Pinsky*.

room, and "before ye Piquet passed they returned, got another glass and left - the back way." At least two of them were in fact later "confined for being absent at tattoo."¹⁹

Treating also symbolized reconciliation. At Carroll's, after John Ward and Michael Harder scuffled, their companion, Justus Willcocks "told them they had better make friends, they agreed," and Willcocks "treated them to a pint of whiskey."²⁰ They reaffirmed good relations through his treat. The treat itself was a formal symbol of good will.

In treating tavern goers found a flexible symbol that expressed an ideal of reciprocity and stood as a symbol of good will and mutual association, in business dealings and personal negotiations. It was also one of the cultural mechanisms by which people negotiated inclusion within groups borne both of the mercurial good will of the moment, or, sustained membership within long-standing networks of associates.

Of a later period in the United States, historian Roy Rosenzweig has written:

Itself a product of a commercializing society, the saloon became a refuge for values implicitly hostile to such a society. As 'a norm of equality and solidarity,' treating rituals implied resistance to individualism as well as acquisitiveness. Indeed the whole saloon-going experience affirmed communal over individualistic and privatistic values.²¹

¹⁹ AO, RG 22-390, 4-3, Macaulay, Home District, 1838. *Q. v Bertrand Garland and Michael Murry*

²⁰ AO, RG 22-390, 20-3, Robinson, Western District, 1830. *Rex. v John Ward*; James Buckingham's story, borrowed from the *Canada Temperance Advocate*, makes the same point:

In a back township, a magistrate who kept a tavern sold liquor to people 'till they got drunk and fought in his house. He then issued a warrant, apprehended them, tried them on the spot, and besides fining them, made them treat each other to make up the quarrel.

James Silk Buckingham, *Canada, Nova Scotia, New Brunswick and other British Provinces in North America [...]* (London, Paris: Fisher, 1843), 52 - 53; see also *Canada Temperance Advocate* 7, no. 4 (August 1841):55

²¹ Rosenzweig, "The Rise of the Saloon," 145

The statement, although it underestimates the pre-industrial history of taverning and the treat, including its role in "privatistic" financial transactions, does testify to the resiliency and adaptability of meaningful cultural ritual. Instead of soldiers uniting in conviviality and mutual resistance to military authority, workers used treating in a more profound way, to "imply resistance" to fundamental social transformation. Moreover, drink as symbol, rather than substance, remained the significant aspect of its working class use.

Tavern Drinking

This is not to suggest that drink was unappreciated as a substance. People called at the taverns in order to satisfy their thirst for liquor. Harry Jones and a companion travelled on horseback through the country parts of the Western District in 1835, "all the way to Smith's inn where heavy rain and a desire for grog obliged us to stop."²² The call at Smith's was typical of the thousands Jones made at the taverns throughout his life - he called, took a drink or two and went on his way. There is no reason to assume that many Upper Canadians were much different. In fact, of the 224 tavern calls which Jones records during the diary year 1837 he mentions 11 incidences of inebriation amongst others in the tavern, ranging from "rather tipsy," to "decidedly blue," to "drunk."²³ From the perspective of one regular at least, both barrooms and taverns appear to have been, most often, sites of controlled drinking. It seems important to make this

²² Lambton County Archives, Henry John Jones Diary, Sept. 20, 1835 (Hereafter HJ)

²³ HJ, Feb. 14, May 17, May 31, 1837; The year 1837 was chosen because it encompasses both country and city tavern calls. There is a six week gap in the diary and a number of days in which he neglected to make an entry.

obvious point because it has so rarely been made: wanting a drink and going to a tavern to get one was an entirely different act than drinking to excess or abusing alcohol. We know rather more about the latter in colonial society, because of the developed historiography of the temperance movement, although, oddly, we know very little about contemporary attitudes towards drunkenness beyond those of temperance activists and we know even less about customary drinking behaviour in the taverns. In fact, tavern goers, together with tavernkeepers, displayed an awareness of the dangers of liquor. They had a nuanced understanding of the effects of alcohol upon drinking companions. They recognised its potentially problematic effects upon sensorimotor skills, emotional and psychological inhibitions, and upon individual character. In response, tavern goers and keepers co-operated to regulate the comportment of companies within the barroom, placing limits, or restraints, around the use of alcohol in the taverns.

Tavern companions monitored each other's drinking and paid attention to their own consumption. James King took "about 4 glasses" with his soldier companions at the Rob Roy. Harry Jones' tavern consumption throughout the 1830s and 1840s ranged from "a glass of grog" to "sundry horns" with a numerous company. Joseph Lottridge knew he had "about 3 glasses of whiskey" in the morning at Browering's unlicensed house in Brantford in 1835. At Frigg's tavern, in York, 1832, George Cooper and George Underhill "had two glasses each" and "had taken a glass of gin" earlier. Later at Waugh's tavern, Underhill "drank nothing," at least he "thinks nothing there that night." However, Cooper claimed that Underhill "drank four glasses of gin at Waugh's before he went away." Thomas Gilbert, though, saw Underhill and Cooper "drink together at Frigg's - 6 or 5 glasses," while he had only "a glass or two." Another companion,

William Mitchell, "drank 2 or 3 glasses that evening."²⁴

After a "glass or two" one was still perfectly sober. Tavern companions in legal conflict, as these were, often counterposed their own restraint, "drank a glass or two of spirits that day," against others' consumption in the five to six glass range. The point is not whether they **actually** took only a couple of glasses, but that by claiming restraint they show it up as a laudable virtue and one which added credence to their words in a court room setting. Drunkenness, then, functioned as a negative characterization. Despite statements to the contrary, such as Houston and Smyth's observation in *The Sash Canada Wore* that early British North America was "notorious for its heavy drinking,"²⁵ Upper Canadian consumption does not appear to have been out of line with European rates of alcohol consumption from the late-eighteenth through mid-nineteenth centuries. Comparisons between Upper Canada, the United States and Europe suggest a rough equality. Annual per capita spirit consumption in Upper Canada and the United States in 1791 was approximately 2.5 gallons. In both countries it reached a high, in the 1820s, of just over 5 gallons. Comparisons to both England and France in the period covered by this thesis suggest that the amount was not unusual. Annual per capita consumption of wine in Paris in the

²⁴ AO, RG 22-390, 4-3, Macaulay, Home District, 1838. *Q v Bernard Garland and Michael Murry*, HJ, May 20, Apr. 16, 1837 and *passim*; AO, RG 22-390, 3-3, Macaulay, Western/Gore Districts, 1835. *K v Thomas Browering*; AO, RG 22-390, 21-1, *John Waugh v George Cooper* and *George Underhill v. George Cooper et al.*; I have included two unlicensed houses in the discussion in this chapter, Browering's and Carroll's. Neighbors testified that each was used as a public drinking house.

²⁵ Cecil J. Houston and William J. Smyth, *The Sash Canada Wore: A Historical Geography of the Orange Order in Canada* (Toronto: University of Toronto Press, 1980), 116; see also Susan Lewthwaite, "Violence, Law and Community in Rural Upper Canada," *Essays in the History of Canadian Law*, vol. 5, *Crime and Criminal Justice*, ed. Jim Phillips, Tina Loo and Susan Lewthwaite (Toronto: Published for the Osgoode Society for Canadian Legal History by University of Toronto Press, 1991), 362

eighteenth-century, for instance, was at least 155 litres, or 40.9 gallons. Assuming an 11% alcohol content, this translates into nearly 4.5 gallons of pure alcohol per person per year.²⁶ Upper Canadian drinkers, then, were much like their European counterparts.

Tied to the amount imbibed were graphic conceptions of sobriety, the stages of intoxication and drunkenness. It was understood that alcohol affected people's ability to think clearly. John Ward articulated the link when he argued he "perhaps was then [in liquor] but not much - was quite sensible."²⁷ Companions also measured each other's sobriety according to their sensorimotor capabilities. After John David Askin and Robert Elliot "had been drinking" in Hall's tavern in Sandwich in 1849, Abner C. Ellis described Elliot: "I did not consider him drunk tho' he had evidently been drinking. He could walk very well and might have controlled himself had he a mind to."²⁸ At Woons' tavern, Oshawa, 1848, James Wilson "was not sober - could walk," while Robert Wilson "was drunk, but could walk."²⁹ David Trare had seen his brother-in-law, "pretty merry at a bee, but he could always make his way home."³⁰ Joseph Lottridge recounted how, as he lay with a bullet hole in his thigh, outside Browering's, the proprietor came out to ask

²⁶ Jan Noel, *Canada Dry*, Appendix A: "U.S. Consumption of Spirits, 1780-1970," 227; Brian Harrison, *Drink and the Victorians: The Temperance Question in England, 1815-1872* (London: Faber and Faber, 1971), Fig. 3, "Per Capita Wine and Spirits Consumption (United Kingdom): 1800-1880," 66, and estimated beer consumption, 37; Brennan, *Public Drinking and Popular Culture*, 189-191

²⁷ AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex. v John Ward*

²⁸ AO, RG 22-390, 47-1, Draper, Sandwich, 1849. *Robert Elliot v Woodbridge*

²⁹ AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

³⁰ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Q. v Alfred Tomlinson, Horatio S. Levins, Joseph Tomlinson, Cicero Tomlinson*

what ailed him. Browering answered: "Go and fetch that gun and let me try you with it and you will see what ails you - was sober enough."³¹

Tavernkeepers controlled the supply of alcohol granted to drunk tavern-goers and problematic drinkers. Robert Wilson "came in drunk" to Woons' barroom and "wanted liquor, Woons would not give him any, ordered him off."³² In Uxbridge in 1852, license inspectors found that tavernkeeper Henry Vanzant, contrary to a complaint made, was not in the habit of "selling liquor to persons who are in the habit of drinking to the injury of their families."³³ But at Waugh's, barkeeper Mahlon Blaken received some criticism from tavern-goer Thomas Gilbert because he "gave all drink that wanted it."³⁴ There was an expectation that the tavernkeeper, or in his absence the barkeeper, fulfil a responsibility to refuse the sale of liquor to patrons "in liquor," as Woons did, or to those with a permanent and socially problematic relationship with alcohol as Vanzant had. Sometimes tavernkeepers sent troublesome drinkers from the premises in order to maintain a peaceful house. At John and Harriet Linfoot's substantial tavern in Richmond Hill in 1848, the yard, one morning in late summer, was busy with passengers for the omnibus to Toronto, guests requiring the services of the keep, and the arrival, on foot, of William Ross and Bartholomew Ralph.³⁵ The two were on their way to court in Toronto, via the taverns along the route. They

³¹ AO, RG 22-390, 3-3, Macaulay, Western/Gore Districts, 1835. *K. v Thomas Browering*

³² AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

³³ AO, Uxbridge, Township of, Municipal Records, Council Minutes, 1850-1880, [Report of the Inspectors of Houses of Public Entertainment, 1852]

³⁴ AO, RG 22-390, 21-1, *John Waugh v George Cooper and George Underhill v George Cooper et al.*

³⁵ AO, RG 22-390, 9-5, Home District, 1848, Macaulay. *Q. v Bartholomew Ralph*

stopped at Montgomery's above Richmond Hill, and "had some drink," and reaching Linfoot's about four o'clock in the morning they "did not seem tipsy - each got a glass of whiskey." William Ross gave the tavernkeeper some trouble. "After a while," Linfoot said, "Ross got quarrellsome with some of my guests - I asked [Ralph] about him. - He said they had 5 glasses each at Montgomery's - four and a half miles above my house. At length I put Ross out."³⁶

The community, or a tavern-goer's personal network, responded to drunkenness. At Arnett's in Toronto, 1854, "the barkeeper put him [Mr. Long] to bed. He was pretty merry."³⁷ At Carroll's "John Ward who was much in liquor was taken into another room to be put to bed." A more sophisticated response to Adam Stull's drunkenness at Milton's Niagara tavern is apparent. While Stull slept there about one o'clock in the afternoon, Thomas Donaldson prepared to take him home (he "went to the barn for his horses") and Thomas Dowling "came to Milton's to take Stull home."³⁸ While the relationship between the parties is unknown, it is clear that some form of neighbourhood communication summoned Dowling to Milton's to attend Adam Stull. Robert Wilson's brother also "came and took him away" from Woons' and had previously been summoned somehow to Roach's tavern: "his brother came in and ordered him off."³⁹ Again, simply by communicating and acting to control the effects of drunkenness, tavern companions

³⁶ I have replaced "prisoner" with "Ralph."

³⁷ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Q. v Alfred Tomlinson, Horatio S. Levins, Joseph Tomlinson, Cicero Tomlinson*

³⁸ AO, RG 22-390, 4-1, Macaulay, Niagara, 1837. *Q. v James Stevenson and John Milton*

³⁹ AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

demonstrated their knowledge of and adherence to a popular set of rules governing the use of alcohol.

Taken together, the habit of measuring consumption through barroom observation, the acknowledged role of the keep in controlling supply when necessary, and the community response to drunkenness all suggest that people drew a distinction, albeit a flexible one, between acceptable levels of drinking and the state of intoxication labelled drunkenness.

Tavern-goers' concern to separate their own behaviour from "drunkenness" suggests additionally that a mild taboo was in place against it. As James King put it, concerning his call at the Rob Roy in Toronto in 1838, he "was not drunk - had been drinking."⁴⁰ In the same way Thomas Gilbert in York in 1832, "was not drunk at Waugh's - had been drinking."⁴¹ And at Mourhale's near Cornwall in 1837, on the last day of the election "old" Patrick O'Connor was "not very tipsy - had been drinking."⁴² No one claimed drunkenness as a positive state; while drunkenness might causally flow from drinking, it was neither inevitable, nor intended, nor necessarily desirable.

And the taverns did not function to facilitate excess. The day the Court of Requests met at Beaupré's London tavern in 1830, Luke Teeple and Enock Moore "attended the greater part of the day - both were drinking," but "neither party was drunk."⁴³ Similarly controlled

⁴⁰ AO, RG 22-390, 4-3, Macaulay, Home District, 1838. *Q v Bernard Garland and Michael Murry*

⁴¹ AO, RG 22-390, 21-1, *John Waugh v George Cooper and George Underhill v George Cooper et al.*

⁴² AO, RG 22-390, 23-3, Robinson, Cornwall, 1837. *R. v Henry York*

⁴³ AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Luke Teeple v Enock Moore*

consumption characterised "old and settled farmers and Americans" encountered in the taverns of Upper Canada by a gentleman settler in 1835. Although they "drink like fishes all the day [...]" these fellows have good heads and are seldom seen drunk."⁴⁴ At Sebach's, near Mitchell, Isaac Macdonald, a clockmaker, whiled away a Sunday afternoon and evening in 1846 in the barroom. He came "between 4 and 5 o'clock, [...] he was perfectly sober then, he took a glass of beer then and another in the evening." And, "the beer was not strong enough to make him drunk."⁴⁵ Tavernkeeper Sebach's understanding of the strength of the brew in his bar testifies to a general concern to manage the effects of alcohol. For a society in which alcohol abuse was apparently rampant both controlled consumption and concern about the percentage of alcohol seem out of place.⁴⁶

However, there was a wide tolerance for occasional sprees. Harry Jones, for instance, "laughed at Stevenson the stage proprietor who was on a spree and most particularly drunk." At Playter's "in the evening, the Black woman made some disturbance as she usually did when she got too much to drink." Ely Playter also observed that "P. White was in town and had a drunken bout," but apparently thought so little of it that he "got P. White to mend a teapot for me, 'tho

⁴⁴ An Ex-settler, *Canada in the Years 1832 [...]*, 25

⁴⁵ *Stratford Beacon and Perth County Intelligencer*, April 4, 1846

⁴⁶ That colonial society abused alcohol is something of an historical commonplace. A standard text on the pre-Confederation period handed to undergraduates in Canadian survey courses states: "Alcohol was a serious social problem contributing to family break-ups, poor work habits and output. Alcohol abuse also led to increasing violence in society." R. Douglas Francis, Richard Jones, Donald B. Smith, *Origins: Canadian History to Confederation* (Toronto: Holt, Rinehart and Winston, 1988), 222; See also M.A. Garland and J.J. Talman, "Pioneer Drinking and the Rise of Temperance Agitation" 341-364. It marshals the routine evidence of overdrinking: number of distilleries, number of taverns per capita, and generalizations based upon genteel travellers' or settlers' observations of consumption.

a Sunday" the next day.⁴⁷ A similar tone is evident in tavernkeeper Murray Presentier's matter-of-fact description of a man in his barroom: Connor's "companion [...] was very drunk in the evening and laid down" in the barroom for the night.⁴⁸ And, Peter McDonald customarily taverned at George Kent's Inn, Oshawa, in the 1830s. Edward Shea, a sometime companion, had "seen him occasionally under the influence of liquor. Has done business with him as a magistrate and a merchant and has always found him ready to attend to business."⁴⁹ Neither the "Black woman's," nor Connor's, nor McDonald Esq.'s behaviour made any of them a drunkard, but merely one who might drink too much upon occasion.

Tavern-goers had a sophisticated understanding of the relationship between alcohol and drunken comportment. Sheriff McLean, for instance, thought Jane Wright's "conduct" at her unlicensed house in the Midland District "very bad - drunkenness - when drunk she is crazy, indeed at all times."⁵⁰ And, those who defended John Wallington's admittedly "outrageous" behaviour in Job Perry's tavern, emphasized his respectability, and observed "he was in great excitement - had been drinking [...] - the liquor added to excitement [...] knew him some time before - Had reason to think he was insane - he had been severely beaten some time before - supposed it affected him sometimes afterwards [...] thinks he would not have been guilty of such

⁴⁷ HJ, Jan. 20, 1837; EP, Feb. 28, Apr. 17, 18, 1802

⁴⁸ Baldwin Room, Metropolitan Toronto Reference Library, Powell Papers, L16, "Legal Notes" *K. v. Samuel Connor*

⁴⁹ National Archives of Canada (NA), RG5 A1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, Correspondence Received, vol. 130, pp. 71576-71582, re: Charges against Peter McDonald Esq., with Excerpts from Minutes of Disclosure from a Court of Enquiry, Whitby, June 1833

⁵⁰ AO, RG 22-390, 1-9, Macaulay, Midland District, 1830. *K. v John and Jane Wright*

excess had he not been drinking."⁵¹ Implicit within the approaches to Jane Wright and John Wallington is a recognition that pre-existing mental, emotional, or economic (Wallington's "affairs were bad") crises were the root of behavioural excesses released by the uninhibiting effects of drink.

Nevertheless, tavern-goers and neighbours did criticize specific aspects of drunken comportment, however caused. In community settings men were known by their characters when drunk. Robert Elliot, in Sandwich, 1849, "is funny but not quarrelsome" when drinking.⁵² On the other hand, "Cooper" who frequented Waugh's and Frigg's, "is a very foolish man when tipsy - is abusive then. Underhill did not appear sober, but not in the least quarrelsome."⁵³ Robert Wilson of Oshawa, was "a drinking man, a regular nuisance," and was "quarrelsome when in liquor."⁵⁴ Michael Clancy, of Sarnia, although a "respectable" man, "gets high sometimes and then is troublesome."⁵⁵ The concern with quarrelsome-ness as an aspect of some men's liquoring reflected a popular endorsement of the value of peaceful community relations.⁵⁶ The recognition that

⁵¹ AO, RG 22-390, 3-3. Macaulay. Western/Gore Districts, July-Oct. 1835. *K. v John Wallington*

⁵² AO, RG 22-390, 47-1. Draper. Sandwich, 1849. *Robert Elliot v Woodbridge*

⁵³ AO, RG 22-390, 21-1. *John Waugh v George Cooper and George Underhill v George Cooper et al.*

⁵⁴ AO, RG 22-390, 9-5. Macaulay. Home District, 1848. *Q. v James Wilson*

⁵⁵ AO, RG 22-390, 47-5. Draper. Western District, (Port Sarnia) 1854. *Q. v Michael Clancy*

⁵⁶ For a focused discussion of the importance given to peaceful community relations in the colony, see Lewthwaite, "Violence, Law, and Community in Rural Upper Canada." For a discussion of the meanings and motives of violence see Scott W. See, *Riots in New Brunswick: Orange Nativism and Social Violence in the 1840s*, *Social History of Canada*, 48 (Toronto: University of Toronto Press, 1993)

specific individuals had quarrelsome characters when drunk also testifies, implicitly, to the peaceful and harmless drunken comportment of others.

Tavern-goers drank freely, but the set of practices through which they controlled alcohol testify to their respect for its dangers, and the local reputations earned by drinking men and women suggest that an expectation for reasonably restrained drinking behaviour existed. Together with the use of drink as a symbol, these themes come together at Arnett's hotel in Toronto in 1854 where some members of the York County farming and artisanal community gathered, about nightfall, in the barroom.⁵⁷

Joseph Tomlinson, his grown sons Alfred, Cicero and Emmanuel sat together with Horatio Levins. Another group made up of John Robson, Edward Simpson and Charles White, were "standing together." Robson was to testify against Levins at the November Assizes in a forgery trial. "Either Alfred T. or Levins got up and said to Robson, 'though they were against one another there was no reason they could not drink together.' They drank and all went out together except Joseph T." The forgery case was never tried, however, because Robson died that night in the water at the end of a pier. Three of the Tomlinsons and Levins were charged with his murder.

The court directed its attention, in part, to the shared drink and its symbolism, taking evidence from three separate witnesses about it.⁵⁸ Two interpretations were possible: either the

⁵⁷ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Q. v Alfred Tomlinson, Horatio S. Levins, Joseph Tomlinson, Cicero Tomlinson*

⁵⁸ George Aitkin, the ostler, testified about the separate use of space by the two parties: the Tomlinsons seated at a table; Robson and the two others standing. He also said that "Dec[eased]'d [Robson] proposed drinking," and

mutual drink represented genuine magnanimity and a desire to affirm formal good relations or, there was malicious intent and the Tomlinsons with Levins betrayed its symbolism after Robson accompanied them into the night. Following a speculative line of thought I would like to suggest that as the court turned its attention to the evidence of the mutual drink it weighed both possibilities. It also recognised the relevance of Robson's local reputation as a drinking man.

Ira White, a prosperous, middle aged farmer and a justice of the peace, stayed at Arnett's the night Robson died.⁵⁹ He testified at the trial. "I have known Joseph T. for 33 years. He has been a j.p. - honest, upright and straightforward." He knew less of the sons, but had "never heard anything" against them.⁶⁰ He had "known Levins 12 years - always found him straightforward in his deal." All were, in other words, just the sort of men, from the perspective of White's prosperous respectability, who could be trusted on the basis of a drink taken to cement formal

that he went to the cellar for a barrel of beer. Upon his return to the barroom Robson declined the beer, saying he "had taken some whiskey." Aitkin, upon cross-examination said "I can't say if Prisms [the Tomlinsons and Levins] drank with dec'd." In other words it was considered a significant point to clarify. At this point (although it also concerned the court) the focus was not on whether Robson was intoxicated - such a possibility would have been clear from Aitkin's testimony that Robson had taken whiskey in his absence. The barkeeper, Haverson Ruggle, remained in the barroom when Aitkin went for the keg. It is his testimony that "either Alfred T. or Levins got up" in order to approach Robson and explicitly state his desire for a mutual drink, "though they were against one another." Robson apparently accepted because "[t]hey drank." Charles White's testimony, gave little significance to the drink, perhaps because his loyalties lay with the Tomlinsons. "I live with Emmanuel Tomlinson in Markham - I was in Toronto with a team. I did not know dec'd. At night - just as we were leaving Arnett's we drank, the ostler was there [...]"

⁵⁹ *Census of Canada West, 1851-2, York County, Markham Township, pt. 3, Nominal and Agricultural Census.* He was 56 years old, married, and living in a frame house on a ninety-three acre farm with extensive livestock holdings.

⁶⁰ *Census of Canada West, 1851-2, York County, Markham Township, pt. 3.* The census identifies Alfred as a gentleman, living, at 33 years of age with his wife Mercy in a two-storey frame house, with the public school upon their property. His brother Cicero, ten years younger, was identified as a yeoman and lived with his wife Isabella in a one and half story frame house.

good relations.⁶¹

John Robson's reputation, in contrast, was rather problematic, namely his relationship with liquor.⁶² As much as the Tomlinsons' defence lay in a supportive community's affirmation of their sound reputations, peaceful natures, and good characters, so their prosecution was limited by John Robson's taste for public drinking. If the Tomlinsons' respectability was on trial, then Robson's habitual deportment was also. Robson's brother-in-law was quoted above as saying John had been merry at bees "but could always make his way home." Tavernkeeper Richard Richards also testified that Robson "was not intemperate in his habits. Never drank more than a glass or two of beer at my house." Tomlinson, however, referred to him as "a drunken worthless fellow" who had "probably drowned at the wharf," where indeed his body was found. Henry Rowan knew the Tomlinsons and had known Robson for several years. "I have seen him in liquor several times - never so bad that he could not get home." But, at this point, Henry Rowan's interpretation sharply differed from others. "I mean to contradict" he stressed on cross-examination, "those who say he was of steady habits." Robson's reputation, his taverning and public drinking placed

⁶¹ Many other witnesses gave similar testimony. George Crosbie: "I know all the prisrs. Joseph T. always bore a good character. Alf. T. is a good character - is a member of my church. Cicero Tomlinson is a harmless inoffensive man. I think Levins a good character for a tavernkeeper." See also Chauncey Crosbie and Benjamin Mar's[?] testimony.

⁶² Although he had respectable number of acres under cultivation, Robson lived, at age 38, with Sarah and their seven children in a one story log house. James Trare, Robson's brother-in-law, testified that "he was in my employ and left to come to Toronto" for the trial. The log house and the dependence upon Sarah's brother, or a sister's husband for income, suggest a less prosperous standing. *Census of Canada West, 1851-52, York County, Markham Township, pt. 3.* The Agricultural Census shows the family having forty acres under cultivation.

him posthumously on trial and granted his accused murderers an acquittal.⁶³

The place of drink in colonial taverns and society was a complex one. It carried a weight of symbolic meaning and both the extension of an offer to drink, and its acceptance represented mutuality, but also implied reciprocity. To drink or treat together symbolized association between the parties. This could be understood both lightly, as in the example of three soldiers drinking together beyond tattoo, and more deeply, as a pledge of formal good will in the midst of a conflictual relationship, as between the Tomlinsons and Robson at Arnett's. It was also a cultural routine, a normal accompaniment to business transactions, at least into the 1830s. Beyond its symbolic value, drink in the taverns earned respect as a potentially dangerous substance. There was a conception of "drunkenness" in colonial society. People used the word to describe a stage of intoxication qualitatively different from "drinking." From very early in the period, colonial society defined drunkenness in social terms. Drunkenness caused "disturbance[s]" to peaceful relations in the tavern and the community. Tavern goers spoke of drunkenness as affecting a man or woman's ability to behave in a "sensible" manner amongst others. It also threatened the ability to "attend to business" and participate in economic activity. Drunkenness was understood to

⁶³ Their acquittal also had to do with fuzzy memories. Several men in Toronto testified that they had perhaps seen the accuseds about town the night in question, particularly about the wharf and a tavern near it, but never all of them together, and never with enough surety as to identify them positively. Richard Richards, at least, seems to have thought the Tomlinsons and Levins guilty:

[...] knew dec'd Robson, he boarded at McLean's [a tavern opposite the wharf where his body was found - near Front and King] I last saw him Tues. evening [Nov. 1st] I saw none of the prisrs. 'til Fri. next. Then I saw Joseph T. I asked if he had heard of the lost man. He said no. I said it was strange - for I understood he had gone to Arnett's. Joseph T. said he did not see him there but some of the party said he had been looking in the barroom window.

At least part of Tomlinson's response to Richards was untrue since he had certainly been in the bar when his son or Levins drank with Robson.

provoke "quarrellsome" behaviour in some. Later, into the 1850s and perhaps reflecting the influence of the temperance movement, drunkenness came to be defined in terms of the work ethic and male familial responsibility. Habitual drunkenness in particular indicated a man who was not "of steady habits," and made of him an individual who drank "to the injury" of his family. Drunkenness, then, was defined in anti-social terms. Traditional drinking culture, especially the use of the treat as a symbol of social exchange, did not blind colonial participants to liquor's potentially disruptive power to the very social ties they hoped to create.⁶⁴ On the contrary, people had a sophisticated understanding of the effects of liquor upon human behaviour and managed it with a set of customary practices which worked to control and limit its potential for damage. In a society where a man, or less frequently a woman, could be judged and earn a reputation on the basis of a problematic relationship with drink, it seems self-evident that a cultural expectation of reasonably restrained drinking behaviour existed which worked to regulate liquoring. Throughout the period exceptions were made for the occasional and widely tolerated "spree." Much of the concern to regulate consumption had to do with the link between drink and violence.

Violence, Tavern-goers and Tavernkeepers

[Hugh McCulloch], being generally regarded it seems as a soft person easily

⁶⁴ Thomas Brennan argues that working-class Parisians in the eighteenth-century drew no clear line between drinking and drunkenness. I have argued that Upper Canadians from the early nineteenth-century differed on this point. But I have drawn heavily, nevertheless, on Brennan's conclusion that working-class Parisians' unwillingness to recognize drunkenness is evidence of "the primacy of drinking over drunkenness"; that "[d]rinking, even to excess, was an essential instrument of tavern fellowship, and social relations; as a result drunkenness was tolerated, but not sought, by those who valued such sociability." Brennan, *Public Drinking and Popular Culture*, 218

played upon no sooner made his appearance in the barroom than James English [...] showed a disposition to amuse himself and the Company at his expense, by that kind of sport which people in the barroom of an Inn constantly indulge in, without any idea of its leading to disastrous consequences. He pulled [McCulloch's] cap off his head and handed it to him saying 'here's your cap, Sir,' - in consequence of which they scuffled with each other a little, 'til some older person in company & the landlord who was present drew young English within the bar, for fear it might grow into a quarrel.⁶⁵

The passage highlights the place of violence within taverning. But it also points to its control by keep and company alike. The ritualized assault against "soft" Hugh McCulloch met with his determined physical resistance. The tavern companions recognized danger, and when McCulloch and English seemed ready to fight, "drew young English within the bar, for fear it might grow into a quarrel." The author of the passage, John Beverley Robinson, gave testimony to the strength and capacity for self-regulation endemic to tavern companions. It is an insight worth exploring.

There is no question that colonial social relations included a high tolerance for violence and that in their creation of rituals and rules governing its exercise, tavern-goers legitimated violence as a means of social negotiation. They employed a popular 'code of honour' to conduct violent encounters.⁶⁶ Those who conformed to the code - generally those who conducted their fights fairly and only after due provocation - satisfied the terms of control acknowledged by

⁶⁵ NA, RG5 C1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, Correspondence Received, vol. 270, file 1515, J.B. Robinson to the Lieutenant Governor, May 8, 1843, re: *Q. v. Hugh McCulloch*; I have replaced the phrase "the prisoner" with his name, Hugh McCulloch; see also John Weaver, "Crime, Public Order, and Repression: The Gore District in Upheaval, 1832-1852," *Ontario History* 78 (Sept. 1986): 178-201, for a discussion of the same incident.

⁶⁶ The term was more commonly used with regard to upper class males and the practice of dueling. For challenges to the 'code of honour' in Upper Canada see, Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791-1850*, Studies in Gender and History (Toronto: University of Toronto Press, 1996), 170-174

tavern companies. But, implicit too within its formal patterning was a concern to limit and contain violence's damaging potential to persons, social relations, and property. The section that follows places tavern violence in perspective, neither whitewashing the methods of conflict management employed by tavern companies, nor painting a line of inevitability connecting taverning and brawling.

Of the seventy-one cases culled from the Upper Canadian judges' benchbooks which relate to taverns, twelve include physical violence. There are seven blow by blow accounts of two men "scuffling," three generalized depictions of a particular tavern as one where "fighting" often occurred, and two incidences of group brawling. Accounts of tavern violence, then, make up nearly seventeen percent of all benchbook accounts of criminal activity associated with the taverns. Men up before the court for disorderly conduct or assault had every reason to tailor the truth to suit their needs. They framed their behaviour to look good and in so doing revealed what was considered desirable, or at least acceptable tavern comportment, and what was considered an appropriate pattern of conflict management despite the evidence of transgression.

The Rules of Tavern Violence

The tavern itself, that is the building, the house and home of the keeping family, was defined as generally off-limits as a site of violence. Michael Moran, for instance, at McBrien's tavern, "said he would not fight in a decent man's house." The keep himself "said I would allow no one to quarrel in my place [...] I forbid it." And indeed, Moran and Patrick McBride took their quarrel to the street. Job Perry "prohibited fighting" at his Western District tavern. At Carroll's

in the Longwoods, Mrs. Carroll "wished" Justus Willcocks to put Ward and Harder out as they prepared to fight. Willcocks "told Harder they had better go outdoors [...] then saw them fighting by the door." Tavernkeeper Richard Woons, in 1848, "told Robert W. he had better go out - I forbid fighting in ye house [....] They went out and I did not see what occurred." William Curney who was there concurred that "Woons forbids fights."⁶⁷ The keep, for obvious economic reasons, as well as licensing concerns (although it is interesting to remember that Carroll's was unlicensed), enforced the no fighting in the public house rule. And, as a rule, it seems to have been obeyed.

Fairly predictable, and therefore, measurable steps to the initiation of violence received popular recognition. A verbal exchange generally preceded a physical encounter. When Susan Raynor went to Mrs. Mellon's Niagara tavern to get her husband home in 1855, the tavernkeeper "slapped her leg and said kiss that." The two women continued the dispute up the pathway and to Mrs. Hensworth's house where Mellon "shook her fist several times in my face [...] she then took up her foot and Mrs. Hensworth remonstrated, she did not kick me however."⁶⁸ In this instance, in part due to a neighbour's interference, the exchange ended here, and the clear threats of physical violence were contained.

Tavernkeeper Johnson McBrien understood the role of strong words as a signal for the initiation of violence. "All were then standing at ye bar and [McBride] said I could whip you in

⁶⁷ AO, RG 22-390, 9-5, Macaulay, Home District, Oct. 1848. *Q. v Michael Moran*; AO, RG 22-390, 3-3, Macaulay, Western/Gore Districts, July-Oct. 1835. *K. v John Wallington*; AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex. v John Ward*; AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

⁶⁸ Niagara Historical Society and Museum (Niagara-on-the-Lake) Catalogue no. 482. 54, Loc. Legal 2, 1855 C, Spec. Type: Information and Complaints, Deposition of Susan Raynor

a few minutes, in two minutes - [Moran] said if you were not in ye place ye are in I would let you know, [McBride replied] well said then now is the time." Moran and McBride "were very willing to quarrel [...] no blows struck but hard language - at length something was said about going into ye yard to fight." Each participant escalated the dispute through language, neither seemed able to back away but exchanged mutual warnings of intent to make the shift to a physical confrontation which they took outside. The devolution from language to blows was implicit in McBrien's use of the word "quarrel" which encompassed each degree of the confrontation. Francis Terman, a fellow pedlar and part of the tavern company, tried to defend Moran after what turned out to be a deadly fight with McBride by reconstructing the hard language preceding blows. According to Terman, Moran "said he did not want to fight" but McBride "did then challenge" him and Moran "said he would" fight. The verbal exchange, in Terman's analysis demonstrated the willingness of both parties to engage in blows, but clearly established McBride's responsibility for the tragic outcome. Moran's use of force had been justified, not unexpected and not unprovoked.⁶⁹ Richard Woons also noted that the obligatory exchange of threats and insults preceded the two Wilsons' violence at his tavern. Robert "said you black bugger you struck me once before and now I am ready to lick you - or to that effect." Here the keep emphasized the form of the exchange, rather than the content, implying it was a recognised step in the initiation of violence. James demurred but Robert "still challenged." William Curney thought Robert had said "he was going to whip" James. In either case, "words passed about fighting."⁷⁰

⁶⁹ AO, RG 22-390, 9-5, Macaulay, Home District, Oct. 1848. *Q. v Michael Moran*

⁷⁰ AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

If the dispute did not end with words, companions indicated their willingness to fight by adopting a challenging physical position. At O'Neil's tavern there was a meeting in 1854 "about choosing a candidate for a ward election," which shows the process from words, through threatening postures, to blows which predicated, as a rule, all violence. Henry Meredith remembered he "heard Wilson getting up to speak - denied something O'Neil had said, then they bandied the lie and lean one to another then O'Neil struck Wilson - Wilson struck back."⁷¹ At Carroll's a companion of John Ward apparently sought to emphasize Ward's relative innocence by observing that although he "gave Harder a push with his hand" which was "not a blow," he "had not put himself in any threatening position before pushing - then right away Michael Harder doubled up his fists and squared his arms and they both clinched, both seemed equally ready to clinch." At first it reads as if the lack of a threatening posture made Harder's reaction overblown, but when asked again to recount the violence, the conclusion Doty drew from his observation was "that Ward wanted to pick a quarrel with Harder - Harder showed no inclination to quarrel." Doty's ambivalence does nevertheless testify to an expectation that an intermediary step between word and blow - such as is seen in Harder's positioning - would pattern violent expressions.⁷²

Likewise, a man's behaviour with his coat symbolised his willingness to engage in a physical quarrel. Concerning the fight at Carroll's, Justus Willcocks remembered that "both pulled off their coats to fight," and Mrs. Carroll was certain "Harder had his coat off - forgets whether Ward had or not." Richard Woons, similarly, told James Wilson who had taken "off his coat to

⁷¹ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Wilson v O'Neil*. Both men were tavernkeepers.

⁷² AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex. v John Ward*

fight," "to put on his coat and he did so."⁷³

As an aspect of the concern to manage violence, tavern companions monitored its intensity. At the political meeting where tavernkeepers Wilson and O'Neil expressed a physical disagreement over their choice of candidate, Henry Josh Smith "saw the two down in the scuffle - it lasted only two or three minutes and was over - I went out." Henry Meredith "did not think it very serious." Neither man attempted an intervention given the relatively minor level of violence. Smith's evidence can be read two ways, not necessarily mutually exclusive. Either he enjoyed the spectacle and remained to see its end, or, he remained should intervention prove appropriate. At Edwards' tavern some patrons defended the keeps and the reputation of the public house against generalised accusations of loud disorder and frequent fighting within it. Their words embody a high tolerance for violence, but also echo with their certainty that its intensity was low within the popularly understood scale, and its pursuit therefore innocuous. F.W. Meyer "never saw anything out of the way - has seen a little quarrelling when people high in ye daytime, not at night [...] did not see Rows." J. Woolstonecroft "has seen noise and fighting and nothing worse than that."⁷⁴ The practice of monitoring and gauging physical violence was means of limiting its potential for escalation.

In close alliance was a willingness to intervene if violence registered as too intense. John Wallington accosted several tavern companions with a "hammerend whip" at Job Perry's tavern,

⁷³ AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex. v John Ward*; AO, RG 22-390, 9-5, Macaulay, Home District, 1848. *Q. v James Wilson*

⁷⁴ AO, RG 22-390, 47-5, Draper, Toronto, 1854. *Wilson v. O'Neil*; AO, RG 22-390, 2-6, Macaulay, Midland District, 1833. *K. v Adonijah Edwards*

but the keep, "took ye whip [...] broke it." Wallington drew a pistol in response and "presented ye pistol at [Perry] and said he was a dead man. When [Wallington] first drew ye pistol the Skuffle was over he held it up and most of ye people withdrew in alarm [... But when] [Wallington] held ye pistol up to [Perry] said he was a dead man when he was instantly saved by the others."⁷⁵ Much less dramatic than Wallington's waving pistol at Perry's, but probably more commonplace, was Darius Doty's interference in the Ward versus Harder fight, the second one that day, which took place in the house after Mrs. Carroll was in bed.

They jostled round a little then Harder put Ward on the floor - [Doty] had seen no blows it was scuffling [...] Harder in the scuffle got him near the Chimney pushed him down on the fire - there was but little fire there - Harder fell on top of him on the fire - then [Doty] stepped up and took hold of Harder and pushed him and both got up [...] Harder took up a firebrand, [Doty] said don't strike him with that you will kill him.⁷⁶

In the end, Doty failed to avert real violence. Neither he nor Willcocks saw Ward's knife, nor his stabbing motion, but Michael Harder lay dying before the fire. This time "no one offered to prevent him" as Ward left the public house. Doty interfered twice in the violent confrontation, once when the fire appeared too dangerous a weapon, and once when the use of a firebrand appeared equally murderous. After the stabbing there was no attempt to cover for Ward, but rather fear in their refusal to confine him. Willcocks said to him "what have you done you will be hanged for it." When Harder came to after three hours, Willcocks told him "Mike, John Ward

⁷⁵ AO, RG 22-390, 3-3, Macaulay, Western/Gore Districts, July-Oct. 1835. *K. v John Wallington*; I have replaced "defendant" and "witness" with, respectively, "Wallington" and "Perry."

⁷⁶ AO, RG 22-390, 20-3, Robinson, Western/London Districts, 1830. *Rex. v John Ward*; I have replaced "witness" with "Doty."

has killed you." Yet, they were a brutal set of companions. Although John Ward said he "was sorry for it," and Mrs. Carroll, after apparently sleeping through the entire disturbance, applied a "compress of liver, sugar, and white of an egg," to the severed artery in Harder's neck, the wounded man was left without medical attention for eleven days. Finally Doctor Goodhue attended and found him "on a miserable bed in bloody clothes."

Violence and the tavern had established functions as method and place of quite formal confrontation. As William Chambers entered the Lambton Hotel, Michael Clancy "came up, [...] said he had been waiting for me a long time and seized me by the throat, several people tried to take him off, but [Clancy] said he would murder me before he would let me go. I made no resistance but before others got him from me he struck me several blows and dragged me about the room by the hair of the head. Then he was taken away." Clancy swore before the barroom company that he would have Chambers' "heart's blood." Both were "respectable men," involved in a mutually financed lumbering venture. Clancy had failed "to get out timber for us and in his failing I [Chambers] had sued him." The purpose of the tavern confrontation was not necessarily to make a direct comment upon the legal suit, but to correct the public perception fostered by Chambers, that Clancy faced financial ruin in the lumber trade.⁷⁷ Clancy may well have used the tavern and the medium of violence to assert his community standing as financially trustworthy. Writing of the taverns of eighteenth-century Paris, Thomas Brennan makes a related point. While stressing that fights erupted within the context of "overwhelmingly peaceful uses of the taverns,"

⁷⁷ AO, RG 22-390, 47-5, Draper, Western District (Port Sarnia), 1854. *Q. v Michael Clancy*. Chambers of course phrased it differently: "I have said I would go against this man and get him punished - but I have no recollection of saying I would ruin him."

he suggests that violence functioned to assert honour, to defend reputation. "Reputation is a public trust, a public persona [....] The tavern was the appropriate location for these public contests."⁷⁸ Michael Clancy's attack on William Chambers at the Lambton Hotel seems to be a clear example that tavern-goers in Upper Canada expressed the same willingness to defend their reputations before the assembled company.

There was a classic brawl at John Waugh's York tavern, the day after Christmas in 1831.

[Underhill] was there to execute a warrant on a person staying there - Cooper came in, caught hold of [Underhill], hauled him down by the stove - [Underhill] had not spoken to him - there were 6 or 8 persons there in the barroom about[?] 9 or 10 at night. When [Underhill] got up [Cooper] seized [him] again and they both fell together. [Underhill] got away, [Cooper] followed [him] and tore his clothes. Cooper swept the tumblers and glasses off the bar and smashed them, can't say how many. - Two were with Cooper and they all there behaved ill. [Underhill] went and brought a constable with him and Cooper struck [Underhill] - gave him a black eye [...] he seemed as if he had been drinking [....]

Cooper commenced the affray by seizing [Underhill] -the barroom was thrown into great confusion - saw Cooper and others striking at the barkeeper in the bar. Waugh was not at home.⁷⁹

Despite its theatricality, replete with the sound of splintering glass, the visual image of Underhill held down by the stove, and the melee which erupted in response, the most remarkable aspect of this tavern brawl was its singularity. When "Cooper came in noisy and bluesy - came up to the bar" and initiated a brawl, he caused chaos at Waugh's. Cooper and Underhill "scuffled about." "Gilbert struck the stove pipe with an iron poker" and knocked it down, presumably filling the place with smoke on a December night. "Cooper and others [were] striking at the barkeeper in

⁷⁸ Brennan, *Public Drinking and Popular Culture*, 24, 74

⁷⁹ AO, RG 22-390, 21-1, *John Waugh v George Cooper and George Underhill v George Cooper et al.* I have replaced "witness" and "defendant" with, respectively, "Underhill," and "Cooper."

the bar," several men were "shoved off" a railing, and the barkeeper "Blaken came out of the bar and struck Cooper two over the shoulder with the poker" while others hit at him.

It took everyone by surprise. The barkeeper, far from accepting the brawl as an everyday tavern occurrence thought it a "scandalous scene," and sent for Matthews the constable. Thomas Kanrington who lived in the tavern came running when he heard the "great noise." Matthews too emphasized "they were very noisy," implying the singularity of the occurrence, and Thomas [?] Graham who accompanied the constable said "the house was in an uproar." Taverns, in his view, were not predictably in an uproar. From the perspective of those in the barroom at Waugh's the precipitous nature of Cooper's assault on Underhill was surprising as it seemed without provocation. In fact, Cooper and Underhill had spent much of the evening together, and there is some evidence that the conflict had been escalating since suppertime. Mrs. Cooper testified that the two had been drinking gin together at her house and that Underhill "was in a temper at Cooper." Underhill, reconstructing the incident later before the court called upon popular expectations about the need for provocation by proclaiming with wide eyes that Cooper simply attacked him, without even speaking. The barkeeper corroborated his version.⁸⁰ In the other version of the story, the one in which Underhill, equally unprovoked, initiated the affray, Cooper was praised for his show of restraint in resisting a companion's encouragement to hit George Underhill. Mitchell said "if I was you I would strike him - Cooper said he would not." Why? Because, "he said, its only old George Underhill - would not touch him." From this perspective

⁸⁰ Mahlon Blaken worked for John Waugh - since Waugh was pursuing Cooper through the court for damages Blaken may well have supported the version most damning to Cooper.

the origin of Underhill's black eye and bloody face which he presented to magistrate William Jarvis the next day is rather mysterious. But the point, again, is not that the two obviously tailored the truth to suit their needs, but the cultural norms which they invoked by doing so. The testimony concerning who struck who first and how unprovoked the assault appeared pulled at a popular understanding that violence ought to be provoked. One had to have a reason to fight and give clear warnings and beginning a fight - striking the first blow, making the first clinch - placed the onus on that individual to accept greater responsibility for the outcome. In Mitchell's praise of Cooper's restraint - Mitchell lived at Cooper's - there is an implicit recognition that, one, restraint in the face of violence was a good thing, and two, that "old" Underhill deserved consideration simply by virtue of his age, disposition or whatever the affectionate but mildly derogatory adjective implied. In both cases nothing like an acceptance of free-wheeling violence can be assumed. Everybody concerned, including William Jarvis Esq., who came to court to say he had "not seen [Underhill] often with black eyes - is not quarrelsome," expressed in some way, the singularity of the scene.

However, through their regulation of violence tavern companions meant to ensure a fair fight; they did not question the use of violence itself as a legitimate means of social negotiation. Tavernkeeper Richard Woons for instance, "told Robert Wilson to go off, that James would kill him." That James subsequently did, given that he did not start it (Robert said he "was going to whip" him), was initially reluctant to fight (he put his coat back on), and that Robert had a local reputation as being "of drunken habits and quarrelsome when in liquor," meant each man in the barroom that day testified in James' defence. His deadly beating of Robert achieved their sanction

because its violence was appropriately patterned.

Group Brawling and the Taverns

The association between taverning and the expression of group identities demands a different interpretation. Recent work on the history of violence bears on this point. In his "New York City Tavern Violence and the Creation of a Working-Class Male Identity," historian Michael Kaplan argues that the "b'hoys," through their "behaviour in taverns defined a special democratic culture in violation of middle class norms, and against excluded groups like African-Americans and women." Although the article reduces the taverns to arenas for violence, and shows no recognition that tavern-goers sought to limit its expression, its central thesis is attractive. Kaplan argues "an honoured American principle, the Jeffersonian ideal of the independent, virtuous producer, could be transformed into a tool of oppression," as the b'hoys struggling with the implications of early industrialization constructed a group identity through violence directed at the "other."⁸¹ There is some evidence that group identity of a different sort was asserted through tavern violence in pre-industrial Upper Canada.

In 1830 "a party came from ye canal,"⁸² and gathered at Fraser's tavern in the Midland District. One of them, Patrick Killete, "came several times" into McGuire's tavern opposite "to light his pipe. He came in the bar and made a noise - McGuire told his man to turn him out." From Frazer's his companions, William O'Brien, Hugh Alynne, and about twenty others, "saw Killete

⁸¹ Michael Kaplan, "New York City Tavern Violence and the Creation of a Male Working-Class Identity," *Journal of the Early Republic* 15 (Winter 1995): 593, 615.

⁸² AO, RG 22-390, 1-8, Macaulay, Midland District, 1830. *K. v William O'Brien, Hugh Alynne, Patrick Killete, Harrington.*

knocked down." O'Brien said "let's go down and see fair play" and they all burst into McGuire's tavern, assaulted the keep and some of the assembled company. They were put out but smashed in the door. Despite the usual assertions and counter-assertions about who hit who first and under what provocation, the actual cause of the affray remains unclear. John Baily identified O'Brien as the man "swearing in Irish," and David Clendenning "heard ye Irish round at McGuire's place," but the significance of the information remains opaque. The tavernkeeper expressed a deep suspicion that Killete created the excuse for a group assault. "Think he wanted to fight from ye numbers who came over. Harrington was there ready to help if necessary." The only clarity in the incident radiates from the phrase "let's go down and see fair play." Whether the incident was indeed staged, or whether McGuire's action in having the noisy Killete put out actually constituted an affront, is irrelevant to recognising the strength of the cry in mobilising twenty Irishmen to unite in the assault on McGuire's tavern. Their collective sense of identity, whether ethnically based as observers implied, or based on the excitement of the moment, was certainly affirmed through tavern violence in the name of the damage done to one of their number.⁸³

There are three other examples drawn from sources other than the benchbooks which centre upon group violence linked with taverns. All affirm that group violence associated with the

⁸³ For discussions of the multiple meanings attached to group violence amongst Irish immigrants in the Canadas see Ruth Bleasedale, "Class Conflict in the Canals of Upper Canada in the 1840s," *Pre-Industrial Canada, 1760-1849*, Readings in Canadian Social History, vol. 2, ed. Michael S. Cross and Gregory S. Kealey (Toronto: McClelland and Stewart, 1982), 100-140; Michael S. Cross, "The Shiners' War: Social Violence in the Ottawa Valley in the 1830s," *Canadian Historical Review* 54 (1973):1-26; Michael S. Cross, "The Lumber Community of Upper Canada, 1815-1867," *Canadian History Before Confederation: Essays and Interpretations*, 2nd ed., ed. J.M. Bumsted (Georgetown, Ont: Irwin-Dorsey, Ltd., 1979), 297-317; Peter Way, *Common Labour: Workers and the Digging of North American Canals, 1780-1860* (Cambridge: Cambridge University Press, 1993), 178-181, 193-197

taverns could function to defend and assert distinct group identities. At Daniel Springer's tavern in Lobo Township in 1821, "English and Scotch settlers" clashed in the context of what appears to be ongoing tension amongst them. There was concern in the neighbourhood, according to this letter to the lieutenant-governor, that Springer, a justice of the peace, extended preferential treatment to Scots, declining, for instance to charge several in connection with a recent hog theft. Unfortunately, the only information about the incident is that it "was near ending in a general fight" but in fact "finished with only a single battle, successful to the Scotch. [I]t has however left much angry feeling."⁸⁴

We know more, from a newspaper editorial, about a riot that took place on the 4th of July, 1833, at Dyer's, one of the principal hotels in St. Catharines. Luther Dyer was an American. "A few youngsters" discharged a fowling gun near the hotel, were accused by local magistrates of commemorating the anniversary of the "dismemberment" of the British Empire, and had their gun confiscated. Several American "mechanics" witnessed the exchange and proceeded to "discharg[e] firearms somewhat frequently during the remainder of the day," while the magistrates "devote[d] most of the day to preventing those aggressions." On a rumour circulating that some in the town intended to celebrate July the 4th by throwing fireballs⁸⁵ after dark, a large group, a magistrate amongst them, assembled at the Inn across the road from Dyer's to prevent it. "Early in the evening a little difficulty occurred in the bar-room between two individuals, aggravated by both parties" and when two fireballs were thrown "from the rear of a house adjoining Mr. Dyer's,

⁸⁴ NA, RG5 A1, vol. 81, pp. 43840 - 43843, letter from Captain Matthews, Lobo, Aug. 4, 1821

⁸⁵ These were made of candle wick rolled into balls, moistened with turpentine, and ignited.

a shout echoed through the mob, as if from a leader, and like well trained blood hounds, all were on the hunt." They threw fireballs through the windows of Dyer's hotel, attacked a young man who had extinguished a fireball lodged on a woman's bed, trashed the barroom, broke the windows, and "returned to the street and opposite Inn" while the magistrate and constables merely observed. Dyer's known American background appears to have been the reason for the assault on his house by a "mob" encouraged by the "nods and winks" of the magistrates "expressing their indignation at such unpardonable laceration of British feeling" as was caused by the American men firing off guns during the day.⁸⁶

And in Stratford in 1845, Catholic and Protestant tension came to a head after a Township Council election in which Daly, described as the Catholic candidate, had been defeated. "Some of the Protestants" went to Jackson's Hotel to drink. "While there several of the Catholics came into the room and endeavoured to commence a fight. They were prevented. They were very outrageous in the Barroom and I believe struck some of their own party for endeavouring to keep them quiet." A fight occurred later on the street. This account, written by W.F. McCulloch, a Protestant, and a successful candidate in the election, casts the Catholic party as aggressors, but it is apparent that some amongst them saw no need for a violent confrontation and tried to quell the barroom conflict, apparently successfully.⁸⁷

While the 4th of July attack upon Dyer's Hotel and the election violence between

⁸⁶ *Farmers' Journal and Welland Canal Intelligencer*, July 11, 1833

⁸⁷ Stratford-Perth Archives, "Riots at Stratford" File, W.F. McCulloch to John Longworth, Jan. 10, 1845, original at Welden Library, University of Western Ontario

Protestants and Catholics at Jackson's in Stratford are relevant illustrations of group violence, and add a footnote to the historiography of national, political and religious identities in early Canada, their link with the taverns was situational rather than causal. That is, neither dispute arose in the context of taverning. Deep cultural tensions, or long-standing community tensions, fed by the events of the day were far more relevant to the confrontations than recourse to the barroom. While it is an important aspect of the tavern's history to note its openness, at times, to violently confrontational groups as they drank and girded themselves for battle, it is also important to distinguish between this and the individual disputes and scuffles discussed earlier. Rioting, by definition, broke through all social controls, whereas most tavern violence remained manageable and subject to the regulation of other tavern-goers and the tavernkeeper.

Conclusion

While it is Michael Clancy's fighting words at the Lambton Hotel, that he would have William Chamber's "heart's blood," John Wallington's waving pistol in Perry's barroom, and the Boxing Day brawl at Waugh's tavern which linger as compelling images, their's is not the central message about the link between the taverns, drink and violence. These fights erupted within a complex of social expectations and cultural practices which worked against them. Tavern-goers welcomed drink as a valuable symbol and a desirable substance, but together with a wider community they regarded drunkenness, particularly habitual or troublesome drunkenness as socially taboo. Local censure of "quarrelsome" drinkers shows communities to have been interested in sustaining peaceful relations; it also shows them connecting drink with unnecessary

expressions of violent behaviour. Ritualized steps to the initiation of violence and active intervention by tavern companions and keepers limited its expression and its potential damages to people and property. The web of customary regulation surrounding both tavern drinking and brawling testifies to a popular willingness to maintain good order within the taverns. People frequenting the taverns did so within the context of an expectation of good order. Upon entering the bar or other public rooms they expected to find reasonably restrained levels of drinking in which consumption ceased prior to drunkenness, and they did not anticipate getting into a barroom brawl.

Chapter 4

Taverning: Customary Pastimes

In the spring of 1846, a clockmaker named Isaac Macdonald called at Sebach's tavern on the Mitchell road and passed a Sunday afternoon "telling some stories," and "playing tricks for amusement." He was "endeavouring to put a ring on a wooden ramrod which was in Jacob Cramer's hands" and "succeeded in getting the ring on the rod while Cramer held both ends." Then Macdonald "performed the feat of lifting a chair by the spars." There was "no gambling going on on Sunday evening," and "no treats were bet on the tricks." When Macdonald then sat down and William Sebach knocked his hat "over his eyes, it was in fun."¹ They appear to have been engaged in what John Beverley Robinson referred to in the last chapter as "that kind of sport which people in the bar room of an Inn constantly indulge in." He meant a man pulling another's hat off, and handing it to him "saying 'here's your cap, Sir'."² Both Robinson's remark and the assumptions embedded in the tale of Isaac Macdonald - that betting would accompany sleight of hand tricks, that the "feat" of lifting a chair by the spars was well known, that knocking a man's hat might not be done in good humour - suggest people had an easy

¹*Stratford Beacon and Perth County Intelligencer*, Apr. 4, 1846

²National Archives of Canada (NA), RG 5 C 1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West; Correspondence Received, vol. 270, file 1515, J.B. Robinson to the Lieutenant Governor, May 8, 1843, re: *Q. v. Hugh McCulloch*

familiarity with tavern pastimes and a sense of their customary form. Both suggest an understanding of taverning beyond the exclusive focus upon drink and violence, and the management of each which has concerned us in the preceding pages. This chapter also moves beyond them, to explore customary tavern pastimes and the forms of tavern sociability. The emphasis is upon taverning as a peaceful, civil pursuit. It is upon tavern-goers like those described, again, in the words of J.B. Robinson:

the parties had been making themselves merry for two or three days in succession at different inns in the town, but committing no considerable excess. [...] They were singing & enjoying themselves harmlessly [...] There was no rioting or quarrelling [...] nothing said or done in ill humour by any of them [...] Most of the party had been drinking freely [...] some were talking together & others singing [...]³

Song and Dance

Singing very often filled the public rooms of the taverns. It was both performance and a mutual pastime. At Moore's in 1802, "the house was as usual in the evening full of noisy company singing in two or three rooms at once."⁴ Ely Playter and Sophia Beman stopped, in 1805, at a Government House⁵ between York and Niagara with a large party. "A young man, a Taylor by trade on his way to York afforded us some amusement, being in liquor and pretending to be very

³Ibid

⁴AO, Playter [Ely] Diary, Feb. 1801-Dec. 1853, July 6, 1802 (Hereafter EP)

⁵A public house owned and operated by the colonial administration for the purpose of assisting communication and transportation.

polite, sung us a song & c."⁶ John Wallington "got merry" at Perry's tavern in Blandford in 1833, "sang songs - God Save the King." He was "ordering hats off at the chorus of his song."⁷ At Smith's tavern along the St. Clair, Harry Jones "had a very indifferent tea and a worse song after it from a romantic carpenter who prides himself much on his vocal powers and is doubtless considered quite a nightingale on the other side of the water."⁸ At Goodwin's in Kingston, in 1841, Galt and Hitchings, two young lawyers, "sang from dinner to tea, the latter beautifully." The former was generally noted, rather, for "singing some of his noisiest songs."⁹

Singing helped to create or express a sense of group conviviality. George Thew and H.W. Donaldson, a constable, were "at the Inn of George Kent [...] in company with a party of friends. Peter McDonald entered the room where they were & disturbed the company by preventing Green McDonald from singing." He "ordered G. McDonald who was singing to desist - one of the party told P. McD. he would not be allowed to interrupt the company - that a noisy conversation ensued."¹⁰ The company clearly articulated its sense of collective identity and its right to unmolested enjoyment of the tavern. The troublesome magistrate, Peter McDonald, who

⁶ EP, Aug. 30, 1805

⁷ AO, Record Group 22. Series 390.Box 3, File 3, Macaulay Benchbook, Western/Gore Districts, July-Oct. 1835. *K v John Wallington*. All subsequent references to the benchbooks are made in abbreviated format as, for example: AO, RG 22-390. 3-3. Macaulay, Western/Gore Districts, July-Oct., 1835. *K. v John Wallington*

⁸ Lambton County Archives. Henry John Jones Diary, Feb. 7, 1837 (Hereafter HJ)

⁹ HJ, Dec. 6, 1841; Aug. 7, 1842

¹⁰ NA, RG 5 A 1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, Correspondence Received, vol. 130, pp.71576-71582, Whitby, June 1833, Excerpts from an Enquiry into charges against P. McDonald, Esq., regarding his fitness as a magistrate.

frequented Kent's Inn and was "occasionally intoxicated" there, "would not be allowed to interrupt the company." By interfering with Green's singing, the magistrate also interfered with the sense of group cohesion felt by the taverning companions at Kent's.

Dancing in the taverns, both spontaneously and at organized events, seems to have been equally customary, sociable, and peaceful. It was in the public houses on his circuit that missionary William Case saw "large companies of neighbours and others convene[d] for the purpose of drinking & dancing &c"¹¹ in 1806. "2 or 3 were dancing downstairs" at Waugh's tavern in York in 1831.¹² There was a dance "at an Inn in the swamp road" in Niagara in 1837.¹³ Sometimes these were spontaneous events, as in 1802 at Moore's tavern in York: "Mr. Moore's house full of company a' Dancing and Lester playing the fiddle."¹⁴ And, near Forty Mile Creek "some itinerant Italian organists [...] played lively tunes in the bar and set the feet of our soldier-servants in motion, who danced jigs"¹⁵ Those assembled at a mountebanks' show "fell to dancing" to the music of a Black musician "who scraped away in good style. Kept it up 'til one o'clock

¹¹ United Church Archives, William Case's Journal, June 20, 1809, 37-38. He is referring explicitly to a tavern: "There are some bad houses kept by tavernkeepers on the Circuit where liquor is vended to the great destruction of many [...] large companies of"

¹² AO, RG 22-390, 21-1, Robinson, Home District, 1831. *John Waugh v George Cooper*

¹³ AO, RG 22-390, 4-1, Macaulay, Niagara, Oct. 1837. *Q. v James Stevenson and John Milton*

¹⁴ EP, July 7, 1802

¹⁵ James Alexander, *L'Acadie: Or, Seven Years' Explorations in British North America*, vol. 1 (London: Henry Colburn, 1849), 196-197

when the company retired, some went home, some remained at the tavern."¹⁶ In other instances tavern dances were more organized. "On notices being placarded up and down the woods, the settlers young and old, male and female flock to the place of rendezvous; dancing, drinking, smoking &c. are kept up for several days."¹⁷ Most were open to all in the neighbourhood and any who chanced upon them. Harry Jones did not hesitate to participate when he "found a fiddler at Burwell's and danced French fours and 8 reels until midnight."¹⁸ But, others were for a more exclusive company. Amongst the colonial "first class," of "professional men, merchants, civil and military officers, and members of the Provincial Parliament," wrote Edward Talbot in 1824,

[...] subscription balls are very prevalent. For this purpose every respectable tavern in this country [...] is always provided with an extensive ballroom [....] Stewards are appointed either for the night or for the season: It is their province to send tickets of admission to the different subscribers, to give orders for the accommodations, attend to the suitable decorations of the house, and collect the amount of subscriptions for which the proprietor of the hotel always considers them accountable. A gentleman's subscription is generally about five dollars: The ladies never pay anything. For this sum you are entitled to bring with you a partner and servant.

In contrast to the image of settlers "flocking" to tavern dances, Talbot creates an image of exclusivity and suggests that those who sought to distinguish themselves from the "second class" of "farmers, mechanics, and labourers," found the principal public houses an appropriate venue

¹⁶ William Pope Journal, *Western Ontario History Nuggets*, no. 16 (London, Ontario: Lawson Memorial Library, The University of Western Ontario, 1952), pt. 2, 46

¹⁷ John MacTaggart, *Three Years in Canada: An Account of the Actual State of the Country in 1826 -7-8 [...]*, vol. 2 (London: Henry Colburn, 1829), 218

¹⁸ HJ, Nov. 12, 1834

for organized sociability and that they controlled admission through price and the private distribution of tickets.¹⁹

In the taverns, music and dance encouraged sociability and the creation or maintenance of social bonds amongst inclusive and exclusive companies alike. The only instance of disorder found was at Edward's tavern near Kingston in 1833. Companions danced to the music of neighbour Richard Burrell's violin in the tavern at the "back of the town." The company included boatmen, soldiers, and women. Burrell described the place: "Has seen dancing there, no indecent conduct - Can't say ye women are bad - from what he did see does not consider them good - were light[?] [bright?] characters." Together they indulged in "screeching and hallowing in the streets, throwing stones at doors and when followed flying to [Edward's] house."²⁰ Their disorderly conduct, however, was directed at more sedate neighbours. The tavern company itself appears mutually intent upon its noisy pastimes.

Story-telling and Conversation

It appears that story-telling, which had a natural home in the barroom, existed as a form of social currency. A tale had value in creating status. "A Yorkshireman was entertaining many listeners in the bar-room of the hotel [....] This character was dressed in his smock coat, with tight

¹⁹ Edward Allen Talbot, *Five Years' Residence in the Canadas: Including a Tour Through Part of the United States of America In the Year 1823*, vol. 2 (London: Longman, Hurst, Rees, Orme, Brown and Green, 1824), 20-21

²⁰ AO, RG 22-390, 2-6, Macaulay, Midland District, 1833. *K v Adonijah Edwards*, I have replaced "prisoner" with "Edwards."

lacing boots and leggans as if from his native country a minute before and was telling cock and bull stories about his shooting feats with Lord Liverpool."²¹ The observer, Patrick Shirreff, if he can be trusted regarding the content, quite understandably deplored the crass claims to status made by a tale-teller, but he understood the nature of the performance correctly. Real, if temporary status could accrue to the purveyor of a genuinely fascinating or awe-inspiring tale. A young man, possibly a Black man, the lone survivor of a steamer wreck on Lake Erie in 1840 virtually earned his passage through barroom theatre. "In the barroom [of a steamer] I found a tall, muscular young son of brown labour, who had been rescued from the wreck [....] Our captain, Blake, to his credit be it spoken gave him free passage, bed board and drink for nothing. He was, therefore, a sort of lion, in his way, and told his 'thrice-told tale' of all the perils and dangers he had escaped with a good grace [....] He described the most heart rending scenes - women tying children round them - young men and girls jumping overboard hand in hand...."²² In the taverns a good tale could bring temporary acclaim to its teller.

And people talked together in the taverns. "Drank a horn and had a long confab in the evening in Larned's barroom with Read, VanAllen &c."²³ Like Harry Jones who is quoted here, many people passed time in the taverns in conversation. It was "in the bars and on the side

²¹ Patrick Shirreff, *A Tour Through North America: Together With a Comprehensive View of the Canadas and the United States [...]* (Edinburgh: Oliver and Boyd, 1835), 204-205

²² Morleigh, *Life in the West, Backwood Leaves and Prairie Flowers: Rough Sketches on the Borders of the Picturesque, the Sublime and the Ridiculous: Extracts from the Note Book of Morleigh in Search of an Estate* (London: Saunders and Otley, 1842), 228-229

²³ HJ, Mar. 21, 1837

benches out of doors where dialogues²⁴ took place. If people discussed personal matters in the taverns, no records have been found. Both Ely Playter and Harry Jones, the taverning diarists, discussed intimate matters elsewhere. The conversations we know of are about more public concerns, perhaps because people could expect to be overheard.

Like story-telling, there appears to have been an audience for tavern conversations. "Stopped a short time at Larned's," recalled Harry Jones in 1837, "and listened to [a] learned argument on architecture between the Captain of the Chatham Steam Boat (Keating) and a 'residenter' of the name of Emery, puzzled to know which knew least of the matter."²⁵ The statement shows the use of the barroom as a forum for serious discussion and the presence of active listeners. At the National Hotel in Detroit, similarly, while "having a long confab with Capt. Marryatt in the evening on rearing hogs on the frontier Islands &c. - Heard of the death of the King, Mr. Chase of Detroit told some one of it in the bar room of the Inn in my hearing."²⁶

The likelihood of being overheard or of providing entertainment for eavesdroppers, does not seem to have inhibited tavern-goers from a free exchange of opinion on a variety of contentious issues, from local affairs, to religion and politics. "Took tea," wrote Jones of his

²⁴ MacTaggart, *Three Years in Canada*, vol. 2, 212 He reveals this while writing about American table manners: they did not talk at the dinner table in the taverns, rather, in the bar and on benches outside.

²⁵ HJ, Aug. 21, 1837

²⁶ HJ, July 30, 1837 (The news was by then almost six weeks old); Captain Marryatt is identified by Jones as "the great novel man," and the "great 'Peter Simple' man." When Jones met him in Sandwich and Detroit, Frederick Marryatt was a successful author of sea-faring stories, currently at work on a book about the Americans. He intended to "cut up the free and independent in the worst way." (HJ, May 5, 1838) See W.A.B. Douglas, "Frederick Marryatt," *Dictionary of Canadian Biography (DCB)*, vol. 7 (Toronto: University of Toronto Press, 1988), 585-586

return to Freeman's tavern in Chatham after a trip, "gossiped in the bar room with Baby and Sumner [...] nothing new in my absence, save the betrothment of a niece of Capt. Delmage to the old Negro gentleman Lightfoot, a proceeding which has filled the worthy inhabitants with the greatest horror."²⁷ At the Exchange in Sandwich, "smoked and listened to an animated theological discussion between a christian and [a] free thinking Yankee which though blasphemous was very amusing from the language rather than the arguments used."²⁸ And, at the National in Kingston, "[b]reakfast at 8 - our own party and 4 presbyterians, ministers or lay members of the Synod which is now in session - a vulgar set - a great war arose between them respecting the merits of Sir Francis Head in the course of which one accused the other of backbiting and slandering."²⁹ People also argued about railroads, discussed "land business," "talked the usual allowance of nonsense," or "gossiped [...] in the evening about things in general and Byron in particular."³⁰ The intention here is not to portray the endless and unknowable range of tavern conversation. It is to stress, first, that potentially divisive issues were discussed in the taverns, not necessarily amiably, but in a relatively civilized manner, and that much tavern sociability simply involved people talking together over drink or tea.

²⁷ HJ, Sept. 25, 1837

²⁸ HJ, Oct. 22, 1837

²⁹ HJ, July 2, 1841

³⁰ HJ, July 31, Sept. 10, 1837, Nov. 22, 24, Dec. 7, 1841

Gaming

Tavern-goers also convened over the cards or betting, like the "boisterous crowd, who were gambling and drinking around a large table" at a country tavern in the Western District about 1805.³¹ Gaming,³² usually at cards, was a customary tavern activity that walked a fine line between definitions of good order and disorder.

Tavernkeepers' recognizances, licenses, and the magistrates' rules and regulations governing taverns established a strong relationship between concepts of order and gaming. Thus Daniel McGuin's recognizance for an innkeeper's license, c. 1795 in Cataraqui, required "[t]hat He shall keep and Maintain good order and rule and shall suffer no drunkenness, or any other disorders or unlawfull games to be used in House [.....]"³³ The preamble to regulations drawn up in 1818 by the Kingston justices, enjoined "every person obtaining a license [...] to prevent unlawful games in his house and that he keep good order and rule within the same."³⁴ The Home District licensing form in 1835 similarly bound keeps to a proviso "that no unlawful game or games or any drunkenness or other disorder be suffered in said house."³⁵ The language of each

³¹ Abel Stevens, *Life and Times of Nathan Bangs* (New York: Carlton and Porter, 1863), 143. The book covers the years 1803-1809.

³² Gaming was the more commonly used word for what is now called gambling.

³³ Richard A. Preston, ed. *Kingston Before the War of 1812: A Collection of Documents*, Ontario Series, 3 (Toronto: Champlain Society for the Government of Ontario, University of Toronto Press 1959), 345

³⁴ A. Shortt, ed. "Early Records of Ontario, Extracts from the Records of the Court of Quarter Sessions for the District of Mecklenburg, (afterwards the Midland District)", *Queen's Quarterly* Vol. IX, (Sept. 1899-April 1900), 145

³⁵ W. C. Keele, *The Provincial Justice: Or, Magistrates's Manual, Being A Complete Digest of the Criminal Law and a Compendium and General View of the Provincial Law [...]* (Toronto: Upper Canada Gazette Office,

slid easily from a concern to maintain good order in the taverns to the main threats to it, drunkenness and unlawful games.

Although we will never know how much gaming actually went on in the taverns, they were perceived in Upper Canada, if not as bastions of respectability in this regard, then at least as under appropriate control. When the *Kingston Chronicle* editorialized in 1819 about "this Gaming House, this resort for idleness, this nursery of intemperance and immorality," this "Sanctuar[y] of iniquity," it was referring not to a tavern, but to Mark Law's Beer and Cider House. He had just been convicted "in the penalty of forty shillings, for keeping a Shuffle Board and nine pins Court, and allowing with his own consent and knowledge, Soldiers to play at these games on his premises." Unlike tavernkeepers, beer house keepers did not require a license, a character testimonial, or a bond to good order until 1823. The house could not, therefore, "be shut up in the ordinary course by withdrawing its license, because no such instrument belongs to it." In addition, the presence of unlicensed houses "infringes on the rights of the respectable tavernkeeper who is required to pay a heavy tax and produce satisfactory testimonials as to his character before he is permitted to open his House to the Public." Similarly, the mayor of Toronto wrote in 1834, of "the haunts of the worthless and dissipated," of sites "affording place and room for gambling & vice in its blackest shapes" which, if not checked would leave Toronto with "little to boast in point of manners over New Orleans." He was not referring to the taverns, but to the "throng" of "unlicensed" drinking houses in the "obscure parts of the city." While both indicate

1835), 51

that drinking and gaming went hand in hand, they also suggest that the system of tavern licensing worked well enough in keeping good order in the taverns and controlling gaming to focus on the lack of a license as a defining feature of disorderly houses.³⁶

Almost all games, if they were played in a tavern, became "unlawful." British legislation, dating from the reign of George II and still current within what Upper Canadians referred to as the "Tavern act," banned in any house

licensed to sell any sorts of liquors [...] any gaming with cards, dice, draughts, shuffle boards, mississippi or billiard tables, skittles, nine pins, or any other implement of gaming in [the] house, outhouse, ground, or apartment, thereunto belonging [...]³⁷

Gaming was a synonym for gambling, not for playing; the ban upon it appears to have been limited to a ban on money stakes, as opposed to playing for treats. The *Magistrate's Manual*, for example, a guide book to the law for Upper Canadian justices of the peace, discusses gaming exclusively in terms of money. For instance, "[a]ny person who shall at any time or sitting by playing at cards &c., or by betting, lose and pay £10, the loser may, within three months recover

³⁶ *Kingston Chronicle*, May 28, 1819; NA, RG 5 A 1, vol. 141, pp. 76923-76929, Toronto, May 5, 1834, W.L. Mackenzie, Mayor's Office; No legislation governed beerhouses until 1823, when by a Statute of Upper Canada, beerhouse keepers were required to obtain a license, be bound to keep good order and forbid unlawful games and drunkenness as tavernkeepers were. Beerhouse keepers could not sell spirituous liquor; they offered meals but did not offer lodging. See Robert E. Popham, *Working Papers on the Tavern 2: Legislative History of the Ontario Tavern, 1774-1974*, Substudy no. 809 (Toronto: Addiction Research Foundation, 1976), 16, citing *Statutes of Upper Canada*, 4 Geo. IV, C. 15

³⁷ Quoted in the *Kingston Chronicle*, May 28, 1819, citing *Statutes of Great Britain*, 30, George II, C. 24; the act specified "journeymen, labourers, servants or apprentices," as those barred, but in Upper Canada most legislation enacted locally by the magistrates simply banned "Gaming at dice, cards, or otherwise." See Huron District, "Rules and Regulations for Innkeepers (1849), Canadian Institute for Historical Microreproductions, no. 52535; By the "Tavern act," the newspaper refers to *Statutes of Upper Canada*, 59 Geo. III, C. 2 (1818) "An act to alter the laws now in force [...]" regarding tavern licensing and regulation. Essentially it granted all powers to local magistrates. See Popham, *Legislative History*, 14

the same by action."³⁸

Playing at games of chance for money stakes in the taverns was clearly illegal. But when Ely Playter "called at Hamilton's, [...] met Mr. B. Gilbert & Doctor Talman, Mr. H. Heward came in and we agreed for a rubber at w[h]ist, we played a long time for beer," he and his whist partners were probably on the right side of the law. They were certainly within its spirit.³⁹ When Harry Jones at Freeman's tavern in Chatham in 1837 "[p]layed whist in the evening at my rooms [...] did not break up until past 1 - lost 3 dollars," he and his companions, two justices of the peace amongst them, obviously committed an illegal act, for which the tavernkeeper, Freeman, would have been held responsible.⁴⁰ But their whist party was an almost nightly activity enjoyed in each other's private homes (where it was legal) as often as at the tavern, and they were not, after all, in the public rooms at Freeman's, but in Jones' lodgings. They may well have thought of their tavern gaming as within the spirit of the law.

Other people, though, did join openly in tavern gaming. There is evidence of sporting bets at Thomas Robinson's Prescott tavern where tavern-goers bet treats on the outcome of a boat race in 1846.⁴¹ And, at a tavern dance near Niagara in 1837, young James Stevenson "said he would bet he had the heaviest watch in the room. Jesse Fletcher said he would bet a dollar on

³⁸ Keele, *Provincial Justice*, 185

³⁹ EP, Dec. 23, 1805

⁴⁰ HJ, Apr. 20, 1837; The whist party included 8 men. Both Jones and Joseph Woods were justices of the peace in the district.

⁴¹ Upper Canada Village Archives, Thomas Robinson Account Book, 1843-1858, 110

it."⁴² In August 1841, at Fairfield's tavern just outside Kingston, "Galt and Kelly [were] playing écarté very furiously for immense sums - [...] and not too sober - what they won or lost remained a mystery particularly to themselves."⁴³ Rufus Pooler came to Daniel Haskell's Niagara tavern in 1825 "and spoke to some in the House the ideas of his intention of Gambling." The tavernkeeper, however, interfered,

took their cards from them and showed them where to sleep, thinking no more of it, went to bed and after about 2 or 3 hours of sleep awoke and heard some talking in the Barroom [...] and found that they had a new supply of implements for their Sport - Immediately showed them their beds again which was the end of their Naughtiness at his House.⁴⁴

Haskell referred to the gaming as "abusing his House." Pooler, however, judged by his open conduct, seems to have regarded tavern gaming as a commonplace and he found companions there equally willing to gamble at cards.

In all probability there were a great many Rufus Poolers in a great many taverns. "Gentlemen in Canada," observed Edward Talbot in 1824, "are in the habit of assembling in parties at taverns where they gamble pretty highly."⁴⁵ Nevertheless, the faith explicitly expressed in 1819, by the editor of the *Kingston Chronicle* in the tavern licensing system as a reasonable guarantor of good order in the public houses, and that implicitly expressed by the Toronto mayor in 1834, when he isolated unlicensed houses as sites in need of reform, seems to have been well

⁴² AO, RG 22-390, 4-1, Macaulay, Niagara, 1837. *Q. v James Stevenson and John Milton*

⁴³ HJ, Aug. 28-29, 1841

⁴⁴ NA, RG5 A1, Vol. 74, p. 39488-90, Petition of Daniel Haskell, n.d., inserted with Sept.-Oct. 1825

⁴⁵ Talbot, *Five Years' Residence*, 28

placed. Neither Playter and his companions playing for beer at Hamilton's, nor a gentlemen's whist party in the upper rooms at Freeman's, nor the actions and opinions of tavernkeeper Daniel Haskell when faced with gamblers in his barroom, suggest that anything like a free disregard for the ban on tavern gaming existed.

Sporting Life

The Union Cricket Club used Thomas Robinson's Prescott tavern as a clubhouse. The tavernkeeper made regular entries in his account book for the club. When Captain William Miller joined the cricketers, Robinson debited his account for a 2s6d initiation fee, and 7 1/2d for "dues." The club may have held its matches at Robinson's, for in August 1845 he received twelve shillings from the Port Wellington Club, "on account of expenses of their match Game of cricket played August 1st." And the players drank at his house according to entries for "2 gallons of beer" and "20 glasses" of unspecified drink.⁴⁶

Lamb's Hotel in Toronto maintained an "old" racket court. The Prince of Wales and gentlemen belonging to his suite attracted a curious crowd there in 1860 while on tour in North America. "A number of young gentlemen procured ladders and mounted to the roof, and looking through the glass informed those on the ground that certainly the Heir Apparent to the British Throne was earnestly engaged at a game of rackets with his coat off." The hotel's apparently long-standing provision of the facility suggests the appeal of rackets (a game like squash) to the privileged men and women who frequented the establishment. Lamb's in 1856 was listed as one

⁴⁶ Robinson Account Book, 69, 106, 144, 148, 189, 224

of the 7 "first class" hotels in Brown's *City Directory*.⁴⁷

Men wrestled and boxed in the taverns as a form of sport.⁴⁸ In York in 1802, the "barroom full of people. A. Galloway and a McBride wrestling - the latter strained his leg and that ended the matter."⁴⁹ Also in York, at Waugh's tavern in 1832 "as soon as Cooper got in a drunk man came in and he and Cooper wrestled in play." In fact, "they often wrestled together, but not in anger."⁵⁰ Their roughhousing remained distinct from confrontation and violence, but sometimes the line was fine and it contained the potential for real conflict. At Playter's "J. Thorn who being in liquor and getting offended at Orton would box him. Orton humouring the joke in great earnestness made the company very merry and all subsided well in a short time."⁵¹ Implicit in the tavernkeeper's account is his anxiety that all might not, in fact, "subside well." Evident too, is Orton's cooperation in maintaining good order by "humouring" the inebriated Thorn. Yet roughhousing had much more in common with story-telling than real violence. Like storey-telling, it was a generally orderly form of social contact which also served to bring social rewards for

⁴⁷ Robert Cellem, comp., *Visit of His Royal Highness, The Prince of Wales, to the British North American Provinces and United States in the Year 1860* (Toronto: H. Roswell, 1861), 231; My thanks to Ian Radforth for this evidence; Excerpt from *Brown's Toronto Directory 1856* published in Edwin C. Guillet, *Pioneer Inns and Taverns*, vol. 1 (Toronto: The Author, 1954-1962), 148-155. Guillet's book was simultaneously published as Guillet, *Pioneer Inns and Taverns*. Combined Edition. 5 vols. in 2 bks. (Toronto: Ontario Publishing Co., 1954-1962)

⁴⁸ One tavern-goer also claimed that "pushing down a stair is often done innocently in play." But, given that a companion was on trial for manslaughter after pushing an old man down the stairs, it seems unlikely. And, unlike wrestling, boxing, and general roughhousing, it does not appear in any other account. AO, RG 22-390, 3-3, Robinson, Cornwall, Eastern District, 1837. *R v Henry York*

⁴⁹ EP, June 29, 1802

⁵⁰ AO, RG 22-390, 21-1, Robinson, Home District, 1832. *Waugh v Cooper and Underhill v Cooper et al.*

⁵¹ EP, Feb. 19, 1802

(manly) prowess.

Bloodsport enjoyed a traditional link to the taverns. Robert Malcolmson's history, *Popular Recreations in English Society*, notes that in Britain cockfights tended to be associated with specific inns where cockpits and benches for spectators were built. There is not enough evidence to note such trends in Upper Canada, but bloodsport occurred in the context of taverning. A group of about twenty men customarily seen at the wharf and about the canal gathered at Frazer's Midland District tavern in 1830. Three of them denied knowing anything about a dog fight. David Clendenning had "never heard of a dog fight." Tavernkeeper McGuire insisted that "there was no cockfight or dogfight that he knew of." And John Fegler "did not tell them to go over and watch the races." Only Milligan admitted he might have heard "speak of a dog fight."⁵² The group from the canal, known to be Irish - some were "swearing in Irish - and suspected by the tavernkeeper of being troublesome, appear to lack any link with the gentry or middle class. Bloodsport, in this example, appears to be the property of the popular ranks, an observation which mirrors the British pattern where gentry participation, active betting, and even sponsorship of prizes was a thing of the past by the mid nineteenth century.⁵³ On the other hand, we do not know who else, beyond the twenty from the canal, assembled that day for the fights at McGuire's.

In Niagara, at the turn of the nineteenth century, horse racing centred about the taverns.

⁵² AO, RG 22-390, 1-8, Macaulay, Midland District, 1830, *K. v William O'Brien, Hugh Alynne, Patrick Killete, Hanrington*

⁵³ Robert W. Malcolmson, *Popular Recreations in English Society, 1700-1850* (Cambridge: The University Press, 1973), 49-50, 56

The *Niagara Herald* published a warning in 1801 to local "sons of the turf." They were

requested to beware of the famous jockey commonly known by the appellation of Capt. Skanundaiga alias Black Legs [...] with that famous mare Scanderbeg whose fleetness and ill appearance by no means correspond [...] As the captain is famous for his knowledge in horse-flesh, few, indeed, would be able to cope with him when on the sod or in the bar-room.⁵⁴

The so-called alias, "Black Legs" was a customary expression for a person who cheated at gambling, particularly at cards or horse racing.⁵⁵ The passage apparently tells the story of a jockey, "famous for his knowledge in horse-flesh," who solicited racing bets based upon the "ill appearance" of Scanderbeg, then won the race and bets because of the mare's well-disguised "fleetness." He seems to have made the bets, at least some of them, "in the bar-room" of Niagara taverns. The same year, the *Herald* printed a notice addressed to "Sportsmen" requesting "those gentlemen who wish to encourage horse-racing" to meet at James Wilson's Hotel.⁵⁶ At Gilbert's, also in Niagara, in 1805, "there was great bantering on horse racing toward the evening but ended in a Mr. Brookes and Mr. Merritt with Johnson Butter's horse running from the Courthouse to Moore's Inn, 1½ miles, it was dark and we only see them start."⁵⁷ The races attracted a wide crowd. "Sportsmen" willing to "encourage" races, that is organise and perhaps sponsor them, were also "gentlemen," according to the advertiser in the *Herald*. And Edward Talbot observed that along with drinking and card-playing, horse racing was one of "the principal amusements"

⁵⁴ *Niagara Herald*, May 9, 1801

⁵⁵ *Oxford English Dictionary*, (OED), 2nd ed., s.v. "Black-leg"

⁵⁶ *Niagara Herald*, July 18, 1801

⁵⁷ EP, Sept, 2, 1805; a banter was a challenge to a race or a contest, OED, 2nd ed., s.v. "Banter"

of "[g]entlemen in Canada."⁵⁸ But the race meeting at Gilbert's suggests a mixed patronage. Because the house "was full of company," so full that the tavernkeeper asked for Ely Playter's help inside the bar, it is unlikely that all who attended could have been "gentlemen." A similar sense of crowding and popular participation is given by David Kennedy's 1876 description of a village tavern during a day of horse-races in the public streets. The "bar-room swarmed," the stairs "were blocked with people," and the "sitting room was full of lads and lasses looking out on the tumult of the village." "There was incessant noise in and about the hotel."⁵⁹ The neighbourhood seems to have turned out for the races and crowded into the taverns through the day. A description of a horse race in Kingston, in 1841, although not linked to a tavern, describes the participants and the crowd:

Got into what they dignified by the name of the Grandstand for half a dollar - running very good - an American horse [...] won the first heat and an imported horse belonging to the Clerk of the Executive Council the second - a hurdle race was afterwards run by young Baring, Lord Sydenham's nephew, and a Kingston lawyer named Dobbs, the lawyer beating the Banker cub hollow. Lord Sydenham and his usual attendants were on the course - so also was Mrs. Murdock, the Secretary's wife, a pretty woman for Kingston - the lioness of the day however was an American from "Bosting with \$300,000" - she appeared to have numerous admirers amongst the high and mighty of our land. [...] The general appearance of the company was anything but splendid - very few gentlemen and no ladies with the exception of the two mentioned and perhaps 3 more [...] and more drunkards than I ever saw before in proportion to the numbers - the betting was very dull.⁶⁰

⁵⁸ Talbot, *Five Years' Residence*, 28

⁵⁹ David Kennedy Jr., *Kennedy's Colonial Travel: A Narrative of a Four Years' Tour through Australia, New Zealand, Canada & c.* (London: Simpkin, Marshall, 1876), 386 - 387

⁶⁰ HJ, Aug. 5, 1841

The passage describes a range of people, from gentlemen owners, racers, and onlookers, and a few "ladies," to the common people, drunkards amongst them, who made up rest of the "company" watching the sport and betting on the racers. Again, as in England, horse racing relied upon the gentry or socially elite for sponsorship, but attracted a popular audience.

A taste for animal companionship in the taverns was a similarly wide social taste. In 1804, on election day, Ely Playter went with his brother and others "up to Hind's Hotel to see a little animal called the Sagori Brown, a Species of the Orang ohtang - it was a curious sight for which we paid 4."⁶¹ In 1834, "Mrs. Hays having told me [Harry Jones] that Mr. Dyke was in town, went to call on him at the British Coffee House immediately after breakfast. Found him feeding the bear, which with the black squirrel and turtle was very well."⁶² The house was one of the principal hotels in Toronto, patronised by members of the Assembly, the local and travelling gentry, and was a locus of political speech making and meetings. The familiarity of Jones and Dyke with the three animals suggests that the gentlemen who frequented the Coffee House had no distaste for their companionship in the 1830s. It was not until a later, Victorian, period that a predilection for animal companionship within the taverns, as at Joe Beef's in Montreal, was associated more rigidly with the labouring class alone.⁶³

⁶¹ EP, June 11. 1804

⁶² HJ, July 11, 1834. The presence of animals in the taverns may stem from a tradition of bear, badger and bull baiting there in sixteenth and seventeenth century England. The brutal bloodsport involved a contest between specially trained and bred dogs, and the chained bear, badger, or bull. It attracted the most genteel in town as well as a plebeian crowd. See Malcolmson, *Popular Recreations*, 45-47.

⁶³ See Peter de Lottinville, "Joe Beef of Montreal: Working Class Culture and the Tavern, 1869-1889," *Labour/Le Travail* 8/9 (Autumn/Spring, 1981/2): 9-40; Another instance, more indirectly linked to the taverns suggests wide participation in animal attractions: "The schooner Michigan [...] was purchased for a trifling

We do not have enough information about the sporting life enjoyed in the context of taverning to make more than a few tentative remarks in light of Robert Malcolmson's history of popular amusements in England at the same period. His work shows the withdrawal between 1750 and 1850 of genteel and respectable society from many traditional forms of leisure (not necessarily linked to the public houses). Malcolmson argues that wrestling, boxing, contemporary forms of bowling, and bloodsport, such as cock and dog fights became associated exclusively with the popular classes by 1850. Some of the Upper Canadian evidence, some of it limited to one example, suggests a similar pattern. The wrestler at Waugh's in 1832, George Cooper, seems to have been a prosperous man, with nearly £ 500 of property according to the Toronto assessment roll of 1834, but perhaps not a gentleman. He may have run a studing service for covering mares in central Toronto.⁶⁴ The twenty at McGuin's for the dog or cockfight "came from ye canal," which together with their Irishness, raises the possibility that they were labourers. Although it cannot be ruled out, there is certainly no evidence of gentry or middle class participation in any of these pastimes in the Upper Canadian period. Each differed in this regard from horse racing which, as in England, continued to be sponsored and patronised by the socially elite, and

sum [...] by the tavernkeepers at the Falls, to be sent adrift down them, to attract customers and amuse the public [....] It was calculated about 9000 spectators assembled on each side of the river [...] she was conducted to the head of the rapids and then left to be carried down by the current, with a number of wild animals on board, two bears, some foxes, and a buffalo, cats, dogs, geese, &c. As was expected she went to pieces on the shelves in the rapids, when some of the animals were able to make the Canada shore, but the others were killed and washed over the Falls; one goose only remained alive of the latter." Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer from the Year 1824 to 1830, During which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* (London: Effingham Wilson, 1831), 99

⁶⁴ AO, Municipal Records, City of Toronto: Assessment Roll 1834

presumably by the respectable, who must have constituted the crowds observed in the taverns on race days. But, while the men playing at nine pins (bowling) and skittles at Mark Law's in Kingston in 1819 were soldiers, there is also evidence of polite society's willingness to bowl. The Prince of Wales bowled with his party at a Niagara Falls hotel in 1860. The inclusion of a bowling alley in the hotel's services to its guests further suggests the sport's wide popularity.⁶⁵ The place of bears, squirrels and turtles in principal Upper Canadian hotels seems to be a colonial exception to the chronology of the British pattern, perhaps simply because colonial society lived in closer contact to the natural world, but by the 1860s chained bears were also a tavern amusement linked exclusively to the labouring people. Overall, it appears that the socially respectable began to distance themselves from the sweatier and bloodier aspects of sporting life in the taverns in the first half of the nineteenth century as in England.

Exclusive Taverning

Certainly they did not distance themselves from the taverns. Alongside the pastimes discussed so far, song and dance, story-telling, barroom conversations, gaming, and sporting life, flowed a second taverning tradition, a set of preferences which I have chosen to call 'exclusive taverning.' The boundary between the two traditions was permeable and many tavern-goers participated freely in each. Many of the activities were common to both traditions, namely drinking, dining, taking tea, conversing, and gambling, but in place of an inclusive openness to all comers, exclusive taverning stressed social distance. In place of the barroom, exclusive tavern-

⁶⁵ *New York Times*, Sept. 17, 1860. My thanks to Ian Radforth for this information.

goers preferred, in the early settlement period, to socialize in the parlours and the upstairs sitting rooms of the taverns where they gathered in select groups to practice polite amusements. By the 1830s and 1840s, when a hierarchy of taverns was fully developed in the colony, exclusive taverning was located in the principal public houses. The following section makes the point that relatively privileged people, those that is with some social prominence, found no reason to avoid the taverns. On the contrary, recourse to the taverns allowed them to socialize together in a respectable social environment separate from the rest of the community. Through the taverns and the expensive facilities which tavernkeepers found profitable to make available, relatively privileged people found one means to enjoy a distinctive style of life.

Donaldson's, circa 1800

James Donaldson was a rich tavernkeeper who kept a rich tavern and a description of it, in Amherstberg about 1800, provides an illustration of the material surroundings preferred by exclusive tavern-goers.⁶⁶ Donaldson came from the plebeian origins indicated by his rank as a sergeant in the King's Eighth Regiment, stationed at Detroit.⁶⁷ But when he died in 1801, the furnishings and appointments of his public house were valued at over £400; the house and its

⁶⁶I have been influenced in the description of Donaldson's tavern by David Conroy's use of probate records to explore the material world of eighteenth-century American taverns. David W. Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: Institute of Early American History and Culture by the University of North Carolina Press, 1995), 89-96

⁶⁷ *Historical Collections: Michigan Pioneer and Historical Society* 24 (1895):177; Milo M. Quaife, ed. *The John Askin Papers*, vol. 1, pt. 1 Burton Historical Collection (Detroit: Detroit Library Commission, 1928), 305; See list of disbanded soldiers, *Pioneer Collections: Pioneer Society of the State of Michigan*, 2nd ed., 10 (1908): 459

Amherstberg lot added another £500. He bequeathed three other developed properties to his children, one of which was his original tavern stand in Detroit, kept by his daughter, Anne Coates. The tavernkeeper owned two slaves, Pompey, and Clara, who was granted her freedom at Donaldson's death.⁶⁸ Martha Evans too lived at the tavern. Apparently sold as a prisoner of war by Indian captors it is unclear whether she continued to have slave status at Donaldson's, or became a servant or other household member.⁶⁹ By any standard Donaldson was a wealthy man, although not immensely so, and he appears to have cared quite deeply about projecting a representative image through his person and his public house.

The amount, variety and cost of Donaldson's clothing suggest that the tavernkeeper found a symbolic value in wearing it. His wardrobe chest and trunk contained a rich selection and a clothes brush for grooming it, and Donaldson dressed well in breeches, long boots, cotton hose, a scarlet or blue vest over his shirt, and a black, green, blue or old gingham coat. In all he had eight pairs of breeches, thirteen vests, nine shirts, and six coats. At his neck Donaldson tied a cravat, closed his sleeves with a pair of silver buttons, his coat with gilt ones, fastened his

⁶⁸ AO, Surrogate Court Records, Essex Co., Wills 1801 (no. 20), James Donaldson; The inventory does not reveal the size of the house, but its value places it on par with the 47' by 20' frame house for which Widow Secord claimed £400 recompense after the War of 1812, see AO, Board of Claims for 1812 War Losses, 1813-1848, Widow Secord, no. 1275

⁶⁹ Donaldson bought Pompey from John Askin in 1796 for £50, but makes no provisions for him in his will. John Ross Robertson, *History of Freemasonry in Canada: [...] embracing a general history of the Craft and its origin but more particularly a History of the Craft in the Province of Upper Canada [...]* vol. 1 (Toronto: Hunter Rose, 1899), 820; *Askin Papers*, vol.1 305; AO, Donaldson's will.; Although Donaldson managed the tavern alone, without the customary support of a wife and landlady, and appears to have been a widower, and his grown children, with the exception of the youngest, an adopted son named William Primrose Donaldson, had established homes of their own he still headed a household of five at his death. (Donaldson makes no mention of a wife in his will. His other daughter was Alice Kirby of Grosse Pointe.)

breeches with silver knee buckles, added another old pair for his shoes, and a fancy blue handkerchief. Donaldson carried a gold watch valued at £6, and a red morocco pocket book for some of the £20 in ready cash found in his tavern. The tavernkeeper's penchant for scarlet waistcoats - he had three - might suggest that he was concerned to advertise his social position through the colour's traditional associations with nobility, although his ten other vests were in more sombre shades. Either, as Richard Bushman points out in the *Refinement of America*, visibly distinguished those with wealth from those without, who wore duller, generally brownish, less expensive, vegetable-dyed colours. The wealthy body also displayed clean linens at collar and cuff daily (in which Donaldson was aided by the possession of nine shirts) which implied both the assistance of servants and that the wearer pursued non-manual work. The tavernkeepers' gilt buttons (and he had fourteen dozen other coat buttons as well) further plated his body with expensive and universally recognised symbols of wealth.⁷⁰ Yet, Donaldson did not always dress the gentleman. He also owned buckskin breeches, a pair of corduroy overalls, and a pair of jean breeches, all working clothes. His gentleman's attire signified his wealth in recognizable symbols, but not, perhaps, the desire to adopt a leisured style of life. He was, after all a working tavernkeeper, not a member of the gentry, placed his daughter in the same occupation in a public house in Detroit, and seems to have found it worthwhile to keep tavern despite his substantial properties. When he dressed up Donaldson nevertheless employed his clothing as a cultural code, one recognizable to tavern-goers seeking a good house.

⁷⁰ Richard L. Bushman, *The Refinement of America: Persons, Houses, Cities* (New York: Alfred A. Knopf, 1992), 69-74

Because Donaldson extended his concern with appearances to the appointments of his tavern, its material culture shows just how good a late eighteenth-century colonial tavern could be. Donaldson supplied his guests with the accoutrements of polite dining. In the evening, candlelight thrown from two pairs of silver plate⁷¹ candlesticks (£3.4s each) gleamed upon two cherry wood tables (£1.12s each), a silver half pint goblet (£1.10s), silver table and teaspoons (£8 altogether), and a setting of Josiah Wedgwood's Queensware dishes. A cruet and stand offered vinegar and mustard, another dish on a stand held butter, and salt cellars and a pepper box rested upon the table. Red port wine and golden brandy glowed through wine glasses, tumblers and decanters. An immensely expensive eight day clock (£18) kept time at the tavern, an oval mirror (£3 and one of four mirrors), reflected the company, and easy chairs (ranging from 8s to £2) and an old backgammon table with a box and two dice (5s) awaited the tavern-goers after dinner. The material goods made the choice of polite dining available to James Donaldson's customers. Diners could identify themselves as amongst the polite through the well-mannered manipulation of knives and forks, wine glasses, and the use of spices. The act of polite dining was both one of differentiation - from those who used coarser materials - and one of inclusion through polite sociability at table. Tavern-goers could also participate in the full ritual of tea drinking at Donaldson's. He had tea cups and saucers, sugar dishes, sugar tongs (silver, 16s), silver tea spoons, a slop dish, cream jugs, tea canisters, tea pots (one valued at £1, another at 3s) and tea kettles. Knowing tea's "distinctive manners" including those for gracefully brewing and serving

⁷¹ Jeanne Minhinnick, *At Home in Upper Canada* (Toronto: Clarke, Irwin, 1970), 42, notes that the phrase 'silver plate' meant "pure silver, not 'silver-plated'" before the mid-1830s.

it, holding the cup, signalling one wished no more, and the prestige of expensive pots and spoons separated the genteel from the unmannered.⁷²

It was possible for literate tavern-goers to read and write at Donaldson's. The keep himself was almost certainly literate, judging by the extreme affinity between the handwriting in the text of his will and his signature on the document. Fourteen "old books," two bibles, Chambaud's French-English dictionary, *Observations on the New Testament*, a desk with stand, and a steel pencil case all further attest to a literate tavernkeeper and at least minimal facilities for literate tavern companions. Although desks were not unusual household possessions by 1800, except in the lowest social ranks, the use of one carried connotations of status, particularly when placed in a public location as Donaldson's appears to have been, given its inventory location between the dining service and an easy chair and tables.⁷³

James Donaldson had the money to indulge his taste in appointments and furnishings, yet his tavern was quite plain in many ways. Feather beds were well appointed with blankets, pillows and bolsters, although bed hangings and linens appear curiously lacking. Floors, with the exception of two rush mats, were bare, most windows remained uncurtained, the knives and forks the diners held did not cost enough to be silver, and the company in dining room and bar room

⁷² See, Rodris Roth, "Tea Drinking in Eighteenth-Century America: Its Etiquette and Equipage," *Material Life in America, 1600-1860*, ed. Robert Blair St. George (Boston: Northeastern University Press, 1987), 439-462; And, very briefly, Kevin M. Sweeney, "High Style Vernacular : Lifestyles of the Colonial Elite," *Of Consuming Interests: The Style Of Life in the Eighteenth Century*, ed. Cary Carson, Ronald Hoffman, Peter J. Albert, Perspectives on the American Revolution (Charlottesville: The University Press of Virginia, Published for the United States Capitol Historical Society, 1994), 8-9

⁷³ Kevin M. Sweeney, "Furniture and the Domestic Environment in Wethersfield, Connecticut, 1639-1800," *Material Life in America*, ed. St. George, 285

sat upon twenty common chairs. Coarse earthenware and practical pewter dominated in the kitchen. The same ambivalence is visible in the barroom (identified as such by a strong inventory grouping of tin gill, pint and quart measures, a corkscrew, black bottles, stone jars, tumblers and glassware) where Donaldson measured drinks with tin measures, but ladled punch from pure silver. Here he apparently replaced cherry with plain pine, silver candlesticks with brass, and rather than emphasizing display, provided a small looking glass and placed a shaving box and razors, perhaps for his male patrons. An expensive tavern sign (£3. 4s) swung outside the curtained barroom window and a single stove with nine lengths of pipe warmed the room. A French musket (with powder horn and shot bag) seems to have been kept inside the bar, and a slate "broke," presumably for keeping temporary barroom accounts. Yet, within the common furnishings, tavern companions could obtain costly port wines, teneriffe⁷⁴, punch, brandy or rum. They also drank the house's own beer, as evinced by a bag of hops and large copper brewing kettle with stand, as well as spruce beer, indicated by a small keg of essence of spruce, probably from half pint tumblers of glass and tin.⁷⁵ Donaldson's lack of concern about matching tables and chairs, bare wood surfaces, and the fact that at least one bed appears to be located in a room furnished with easy chairs, an arm chair and a pine table are material arrangements typical of eighteenth-century households.

The clientele reflected the claims to polite living embedded in Donaldson's scarlet

⁷⁴ A white wine produced on Teneriffe, the largest of the Canary Islands.

⁷⁵ There is no evidence beyond sixty pounds of rice, seventy four pounds of sugar, and several canisters of tea, about what sorts of foods Donaldson served tavern-goers. Four cows, a butter tub and churn suggest they had fresh dairy produce.

waistcoat, his silver, and his fine liquors. John Askwith⁷⁶ was a regular at Donaldson's. He too was in affluent circumstances and dressed as a gentleman in great coat, silk vest, ruffles at his wrists, and soft leather breeches. His home was replete with bed hangings, Wedgwood crockery, prints, a tea set, two fiddles and music books. Highly literate, Askwith collected well over a hundred books in at least two languages and possibly three. His taste and needs ranged from mathematics, navigation, law, oration, history both ancient and modern, to geography and grammar. Identified in official documents as a gentleman,⁷⁷ Askwith publicly and affectionately acknowledged his paternity of Fanny, a child of Margaret Jervis, and contributed to her support. Madame Jervis counted the fur merchant and partner in the North West Company, Isaac Todd, amongst her friends.⁷⁸ Askwith lived in elite circles and his choice of tavern reflected both his wealth and his cultural tastes.

At Donaldson's, Askwith's daily tally was usually for "two boles of punch and a glass of brandy", but very occasionally he opted instead for wine, sangria, bitters, rum, or cyder. He also drank there with friends according to several entries on his account for "Your part of Reckoning." On most days, then, Askwith's public drinking at Donaldson's cost three shillings six, or slightly less than the daily pay of a labouring man. But on August the eleventh 1794, Askwith took three,

⁷⁶ Not to be confused with John Askin. Askwith's tavern account published in *John Askin Papers*, vol. 1, 598-602

⁷⁷ *John Askin Papers*, vol. 1, "Estate Inventory," 609-613; The goods itemized were gathered for sale by Askwith's creditors as he had died intestate in Indian country and the Western District Surrogate, James Baby was out of town. For acknowledgement as gentleman, 594; for Fanny, 592

⁷⁸ Myron Momryk, "Isaac Todd," *DCB*, vol. 5 (1983), 818-822

instead of his usual two, bowls of punch with his glass of brandy (5s) at Donaldson's and then downed half a pint of rum and an egg nog (4s6d) at Thomas Smith's tavern. Thomas Smith too was an educated man, fluent in French and English, literate, and employed by the government as a surveyor, a clerk at the Court of Common Pleas, and as a notary. And, Askwith had a smaller tavern account, about £6, with John and Jane Dodemead, who were similarly among the well-off of the town. John Askwith limited his habitual taverning to the good public houses.⁷⁹

The Freemasons frequented Donaldson's in Detroit and Amherstberg. The tavernkeeper acted as host and master mason, and several masonic jewels and two masonic aprons, worth altogether £8 .6s, are included in his inventory. After the British evacuation of Detroit, Donaldson founded the Andoniram Lodge 18 in Amherstberg, and his tavern provided the lodge's meeting room at least until his death. The masons simply shifted operations over the border, keeping their tavern, their host and master, and their circle of membership.⁸⁰ The masons tended to gravitate towards the best tavern in town. In Kingston, for example, they chose Robert Walker's tavern, holding the Grand Masonic Convention there in 1817. We have already noted that Charles Fothergill observed on his way through Kingston that year that he "went to a new coffee house...because I understood that Walker's, the head inn, in the market place, was most

⁷⁹ *John Askin Papers*, vol. 1, 287-288, 596, 304

⁸⁰ Silas Farmer, *History of Detroit and Wayne County and Early Michigan: A Chronological Cyclopaedia of the Past and Present*, 3rd ed. (1890; reprint, Detroit:Gale Research Co., 1969), 341; In the summer of 1801 the secretary of the Detroit Lodge read a letter from Donaldson "intimating the probability that Brethren resident at Amherstberg and formerly members of this Lodge would shortly receive a warrant." Robertson, *History of Freemasonry*, vol. 1, 815

extravagant."⁸¹ Donaldson's or Walker's were substantial venues with ample space to rent or grant a permanent room to the masons and had the ability to cater large dinners, and pour high quality brandy, wine, or rum for the multiple toasts. It is quite difficult to come to terms with the corporate identity of a group like the masons. There is no evidence as to whether or not they were men, who, beyond masonic meetings, were otherwise at ease in surroundings such as those carefully created by James Donaldson and Robert Walker. But, the numbers of members in each lodge indicated by John Ross Robertson's *History of Freemasonry* implies a mixed or popular membership.

There is some evidence that men of the popular classes enjoyed sociability at Donaldson's. According to John Askwith's tavern bill, on the 18th of August 1794, Donaldson debited his account 2s "to a pint of rum for 2 soldiers,"⁸² suggesting that Askwith treated with the two plebeian men. Certainly comparative evidence drawn from Ely Playter's diary about 1802 concerning both his own tavern, which was similarly patronized by polite society, and the other York and Niagara taverns that he frequented, demonstrates that patronage by the popular classes was customary. Probably like Playter and Elisha Beman, Donaldson simply made the tools of polite sociability available in his tavern to those who chose to employ them. The silver, the wine glasses and fine liquors, the adoption of some elegant furnishings, teacups, knives and forks, and fine china (and the rules of etiquette implied in their use) and the clothing of the tavernkeeper and

⁸¹ Robertson, *History of Freemasonry*, vol. 1, 585; Thomas Fischer Rare Book Room, University of Toronto, Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817," Feb. 14, 1817

⁸² *John Askin Papers*, vol. 1, 598

Askwith materially signified that polite society could find room at Donaldson's. But, the collection of goods most likely did not signify that he declined the profits represented by drinking soldiers, or farmers, artisans, sailors and others in his barroom. His tavern certainly provided a public drinking space for both two soldiers and a gentleman.

Polite Sociability at Beman's Tavern in York, 1803

...went over to Mr. Beman's where Mother and Mrs. Ward went to spend the night. As we [Ely Playter and Thomas Ward] entered the parlour we perceived the Ladys. Mrs. and Miss B., Miss R, and the above, Mr. C. Willcocks, Mr. Ridout, Mr. J. Small Jnr., and Mr. Pudney. Mr. Willcocks was amusing the Ladys with the flute, Mr. Small soon left us, Mr. W[illcocks] soon after. Mrs. Beman called on Mr. W[ard] for a song to which he complied. I sung the 2nd Mr Pudney the 3rd and Miss Sally Robinson the last. Mr. Ridout then left us. The young Ladys went to writing. Mr. Dean, Mr. Pudney and me went upstairs, Mr. W[ard] soon joined us, and we sat a long time. A Mr. Eaton came in a law[y]er from the States, called for more Brandy as we had been drinking and made a great deal of Mirth till past 12 o'clock. [...]⁸³

The gathering took place in 1803 and illustrates some of the characteristics of exclusive taverning hinted at by the material culture of Donaldson's: its refined pastimes, select membership, and polite, mannered deportment. Prominent and relatively privileged tavern-goers like the Playters, Bemans, Wards, and the others, made the public houses responsive to their cultural needs, influencing architecture, material culture, and rules of deportment. Tavernkeepers sought their patronage and arranged their public houses accordingly. The taverns, in turn, emerge not only as orderly places, but as sites conducive to the practice of genteel rituals and polite sociability. Exclusive tavern-goers in Upper Canada thus participated in a similar tradition of

⁸³ EP, May 6, 1803

public house civility as that pursued in the taverns and coffee-houses of colonial Philadelphia from the late seventeenth-century. There, young, usually wealthy and prominent young men gathered to exchange quips, witticisms and impromptu compositions as verbal representation of a practised urbanity.⁸⁴ At Beman's participants in tavern parlour sociability expressed the same interest in social distinction.

Architecturally, with both a parlour and an upstairs sitting room distinct from the bar and public dining areas, Beman's tavern granted the spatial terms of polite sociability. Like other substantial tavernkeepers discussed in Chapter 1, who addressed their newspaper advertisements to "Genteel Company" and proclaimed "a suitable number of well-finished rooms below and above,"⁸⁵ Elisha Beman built his tavern to meet the needs of socially prominent patrons.

When Ely Playter and Thomas Ward "entered the parlour," they entered a space which historian Karen Haltunnen has described (in private homes) as a "third social sphere," distinct from both the public street and from the private, inner rooms of a house.⁸⁶ In the tavern, the parlour mediated similarly between the public and the private by granting tavern-goers a secluded space in which to gather away from the bar and public dining rooms. The parlour's material culture defined it as belonging to the rituals of polite sociability. There, specialized tools for

⁸⁴ David S. Shields, *Civil Tongues and Polite Letters in British America* (Chapel Hill: Published for the Institute for Early American History and Culture by the University of North Carolina Press, 1997), 55-98

⁸⁵ *Niagara Spectator*, Aug. 2, 1817; *Canada Constellation*, Sept. 6, 1799 and Sept. 13, 1799

⁸⁶ Cited in Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791-1850*, *Studies in Gender and History* (Toronto: University of Toronto Press, 1996), 204

social intercourse, rather than the tools of commerce or industry, dominated.⁸⁷ Companions gathered about a tea table and service to "take tea," sometimes further ritualizing a natural act by extending invitations. Sophia "asked me into the Parlour for tea," wrote Ely in August.⁸⁸ Beman stocked the brandies and wine preferred by genteel companions.⁸⁹ Musical instruments and sheet music provided a means of practised diversion, inviting performance and informed appreciation. Mr. Willcocks' ability to "amus[e] the Ladys" with a flute, "universally considered as an elegant accomplishment,"⁹⁰ and the company's customary use of sheet music - "I called on Miss Beman, lent her another Musik Book," -⁹¹ links polite amusement to preparation and practice. In identifying their secular music as "parlour tunes," the polite explicitly fused it to the pursuit of genteel ritual within the crafted space of the parlour. "Mr. H[eward] and me sung a few parlour

⁸⁷ Bushman, *Refinement of America*. 121

⁸⁸ EP, Aug. 17, 1802. For tea drinking see also June 29, 1802, July 31, 1802, Aug. 27, 1802; For card tables see EP, Mar. 11, 1802, Sept. 15, 1802, Dec. 24, 1805.

⁸⁹ See, for instance, John Askwith's Tavern Account at Donaldson's tavern, *John Askin Papers*, vol. 1, 598-602. John Askwith imbibed wines, brandy, and punch on a daily basis, but purchased rum for two soldiers. For wine at Beman's see EP, June 7, 1802, also EP, Mar 1, Apr. 5, 1802, Nov. 14, 1805, Dec. 14, 1805, June 21, 1806. For other references to wine and polite society see Jacob Lindley, "Jacob Lindley's Account," *Historical Collections: Michigan Pioneer and Historical Society* 17 (1892): 606; Archives Du Quebec, Loucks MS, 1797; Baldwin Room, Metropolitan Toronto Reference Library, Abner Miles Account Book; Chatham-Kent Museum, Matthew Dolsen Account Book.

⁹⁰ Quote from advertisement of Joseph B. Abbot, music master at York, *York Gazette*, Feb. 14, 1810, cited in Edith G. Firth, ed. *The Town of York 1793-1815: A Collection of Documents of Early Toronto*, Ontario Series, 5 (Toronto: Champlain Society, 1962), 208-209. Taverns in fact provided space for specific genteel needs: Abbot's music school was located at Miller's tavern and Mr. C. Mason gave penmanship lessons at Gilbert's. Firth, *Town of York: 1793-1815*, 208, 212, from *York Gazette*, Feb. 14, 1810, Dec. 11, 1811

⁹¹ EP, Aug. 30, 1802

tunes, in some Miss M[iles] assisted us."⁹² The presence of the specialized tools for taking tea and making music assumed the presence of those who knew their proper employment.

Social status and practised deportment restricted access to the tavern space inhabited by those pursuing the pastimes of exclusive taverning. Despite the flow in its composition, the group gathered at Beman's defined itself through exclusive membership. Elisha Beman kept his tavern at York. A second marriage to Esther Sayre, the widow of Christopher Robinson, landholdings of at least 2,000 acres, local offices and a commission of the peace for the Home District⁹³ placed him amongst the locally prominent. The company shared his social position. Playter belonged to a prominent Loyalist family holding substantial land and public offices in the town.⁹⁴ His companion, Englishman Thomas Ward, successfully practised law.⁹⁵ Mr. Ridout⁹⁶ and Mr. Willcocks,⁹⁷ as their surnames indicated, enjoyed intimate ties to the economic and political elite.

⁹² EP, Aug. 22, 1802; Or, "Miss Robinson and Miss Beman singing parlour tunes in the evening." Aug 29, 1802; On Sunday July 2, 1802, "Mr. Heward and me entertained the company singing psalms 'til bedtime."

⁹³ Robert E. Saunders, "Elisha Beman," *DCB*, vol. 6 (1987), 51-52

⁹⁴ Christine Mosser, ed. *York, Upper Canada: Minutes of Town Meetings and Lists of Inhabitants 1793-1823*, (Toronto: Metropolitan Library Board, 1984), 56, 8, 146; Firth, *Town of York: 1793-1815*, 99, 284, 316, and 17, 67, 88, 163-4, 182-4, 193

⁹⁵ Firth, *Town of York: 1793-1815*, 90; See also, George Metcalfe, "William Henry Draper," *Pre-Confederation Premiers Ontario Government Leaders, 1841-1867*, ed. J.M.S. Careless, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1980), 33

⁹⁶ Mr. Ridout is almost certainly Samuel Street Ridout. See for instance, EP, Mar. 19, 1804, or, Mar. 22, 1804. "I called on Mr. S. Ridout and staid some time with him in the evening conversing about the Girls &c." Mr. Ridout was the eldest son of Thomas Ridout, (the Surveyor-General as of 1810), employed in his father's office as a clerk and appointed Sheriff of the Home District 1815. Edith G. Firth, *Town of York 1815-1834: A Further Collection of Documents of Early Toronto*, Ontario Series, 8 (Toronto: Champlain Society, 1966), 6

⁹⁷ Mr. Charles Willcocks was the only son of William, himself a cousin to President Peter Russell and an extensive land speculator. Firth, *Town of York: 1793-1815*, 14. William Willcocks is carefully referred to as "Esquire" throughout Ely's diary, see for instance, EP, June 14 & 15, 1802. Charles' sister, Phoebe, married

John Robert Small too practised law and maintained personal links to the Ridout family.⁹⁸ Much less is known of Joseph Pudney, although he was often present in polite gatherings attended by Playter, and he and Erastus Dean both lived at Beman's in 1802,⁹⁹ the latter as clerk to the tavernkeeper.¹⁰⁰ The "Ladys" included Ely's mother, his sister Mary, very recently married to Thomas Ward, Esther Beman, her daughter Sally Robinson, and her new step-daughter Sophia Beman, Ely's love.

Linked by education, family property and good prospects, the company, while select, belonged firmly within the highly respectable ranks of society, rather than the small elite characterized by greater affluence and by political influence beyond the town of York. Yet, the presence of a Ridout and a Willcocks at Beman's testifies to the permeability of the boundary between the two social groups, particularly in a public setting.¹⁰¹ Both shared a common polite

William Warren Baldwin in 1803. Firth, *Town of York: 1793-1815*, 306 See also, J.M.S. Careless, "Robert Baldwin," in Careless, ed. *Pre-Confederation Premiers*, 93

⁹⁸ Perhaps John Robert was a son of John Small. If so, he was dead by the time of his father's will which refers to only James E. and Charles. AO, RG 22, Court of Probate, York Township, 1831; Mosser, *York, Upper Canada*, 42; EP, Feb. 13, 1804; for work as a lawyer and link to the Ridout family see Archives of Ontario, Ridout Papers, letters from J.R.S. Small to Samuel Ridout, June 12, 1805, June 28, 1808, Sept. 12, 1808, Oct. 12, 1808, Dec. 2, 1808, May 28, 1809, Aug. 4, 1809; Small, in 1818, married Frances Wood, a daughter of George Wood, U.E.L., Surgeon. One of her sisters, Anne, was married first to Andrew McGill and then to the Rev. Dr. John Strachan. AO. W.D. Reid, "Data on U.E.L."

⁹⁹ EP, Nov. 21, 1802, Dec. 3, 1802

¹⁰⁰ Firth, *Town of York: 1793-1815*, 245; Mosser, *York, Upper Canada*, 42

¹⁰¹ Compare with conduct in Elizabeth Russell's household: Ely's mother, Elizabeth Playter, called at the residence of President Peter Russell, to see not Miss Elizabeth Russell, but Mary Thompson a young woman staying there, apparently as a companion to Elizabeth. She and her family maintained long-standing ties to the Playters and had a similar status as prominent farmers in Scarborough.

In the forenoon Mrs. Playter came with a Mrs. Lawrence. [...] They called on Mary who was ironing over in her room, and she telling them that I was not very well Mrs. Playter wished to see me. Mrs. L— was also desirous of doing so, Mrs. Playter introduced her. [...] Sent over for Mary and we walked some time with

culture, as Anne Murray Powell made explicit when she traduced a man "so lost to decency [that he] introduces his Wife and Daughters to such company, as the decent Farmers will not associate with." "Decent farmers" too pursued a "life of propriety."¹⁰² While families like the Playters and the Bemans spent hours in fields and kitchens, and behind the bars in their taverns, they lived what American historian Richard L. Bushman has termed "a vernacular gentility," through which they demonstrated their inclusion and desire for recognition as members of polite society.¹⁰³

A code of conduct further restricted membership within polite society. The significance with which Playter invested leave-taking in the passage cited and a similar status granted to invitations in other portions of the diary¹⁰⁴ reveals the intense focus directed at social composition. And, in its very form Ely Playter's journal entry signifies adherence to unstated rules of deportment. His use of titles and surnames for people with whom he enjoyed daily contact implies a customary formality of address. His construction of the exchange between Mrs. Beman and Mr. Ward as a quite formal "call" for song and the gentleman's complaisant response, indeed the

them in the garden. The President came there to us. Sat some time in the Arbour then went in. Gave them cake and wine." Although welcomed warmly, Mrs. Playter apparently quite formally requested to see Elizabeth Russell. Firth, *Town of York: 1793-1815*, 262, "Extracts from Elizabeth Russell's Diary." For the Thompsons as founding figures see David Boyle, *The Township of Scarboro 1796-1896* (Toronto: Printed for the Executive Committee by William Briggs, 1896)

¹⁰² Cited in Katherine M.J. McKenna, *A Life of Propriety: Anne Murray Powell and Her Family, 1755-1849* (Montreal: McGill-Queen's University Press, 1994), 68. Baldwin Room, Metropolitan Toronto Public Library, Powell Papers, York, 4 September 1807

¹⁰³ Bushman, *Refinement of America*, 207 and *passim*.

¹⁰⁴ EP, June 7, 1802 At Beman's in June, Ely "met Messrs. Sweeney, Laws, Colin, McNab and T. Simmons at the door. Mr. S. asked us up," despite the fact that they stood on the threshold of a public house. See also, EP, Aug. 27, Sept. 3, Sept. 9, 1802, Aug. 30, 1805

assumption that gentlemen stood willing to amuse ladies in social gatherings, highlights the prominent role granted to women, on the basis of their sensibility, within polite sociability. The implied structure given to mutual song through naming and numbering it suggests that parlour culture manifested a predictable form. The distinction drawn between the mixed companionship of the parlour and the exclusively male sociability of brandy and Mirth "upstairs," points to a similar disjunction in behaviour, and suggests that gender encoded another level of complexity to taverning.

The image of refined men and women engaged in polite sociability in finely provisioned parlours can be overdrawn. For, at times, they seem to have been scuttling for cover rather than exercising the prerogatives of social pre-eminence. "The House," wrote Playter of Beman's in June, "was full of all kinds of people, and we shut ourselves up in the upper room."¹⁰⁵ And sometimes they chose less refined pastimes. Ely Playter certainly enjoyed taverning beyond the constraints of the parlour. "[S]tarted home in company with Mr. Small, him & me stopped at Stoyell's, drank 5 pints of Wine after which we were unable to go home & staid all night [...] Small & me rose early this morning our heads we found light, drank some bitters with J. Z[?] Cozens, eat some bread & cheese paid our bill."¹⁰⁶ Nevertheless, Playter's active participation in refined and mannerly pastimes in the parlour at Beman's encourages us to expand the historical concept of taverning to include polite sociability within it.

¹⁰⁵ EP, June 4, 1802 It was militia day: "the Town of course was full of people and a great number drunk, there was wrestling, gambling, boxing and the like all the evening."

¹⁰⁶ EP, Nov. 15, 1805

Henry John Jones and Exclusive Taverning - 1834 to 1843

Henry Jones' journal has often been quoted in these pages. Yet, his own relationship with the public houses remains unexplored. Like Playter, Jones joined freely in many forms of tavern sociability; like him, he chose also to engage in exclusive taverning when possible and his journal illustrates the degree of social separation made possible through access to the principal public houses of the cities.

Henry John Jones, familiarly known as Harry, was born in 1809 in England.¹⁰⁷ The eldest son of a gentle family, he passed his childhood in comfortable circumstances in a country house in Devonshire.¹⁰⁸ The extent of his formal education is unknown, but the odd Latin phrase and a chance meeting with a former fellow from "the Hamilton School," indicate he received some.¹⁰⁹ During the 1820s, Henry Jones, Harry's father, committed himself and extensive capital to realizing the utopian socialist ideals of Robert Owen. The family's move to Upper Canada, made between 1828 and 1830, was motivated by the elder Henry's political and philosophical beliefs. He established an Owenite community, called Maxwell, on the shores of Lake Huron, near Port Sarnia. The communal settlement failed within five years, but the Jones family remained in the colony.¹¹⁰

¹⁰⁷ Lambton County Archives, Julia Maria Jones Journal Book, May 25, 1830

¹⁰⁸ Helen Burrowes, *Maxwell-- and Henry Jones: Lambton's Communal Settlement* (Lambton County Historical Society, 1986), 6; see also George Woodcock, "Henry Jones," *DCB*, vol. 8 (1985), 436 - 439

¹⁰⁹ HJ, May 19, 1843

¹¹⁰ Burrowes, *Maxwell - and Henry Jones*, 22, 27; Woodcock, "Jones"

In 1833, Harry Jones obtained an appointment as a Crown Lands Agent for the Western District, based in Chatham.¹¹¹ The local travel required by the job brought Jones into frequent contact with the country taverns of the Western District. We have often glimpsed him here in the preceding pages "chattering with sweet Miss Mary" at Lawson's, "breakfasting at Gardiner's and dining at Nichol's," or getting "a little screwy as Kyffin calls it on brandy" at Brown's.¹¹² Jones lost his job in the summer of 1838, when, in his father's words, "[a]fter having rendered some acknowledged good service in settling the Western District, he had, on the abolition of the Crown Lands Office, to come in at the fag end of the Clerks in the Surveyor General's Establishment."¹¹³ He remained there until retirement.

The clerkship paid less, only £170 a year¹¹⁴ and meant living in the expensive capital cities of Toronto and Kingston. Jones did not make enough money to marry: "dreadfully in love with

¹¹¹ Possibly he was aided by the patronage of the lieutenant governor, Sir John Colborne, to whom he was connected by marriage. Harry's uncle, John Collier Jones, a Rector of Exeter College and later Vice-Chancellor of Oxford University, was married to Mrs. Elizabeth Yonge Colborne's first cousin, a widow, Charlotte Yonge Crawley. Woodcock, "Jones"; Burrows, *Maxwell - and Henry Jones*, 2; for dinners with the Colborne family, walks with the governor etc, see, HJ, Jan 11, 14, 18, July 11, July 21, 1834

The Crown Lands Agent position was one of considerable autonomy which made Jones responsible for the sale of crown and clergy reserves in the Western District. He opened an office in Chatham and kept irregular office hours six days a week, advertised land for sale, attended public auctions, collected instalments due from settlers, and accompanied surveyors to locate lots and tracts. He regularly travelled to the capital at York/Toronto to communicate with the Commissioner of Crown Lands and record transactions in the *Doomsday* book, or attend to Western District petitions. Much of Harry's time was consumed making lists, writing letters, and "making out my returns of Lots located and sold." See HJ, July, 3, 15, 16, 28, 30, 1837, for instance, but work entries are daily.

¹¹² HJ, June 6, Nov. 11, Sept. 7, 1834

¹¹³ Lambton County Archives, Jones Family Papers, Copy of a document in the National Archives of Canada, Colborne Papers (MG 24, A 40, Volume 21), letter from Henry Jones Sr., dated February 18, 1843

¹¹⁴ HJ, July 20, 1841 - under the Union Government Harry found "I am allowed the old sum, [£]170 a year. This I do not consider fair as it puts me on a par with the clerks of 6 months standing and I really do more than any other clerk in the office, with the exception of Spragge, who gets [£]300."

Mrs. Primrose's daughter Miss Black, not rich enough to make a decided fool of myself - Alfred Stow of Toronto on the same tack; he being fairly enough off will get the lady."¹¹⁵ But, he did continue to make enough money to spend on the necessities of life: his tailor; books, journals, and newsroom subscriptions; good wine, good dinners, cigars and billiards.

Harry Jones in Kingston - 1841 to 1843

Upon arrival in Kingston, Jones coveted a style of life promised by the aesthetics of the Sydenham Hotel.

- the Hotel is about a quarter a mile to the West of the Town on the summit of [a] ridge running in that direction parallel to the Lake. - It was built by Archdeacon Stuart as a private residence - though a preciously queer rambling piece of architecture, it is very large, the stone very well done and beautifully situated - [in] spite of its defects it is the finest habitable building in the Province after Sir Allan McNab's - I was very desirous to get quarters there on my arrival [....]¹¹⁶

The Sydenham meant a prestigious address, and presumably, a style of life to accompany it, however, at \$9 a week, excluding wine and washing, it was beyond Jones' financial reach. The hotelkeeper did have "a good number of Boarders at that price in consequence of the closeness of his place to the Parliament House." Jones settled for Phillips National Hotel as a more affordable and still acceptable second best.

I have taken up my quarters at the National Hotel in this place, my fellow boarders Galt, who has already been a year with me at Toronto, Brough a

¹¹⁵ HJ, July 1841 [n.d., opening remarks]; Jones did not marry until he was 50, in September 1860, to Miss Harriet Robinson Hall, age 43 or 44, the sister of a military officer friend and tavern companion. They had no children. HJ, July 23, 1859, Sept. 3, 18, 1860; see also Lambton County Archives, Ken Yates, "The Henry Jones Family - Sarnia Township Pioneers" [n.p.], for a copy of the marriage certificate.

¹¹⁶ HJ, July opening remarks and July 1, 1841

partner of the Attorney-General, here as counsel in the contested election, [...] and Roblin, the M.P.P. for Prince Edward - we are tolerably well off as times go, but pay \$6 per week the usual price in this wretchedly expensive place.¹¹⁷

One would not know from the way Jones writes about it that Phillip's National Hotel was a public house. It emerges as a closed world, restricted to the men who filled the professional offices of the city as lawyers, bankers, or physicians, who sat as members of the Legislative Assembly, or held positions of various ranks as "servants of the House."¹¹⁸ The National Hotel emerges as a world of intense social contact amongst these bourgeois men.

Often in company with Thomas Galt, Jones received almost daily social calls there during the month of July, from 26 different men whom he names. He had "[a] long discussion with James Small who had called on the election laws," "[p]layed whist in the evening with Hitchings, Galt, and James Small" and joined "Grant Powell at tea." Small and Powell were members of provincial parliament, Hitchings was a "young Chancery lawyer," and Galt, Jones' closest companion had recently "joined Draper as a student at Law." He became, later, Chief Justice of Ontario and Sir Thomas. Other callers included, "Stuart, a nephew of Sir James, and Dobbs, a young lawyer, [who] dined with us," and "[Doctor] Herrick [who] arrived from Toronto and dined with us." "Aylwin, Dunlop, Small and Hincks came in the evening. - Played whist." Aylwin is identified as "the notorious M.P.P. from Quebec," and "the leader of the Lower Canadian anti-union party." Dunlop was "the Old Tiger," physician, author, and the member for Huron County, a tavern acquaintance from the Western District with whom Jones had recently dined at the Sydenham.

¹¹⁷ HJ, July 1, 1841

¹¹⁸ HJ, July 15, 1841

And Hincks appears to be Francis Hincks, the member for Oxford, particularly because he arrives in company with other members of the House and because Jones originally introduces "Hincks" to the diary as "the editor of the Examiner - a regular radical party." And a final example: "Returned to dinner, Joe Woods and Yule, a lower Canada M.P.P. called in the afternoon and Woods and Dr. Stewart in the evening - with the former we had a long confab all about his election, his dismissal from the Magistracy, Western District politics and Western district gossip until very late." Joe Woods too was an old tavern companion from Western District days, recently elected as the independent member for Kent County.¹¹⁹ Overall, through its focus upon whist parties, dinners, teas, and political conversation amongst men, some of whom were well on their way to "becoming prominent," to use J.K. Johnson's phrase,¹²⁰ the journal creates an aura of exclusivity about life at Phillip's National Hotel.

Dining and Wining

Dinner was a daily ritual amongst them. It was a time for leisurely enjoyment over well-prepared meals and it always included wine. The quality of the service was also important:

dined at the Exchange [in Detroit] - now one of the best regulated establishments west of New York - the waiters are capital and the handsomest set of mulatto fellows I ever saw - regular bills of fare and not such dreadful

¹¹⁹ HJ, July 1 - 4, 7 -8, 10, 12, 17, 22, 1841; For Galt see, HJ, Mar. 3, 1840; for Small, see HJ, Jan. 19, Feb. 8, 1840, July 8, 1841; Hitchings is identified, HJ, July 1, 1841; Herrick was Jones' physician and friend in Toronto, see for instance, Feb. 17, 1840; for Powell see, HJ, Jan. 1, 1837; For Tiger Dunlop see HJ, July 3, 1841; for Hincks see, Mar. 31, 1840; Dr. Stewart practised in Kingston, HJ, Nov. 14, 1841; for Woods election see, HJ, July 1, 1841 and for Western District tie see, for instance, HJ, Apr. 17, 20, 1837

¹²⁰ J. Keith Johnson, *Becoming Prominent: Regional Leadership in Upper Canada 1791 - 1841* (Kingston: McGill- Queen's University Press, 1989)

gobbling. I really think I saw several Americans take upwards of a quarter [of] an hour at their meal.¹²¹

Jones implies that a proper material setting - a principal public house, a good service staff and the provision of menus - produced better table manners than might otherwise be expected of "Americans" who were consistently accused by British travellers and settlers of deplorable behaviour at the table.¹²² While he indicates that an appropriate atmosphere facilitated polite dining, encouraging, for example, the proper pacing of a meal, unfortunately Jones gives no descriptions of the hotel or tavern dining rooms which he frequented. The only known description of one comes from John and Harriet Linfoot's tavern, on Yonge Street, four miles from Toronto in 1837, a large and prosperous public house, but not a principal one. John Linfoot took possession of the tavern from John Montgomery on December 1, 1837. Nine days later it was burned to the ground on order of the lieutenant-governor, Francis Bond Head, after William Lyon Mackenzie and his rebels made it their headquarters during the Upper Canadian Rebellion. Linfoot submitted a claim for losses to the committee convened for the purpose, and in it listed the furnishings and other contents of the public house.¹²³ The dining room appointments suggest that the keepers of more modest taverns than the Exchange in Detroit also found it important to

¹²¹ HJ, Nov. 29, 1837, describing the Exchange in Detroit; Jones, for instance, complained of lodgings in which "the greatest ignorance [was] displayed in both the way of cooking and serving dinner." HJ, Aug. 2, 1841, see also, Nov. 29, 1837; HJ, Feb. 14, 1837, July 11, 1841, May 1, 1842, May 12, 1842; having only whiskey or brandy at dinner was "very Yankified", Feb. 14, 1837

¹²² See footnote 119

¹²³ *Appendix to the Journal of the House of Assembly of Upper Canada*, 3rd Sess., 13th Parl., (1837-1838) "Report of Select Committee on the Subject of Losses Sustained by Sundry Persons in Consequence of the Rebellion," Appendix to the Report on Losses nos. 1-4; See also, E.A. Lacey, "The Trials of John Montgomery," *Ontario History* 52, no. 3 (1960): 141-158

invest time and money in crafting comfortable dining areas; at the same time a description of the room gives an idea of the material setting for tavern dinners. At Linfoot's, tavern-goers dined at a walnut table with two leaves (£8.10s), seated upon walnut hairbottom chairs (£1 each), and took their meals from inexpensive (6d each) blue plates, using knives and forks made, according to the price, of something other than silver. They took tea or coffee from similarly priced cups and saucers (about 10d), and had wine, beer, or liquor from wine glasses or from cut glass tumblers worth a more significant 1s3d each. A set of castors provided the seasonings for the foods. Service dishes, like soup tureens, pitchers, vegetable dishes, and cream jugs matched the tableware. The tea and coffee pots, made from Britannia metal demonstrate a concern with practicality and serviceability. Perhaps the windows were curtained as some in the house were, two even with chintz, and the walls may have been decorated with some of the four views of Toronto in walnut frames, or the six other pictures in walnut and gilt frames which hung in the tavern, but no one had thought it necessary to carpet the floors of any of the public rooms. The Linfoot's goods and furnishings seem to have been similar to those within substantial but not wealthy homes.¹²⁴ In 1831, Adam Fergusson, a gentlemen settler, an author and advocate of scientific farming who founded Fergus and was appointed in 1839 as a member of Legislative

¹²⁴ Compare the dining room furniture of a member of the governing clique, John Macaulay, Toronto, 1837, cited in Minhinnick, *At Home in Upper Canada*, 34-35. Dining room table, cost £25, marble top sideboard £27/10/, 1 doz. hair bottom chairs, £18, 2 armchairs covered crimson damask, £18, 1 imperial carpet 32 ½ yards, £12/18/4, crimson damask window curtain and pole, £10, fender, fire irons, shovel and tongs, £ 3/5/, Large walnut bookcase, £20/10/, small walnut bookcase, £12/10/, plate warmer 45s, walnut woodbox, 15s, child's mahogany chair on table, 35s, 1 hearth rug, £2/5/, cloth table cover and 2 hearth brushes, £ 1/5/, rosewood writing desk, inlaid with brass, £5, mahogany piano, £ 90, and stool, £3/15/.

Council,¹²⁵ compiled a list for his mother to give her an idea of the costs to be expected in furnishing a home in Upper Canada. His prices for domestically produced "handsomely and substantially finished" furniture are a very good match with those of the Linfoots.¹²⁶ The prices indicate an attention to craftsmanship and quality, and a statement of material solidity and show that the Linfoots presented an hospitable, prosperous and civilized setting for tavern-goers. Their shared use of a single large table was normal. Numerous travellers' descriptions of both minor public houses and hotels refer in passing to the custom. While some complained about plebeian access to a table where gentlemen and ladies also dined, because it barred "conversational" exchange, others emphasized that mannerly deportment went hand in hand with dining at the public table. James Buckingham, for instance, at a Toronto hotel in 1843, remarked that "when the ladies rose to retire from the table the gentlemen all rose and stood 'till they had withdrawn."¹²⁷ Overall, the furnishings of the Linfoots' dining room suggest that their tavern provided a setting conducive, in Harry Jones' terms, to polite dining, and, suggest the probable material context of his own tavern dining.

Dinner's purpose was sociability. Companions are routinely noted in Jones' diary and the

¹²⁵ Elwood H. Jones, "Adam Fergusson," *DCB* vol. 9 (1976), 251-252

¹²⁶ Cited in Minhinnick, *At Home in Upper Canada*, 200-201

¹²⁷ Shirreff, *A Tour Through North America*, 89 and for comments about plebeian men at table, 161-162; Thomas Need, *Six Years in the Bush: Or, Extracts from the Journal of a Settler in Upper Canada, 1832-1838*, (London: Simpkin, Marshall and Co., 1838), 33-36; John Bigsby, *The Shoe and Canoe: Or, Pictures of Travel in the Canadas [...]*, vol. 2, (London: Chapman and Hall, 1850), 9; Samuel Strickland, *Twenty-Seven Years in Canada West: Or, The Experiences of an Early Settler*, vol. 1, ed. Agnes Strickland (London: Richard Bentley, 1853), 252-253; James Silk Buckingham, *Canada, Nova Scotia, New Brunswick, and other British Provinces in North America [...]* (London; Paris: Fischer, 1843), 51 for quote, 29

act of dining itself is significant enough for almost daily recording. It was unusual to dine alone, "dined with Joe Woods *solus*, drank a couple of glasses of wine & returned to my labours," emphasized Jones on one occasion.¹²⁸ Dinner provided an opportunity for conversation over the food and the wine. "Had a long confab with Dr. Stewart on Mesmerism during my dinner - he says it is all humbug which I am disposed to admit as far as the experiments shown by the itinerant quacks who infest us are concerned."¹²⁹ The Kingston men also organized quite formal dinner and supper parties. Jones stood treat for a game supper at the Billiard rooms -

the snipe were good and the wine not bad - after which the singers sung and the whole party drank hot stuff of all sorts until 2 - after which we went to the billiard room and not til past three did I get off

Neither the account of the late night supper at the Saloon nor daily references to dinner in Jones' diary contain the same emphasis upon mannerly deportment as Playter's depiction of parlour sociability in 1803. But the diary does present a similar sense of exclusivity. We see companionable groupings of men, privileged by relatively high incomes, good employment, and the possession of abundant leisure, gathering in the taverns and hotels to wine and dine amongst themselves. They gather in the principal public houses, the sort of establishments which differed from those described by Patrick Shirreff, only a few years previous, in 1835, upon the occasion of his "waggoner" sharing the same table in a tavern. "A meal in the United States and Canada," he wrote, "is simply a feeding and not in any degree a conversational meeting; and the ability to

¹²⁸ HJ, Sept. 1, 1837 **emphasis added**

¹²⁹ HJ, Nov 29, 1842

pay is therefore considered the standard of admission to public tables."¹³⁰ He implied that another "standard of admission" existed, presumably one which achieved the social conditions necessary for a "conversational meeting." The principal public houses frequented by Jones and his companions seem to have provided the appropriate circumstances. Certainly they permitted the degree of social separation indicated by Jones' accounts of dining.

Money was nevertheless an important factor, for the dining ritual was an expensive taste. Jones left the game supper at the Saloon "very much out of sorts, partly because I was unwell and worn out and partly because the affair cost me \$8 which I could ill afford."¹³¹ Wine seems to have been the main culprit. At Phillip's National, Jones and Galt received their "month's account for board and lodging" at the end of July. It was "found to amount to £10 each" and was referred to later as "the fatal bill." They gave notice within a day and just prior to leaving "found a very grand dinner prepared on the strength of our departure with wine free, gratis, for nothing."¹³² The passage suggests that the cost of wine, never included in the price of lodging, was chiefly responsible for the size of the hotel bill.

From this point on, Jones lived with Galt in private lodgings, and passed "my days" at the office, and "my evenings in [...] visits to the billiard and News rooms."¹³³ His daily taverning

¹³⁰ Shirreff, *A Tour Through North America*, 161-162

¹³¹ HJ, May 12, 1842; \$8 was roughly half of the monthly income of many labouring people. See, Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784-1870*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1993), 114-115

¹³² HJ, July 31, Aug. 2, 1841; Their meals and rooms alone cost £6 a month.

¹³³ HJ, summary remarks dated Sept. 18, 1842; actually, the duo lived in several sets of lodgings, two other taverns amongst them, but finally settled on Knapp's boat house (Apr. 30, 1842), because of the facilities it

moved, primarily, to Stewart's, where the billiard room was located, to Daly's, and Belanger's. They continue to emerge as the preserves, usually male, of the bourgeoisie. In the "evening walked out with Galt & Spragge who had called - drank sherry cobblers at Belanger's - met Sullivan there had a long confab with him." "I walked with him [Hawke] to Daly's Hotel where we met Jarvis the Toronto sheriff and Proudfoot."¹³⁴ Yet, it is apparent that Jones sometimes encountered difficulties preserving the appropriate degree of social distance: "went to the billiard [room] but finding it full of sundry disreputable looking persons didn't play."¹³⁵ Crowds, or rather, "the air in the place in consequence of the crowd" routinely gave him headaches.¹³⁶ A brief stay at Goodwin's tavern ended because "the want of a sitting room of our own" made it "insuperable [...] - I cannot endure a constant crowd."¹³⁷ Smell was another problem: "went to a boat raffle at a very dirty tavern in our magnificent village [Barrie's, close by Kingston] where I endured for an hour the pleasing odour omitted by a concourse of our sweet smelling citizens. Lost \$2 1/4 dollars and didn't win the boat."¹³⁸

made available for hunting and fishing.

¹³⁴ HJ, July 20, 1841, Jan. 30, 1842, July 3, 1841, May 14, 1842; Spragge was the chief clerk in the Surveyor General's office (HJ, July 1841, opening remarks); Sullivan could be either Robert Baldwin Sullivan whom Jones knew from Toronto, where he had been Commissioner of Crown Lands, or Augustus Sullivan, a fellow government clerk, both of whom Jones socialized with in Kingston; and Richard Hawke is identified only as "the brother of the [Chief] emigration agent" for Upper Canada, Anthony Bewden Hawke (HJ, Jan. 2, 1837).

¹³⁵ HJ, Feb. 5, 1842

¹³⁶ HJ, Oct. 26, 1842

¹³⁷ HJ, Dec. 15, 1841

¹³⁸ HJ, Jan. 21, 1843

Because Jones was a man who cared rather too deeply about circulating amongst a "restricted circle,"¹³⁹ the sharp disjunction the journal draws between the patrons of a "dirty" village tavern and the usual cronies to be met at Daly's in the marketplace and the other principal houses of the city, must be treated with some respect. Clearly the facilities there allowed for a degree of social separation and the pursuit, in sitting rooms and dining rooms, of leisurely sociability amongst the bourgeois men who filled the government chambers and professional offices of Kingston.¹⁴⁰

Jones' diary allows for a final and particularistic perspective upon the colonial tavern, one which suggests its unique importance in his life. It becomes gradually apparent that the image he created of Phillip's National Hotel was, at least in part, fiction. Much later the journal gives an entirely different sense of the place:

took up my quarters at Phillip's which I found blessed with the presence of the actors and actresses belonging to the strolling party now in town in addition to the usual number of haubucks, yankees &c. which haunt this most fashionable hotel.¹⁴¹

Jones' willingness, in July 1841, to focus upon political and professional men to the complete exclusion of "haubucks [and] yankees" identifies the role the principal public houses played in his

¹³⁹ James B. Brown [A Four Years' Resident, pseud.], *Views of Canada and the Colonists: Embracing the Experience of an Eight Years' Residence* (Edinburgh: Adam & Charles Black, 1844), 45; He is discussing sociability over drink amongst the emigrant English middle class.

¹⁴⁰ As David Mills points out in *The Idea of Loyalty in Upper Canada, 1784-1850* (Kingston: McGill-Queen's University Press, 1988), 133, "egalitarianism" as an ideal of social or political relations received no credence by political actors. All remained committed to a "stable, hierarchical society" despite the political reforms of the 1840s.

¹⁴¹ HJ, Oct. 31, 1842

life. Jones had an ambiguous social position. He belonged, despite his poor salary, well within the circles of prominent men. Yet, unlike many of them, Jones could not afford a household of his own, replete with a wife, servants and a wine cellar. Thomas Galt appears to have been in a similar position; it was he who decided they "could not afford" the National.¹⁴² But each could afford regular access to the principal public houses and the style of life which landlords like Phillips, Belanger, and Daly made available. Resort to the taverns enabled Jones to live a fashionable style of life which matched his perception of social position.¹⁴³

The lifestyle was broadly recognised. It was present in the colonial discourse through which Upper Canadians struggled to construct middle class gendered identities. In Cecilia Morgan's work, the very image of Jones and his companions - "young rakes" drinking wine "within the walls of the tavern, in the context of an all-male group" - emerges, within colonial discourse, as a symbol of danger to middle class domesticity, to the economic independence which underpinned both it, and an ideal of responsible and informed public manhood.¹⁴⁴ Jones, for one, was aware of the contradictions between his lifestyle and that presented in discussions of appropriate moral behaviour. The day after New Year's in 1843, which he passed in making social calls and at the billiard room, Jones "got home very much fatigued and with great difficulty

¹⁴² HJ, July 31, 1841; on the importance of financial means as an aspect of manliness, see David G. Burley, *A Particular Condition in Life: Self Employment and Social Mobility in Mid-Victorian Brantford, Ontario* (Montreal: McGill-Queen's University Press, 1994), 86-87.

¹⁴³ For general remarks on the difficulty of assigning social status to professionals and quasi-professionals in this period, see R.D. Gidney and W.P.J. Millar, *Professional Gentleman: The Professions in Nineteenth-Century Ontario*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1994), 12-15.

¹⁴⁴ Morgan, *Public Men and Virtuous Women*, 168, 217

through the snow - almost feared I should have dropped down and been found in the morning in warning to gentlemen who keep late hours and break the rules of the temperance society."¹⁴⁵ Jones and his diary suggest that the "rake" remained ambiguously present amongst a middle class constructing masculinity in opposition to everything the lifestyle represented. Yet, Jones successfully incorporated taverning into a responsible bourgeois life. He held a salaried government position, participated, through extensive correspondence and worry, in Jones family matters, feared that he would be unable to marry, led a social life that extended beyond the tavern to parlour teas with women and families in their homes, regularly attended Anglican services, and made daily recourse to the newsroom for European and colonial current events. For Jones, taverning was not antithetical to a bourgeois way of life, but an important means of engaging in some of its cultural rituals, like dinners, informed conversation, and the maintenance of distance from "disreputable" persons.

There is a small oil painting by Harriet Clench hanging in the Art Gallery of Ontario which suggests that the use Jones and his companions made of the taverns was more widely recognised as both customary and less problematic than middle class discourse might suggest. Painted in 1849, and entitled "A Country Tavern Near Cobourg,"¹⁴⁶ the work mirrors the image of the taverns created by Harry Jones. The painter has chosen to present the country tavern as a civilized place. We see the settled town of Cobourg across the bay, with steamers busy in the port and

¹⁴⁵ HJ, Jan. 2, 1843

¹⁴⁶ Reproduced in Maria Tippett, *By A Lady: Celebrating Three Centuries of Art by Canadian Women* (Toronto: Penguin Books, 1992), 10

church steeples puncturing the sky. The public house itself, details like well-crafted windsor chairs, tassled window curtains, a bird cage and cultivated plants suggest, was comfortable and established. The woman painted at work, carrying a tray of drink to patrons, is respectably dressed and fashionably coiffed. The three tavern-goers appear to be gentlemen. Obviously together, they gather about a tavern table garbed in well cut coats and summer trousers, coloured waistcoats, starched collars and neckties. One of them, apparently just arrived, has a top hat and a walking stick. Bottles and half full glasses, one raised as if to toast, show the place of drink in their tavern call. Clench's work recognises the important role of the taverns as sites for sociability amongst privileged men. And, like Jones, it also depicts the tavern in a harmonious relationship with colonial society. Taverning co-exists on the canvas with the economic progress symbolized by the vessels in the port, with a "profusion of spires,"¹⁴⁷ with respectable surroundings, a respectable woman and sociable, bourgeois men.

Conclusion

The last two chapters have attempted to rehabilitate the bad reputation of colonial taverns. In place of widely accepted and customary drunkenness stood not only a taboo against habitual drunkenness but also sophisticated cultural mechanisms to monitor consumption, understand the effects of alcohol, and respond to excess. Violence had an accepted role as a form of social negotiation, but it too was ritualized in order to prevent its eruption and limit its damages. The

¹⁴⁷ John Webster Grant, *A Profusion of Spires: Religion in Nineteenth-Century Ontario*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1988)

exploration of customary tavern pastimes has stressed the peaceful and civil nature of sociability in the public houses. It has suggested that through song and dance, story-telling and conversation, people used the taverns to create and maintain social bonds and attain a sense of membership within a convivial group. It has suggested that although the taverns were natural sites for gaming, they were also considered to be sufficiently controlled in this regard through the licensing system. And, as the socially respectable retreated from the rougher forms of traditional amusements associated with the taverns, they nevertheless continued to regard the public houses as appropriate sites for more exclusive forms of sociability amongst a restricted circle. By accepting the perspective of tavern-goers and tavernkeepers and respecting their insights into the nature of the public houses, the companies within them and the forms of sociability enjoyed, an image of drunkenness, disorder and violence has been displaced by an historically rooted understanding of the taverns as orderly and well-regulated places of public resort.

Chapter 5

Native and Black Tavern-goers

On our arrival yesterday many Indians were in town and a few of them stayed about the taverns pretty late in the evening. Some of them as well as the blacks and whites drank quite freely; and I heard this morning that a fracas occurred in our landlord's bar-room among the heterogenous assemblage there. Having retired early I knew nothing of it. The blame was thrown upon the 'negroes' by the barkeeper who was a 'Yankee' of high pressure prejudice, but it did not amount to much; and to-day very few Indians or blacks are to be seen in the public places.¹

The description of a Saturday night on the town in Brantford in 1832 captures the tensions and complexities of race relations in "public places" generally, and the tavern's barroom in particular. It suggests a dissonance between the behaviour of some tavern-goers who engaged in "heterogenous" sociability, and mental constructs associated with race, like the "high pressure prejudice" of an American barkeeper. It suggests that everyday practice, despite the "fracas" which erupted in the barroom, may have been rather different than the more easily documented racism apparent in public opinion and policy. In the process, the passage brings to the fore the relevance of racial identities and race relations in colonial and pre-industrial society. Specifically, it invites questioning about the significance of race within contemporary approaches to taverning. How much did skin colour and the cultural assumptions that went with it, as well as the status attributes it carried, matter to historical experiences there?

¹ Fred Landon, ed., "The Diary of Benjamin Lundy Written During His Journey Through Upper Canada, January 1832," *Ontario Historical Society Papers and Records* 19 (1922): 121. He was at the stage house in Brantford, a respectable establishment where Lundy found the "accommodation was good." It was probably W.D. Dutton's Brantford Cottage, see J.J. Talman, "Travel in Ontario before the Coming of the Railway," *Ontario Historical Society Papers and Records* 29 (1933): 91

Contemporaries understood the taverns of Upper Canada as public places, where freedom of access, freedom to bid service, and freedom from the deference incurred in the relationship between host and guest in a private home all marked it as distinct. For unrestrained self-expression the editor of the *Bytown Independent* advised a reader to "neither invite nor be invited, [...] but go to an inn and spend half a crown, and there tell the man to his face what he thinks of him. The innkeeper obtains his license [...] to allow free and open discussions."² Ideally, the taverns provided the circumstances for participatory discourse. But, did the ideal of "free and open" exchange translate into the reality of historical experience for all members of Upper Canadian society? How public were the public houses really?

Taverns existed as a unique form of public space, strongly associated with rituals of sociability which created and sustained social bonds through "good fellowship." Whether "large companies of neighbours [...] convene[d] for the purpose of drinking and dancing," "sportsmen" meeting at James Wilson's tavern, pedlars treating at McBrien's, or, "the women who mustered strong in the kitchen"³ at Chartres', the tavern encouraged group cohesion and a sense of community. Precisely because it facilitated expressions of corporate belonging the tavern could become contested space and racial issues of access and inclusion had a contemporary resonance.

² *Bytown Independent & Farmers' Advocate*, Mar. 10, 1836; article cited in Michael S. Cross, "The Shiners' War: Social Violence in the Ottawa Valley in the 1830s," *Canadian Historical Review* 54 (1973): 6

³ William Renwick Riddell, *Michigan Under British Rule: Law and Law Courts 1760-1796* (Lansing: Michigan Historical Commission, 1926), 345; United Church Archives, William Case's Journal, June 20, 1809, pp. 37-38; *Niagara Herald*, July 18, 1801; AO, Record Group 22, Series 390, Box 9, File 5, Macaulay Benchbook, Home District, Oct. 1848. *Q v Michael Moran*. All subsequent references to the benchbooks are made in abbreviated format as, for example: RG 22-390, 9-5, Macaulay, Home District, Oct. 1848. *Q. v. Michael Moran*; Lambton County Archives, Henry John Jones Diary, Oct. 10, 1841 (Hereafter HJ)

The grouping of tavern experience by race comes out of public identities as they were defined and lived in Upper Canada. The opening quotation identified "Indians," "blacks" and "whites," rather than, for instance, Christian Mohawks, freed or refugee slaves, and an independent yeomanry - other representative identities which would emphasize culture, status, or economic rank, as opposed to race. This chapter follows its lead not only in the general acceptance of race as relevant, but in the choice of two groups, Blacks and Natives, as those with the most commented upon tavern presence. It assumes, as did the quotation - "to-day very few Indians or blacks are to be seen in the public places" - that the presence of whites was taken for granted.

A casual conversation between two white bourgeois men suggests that race and its relationship to a maturing society was a debated subject. Passing through a Native settlement in 1834, Henry Jones and Dr. Bartlett, an American physician, discussed the nature of Native culture. Bartlett maintained that Native peoples were created separately from Adam and Eve and called upon Biblical authority to argue that "being only given command over the beasts of the field [they] will never be husbandmen." First Nations peoples, in other words, would never attain civilization in western European terms. At Lawson's tavern, the keep, who was also a practising physician, informed the company at dinner that "'niggers' did not belong to the human family, but whether to the class of clean or unclean beasts he was at a loss to determine." Some whites, including the diarist who chronicled these words, took exception to extreme racist views. Accompanying the doctor the next day to see a French patient, Jones remarked that "as a doubt had arisen in the learned gentleman's mind touching the whiteness of that nation and hence their right to belong to the human family - he had deemed it beneath his dignity to make any kind of

dispatch. Fortunately for the sick man it turned out to be a false alarm." In the context of the previous day's entry this can only be read as a critique of Lawson's racist ideas and a recognition of Black (and French) humanity.⁴ The distance between the two men points also to a flux in perceptions of race in Upper Canada, and to a shared awareness of and participation in a public debate about racial relations.

The ease with which Jones' language slipped from Blacks, to the French, to whiteness, reveals also the importance of whiteness as a racial identity. As David R. Roediger has observed of early nineteenth-century American society, "Blackness and whiteness were [...] created together." Tracing the emergence of the "white worker" between the Revolution and the Civil War, Roediger argues that it was an identity crafted "by negation" and through "hatreds that were profoundly mixed with a longing for values attributed to Blacks."⁵ Cecilia Morgan has also argued that, in Upper Canada, whiteness was created together with gendered and class identities through discursive struggles. When Upper Canadians used language - words like "'heathen' and 'barbaric,'" or, "heathen darkness" - as "signifying the state of unconverted Native peoples [...they] may also have buttressed their own claims to be both respectable and 'white.'"⁶

While some of this buttressing of whiteness went on, violently, in the public rooms of Upper Canadian taverns, other glimpses we have of mixed taverning amongst people of colour and whites, emphasize instead the complexity and flux of colonial racial relations and the apparent

⁴ HJ, June 26, Aug. 16, 17, 1834

⁵ David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*, The Haymarket Series in North American Politics and Culture (London; New York: Verso, 1991), 95, 60, 176

⁶ Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791-1850*, Studies in Gender and History (Toronto: University of Toronto Press, 1996), 175

absence of "racial consciousness"⁷ amongst tavern-goers in some places and some times.

Natives

Travellers and other contemporaries commented upon the presence of Native people in and about the taverns. At a tavern on the Talbot Road in 1821, for instance, Englishman John Howison "found a mixed assemblage of persons seated around the fire [...] several Scotch Highlanders [...] three Indians in full hunting costume; and a couple of New England Americans with some children belonging to the house." Howison expounded upon the ethnic characteristics of each group, deciding "[t]he Indians possessed a sort of negative superiority over both parties, having no absolute vices, and being exalted by those virtues that generally belong to the savage. Though untutored they were not in a state of debasement, and they seemed more entitled to respect than either the Scotch or Americans." At Ward's tavern in the Longwoods, the same traveller "walked out" about midnight at Christmas and had a conversation among the trees with a Native man who waited there to watch "the deer fall upon their knees to the Great Spirit and look up." The European thought it "affecting to find traces of the Christian faith existing in such a place, even in the form of such a tradition." In both encounters Howison emphasized the distinctness of Native identity, either employing the image of the noble savage to represent it or judging it within a European cultural framework. He gives, in the process, evidence of Native access to, and use of the taverns.⁸

⁷ Roediger, *Wages of Whiteness*. 24

⁸ John Howison, *Sketches of Upper Canada: Domestic, Local and Characteristic [...] For the Information of Emigrants of Every Class [...]* (Edinburgh: Oliver & Boyd, 1821), 181, 191-192; Charles Fothergill gives

Simultaneously, another and very different construction of Native identity came to bear with increasing strength upon white perceptions of Natives: the image of the drunken Indian. In an article about Native peoples and alcoholism, F.L. Barron found ample travellers' commentaries to muster it as the legitimising context for missionary temperance activity. He too cited John Howison and his observations of "shocking scenes of outrage, intoxication, and depravity," as well as Alfred Domett's record of his difficulty in avoiding "running over some drunken Indians who were lying in the muddy road," and the Reverend John Carroll's characterization of Mississaugas as "drunkards to a man."⁹ Fourteen-year-old Julia Jones must have been familiar with this particular construction of Native identity upon her arrival in Canada in 1831. She stayed at LaForge's tavern prior to reaching the family estate on the shores of Lake Huron. "[We] were disturbed twice by a party of drunken Indians, the first party opened the door and were coming in but LaForge stopped them, & after fastened the door, so that the second party could only make a noise outside."¹⁰ Again we encounter Natives' expectation of admittance to a country tavern, but also, we see a just arrived teenaged gentlewomen, who had not had time to experience and form judgements about Native behaviour for herself, embracing in almost formulaic language the image of the drunken Indian.

quite explicit evidence that a native man with whom he travelled a distance in 1817 remained outside, but apparently in the vicinity of the public house at which Fothergill lodged that night. "Carried my Indian [a Chippewa] to Ganonoque - gave him rum his soul and body's delight laid him by a woodfire as the night was dreadfully cold and made him quite happy. He promised to bring me venison in the morning." Thomas Fischer Rare Book Room, University of Toronto, Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817," 40

⁹ F. L. Barron, "Alcoholism, Indians, and the Anti-Drink Cause in the Protestant Indian Missions of Upper Canada, 1822-1850," *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*, ed. Ian A.L. Getty and Antoine S. Lussier (Vancouver: University of British Columbia Press, 1983), 191

¹⁰ Lambton County Archives, Julia Jones Journal, Aug. 27, 1830

Fears and concerns associated with the image of the drunken Indian found expression in government policy. An Act to Prevent the Sale of Spiritous Liquors to Indians passed the legislature in 1835 and was amended to become permanent in 1840. The law formed part of a government programme of "civilizing the Indian" through protective measures, and designed to help the Native in "coping with the European."¹¹ By barring all sale, trade or barter of alcohol with any Indian adult or child the legislation affected Natives' legal relationship with alcohol and the tavernkeepers. The legislation is notable because it eliminated Native people, on the basis of race, from the public sociability associated with drink in the taverns. It was not necessarily, however, an attempt to ban Natives from public space. A justice of the peace in the Western District, J. Keating, wrote a letter in support of Hector Macdonald's application for a license to keep a Temperance House as "he is a great check upon the sale of ardent spirits at the forks to the Indian. That place is a nest of such persons who smuggle the whisky from the States and ruin and plunder the unfortunate Indian by means of it."¹² Theoretically, Keating's letter implies, Natives were to retain access to the services, such as transportation and lodging offered by the taverns, but as dissociated from the use of alcohol. Nevertheless, in forbidding the sale or gift of drink to Natives on the basis of their race, the Act did in fact formally bar Native inclusion in tavern sociability, for instance, in treating and the network of relations it symbolically supported,

¹¹ John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," *Sweet Promises: A Reader on Indian-White Relations in Canada*, ed. J.R. Miller (Toronto: University of Toronto Press, 1991), 128-129; see also Tony Hall, "Native Limited Identities and Newcomer Metropolitanism in Upper Canada, 1814-1867," *Old Ontario: Essays in Honour of J.M.S. Careless*, ed. David Keane and Colin Read (Toronto: Dundurn Press, 1990), 148-173 for a discussion of natives' political marginalization; see also Barron, "Alcoholism, Indians and the Anti-Drink Cause," 196

¹² AO, Windsor Quarter Sessions Records, Tavern and Shop Licensing Records, Dec. 14, 1841, 5059

robbing Native access to the tavern of much of its meaning, and placing Native drinking outside the sophisticated practices developed by white tavern-goers to contain their own consumption there.

While the history of Natives' formal or legal relationship with the taverns is interesting at the level of ideological determinants upon personal experience, it is not the whole story. In fact, legislative proscriptions seem not to have translated into anything like a certain denial of drink to Natives in the taverns and they continued with reason to look there for liquor. Dating from the early years of settlement, tavernkeepers professed a willingness to supply drink to Native people. At Finkle's in Fredricksburgh in 1805, "a number of [Mississaga] Indians returning from Kingston after receiving their annual presents [...] stops at Finkle who keeps a Tavern and asked him for whiskey in exchange for ducks, which he gave them." The relationship does not appear to have changed much, even after 1840, when the fine for liquor sales to Natives was raised to twenty pounds, itself indicative of failed enforcement. In 1843 the *Canada Temperance Advocate* mourned that the legislation was "daily violated with impunity." In 1844, a court found tavernkeeper Josiah Lambkin in Kingston guilty of "selling liquors to Indians contrary to the form of the Statute." Lambkin was "evidently ignorant of the Law on this point." An un-named Native man who rode the stage between Hamilton and Port Dover and imbibed at the taverns along the route clearly had no difficulty, in 1852, to obtain whiskey. Despite his "bestly state of intoxication, he got more whiskey by paying for it."¹³

¹³ Metropolitan Toronto Reference Library, Powell Papers, Circuit Papers, 1783-1830, loose leaf insert, dated Fredricksburgh, 25 Nov. 1805 (p.66); *Canada Temperance Advocate*, May 16, 1843, cited in Barron, "Alcoholism, Indians and the Anti-Drink Cause," 196 -197; *Kingston Chronicle and Gleaner*, Jan. 13, 1844;

At one level, then, legislation barred Native peoples from a legitimate place in the taverns' barroom, but tavernkeepers and the tavern-goers who tended passively to condone their continued sales to Native people did not honour its intent.

This being said, there is still a distinction to be made between the taverns as a source of alcohol, which for Natives they undoubtedly were, and the taverns as the loci of Native sociability, which they appear not to have been. At Finkle's, after trading ducks for whiskey, the Mississaugas "went away, took their canoe out of the water and encamped some small distance from Finkle's house in the evening." While the tavern provided drink, the Native travellers did not see it as a natural place for their conviviality, despite evidence of unproblematic access - two of the Mississaugas later took their suppers in Finkle's kitchen. In 1850, a group made up, apparently, exclusively of Natives, one Rayosquiss[?], Andrew David, Benjamin Thomas, and two un-named women gathered at an unlicensed drinking house near Sandwich.¹⁴ They too expressed an interest in the sociability of drink, but did so away from the taverns dominated by settlement society, and came together instead amongst themselves, perhaps because of the force of law. By gathering in Native-only groups to drink away from the taverns, or creating their own drinking places, Native people resisted their legally defined relationship with alcohol after 1835, and also granted ownership of the taverns to white society.

Native peoples seem to have responded to the taverns as one amongst many European social institutions, useful as a point of interaction to conduct a variety of relationships with

St. Catharines Journal, July 8, 1852

¹⁴ AO, RG 22-390, 28-4, Robinson, Sandwich, 1850. *Q. v. Andrew David*.

whites, but not as a locus for Native-centred sociability. In 1793 the political delegations speaking for many Native nations used Matthew Dolsen's tavern in Detroit to conduct negotiations with Quaker peace emissaries.¹⁵ Several men and women of the Delaware, Wyandot, and Shawnee nations drank and dined with the Quakers at Dolsen's. "We came to our lodgings, and dined with two Wyandot chiefs who behaved with decency at table, equal to any of us, handled their knife and fork well, eat moderately and drank two glasses of wine, and through the whole conducted with a decorum that would do honour to hundreds of white people."¹⁶ By adopting European manners and in using European cultural rituals, like conversation over dinner and wine as tools of communication, the Native representatives made their stature as civilized men apparent in terms the Quakers could understand. Their participation in European taverning facilitated the reception of their political message, but it also symbolized the power imbalance between the two groups. As Bruce Trigger has shown, the cultural rituals used in political and economic negotiations illustrate the relative strength of each party; the use of European cultural forms symbolizes the extent of white power.¹⁷

Much more frequently, Native men and women, like white colonists, used the tavern as

¹⁵ A state of war existed between the Northwest Indian nations and the United States government in the early 1790s. After preliminary negotiations at Philadelphia, delegates scheduled a treaty for the summer of 1793 in Indian country, near Detroit. According to their own account the Friends, or Quakers, were warmly requested to attend by several Native representatives. The Native delegates said: "the Nations they represented have a special confidence in Friends as a people who, from their first settlement in America, had manifested a steady adherence to the maintenance of peace and friendship with the natives." See, Jacob Lindley, "Jacob Lindley's Account," in "Expedition to Detroit 1793," *Historical Collections: Michigan Pioneer and Historical Society* 27 (1892): 566

¹⁶ Lindley, "Jacob Lindley's Account," 591, see also 592, 606

¹⁷ Bruce G. Trigger, *Natives and Newcomers: Canada's 'Heroic Age' Reconsidered* (Kingston: McGill-Queen's University Press, 1985), 186, 193, 198

a site for economic exchange. Travellers' testimony suggests that tavernkeepers customarily traded with neighbouring Native peoples, or put another way, their neighbours represented a source of supply to tavernkeepers' larders. At a Kingston tavern in 1833, a Native person "brought in" a "very fine" muskongue to the landlord.¹⁸ Travellers also imply that the exchange benefited the white tavernkeeper only and was a form of economic exploitation to Native traders. For instance, Charles Fothergill writes of a sale in 1817: the tavernkeeper "bought a brace of partridges from these people for a single glass of rum."¹⁹ In 1831 at Wheeler's tavern, "an Indian from a neighbouring camp came in with two 'hams' (haunches) of venison and a deer skin [...]. The tavernkeeper gave him one pint of whiskey for each ham and two pints for the skin only."²⁰ The going price in a tavern for four pints of whiskey was between 4 and 6 shillings, depending upon quality. The hunter had killed 2 deer that day, and 40 in the season thus far (December 20), and his receiving goods worth equivalent or higher than an average labourer's daily wage suggests a fair economic exchange for his work.

A tavernkeeper's account book provides similar evidence of an equitable trading relationship between local Natives, probably Delawares, and tavernkeeper Matthew Dolsen in the

¹⁸ Adam Fergusson, *Practical Notes Made During A Tour in Canada and a Portion of the United States in 1831: Second Edition to Which Are Now Added Notes Made During a Second Visit to Canada in 1833* (Edinburgh: William Blackwood, 1834), 120

¹⁹Fothergill, "A Few Notes Made [...] 1817," 59

²⁰ Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer from the Year 1824 to 1830; During which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* (London: Effingham Wilson, 1831), 48; He continued: [the whiskey was] nearly half water, but liquors are their bane."; for prices see, National Archives of Canada (NA), "Daybook of James Phillips", Nov. 1828 to Feb. 1830 (Phillipsville, north of Ganonoque); In 1799, Matthew Dolsen credited the account of "John Dolsen, Indian" 4s for a deer skin, Chatham-Kent Museum, Matthew Dolsen Journal, 1797-1799, [authorship attributed], May 8, 1799

late 1790s. The account book suggests not only a balanced use of the tavern and store far from the image of the drunken Indian, but also decent standards of exchange. "Ludwick M. Indian" and "Tobias Indian" came into Dolsen's on an October Wednesday in 1798. Dolsen or a clerk debited their accounts for blankets, "baze," calico, scarlet, a comb, several pairs of glasses, some flints, and a breakfast and two suppers. In May the same year "John Dolsen, Indian" purchased similar items, as well as a handkerchief, some silk, a knife, two beaver hats, salt, and "answered" for the accounts of three others. In return, Dolsen credited his account with just over £89, about £40 to various animal furs and skins, another £19 to 380 lbs. of (maple?) sugar and gave 7s per bushel for 89 bushels of corn, a standard price that year. If the last price, the only one for which a rough comparison has been found, is any indication, Dolsen paid fair prices. He also credited accounts in cash values.

While in the tavern some of the traders made liquor purchases, although Ludwick, Tobias' mother, Adam, and "Samuel M. Indian" did not. "John Dolsen, Indian" bought three quarts and five half-pints of wine, and half a pint of whiskey. Tobias purchased half a pint of rum and took a gill with his breakfast. "Amos Indian" and "Simon Indian" bought a quart and a gallon of rum respectively, and "Anthony Indian" included four gills, a pint and a decanter of rum, as well as a glass taken at the tavern with his list of supplies, and "Betsy M. Waman" bought two yards of

baize and some wine.²¹ With the exception of Anthony and Tobias who took a glass each in the tavern, the amounts purchased suggest off-site consumption. And, unless they paid in cash and therefore do not appear in the account book, none of the Natives were regulars. They came to trade, to obtain needed goods, including liquor, but centred their own sociability elsewhere.

Native-white relations in the taverns extended beyond political and economic exchange. As in the opening quote, whites and Natives, as well as Blacks, socialized together in the taverns. Patrick Campbell and a wealthy Native trader, Captain Thomas, passed an evening together at the coffee house in Kingston in 1791. Captain Thomas lodged there to conduct some business. "I sent him my compliments," wrote Campbell, [...] after I joined him he asked me very politely what I would choose to drink [...] He then called for a small bowl of punch of which he took but little [...] We slept in the same room. He was a tall handsome man extremely well dressed in the English fashion [...] He spoke French fluently but not English enough to enable us to converse freely in that language."²² In this instance, recognising Captain Thomas' status and his familiarity with European languages, clothing and customs, Campbell is at pains to construct his Native companion in the image of a gentleman. Campbell's discussion of Captain Thomas indicates that in the closing years of the eighteenth-century Europeans had a more differentiated approach to

²¹ Dolsen Journal, for Tobias et. al see Oct. 17, 1798; for Amos and Simon, Dec. 4, 1797; Anthony, Dec. 28, 1797; Betsy, May 9, 1799; Assuming the "corn" in the account was in fact wheat, the price credited "John Dolsen, Indian" is precisely in line with that indicated by Douglas McCalla for the western region of Upper Canada in 1797, 7s2d a bushel. Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784-1870*, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1993), Table C.1, 336

²² Patrick Campbell, *Travels in the Interior Parts of North America in the Years 1791 and 1792* (Edinburgh: Printed for the author and sold by John Guthrie no. 2 Nicolsen St., 1793), 157

Natives - recognising status differences in particular - than in the years of heavy white settlement when unexamined and group based characterizations, as for instance the image of the drunken Indian, became more apparent. Also, the tavern provided Captain Thomas with space to engage in economic and social exchange with white men.

In 1830, Julia Jones again commented upon a Native presence in the tavern. "Wywanash the Indian Chief and his wife the Queen came up to pay their respects to us - she was dressed for the occasion and brought her daughter the infant Princess to show us. The Queen's dress was very smart indeed. She had on a black beaver hat with two broad bands of silver almost covering it and a large plume of black ostrich feathers in front...."²³ The tavern served as the site for a formal call from an important local representative of the Wyandot nation upon the gentle family of another locally prominent man, Henry Jones, the head of a newly founded, several thousand acre Owenite colony near Port Sarnia. In their use by Natives to conduct political negotiations, economic transactions and engage in mutual sociability with white colonists, the public houses emerge as a site for interracial and inter-cultural exchange.

None of this is to suggest that race did not matter. Joseph Lottridge, a Native man who lived near Brantford in 1835, frequented Thomas Browering's unlicensed drinking house and seems to have been on intimate terms with the keep. It was a house about which "Indians" gathered and seemed "to be drunk [...] more formerly than latterly." Lottridge drank there, "about 3 glasses of whiskey," on a Sunday morning after Browering said he "wanted me to remain with

²³ Julia Jones Journal, Aug. 27, 1830

him for company." He enjoyed easy access to the drinking house, joined in the culture of drink in the public room, and a racially mixed company seems to have been quite normal within it. The same observations can be made of Francis Lezare, identified as "Indian" and "part French" who boarded sometimes at Campbell's tavern in the vicinity of Sarnia and came, as on this occasion, also to Jas. Taylor's tavern across the road. He "asked for a night's lodging [...] had supper, went to bed." Later Lezare "got up and came into the barroom" to join the keep and a sailor with a companion about midnight.

Even in these two instances of apparently free sociability, race became a defining feature, suggesting that it might do so more generally. When Lottridge left Browering about noon, "on leaving ye house heard a gun, fell on his knee, and on looking saw [Browering] going into ye house [...] had something in his hand - can't say a gun or not." The two "had some conversation the day before, Saturday, about some money, no quarrel." But despite the ball in his thigh, strong pressure from the local magistrate, and from a Mr. Wilkes who spoke with Lottridge in his own tongue in the safety of another house, Lottridge insisted Browering was "his best friend - had taken care of him." The two do appear to have known each other well as is apparent in Browering's casual request for company that day. But also, their relationship appears to have had some intensity and turmoil. On Saturday Lottridge had "in a rage kicked ye door open," and on Sunday after they had reconciled, Browering shot him, then "presently he came with some brandy and took him in - said he might stay all night." The relevance of race appears in a brief instant after the shooting. Browering's "boys said 'father has shot an Indian let us go and see.'" Their words, as much as their father's deed, transformed the personal ties between the two men,

grounded upon mutual companionship, some financial debt or deal, and shaped by strong emotions, into a racial incident which it probably was not.²⁴

At Jas. Taylor's tavern in Lambton County, Francis Levare's racial identity became similarly and ambiguously relevant in the context of a violent dispute, itself seemingly unconnected with race. After the sailor and companion came into the barroom and "asked for victuals," the keep "got bread and meat" and gave them to the sailor with a knife. Levare "took ye knife from Finnegan [...] and first thing I knew [Levare] cut me in the shoulder." Taylor had known Levare two years, as a farmer who "doctored" the locals on occasion, sometimes stayed nearby, and of whom the keep testified he "had no reason to doubt his friendly disposition." In the course of his story Taylor identified Levare as "part French" and "quiet - well behaved as any Indian - He does not go much with ye Indians."²⁵ Levare's Native identity became relevant to Taylor as he prosecuted him, almost hesitantly, for the unprovoked attack. In the context of Levare's two year acquaintance with the tavernkeeper, his community involvement, and his occupational skills, it seemed that Taylor searched for a reason to explain the stabbing and settled upon a racial one. We also know that "the men present would not come forward" to testify against Levare, thereby protecting him from the law. In Upper Canadian taverns, whites responded to Natives in ways strongly affected by race, where attributed racial characteristics might be called upon to provide explanations such as Taylor's, but did so in no predictable way. One could share a drink and sustain a relationship over it as Lottridge and Browering did, but

²⁴ AO, RG 22-390, 3-3, Macaulay, Brantford, Gore District, 1835. *K. v. Thomas Browering*

²⁵ AO RG 22-390, 12-2, Macaulay, Western District, Chatham, 1852. *Q. v Francis Levare*

race mattered, if not always between the partners involved, then in the judgement of others, like Browering's sons, who labelled their father's friend an "Indian" thereby objectifying him.

From the Native perspective, the taverns seem to have provided a middle ground for interracial and inter-cultural exchange in various forms. Some tavern sociability between Natives and whites is apparent and ties of a closer nature, as between Lottridge and Browering. The very sparseness of the evidence requires extreme caution in reaching conclusions, and makes any attempt at periodization impossible, but it is possible to observe that a Native identity mattered in shifting and unpredictable ways in the public houses, rather distant from the clear imperatives operating in government policy intended to "civilize" the savage. But in the adoption of European mannerisms by bourgeois Native men, in the tendency of whites to give a racial construction to tavern violence, and in the absence of Native groups of drinkers in the barrooms, is evidence that the taverns were opened to Native use only in so far as they adapted to the European cultural rituals which governed interaction there.

Blacks

It seems that two negroes entered a tavern and without permission began playing dominoes, their deportment it is said was exceedingly impudent and provoking. Mr. Maisonville ordered them instantly to leave the room which they did but at the same time threatening revenge. It seems they returned again and were playing in the parlour adjoining the bar-room abusing gentlemen who were its occupants. This annoyed Mr. M. and with a strong horsewhip, he soon convinced them of their error and ejected them from the premises.²⁶

²⁶ *Canadian Emigrant* (Sandwich), July 26, 1836; Reprint of an article from the *Upper Canada Albion*. The *Albion* article was itself an editorial upon the June 7, 1836 edition of the *Emigrant*, no longer extant, which initially reported and commented upon the racial clash at Maisonville's Canada Hotel.

The stark brutality of the image, the presumption that Black men, uniquely among tavern-goers, needed "permission" to play dominoes at the bar, the expectation that they would deport themselves with deference toward (white) gentlemen within, and their vulnerability to violence, all graphically illustrate that race mattered when seeking access to the taverns.

The local newspaper, the Sandwich *Canadian Emigrant*, used the Canada Hotel incident as an opportunity to articulate a precise concept of the tavern as a public place both masculine and white.

A couple of ruffianly negroes rush into a parlour where gentlemen are conversing - they seize upon a table and commence their game - the gentlemen expostulate - the negroes answer with imprecations and defy them to expel them. [...] There are few Britons who think that the colour of the skin is an index of the heart. But there never was one true Briton - one son of merry old England, taught to allow his rights to be trampled on by others - and trampled on too by such a degraded set of beings! As an Englishman [...] there are few insults so long remembered, few that enter so deep in a man's soul as those directed at the undeniable rights which each Briton exercises over his home.

Two processes are visible in the newspaper's columns: the construction of whiteness in apposition to characteristics associated with blackness, and, a recasting of the public nature of the public house into a private place, belonging to the tavernkeeper and to the gentlemanly occupants of the parlour, to which they had right, then, to control access. The bar parlour of the Canada Hotel is presented as the site of civilized conversation amongst civilized men. The gentlemanly conversation interrupted by the "ruffianly negroes," readers are informed, concerned politics and capital investments; it was, moreover, a process of "debate" which enabled "all man's best feelings to possess him." Clearly drawing upon the ideal of the "public man" current from the 1840s in the colonial press, and recently explored in Morgan's *Public Men and Virtuous Women*, the editorial

casts the "gentlemen" at the Canada Hotel as his prototype. Rather than making a narrow, racist, ultimately self-interested claim through their verbal attack on the Black men, the men in the parlour and Maisonville with his whip, are presented as public-spirited defenders of the British Constitution and the "undeniable rights" of Englishmen, working for the good of all.²⁷ The "negroes" are their very antithesis, described in language emphasizing violence, irrationality and 'uncivilization.' They are "threatening" and "abusing," they "rush, they "seize," they are strongly associated with their "powerful, ruffianly" bodies and their "brutal propensity." They become, ultimately, a "degraded set of beings," incapable of civilized association with truly public men. The contrast between blackness and whiteness, between civilization and 'uncivilization' could not be starker.

Nevertheless, a measure of anxiety did creep into the otherwise bombastic editorial as it noted, backing away from its characterization of the tavern as akin to an Englishman's home: "It may be said that as the riot[!] happened in a tavern there is more allowance to be made" for the Black men. The anxiety was attributable to the context of the editorial itself, namely a stinging article in the *Upper Canada Albion*, highly critical of an earlier report in the *Emigrant* of the Canada Hotel incident because of the racist nature of the events themselves, and because of the *Emigrant's* support of tavernkeeper Maisonville. As the very existence of editorial debate testifies, the nature of racial relations and the racial identity of public places were contested in Upper Canada. A deeply rooted racism, represented here by the white men at the Canada Hotel and the

²⁷ Morgan, *Public Men and Virtuous Women*, 187-98, 221-2

Emigrant as their public defender, confronted an equally rooted belief in "the spirit of the British Constitution," invoked by the *Albion* in support of the Black tavern-goers, "by which every man who breathes British air is a free man."²⁸

And indeed, if race relations in the public houses were really as clear cut as the horsewhip and elaborate defences based upon white public manhood implied, why did two Black men take seats at the bar and begin a game of dominoes? Why did they return again after being ordered off, and why did they resist "with imprecations" the objections of whites to their presence in the bar parlour? Was each Rosa Parks in an 1836 guise? Probably not, although the interpretation is not utterly implausible, since, according to historians of the Black experience in Upper Canada, refugee and free Black alike found the promise of full social integration implicit in their equality before the British Constitution.²⁹ The evidence, though, suggests otherwise. It suggests, in fact, that Black tavern-goers had many reasons to expect a peaceful and tolerant reception from white companies within the public houses.

In some places and times Blacks enjoyed easy access to the public houses and mixed sociably with whites there. At Miles' tavern in York, Peter Long often came in for a drink of rum in the 1790s and "Peter Johnson, a black man," frequented another York tavern in company with whites in 1810. "A coloured man named Thompson [...] stopped at Mr. Schaeffer's tavern" on Lake St. Clair and took breakfast "with another coloured man, his assistant." Abraham Rex and

²⁸ All quotes are taken from the editorial in the *Emigrant* of July 26, 1836

²⁹ Robin W. Winks, *The Blacks in Canada: A History* (Montreal: McGill-Queen's University Press; New Haven: Yale University Press, 1971), 178-179; James W. St.G. Walker, *The Black Loyalists: The Search for a Promised Land in Nova Scotia and Sierra Leone, 1783-1870*, Dalhousie African Studies Series (New York: Africana Publishing Company; [Halifax]: Dalhousie University Press, 1976), 339-342

William Murdoch, both Black, celebrated Emancipation Day in Sandwich and spent the night at LeDuc's tavern, often frequented by white soldiers from the garrison.³⁰ At times, a multifarious public seems to have been a reality in the public houses.

Because of a unique concentration of evidence which survives for LeDuc's tavern, it is possible to look at it in detail, in order to suggest the circumstances, in one strongly documented case, of racially mixed tavern sociability. An estate inventory, taken at the tavernkeeper's death in 1844, allows for a description of the interior; a court document identifies both the tavern company and household members; licensing records reveal some of the tavernkeeper's problems staying open and link them to his patrons. There is a suggestion that those excluded from the socially respectable ranks by race, economic marginality, or by a combination of the two, shared common ground at the well-patronized public house.

Leduc's was a simple place where soldiers from the barracks and free Black people felt at ease. At his death Gregoire LeDuc's holdings were valued at £35 16 shillings and 3 pence.³¹ It is a statistic precisely in line with those noted by Michael Doucet and John Weaver for the Irish Roman Catholics of Hamilton in the 1830s, a group they identify as occupying the poorest rung

³⁰ Baldwin Room, Metropolitan Toronto Reference Library, Abner Miles Account Book, 1795-1796, Accounts of a General Store and Tavern. Sept. 15, 1795, and passim; "Minutes of the Court of General Quarter Sessions of the Peace for the Home District, 13 March 1800 to 28 December 1811," *Twenty-First Report of the Department of Public Records and Archives of Ontario, 1932*, ed. Alexander Fraser (Toronto: Herbert H. Ball, 1933), 157; *Canadian Emigrant*, July 26, 1834; AO, RG 22-390, 39-1, Hagerman, Western District, Sandwich, 1843-44. *Q. v William Murdoch*

³¹ AO, RG 22, Surrogate Court Records, Windsor, Essex County, 1844 (Gregoire LeDuc); For the soldiers see AO, Quarter Sessions Records, Essex County, Windsor, Tavern and Shop Licensing Records, 1841, p.5515; For Black clientele see AO, RG 22-390, 39-1, Hagerman, Sandwich, 1843-44. *Q. v William Murdoch*. The Will contained an inventory which itemized all LeDuc's possessions and it is from the inventory that the descriptions of furnishings, tableware and etcetera is drawn.

of the town's social hierarchy.³² LeDuc's was not a one room tavern. It was certainly two stories, with three rooms and a passage below, two or more bedrooms upstairs, and a working yard for wagons, storage of large items and shelter for the horse, mares, cow and heifers. There is no indication as to whether the tavern was a log or frame structure. Upstairs there were four beds and bedsteads valued at about a pound each when including the bedclothes, so they were probably old feather beds. Abraham Rex shared one of these beds with William Murdoch in 1843, after a celebration amongst the Black population of Sandwich during which the two had "drunk a little." Neither awoke until after ten o'clock the next morning. Rex missed his watch from his trouser pocket and because he had slept so soundly (wearing his pants) beside Murdoch, he suspected him of the theft. It is difficult though, beyond the explicit testimony of Abraham Rex to assign all the occupants of the house that night to the four identified beds. Obviously Charlotte and Gregoire LeDuc shared one, another is accounted for by Rex and Murdoch, but Caroline Rosa also lived at the tavern, Moses Mechie was there, as were the unnumbered "people downstairs,"³³ and the LeDuc children. Trestle and trundle beds, or straw ticks upon the barroom floor spring to mind, but none are accounted for in the inventory. Other than the bed, the rooms were furnished only with white window curtains, and the whole upstairs shared one table covered with an oilcloth. The inventory is silent on the matter of chamber pots. Tavern-goers at LeDuc's presumably used the wash hand stand in the kitchen for cleaning themselves, while the passage

³² Michael Doucet and John C. Weaver, "Town Fathers and Urban Continuity: The Roots of Community Power and Physical Form in Hamilton, Upper Canada, in the 1830s," *Historical Essays on Upper Canada: New Perspectives*, ed. J.K. Johnson and Bruce G. Wilson, Carleton Library Series, 146 (Ottawa: Carleton University Press, 1991), 446. The mean assessed value of Roman Catholic property was £34 in 1839.

³³ AO, RG 22-390, 39-1, Hagerman, Sandwich, 1843-44. *Q. v William Murdoch*

boasted a small looking glass. The sitting room at the front of the house contained a simple walnut table,³⁴ two benches, one walnut and the other pine, seven windsor chairs, a piece of homemade carpet, white curtains, an old bureau, two oil cloths and a case looking glass. The passage connecting the sitting room with the barroom and kitchen held seven common chairs - that is slat or ladder backed chairs - a cherry leaf table with oil cloth, a cupboard, probably pine, the mirror already mentioned, and two calico curtained windows. The kitchen had a cook stove with vessels, two pine tables and a cupboard, wash tubs and pails, undifferentiated crockery and cutlery worth twelve shillings six, and an axe. French Canadian taverns in the Western District had a reputation for warmth in the winter,³⁵ and the two box stoves and an additional small cooking stove, stored in LeDuc's yard when the inventory was taken in August, seem to be evidence for it.

The barroom shared the simplicity of the rest of the public house. Apparently without tables, it contained two benches, an empty barrel, a lantern, the obligatory kegs and measures, decanters and jugs (but no tumblers), scales and weights, and a broom. The floor was bare as was typical, and probably one of the stoves in the yard found a winter home in the barroom. Although there was no clock, Gregoire LeDuc did die in the possession of a silver watch.

It is clear then that Charlotte and Gregoire ran a modest establishment. It is also clear that the place was well patronized. The LeDucs made their living, obviously an adequate one as Gregoire did not die in debt, from tavernkeeping and had done so for many years, Gregoire being

³⁴ AO, RG 22, Surrogate Court Records, Essex Co., Windsor, Wills, 1844

³⁵ John Howison, *Sketches of Upper Canada: Domestic, Local, and Characteristic [...] For the Information of Emigrants of Every Class [...]* (Edinburgh: Oliver & Boyd, 1821), 209

subject to "the lameness and infirmity which has rendered him unfit for hard labour."³⁶ The LeDucs paid the highest annual license fee of the Western District tavernkeepers, £7.10s, a rate decided by their relatively central location, and a significant sum of money.³⁷ Their success shows that their tavern invited the ready patronage of an identifiable clientele, one which chose to spend its scarce resources within the tavern to participate in its company.

In January of 1841, the magistrates of Sandwich refused to renew LeDuc's tavern license. In his response to the magistrates, written by someone else, Gregoire was unsure of the specifics of the accusations against his house, but was fairly certain they must be connected to the conduct of soldiers in his barroom.

Nor does he know what he has been accused of [...] unless it be as he is told that his proximity to the barracks has given cause of offense [...] and he thinks it hard that he should be deprived of his living because the troops may by any chance though seldom and only in individual cases become irregular and sometimes not be controlled in a propensity for drink which your petitioner cannot prevent - when they may be inclined to indulge in that way which when that is the case will be done in one place as well as another.³⁸

The soldiers felt at ease to enjoy the spirit of indulgence and conviviality in LeDuc's barroom evident in their irregular conduct. And it was a sense of assurance amidst the surroundings that Abraham Rex and William Murdoch shared the morning after the night before when Rex, coming downstairs about 10 am, was casually invited by Murdoch to resume drinking with him. Because of the loss of his watch Rex declined, but there is every indication of an ease of comportment and

³⁶ AO, Quarter Sessions Records, Essex Co., Windsor, Tavern and Shop Licensing Records, 1841, p.5515

³⁷ *Chatham Journal* April 22, 1843, "List of Licenses Issued in the Western District..."; see also AO Quarter Sessions Records, Essex Co., Windsor, Tavern and Shop Licensing Records, 1835, p. 5677.

³⁸ AO, Quarter Sessions Records, Essex Co., Windsor, Tavern and Shop Licensing Records, 1841, p.5515

of access to the public space by the two Black men.

The simple fact of a mixed race clientele may also have contributed to LeDuc's licensing troubles. There is a hint, in another community, that a racially mixed company was perceived as not respectable by definition. In Brantford, in 1840, a "young woman[s]" testimony about the death of a man she saw beaten on the street was called into question: her "character was not impeached, but judging from her appearance and from the fact of her being an inmate in a house where black people and white live together, I fear not very respectably I should have thought the case not satisfactory if it depended upon her testimony alone."³⁹ It is not perhaps a particularly startling claim to argue that the tavern of a relatively poor man, housing as it did the cultural expressions of soldiers and escaped slaves or free Blacks, raised concerns among those who would define themselves and their own bourgeois class as the community or colonial norm. To them, LeDuc's epitomized the "low tavern" of elite discourse and the problem, from this perspective, was that low people went there. The mixed Black and white clientele shared the experience of life lived in a largely uncontrollable environment. The soldier was subject to the arbitrary authority of the military, personalised in his officers who were men of a different social class. The town's Black population was subject to the limits placed upon prosperity and freedom by racism. Both groups were economically marginal and the most rational of economic strategies could not prevent the vagaries of disease, life cycle changes, uncertain employment, seasonality and an accompanying subsistence crisis. Tavern conviviality reaffirmed mutuality. It made more

³⁹ NA, RG5 A1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West, vol. 270, file 1515, J.B. Robinson to the Lieutenant Governor, Woodstock, May 4, 1843 Re: *Q. v Henry Van Patton*

sense to treat one's friends and supporters in the tavern than it did to husband too scarce resources,⁴⁰ and in Sandwich, LeDuc's was the public resort of the socially marginalised who found room to socialize there very visibly and audibly before the townspeople.

More surprising than the denial of LeDuc's license was that he got it back. Although his petition seemed ill designed in its tone or content for either support or to prove the maintenance of a good house, the license inspector reported in April 1842 that "LeDuc has conducted the house for which he obtained license last year to the satisfaction..." of existing standards.⁴¹

In LeDuc's tavern, one finds evidence of a distinct popular space open to both Blacks and whites. The town recognised it as such and quite firmly reminded the proprietors that certain limits to plebeian, or perhaps, to racially mixed sociability had to be observed or the space would be made illegal. There is the suggestion too in LeDuc's petition to have his license reinstated that other tavernkeepers, with access to greater capital, greater material display, and a claim to the patronage of different groups of people, sought to place themselves favourably within the discourse of respectability and temperate moderation which was increasingly dominant through the 1840s. Either that or they sought the soldier trade. LeDuc complained to the clerk of the

⁴⁰ Thomas Brennan, *Public Drinking and Popular Culture in Eighteenth Century Paris* (Princeton N.J.: Princeton University Press, 1988) discusses the creation of social networks through public drinking in the wine shops; Jesse Lemisch, "Jack Tar in the Streets: Merchant Seamen in the Politics of Revolutionary America," *In Search of Early America: The William and Mary Quarterly, 1943-1993* (Richmond: William Byrd, 1993), 109-137, especially 110-111; Judith Fingard, "The Poor in Winter: Seasonality and Society in Pre-Industrial Canada," *Pre-Industrial Canada, 1760-1849, Readings in Canadian Social History*, vol. 2, ed. Michael S. Cross and Gregory S. Kealey (Toronto: McClelland and Stewart, 1982), 62-78; E.P. Thompson, *The Making of the English Working Class* (London: Penguin Books, 1980), 441-464, argues that traditional popular conviviality was spontaneous rather than planned.; Olwen Hufton, *Women and the Limits of Citizenship in the French Revolution*, The Donald G. Creighton Lectures, 1989 (Toronto: University of Toronto Press, 1992), 107-108, for idea that rationality as a social value, or a means of ordering life was meaningless to poor.

⁴¹ AO, Quarter Sessions Records, Essex Co., Windsor, Tavern and Shop Licensing Records, 1842, p.5532

peace that he failed to see "why persons who commenced building and innkeeping at a late date should be continued as Innkeepers and he should be refused his fair right and opportunity of making a living." If he was not referring to John Hutton and the new British Queen which offered the "convenience of the best city hotels,"⁴² then he was referring to someone very much like him. LeDuc's complaint was not that John Hutton and the British Queen should not serve their self selected segments of the populace, but that in so doing Hutton et al. had no right to redefine the public and public sociability and indeed its material setting in such a way as to render LeDuc's illegitimate.

The shards of evidence which survive depicting Blacks engaged in tavern sociability, when pieced together, suggest that complex historical circumstances surrounded Blacks' participation in public sociability. It is clear, in the Canada Hotel incident, that racist thought and racist constructions of Black identity made violent eruptions challenging Black access to public places an historical reality. Yet, the existence of debate over race and racial relations and the atmosphere of uncertainty surrounding them in the colony, together with a consciousness of the liberties promised by the British Constitution, translated into a surprising level of peaceful, racially integrated public sociability in many taverns, LeDuc's amongst them. But, without warning, race could, and did, become dangerously relevant.

James Ferinson called at William Wright's St. Catharines tavern in 1841 "and wanted a quart of whiskey." He was a Black man, a private in the 67th Regiment, and his history illustrates

⁴² *Chatham Journal* June 10, 1843 and April 22, 1843 for John Hutton's license

the dangerous ambiguity of the public and public houses for Blacks in Upper Canada. Wright "had not the whiskey, and pointed out Dolsen's house about half-way to Stinson's, both being Tavernkeepers." Presumably, both were open to Black patronage, and while it is unclear if Ferinson ever got his whiskey, he certainly had no opportunity to drink it. In the words of bystander Dugald James Murray, "going towards Stinson's Inn, saw a black man followed by a parcel of boys hellewing after him, he was running down past Stinson's house...." Nelson Sheppard "heard someone say in Stinson's that they had knocked one Darkey off his horse and wondered where the d--n Negro was." The company at Stinson's gathered on Saturday night, "perhaps 10 o'clock," to make a charivari of a "servant girl who was to marry the Black Man." Uncertain even if the wedding had taken place, or was simply imminent, the company at Stinson's nevertheless seized upon James Ferinson as he made his way to the tavern, one of them revealing to a neighbour concerned about the noise that "they had run down one damn nigger but he was not the right one."⁴³ For Blacks, an encounter with public places in a racist society contained a simmering potential for violence which differentiated their experience from that of whites. The barroom companions at Stinson's that night, enraged by the rumour of an interracial marriage, violently and consciously affirmed the primacy of a white identity and the whiteness of public space.

In fact, another piece of race-centred evidence suggests that Stinson's may well have been the public house of choice for white men very conscious of their own racial identity. On militia

⁴³ AO, RG 22-390, 38-2, Hagerman, Niagara 1841. *Q. v. Wm. Henry Bryan and Farrel Foy*, Ferinson was later found dead and two members of the charivari party charged with his murder were found Not Guilty.

training day in St. Catharines, June 28, 1852, "[i]t seems that on the parade ground some insult was offered to the coloured company," and "renewed" later. In response, a group of Black men "proceeded to wreak their vengeance on a company in Stinson's tavern." Despite the many taverns in St. Catharines the men selected Stinson's as the only object of their attack, suggesting it was known, at least on that day, as the drinking house of those "ignorant persons among us who will occasionally make some ill-bred allusion to the colour of a man's skin."⁴⁴

As Robin Winks has argued, "racial barriers shifted, gave way, and stood firm without consistency, predictability, or even credibility." David Roediger adds that "those at the bottom of society" joined "in creating color bars. [...] Popular attacks on public places known for mixing of the races was rife. [...] In Philadelphia in 1834 a mob of working class whites attacked a tavern with an interracial clientele and helped start a major race riot." He demonstrates with this and multiple other examples the "expulsion" of Blacks as performers and celebrants from public places claimed by whites.⁴⁵ Yet even here we see, simultaneously, places popularly "known" for drawing a mixed race patronage and we see an urban tavern in an industrializing city with an "interracial clientele," both of which suggest that from the perspective of Black tavern-goers, (or theatre-goers, or Commons-users) Winks' early characterization of Black experience may well ring with greater truth. Many whites willingly socialized without racial barriers, while others joined in erecting them. From the Black perspective, public places had a randomly polymorphic character,

⁴⁴ *St. Catharines Journal*, July 1 and July 8, 1852; James St. G. Walker refers to this incident in his *A History of the Blacks in Canada: A Study Guide for Teachers and Students*, (Hull, PQ: Minister of State, Multiculturalism, 1980), 39

⁴⁵ Winks, *Blacks in Canada*, 335; Roediger, *Wages of Whiteness*, 103

in which peaceful sociability in a mixed crowd, or the casual expectation of it, might be transformed into hideous and frightening forms through the arrival, or arousal, of those consciously defining themselves as white.

In response, some created separate places for Black sociability. Nero Lyons of Amherstburg petitioned the magistrates of the Western District for the reinstatement of his tavern license in 1840. "With regard to there being one Tavern already Kept by a Coloured Man in the Place, yr. humble petitioner wishes their forbearance to state that it is attended principally by Europeans so that the Coloured population of this town and vicinity have not a Publick House that they can resort to."⁴⁶ Similarly, James Burtch kept a recess in the Niagara District in 1854 which provided a convivial space for local Blacks. Charles Mahon, who may have been white, one Jacobs and one Burke drank together there, and Mahon treated them.⁴⁷ The existence of separate public places for Blacks testifies probably to the stirrings of a Black identity and a Black culture and certainly to a concern to maintain a safe space for Black sociability. They participated in "a positive sense of group difference" that embraced the specificity of Black experiences and perhaps implied a resistance to the whiteness of the public itself.⁴⁸

The other and significant Black presence in the taverns was as entertainers and service staff. In these capacities there was no issue of "integration" with whites as the servant relationship settled any questions of relative status. "[T]he Black woman [who] made some disturbance as she

⁴⁶ AO, Windsor Quarter Sessions Records, Tavern and Shop Licensing Records, 1840, p.5490

⁴⁷ AO, RG 22-390, 47-1, Draper, Niagara, 1854. *Q. v. Jacobs and Burke*

⁴⁸ Iris Marion Young, *Justice and the Politics of Difference* (Princeton, N.J.: Princeton University Press, 1990), 171-173

usually did when she got too much to drink," at Playter's tavern in York in 1802, appears to have been a servant in the house. She is referred to without a name and without respect, but she is cared for by both Ely and Mary Thompson, a lodger, when ill.⁴⁹ At the same tavern, one evening "Lester [was] playing the fiddle" for tavern goers, and Ely "had Lester telling me some long tale of his journey before I could get rid of him and go to bed." He was probably Black.⁵⁰ The only other reference to a person of colour at Playter's tavern similarly casts him or her as a dependant or servant, by the use of the possessive pronoun. "Mr. J.D. Cozens [...] came about 2 o'clock with his Indian. I gave him the south chamber for his apartment and had it prepared accordingly."⁵¹ William Pope danced at a tavern in the backwoods to the fiddle of a Black musician "who scraped away in good style," and complained about "the smallness of his pay which amounted to one dollar, a sum by no means adequate to his hard work."⁵² At Wheeler's tavern on Talbot Street, near Ingersoll, "a black man came forward and danced and offered for a few pence, to run at a door and butt it with his bare head like a ram."⁵³ The last image is a difficult one. The Black man's willingness to perform a dangerous stunt before the white gentlemen in the barroom suggests a precarious income and apparently an accompanying necessity to risk personal injury

⁴⁹ AO, Playter [Ely] Diary, Feb. 1801-Dec. 1853, Feb. 28, 1802; see also Mar. 4 (where she is referred to as the "wench") and 19, 1802 (Hereafter EP)

⁵⁰ This is probably Lester Seward, identified as a Black man in Christine Mosser, ed. *York, Upper Canada: Minutes of Town Meetings, Lists of Inhabitants 1793-1823* (Toronto: Metropolitan Toronto Library Board, 1894), 14; On another occasion he served as musician and boat operator for a large party on an excursion, EP, May 4, 1802.

⁵¹ EP, Feb. 25, 1802

⁵² William Pope Journal, *Western Ontario History Nuggets*, no. 16 (London, Ont.: Lawson Memorial Library, The University of Western Ontario, 1952), pt. 2, 46

⁵³ Sir James Alexander, *L'Acadie: Or, Seven Years' Explorations in British America*, vol. 1 (London: Henry Colburn, 1849), 135

for the sake of "a few pence" needed for survival. A steadier income, and the potential for more dignified deportment came with jobs on the wait staff at large hotels in the cities and resort areas. Sir James Alexander, who stayed in the "best quarters" in a St. Catharines public house commented upon the "good attendance of coloured waiters."⁵⁴ The Reverend Christmas, at the Clifton in Niagara Falls wrote that "the waiters at this hotel are chiefly men of colour, very civil well-conducted persons."⁵⁵ They behaved in other words, with the good manners and deference appropriate to their position. The Pavillion House, "a celebrated hotel" at Niagara, provided porters: "two men of colour were met carrying trunks to the ferry, who brought ours on their return."⁵⁶ The better hotels clarified the preferred presence of Blacks in public places. When confined to a serving function and embedded in an employer - employee relationship, Blacks in the taverns raised no concerns. Assertions of access to the barrooms and public sociability alone wrought articulations of white precedence.

Conclusion

While Blacks and Natives shared the experience of an imposed racially-defined identity and the complicated, layered, and changing meanings it carried for access to and inclusion within the public sociability of the taverns, their experiences there differed quite sharply. For Blacks the public space of the taverns was a polymorphic one, where volatile issues surrounding the Black

⁵⁴ Alexander, *L'Acadie*, vol. 1, 204

⁵⁵ A.W.H. Rose [The Reverend Christmas, pseud.], *Canada in 1849: Pictures of Canadian Life, or, The Emigrant Churchman*, vol. 1 (London: R. Bentley, 1850), 136

⁵⁶ Patrick Shirreff, *A Tour Through North America: Together with a Comprehensive View of the Canadas and the United States [...]* (Edinburgh: Oliver & Boyd, 1835), 90

presence in colonial society might explode with sudden clarity and transform the tavern into a dangerous and violent place on the basis of race. There appears to have been an interest, despite the implicit risks, in claiming room for Black sociability and participating in tavern culture. For Natives, the public houses represented the loci of interracial and inter-cultural contact where white custom and culture was privileged. Although the public houses, their keepers, and their companies responded with some flexibility or at least ambiguity to the presence of racially distinct groups, when Blacks sought out their own taverns or weighed the wisdom of entering at all, and Natives utilized its sociability merely as a tool for Native-white relations, each responded to white colonists' claims of ownership. Sometimes, like the two Black tavern-goers at the Canada Hotel, they also voiced their claims to inclusion in public sociability. To the extent that the taverns facilitated group identity and community definition through the ties of "good fellowship," they seem to have done so at the expense of a racially inclusive idea of community, except amongst those who shared a common experience of social marginalization, like the soldiers and the Black celebrants at LeDuc's. Generally, the need to negotiate access to the taverns and differential terms of inclusion within them had the effect of delegitimizing non-white cultures as public cultures.

Chapter 6

Women Tavern-goers

Met an old lady at Lawson's [tavern] named Lizars, the mother of the famous Edinburgh Professor of that name, she has several other sons, one equally famous as an engraver, two or 3 are in this country - She is very Scotch, and has one great failing, that of getting drunk - dead drunk after dinner - queer habit - Mrs. Lawson who is notorious in that line herself was very severe on her.¹

Margaret Lizars grew up in Edinburgh as Peggy Home. Her father was a magistrate and a man of property, her mother, the daughter of a bishop. Peggy's parents died when she was seventeen and she was left, apparently with an inheritance of some substance, in "the trust" of a young man named Daniel Lizars, a publisher and engraver, whom she subsequently married. Margaret gave birth to at least eight children before her husband's death in 1812. The two known by reputation to Harry Jones, the author of the quoted passage, were John Lizars, a professor of surgery in the Royal College of Surgeons, Edinburgh, an extensively published author of medical texts, and William Home Lizars, an engraver and artist who exhibited at the Royal Academy in London and is hung in the National Gallery of Scotland. One daughter wed Sir William Jardine of Applegirth, Seventh Baronet, and became Lady Jane. Margaret Lizars was already a grandmother when she emigrated to Upper Canada about 1833, in company

¹ Lambton County Archives, Henry John Jones Diary, Sept. 2, 1837 (Hereafter HJ)

with one of her sons, a daughter-in-law, and seven grandchildren to join family already settled in the Huron Tract. When Margaret met Harry at Lawson's in Sandwich in 1837, she must indeed have been an "old" woman, as she gave birth to some of her children in the late 1780s.² She was also a bourgeois woman, defined by her familial connections to powerful and learned men. Because Margaret Lizars saw no dissonance between her status as a bourgeois woman and taverning in a mixed company, she raises questions about the relationship of women to the public houses, to public drinking, and about the ways in which women negotiated, or indeed conceptualized, the distance between the private and the public in colonial society. What was a nice woman like Margaret Lizars doing in a place like Lawson's tavern in 1837?

Fitting Women Tavern-goers into Historiography

Perhaps Lizars represents something of a transitional figure between eighteenth-century patterns of behaviour and nineteenth century codes of bourgeois deportment. Historians such as Leonore Davidoff and Catherine Hall in Britain, and Mary Ryan or Stuart Blumin in the United States, show the cultural formation of the middle class to be in process from the 1770s through the 1840s, which worked to enshrine new standards of privacy, refinement, and modesty, particularly for women, as markers of social status.³ Each worked to

² *Dictionary of National Biography*, vol. 11, ed. Sir Leslie Stephen and Sir Sidney Lee (London: Oxford University Press, since 1917), 1284-1286; Robina and Katherine MacFarlane Lizars, *In the Days of the Canada Company: The Story of the Settlement of the Huron Tract and a View of the Social Life of the Period, 1825-1850* (1896; reprint, Belleville: Mika Publishing, 1973), 222-226

³ See for example, Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850*, *Women in Culture and Society* (Chicago: University of Chicago Press, 1987), particularly Chapter 9, "Lofty pine and slender vine": living with gender in the middle class"; Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900*,

exclude women from participation in public life and theoretically barred women from inclusion in tavern companies. In Upper Canada, "a public discourse on codes of behaviour" drawn from the same body of ideals, was underway amongst the emergent middle class from the earliest days of the colony and well elaborated by the 1830s and 1840s. Celebrations of familial domesticity, and the association of drink with temptation and economic ruin made the public houses problematic places of resort for men,⁴ and completely beyond the experience of bourgeois 'ladies.' Yet, as the encounter between Harry Jones and Margaret Lizars suggests, some women behaved without reference to gendered codes of conduct. If Margaret Lizars might be supposed to represent older, more traditional values in relation to drink and public places for women, Harry Jones, born in 1809, and raised to adulthood amongst the English gentry, did not. Yet he expressed no surprise at Margaret Lizars' presence in the tavern, and gives clear, albeit critical, testimony of both her and Mrs. Lawson's taste for public drinking. Both women's taverning combined with their respectable social positions (Mrs. Lawson was married to a practising physician) resists easy insertion into the existing historiography of their class and gender in the same period. Both suggest a complex and untidy relationship between

Interdisciplinary Perspectives on Modern History (Cambridge: Cambridge University Press, 1989); Mary P. Ryan, *Cradle of the Middle Class: The Family in Oneida County New York, 1790-1865*, Interdisciplinary Perspectives on Modern History (Cambridge: Cambridge University Press, 1981)

⁴ Cecilia Morgan, *Public Men and Virtuous Women: The Gendered Languages of Religion and Politics in Upper Canada, 1791-1850*, *Studies in Gender and History* (Toronto: University of Toronto Press, 1996), 143, 163-169, especially 168, see also 229; Katherine M.J. McKenna, *A Life of Propriety: Anne Murray Powell and Her Family, 1755-1849* (Montreal: McGill-Queen's University Press, 1994); see also Lykke de la Cour, Cecilia Morgan, and Mariana Valverde, "Gender Regulation and State Formation in Nineteenth-Century Canada," *Colonial Leviathan: State Formation in Mid-Nineteenth-Century Canada*, ed. Allan Greer and Ian Radforth (Toronto: University of Toronto Press, 1992), 163-191.

the emergent ideologies defining women and the realities of women's lives which is worth exploring.

Historians of public drinking establishments, whether writing of the wineshops of pre-Revolutionary Paris, or the alehouses of industrialising Britain, or the taverns of the burgeoning urban centres of the United States in the nineteenth-century, point to the centrality of gender as a defining criterion for membership within tavern companies. Assumptions about the sexual availability of women in public houses and resistance to women's independent presence in both streets and taverns stressed, sometimes violently, the masculinity of public places. Thomas Brennan, in *Public Drinking and Popular Culture in Eighteenth-Century Paris*, estimates that women made up about eleven percent of tavern customers in central Paris just before the Revolution. He argues strongly that women were out of place in the tavern, felt "ambiguous" about entering, and were subject to verbal sexual abuse when there in order "to reduce women to a subordinate, venal position," and because of "a presumption that women in taverns were prostitutes." Michael Kaplan's "New York City Tavern Violence and the Creation of a Working-Class Male Identity," argues that white working class youths constructed a group identity through the violent oppression of groups which they defined as "other," like Black Americans and women. Tavern violence directed at women, including gang rape, worked to claim streets and public places as legitimately male only.⁵ Each historian

⁵ Thomas Brennan, *Public Drinking and Popular Culture in Eighteenth Century Paris* (Princeton NJ: Princeton University Press, 1988), 147-149, 222; Michael Kaplan, "New York City Tavern Violence and the Creation of a Working-Class Male Identity," *Journal of the Early Republic* 15 (Winter 1995): 591-617

creates the impression that women's place in tavern culture was inconsequential except as an aspect of the history of prostitution or in relation to male definitions of women's role. Neither approach offers much insight into the historical relationship with the taverns experienced by a woman like Margaret Lizars. What is needed is a women-centred history of the taverns in order to understand women's relationship with the public houses and the importance of gender to experience there. A recent book, Scott Haine's *The World of the Paris Café: Sociability Among the French Working Class, 1789-1914*, provides a lengthy discussion of women and gender politics. By tracing tavern patronage by respectable women and prostitutes, family sociability, women's freedom of access and freedom from verbal assault in the cafés, and their willing embrace of public sociability, Haine pursues many of the themes of this chapter. He suggests that the presence of women keepers helped to create female space "at the bar" and argues that, ultimately, "the café provided for working-class women what the salon provided for upper-class women: an informal institution of political discussion and debate."⁶ The historiographical departure is refreshing and suggests, in combination with what follows, that women's presence in public drinking houses, public sociability and public debate, may have been seriously misrepresented by historians.⁷

⁶W. Scott Haine, *The World of the Paris Café: Sociability Among the French Working Class, 1789-1914*, Johns Hopkins University Studies in Historical and Political Science, 114th ser., 2 (Baltimore: Johns Hopkins University Press, 1996), 181, 200, 185

⁷ For another recent, but historiographically traditional look at women and gender in public drinking houses see Beverly Ann Tlusty, "Gender and Alcohol Use in Early Modern Augsburg," *Histoire Sociale / Social History* 27, no. 54 (Nov. 1994): 241-260

The Link Between the Taverns and Prostitution

In Upper Canada there is very little evidence to suggest that tavern-goers routinely encountered prostitutes in the public houses. At McGarty's beer shop in Niagara in 1835, "a common prostitute called Mary O'Brien" came in with a man named Seely. He "asked a bed for her which was refused, on account of there being no spare beds." She fell asleep on a chair and another man, drinking there and "playing cards for beer" with a carpenter, a blacksmith and their wives, "put her out." At John and Jane Wright's unlicensed drinking house in the Midland District in 1830 there was a "constant series of riot and debauches." A neighbour observed that "bad characters frequent the house," but "can't say whether they keep women." Another neighbour agreed he "has seen people go in who are not ye best characters - appeared to be bad characters - don't know that the women are Strumpets." Sheriff McLean, largely because the house was a "hovel," thought it "not a place people would be likely to frequent for the purposes of prostitution." In Hamilton in 1836, "common women of the town" socialized and drank together at Joseph Case's beer shop, but they do not seem to have plied their trade there, perhaps because, as distinct from taverns, beer shops did not provide beds. In Toronto in 1840, Harry Jones "took a walk in [the] afternoon - had a curious attack made on me by a Methodist lady of the lower ranks, who strongly suspecting me of looking for an improper house was pleased to inform me I was on the high road to Hell &c." In 1853 in Kingston's French Village, a woman named Rose Ann Finnegan invited Jacob Gibson into a house, asked him to treat her to beer, took him "upstairs" for "15 minutes" although he

"declined" sex, and stole his money, \$280. Robert Murray, a policeman, identified her lodgings as a "house of ill fame," not as a tavern.⁸ Thus while there is evidence of prostitutes, prostitution, and houses of ill fame, there is nothing in these examples, beyond the sale of beer in a Kingston brothel, to link the sex trade explicitly with the taverns. The situation at Edwards', a licensed tavern in Kingston township in 1833 may have been different. We have already encountered this tavern as the site of rowdy disturbances to the peace in the discussion of tavern dances in Chapter 4. We were told by a taverner there that he "can't say ye women are bad - from what he did see did not consider them good." A neighbour who "does not go inside" similarly "can't say the character of the women." John Baker was more specific: Edward's was "frequented by all sorts of persons, ye lowest to ye highest - Women of ill fame - reportedly - Worst on Sunday. Women of bad character." F.W. Meyer who frequented the house added that Edwards' "had women - has danced with some of them." Thomas Rutherford "took some of the women of the house to be loose characters [...] does not think [Edwards] keeps a bawdy house - but has seen bad women run in & out." J. Woolstencroft lived there for three months: "all sorts frequented there - women of bad fame." Although the evidence seems compelling, upon defence testimony that Edwards was a respectable man and "not a person [who] would keep a bawdy house" he was found not guilty of keeping a

⁸ *Canadian Emigrant*, Oct. 7, 1835; Archives of Ontario (AO), Record Group 22, Series 390, Box 1, File 9, Macaulay Benchbook, Midland District, 1830. *K. v. John and Jane Wright*. All subsequent references to the benchbooks are made in abbreviated format as, for example: AO, RG 22-390, 1-9, Macaulay, Midland, 1830, *K. v. John and Jane Wright*; McMaster University Archives, Mills Memorial Library, Marjorie Freeman Campbell Collection. Hamilton Police Village Minutes, Dec. 19, 1836; HJ Apr. 6, 1840; AO, RG 22-390, 29-5, Robinson, Kingston, Apr. 1853. *Q. v. Rose Ann Finnegan*

disorderly house.⁹ The relationship, if one plausible case can support the term, between the taverns and prostitution seems tenuous at most. Tavern-goers were probably not looking for sex for money when they went to a tavern. Those, like Edwards', which may have offered sex with the drinks, seem to have been well-known in their neighbourhoods as specific locations of ill repute. That they were, suggests that most taverns limited themselves to the provision of legal services.

The absence of a routine association between prostitution and the taverns meant 'respectable' women willingly entered in order to access public services and for public sociability. They appear to have encountered no overt challenges to their public presence there; nothing like the sexual insults hurled at Parisian women in wine-shops have been found in Upper Canada. Gendered relations in Upper Canadian taverns seem to have been governed by the presumption of female respectability, that is, by the presumption that women in the taverns were not sexually available. British historian Peter Clark has addressed the same theme in his *English Alehouse: A Social History*. While women remained "a minority of those sitting by the alehouse fire" from the thirteenth through the nineteenth centuries, social proscriptions governing women's patronage generally relaxed. Mostly through their loss of association with prostitution and illicit sex in the early eighteenth century, the alehouses were regarded as respectable places by 1750. In response, respectable women increasingly patronised them, for business and for pleasure, including meetings of women-only friendly

⁹ AO, RG 22-390, 2-6, Macaulay, Kingston, 1833. *K. v Adonijah Edwards*

societies in the alehouses by 1790. Laurel Thatcher Ulrich has also observed that no "taboo" worked to restrict eighteenth century American women from taverning. Clark's respectable English alehouses provide the probable context in which Margaret Lizars acquired her taste for public drinking and taverning and together with Ulrich's brief observation, suggest that, in the Canadian colonies, a similar understanding of the taverns granted women similar access.¹⁰

Although this chapter is about women tavern-goers, it does not question the strong associations between taverning and maleness, or the identification of the taverns as "male establishment[s]," as places where a "male subculture" flourished.¹¹ It does suggest that the identification has limited usefulness by itself. Within the context of a society which empowered men politically, legally, and economically at the expense of women, it is hardly surprising that a prominent social institution was also "male." Yet, there were many women in Upper Canadian taverns, bourgeois women like Margaret Lizars, farm, artisanal and labouring women, and some who lived at the margins of society. The following pages describe at length women's multiple relationships with the public houses in an effort both to demonstrate the

¹⁰ Peter Clark, *The English Alehouse: A Social History, 1200-1830* (London: Longman, 1983), 225; Laurel Thatcher Ulrich, *A Midwife's Tale: The Life of Martha Ballard, Based on her Diary, 1785-1812* (New York: Random House, 1991), 144-5, 147; See also, David W. Gutzke, "Gender, Class and Public Drinking in Great Britain During the First World War," *Histoire Sociale / Social History* 27, no. 54 (Nov.1994): 367-392; Gutzke argues that only during WWI did truly free access for respectable women become a reality. Other important books on the public houses tend to ignore women's presence: David Conroy, *In Public Houses: Drink and the Revolution of Authority in Colonial Massachusetts* (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1995); Roy Rosenzweig, *Eight Hours for What we Will: Workers and Leisure in an Industrial City 1870-1970, Interdisciplinary Perspectives on Modern History* (Cambridge: Cambridge University Press, 1983); Perry Duis, *The Saloon: Public Drinking in Chicago and Boston 1880-1920* (Urbana, Ill.: University of Illinois Press, 1983)

¹¹ Cheryl Krasnick Warsh, "John Barleycorn Must Die': An Introduction to the Social History of Alcohol," *Drink in Canada: Historical Essays*, ed. Warsh (Montreal: McGill-Queen's University Press, 1993, 5, 8, 12

taverns' openness to them, and to recover a hidden aspect of the public lives of colonial women. The taverns emerge in the process as customary sites for women's sociability both in mixed gender groups and in women-only gatherings away from the barroom. Gender mattered in the taverns, and while it did not work to exclude women, it certainly differentiated the terms of their access.

Travellers and Boarders

Women expressed no hesitation in using the taverns in their travels. In 1829, a married woman, identified only as "Mrs. F --," landed at a public house on Lake Simcoe in a canoe paddled by a Native man. She passed the evening in the sitting room with another patron, an English gentleman, and spent the night with him in the same room. Mrs. F.'s relaxed deportment reveals her assumption of access and her familiarity with the "customs" of small country inns.

[...] She no sooner came into the room than it was evident by the way she pulled out her pins and placed her feet upon the fender, that she felt herself perfectly at home where she was. I very soon perceived that American customs were likely to prevail and that unless chance should throw a third person to interrupt the tête à tête, we were doomed to pass the evening in each other's company. This not only proved to be the case but our landlady positively disposed of us in separate beds in opposite corners of the same room [....] I had nothing to do with the usages of other countries, but really could not help thinking the proceeding altogether strange.¹²

Despite the strangeness of the proceeding, there is nothing to suggest that the gentleman,

¹² George Head, *Forest Scenes and Incidents in the Wilds of North America: Being A Diary of a Winter's Route From Halifax to the Canadas* (London: John Murray, 1829), 277-278

George Head, presumed the woman to be sexually available because she came alone to a public house. She was, he tells us on the contrary, travelling to York to meet her husband. The point is made to stress, again, that the frequently made link between the public houses and illicit sex does not seem to have figured predominantly in contemporary attitudes or in responses to women in the taverns. From the perspective of colonial women, the taverns do not seem to have represented sites of particular sexual danger or of predictable sexual harassment based upon assumptions that they were prostitutes.

As such we find several more examples of women travelling alone, or rather, without men, and making use of the services provided by the public houses to travellers. Harry Jones, for instance, only realized his aunt, Dinah Salter, was also in Detroit in 1837 when he took rooms at the Exchange Hotel "and on examining the visiting book found her name there - Mrs. and Miss Salter."¹³ Some women also travelled with small children. An "English lady with her two small children who [...] was now going without any other attendant, to meet her husband at Detroit" called with Black activist Benjamin Lundy and the rest of the stage coach passengers at Griffith's tavern and others in the Western District in 1832. "She appeared very genteel and respectable." Calling attention to the unusualness of her unaccompanied journey, Lundy further remarked that "perhaps there are not many American ladies that would fancy such an undertaking." At Sebach's tavern on the Huron Road in the early 1830s "[a] Mrs. R.-- and her little daughter Susan, who were moving into the neighbourhood of Peterborough

¹³ HJ, June 1, 1837

formed part of [the] company." At a tavern near Port Stanley in 1835 a "middle aged woman" struggled to keep her children clean and put them to sleep outside to avoid the "nasty beds." And Samuel Strickland's wife walked, in the early 1830s, along the Huron Road with servants, household possessions and a babe in arms to meet him.

Within six miles of Fryfogle's tavern, their intended stopping place for the night, they were overtaken by a man going in the same direction and who very politely [...] offered to carry her baby part of the way. She was of course very glad to avail herself of his kind offer [...] on entering the house there sat the man with the baby on his knee. The child appeared to be on very friendly terms with him [...] He at once restored the child to her mother's arms observing that 'he hoped she would give him the price of a quart of whiskey for his trouble for the child was main heavy God bless her.'¹⁴

As travellers, alone or with children, women had ready access to the lodging and transportation services offered by the taverns to the public.

Julia Jones, a young gentlewoman, usually travelled with her brother and while she lodged and socialized with him at both Freeman's tavern and Lawson's in the Western District in 1837 - "[t]ook up our quarters at Lawson's [...] Played sundry games of backgammon with Julia in the evening" - his diary hints that leaving her alone in a public house was undesirable:

Hall drove Julia and myself up to the ferry in his waggon - dined there and then crossed to Detroit - marched round the whole square in the ho[p]e of finding some place of escape by which Julia might get to the main street without being overshoes in mud but I could not succeed - obliged therefore to leave her at a tavern on the wharf and go down to D. Jones' who was kind enough to send

¹⁴ Fred Landon, ed., "The Diary of Benjamin Lundy: Written During His Journey Through Upper Canada, January 1832," *Ontario Historical Society Papers and Records* 19 (1922): 129; Patrick Shirreff, *A Tour Through North America: Together with a Comprehensive View of the Canadas and the United States [...]* (Edinburgh: Oliver & Boyd, 1835), 181-182 Samuel Strickland, *Twenty-Seven Years in Canada West: Or, The Experiences of an Early Settler*, vol. 1, ed. Agnes Strickland (London: Richard Bently, 1853), 142, 268-269

his cart for her.

Although Harry was not worried, spending the day walking about town and shopping and not bothering to rejoin his sister until the evening, the passage suggests that he thought leaving a young, single, gentlewoman at a wharf-side tavern in Detroit was somewhat unusual. Women travelling alone and taking tavern lodgings were out of the ordinary, but it was possible for them to do so when necessary.¹⁵

Many women of course travelled with their husbands. "A Dutch man and his family, with a number of cattle staid all night" at Playter's in York in 1802. Gentlewomen Susannah Moodie and Catherine Parr Traill each travelled with their families and servants by stage coach through Upper Canada in the early 1830s, calling for refreshment and lodging at the principal inns. Moodie asked a tavernkeeper along the Prescott road for a warm place "to take my infant." Mary Anne Prince joined her husband, John, a member of parliament, on a trip to Niagara in 1836. He "found my dear M. A. well at Harrington's Tavern. A good house of the kind," after a short separation during the journey. In Chatham in 1837 "Foott arrived in the afternoon, per steamboat, accompanied by his wife, son, and Miss Susan Perrier, they took up their quarters at Freeman's [tavern] - Introduced to the Ladies." They remained there while construction of the family "estate" was completed.¹⁶

¹⁵ HJ, Nov. 27, Sept. 27, 1837; Dec. 1, 1837; Jones also affirms that young women did not, as a rule, travel alone. On a journey between Toronto and Chatham in 1837 his stagecoach called at Gregory's in London and Jones saw "young Steers [...] who told me that his sister wished to go to Chatham and would be glad to avail herself of my protection - assented of course." HJ, Jan. 23, 1837

¹⁶ EP, Apr. 10, 1802; Susannah Moodie, *Roughing It In the Bush: Or, Life in Canada*, vol. 1 (London: Richard Bentley, 1852), 44; Catherine Parr Traill, *The Backwoods of Canada: Being Letters from the Wife of an Emigrant Officer, Illustrative of the Domestic Economy of British America [...]* (London: M.A. Natali,

The accommodations of country taverns sometimes presented problems for bourgeois travellers who placed a high value on privacy, especially for ladies. A party of gentlefolk at Fryfogle's tavern on the Huron Road in the 1830s had some trouble arranging properly gendered sleeping areas as they "had only two beds for our numerous company and they were both in the same room. Under these circumstances undressing was out of the question. Luckily we had several horse blankets and buffalo robes so I was enabled to separate our dormitory by these fancy hangings." Despite difficulties, the travellers successfully adapted the public house to meet their gendered needs. In less crowded conditions when ladies travelled at mid-century they "usually" occupied together "the best bedroom of the house" while their men "stretched themselves on 'shakedown'" before the fire. The men preferred this arrangement "for the sake of sociability." William Kanous, a tavernkeeper in Sandwich in the 1830s, advertised the availability of "private rooms fitted up for the convenience of ladies waiting" for travel connections at his hotel.¹⁷ Gender, often in combination with bourgeois status, added a level of complexity to women's use of the taverns when travelling, but in the willingness of tavernkeepers to allow patrons to string buffalo robes across their public room, make the best room available to ladies, and specifically accommodate some women's desire for privacy when travelling, is evidence of the openness of the public houses to them. In Kanous' advertisement there also seems to be evidence that enough women travelled to make

1849), 51, 78-79; AO, John Prince Diary, Nov. 6, 1836; HJ, May 19, 1837

¹⁷ Sir James Alexander, *L'Acadie: Or, Seven Years' Explorations in British America*, vol. 1 (London: Henry Colburn, 1849), 187-188; Strickland, *Twenty-Seven Years in Canada West*, 142-143; *Canadian Emigrant*, Oct. 19, 1834

it profitable for tavernkeepers to address their gender-specific needs.

The examples of women travellers can be multiplied, and it is after all, not very surprising that in a country characterized by high mobility and emigration that women could be found with their husbands and families in the taverns. Nevertheless, the evidence is worth presenting because it shows the taverns more fully than an exclusive focus upon their 'male' character does. Whatever the men were up to, women not only dined, drank and lodged, but also used tavern facilities to warm babies by the fire, feed and wash their children, and to worry about them sleeping in "nasty beds." The presence of women and their children amongst the company in colonial taverns, like the image of the Strickland baby on a whiskey-drinking man's knee at Fryfogle's, begins to suggest the limitations of emphasizing the masculinity of the public houses.

Women also boarded at the public houses for extended periods. In the first chapter we met Mary Thompson, the daughter of a substantial farming family, who lived at Playter's tavern in 1802. Similarly, later in the century, on the Niagara peninsula, innkeeper Elizabeth Jordan "recollect[ed] Mrs. Jane Fleming boarding with me" in the summer of 1832. In Toronto "a young woman of rather genteel appearance calling herself Mary Ann Lewis took up her residence at the Ontario House," one of the principal hotels in 1836. She stayed about three weeks. Catherine McRrory, who may have been a servant in the house as she took drinks to some men upstairs, "lived at" Mourhale's in Cornwall in 1837. In Niagara, Margaret Graham "was residing at John Stinson's from Nov. 1845 - seven months." According to

tavernkeeper Thomas Robinson's account book, "Mrs. Wilson, widow" boarded at his Prescott tavern for two and a half weeks in the winter of 1847, probably with an adult son and other household members.¹⁸

With tavern lodgings came access as desired to the dining, sitting, and other public rooms of the house and each of these women circulated freely throughout the tavern. Mary Thompson joined in social gatherings with Playter's friends, usually in the parlour, she sat with him in the barroom, and her readiness with morning after humour suggests a familiarity with drinking culture. "Miss T. joked and laughed much at me this morning on our high bout," a hung-over Playter recorded in his diary - "I had little appetite for breakfast." Thompson had not, however, joined the drinking party. Jane Fleming at Jordan's dined at the public dining table in company with the other boarders, the tavernkeeper, and tavern-goers. Women's presence at the public table was customary according to James Buckingham who wrote that at a hotel in Toronto in 1843, "when the ladies rose to retire from the table, the gentlemen all rose and stood." Women lodgers seem to have been familiar with the barroom. Catherine McCrory knew that Henry York was in the barroom when four other men came in and went upstairs. Both Margaret Graham and her daughter were in the barroom at Stinson's, and the younger woman "attended bar [...] through friendship" when the tavernkeeper became ill. And

¹⁸ EP, Feb. 19 - Apr. 29 1802, *passim*.; "Trial of William Townsend, Alias Robert J. McHenry, At Merrittsville, Canada West," [1854] from the *Hamilton Spectator*, Canadian Institute of Historical Microreproductions, no. 63556; *Correspondent & Advocate*, Sept. 14, 1836, "Police Office" Column; AO, RG 22-390, 23-3, Robinson, Eastern District, 1837. *Rex v Henry York*; Upper Canada Village Archives, Thomas Robinson Account Book, 1843-1858, 115-116

at Robinson's, Widow Wilson frequented the bar, accumulating a substantial account for whiskey, brandy, and beer. Thus, these women made their homes in the public houses for relatively long periods of time and used the house fully. To women boarders should be added the numbers of young women who lived at the taverns as servants, like Pauline Raymond at LaValleé's in 1833, Bridget Higgens at Platt's 1849, Mary Marcey at Zimmerman's, 1852, and 14 year old Margaret Jane Burnett at Garrison's[?] in 1853.¹⁹ Women tavernkeepers, both married and widowed, and daughters of the house were also about most taverns. The freedom of movement women enjoyed about the place, especially in and about the barroom, again tempers a tendency to identify the taverns as peculiarly male. It seems that in places given over, as some historians have argued, to assertions of male supremacy and male claims of ownership of public space, women ought to have been far less visible and far more reluctant than these were to live in the taverns. Instead, women expressed no hesitation in using the public houses in their travels, seem not to have associated them with sexual danger even when travelling alone, and lived in tavern quarters as boarders for lengthy periods. In the process some of them appreciated taverning in a fuller sense, to include public drinking and public sociability, as both Margaret Lizars at Lawson's and Widow Wilson at Robinson's did. The discussion that follows considers women's relationship to taverning in this fuller sense.

¹⁹ Ibid and EP, Mar. 2, 1802; James Silk Buckingham, *Canada, Nova Scotia, New Brunswick and other British Provinces in North America [...]* (London, Paris: Fisher, 1843), 29; AO, RG 22-390, 21-7, Robinson, Western District, 1833. *Raymond v LaValleé*; AO, RG 22-390, 47-1, Draper, Toronto, 1849. *R. v John Dolan*; AO, RG 22-390, 47-3, Draper, Chatham, Assizes 1851-1852. *Zimmerman v Smith*; AO, RG 22-390, 29-5, Robinson, Kingston, April 1853. *Burnett v. Garrison* [?]

Women, Access, and Public Sociability

"Indelicacy," wrote Charles Fothergill at Fralick's inn, in 1817, "prevails." He found himself, 20 miles from Kingston, amidst a party of "divers Yankees," numerous women amongst them, whose "freedoms of manners" and "Yankee customs" offended his English sensibilities. He remarked especially upon the deportment of the women. "[E]ven pretty girls [were] hawking and spitting about the room, occasionally scratching & rubbing themselves & lounging in attitudes in their chairs in a way that in Britain w[oul]d be unpardonable & throwing out more than broad hints occasionally as to the sexual intercourse."²⁰ Fothergill may have collapsed nationality with rank in this passage, because these American women were almost certainly not bourgeois, and his singular aversion to bad manners from "pretty" women seems odd, but the descriptive language is powerful. Because they shocked a journal-keeping Englishman with their bawdy conversation, their filthy habits, and their casual postures, the American women at Fralick's survive to reclaim colonial taverns as sociable places for women. At the same time, the presence of men with whom they were associated reminds us of the context of women's lives and, therefore, of their taverning.

Women, customarily, went to taverns with men and married women often went with their husbands. Jacob Lindley dined at Dolsen's tavern in 1793 in company with "a religious Dunker and his wife, settlers hereaway, with whom we had fellowship." When, in 1805, Ely Playter and J.R. Small "stopped at Stoyell's and drank 5 pints of Wine [...]" - Andrew

²⁰ Thomas Fischer Rare Book Room, University of Toronto, Charles Fothergill Collection, Charles Fothergill, "A Few Notes Made on a Journey from Montreal through the Province of Upper Canada in February 1817," 41

Thompson & wife were there [...] E. Payson was also there and helped us drink wine & c."

The inclusion of respectably ranked, and in Mrs. Thompson's case, well-established, married women in the tavern company appeared perfectly normal to the people there. Other married couples went to the tavern for a drink or a meal and to pass time in each other's company.

Anthony Bewden Hawke, the emigration agent for Upper Canada, "and his wife [...] stopped a few moments at Montgomery's tavern" while sleighing with friends in Toronto in 1837.

"Foott" dined at Freeman's Chatham tavern in 1837 with his wife and family. Mr. and Mrs. Peter Stover came to William Sheldon's tavern in 1842 and sat together in the barroom until Peter "was in liquor." Hope Shuman accompanied her husband George, a farmer, to a meeting of the agricultural society at Chartre's tavern in Fredricksburgh in 1851.²¹ For these women, as for their husbands, taverning provided an opportunity for sociability and drink away from household pressures and the responsibilities of the large families which we know Mrs. Thompson, Eliza Hawke and Hope Shuman had.²² Although the phrasing of many of these entries suggests that women's presence was understood as parenthetical to that of their men, the evidence of mutual taverning by married couples is valuable. It shows the tavern as a site for mixed gender sociability and the image of married women from the respectable and

²¹ Jacob Lindley, "Jacob Lindley's Account" in "Expedition to Detroit, 1793," *Historical Collections: Michigan Pioneer and Historical Society* 27 (1892): 586; EP, Nov. 14, 1805; HJ, Jan 2, 1837, June 26, 1837; AO, RG 22-390, 7-3, Macaulay, Western District, 1843. *Q. v Peter Stover*; RG 22-390, 58-2, Burns, Kingston, Nov. 1853. *Shuman v. Hearn*; For Thompsons as "respectable" in status see Edith G. Firth, *The Town of York 1793-1815: A Collection of Documents of Early Toronto*, Ontario Series, 5 (Toronto: Champlain Society, 1962), 89, 98, 297

²² For Thompson and Shuman see *Ibid*; Wesley B. Turner, "Anthony Bewden Hawke," *DCB*, vol. 9 (1976), 377

bourgeois social ranks seated about tavern tables with their husbands competes rather effectively with the presumption of an exclusively male presence. Because of the association between the taverns and illicit sex, it is also worth noting that they provided a place for marital sexual relations. At Lawson's tavern, in 1834, Harry Jones had "a new married couple as companions, felt I was decidedly *de trop* and in danger of combustion from the warmth of their glances." Larratt Smith, a rising Toronto lawyer and banker, married Eliza in 1845 in Perth. They spent their wedding night at Hastwell's Inn on the way to Kingston.²³ Both entries suggest that the taverns, on these nights, housed licit sexual activity.

This being said, it is also apparent that women sometimes accompanied less licit lovers to the public houses. In the Home District, about 1820, "a female" took a room at Farrell's inn connecting with that of a man named McKenzie, with whom "she had lived many years." At Larned's tavern, in Chatham in 1838, a large party of the local gentry talked to a man "in pursuit of his runaway wife and lover. Found the two latter at Dauphin's [tavern] and expected a scene, but were mistaken - the lady returning for a time with great docility to her liege lord, and he taking no notice of the gay deceiver." At Dauphin's the company literally viewed the affair between a husband, his wife, and her lover as barroom theatre. In 1855 a seventeen year old woman slept with J.P. Dopp, a petty criminal, at the St. Mary's Hotel and "played at

²³ HJ, Nov. 20, 1834; Larratt Wm. Violet Smith, *Young Mr. Smith in Upper Canada*, ed. Mary Larratt Smith (Toronto: University of Toronto Press, 1980), 98

Bagatelle in a neighbouring saloon."²⁴ Despite living at variance with normative sexual morality, each like their married counterparts, went to the taverns in male company.

Women also taverned within looser groupings, where male and female companions were not noticeably partnered to each other. Ely Playter's diary furnishes abundant evidence of this at the beginning of the nineteenth century. He and his brother and a friend "returned" from a charivari late in the evening in August 1804 to Gilbert's tavern where "the Ladys and Mr. S. H. were." They all "set talking some time." While the women did not join in the charivari they did socialize together with a shifting group of men and women throughout a long evening at the tavern. Similarly, the women of tavern-keeping families sometimes engaged in sociability with the patrons as their fathers did. At Post's tavern with J.R. Small, Playter "had a game of whist with Mr. P[ost] and Mr. Hunt, the latter left us and Miss Post took his seat, we sung some songs, staid 'til 9." And, women joined in large taverning groups. In 1805 a party of men and women, some married, like Playter's sister-in-law Hannah and her husband James, and others not, like Ely, Sophia Beman, and Mary Thompson, went on a sight-seeing excursion from York to Niagara Falls, staying away for several days, and calling and lodging at numerous taverns along the way.

We had a pleasant ride, called at the sign of the Horse and got something to drink - had a pleasant and satisfying view of the falls, returned to the first tavern and fed our horses, drank some brandy and water. A Mr. Laughton fell in company with us he was on horseback but having to leave his horse desired

²⁴ Baldwin Room, Metropolitan Toronto Reference Library, Powell Papers, Unbound Box, Home Assizes [Benchbooks], Oct. 16, 1820; HJ, Apr. 11, 1838; *Stratford Beacon and Perth County Intelligencer*, July 27, 1855

to ride with us to Niagara. We called at a second tavern by request of the stranger and drank some wine - he being a young man I in a joke got him to set between Hannah and Miss T[hompson] which I was afterwards sorry for as he had drank too much his behaviour was some annoyance to them.²⁵

Playter's inclusive language strongly indicates women's full integration in the pleasure-seeking group's taverning as its members stopped three times for "something to drink," for "brandy and water," and for "wine." In fact, women's inclusion in taverning at the beginning of the nineteenth century was a matter of course, and while women taverned within the context of male companionship, they could do so quite casually as members of large convivial groups and join freely in drink and public sociability without being explicitly linked to a particular man.

Later in the century women continued to engage in public house sociability and there is one indication that women-only groups taverned together. In 1831, Joseph Pickering encountered several young women who arrived together at Lodor's tavern in the London District. "[S]ome smart lasses came in during the evening, who live just by, most of whom took a smoke with the landlord and landlady, passing the short black pipe from one to another."²⁶ He does not say if they were drinking. These women seem to have been perfectly free to come to the local public house to smoke and socialize with their tavern-keeping neighbours. And while it might be pointed out that they were in male company, their recourse

²⁵ EP, Aug. 22, 1804, Dec. 24 : Sept 5. 1805

²⁶ Joseph Pickering, *Inquiries of an Emigrant: Being the Narrative of an English Farmer from the Year 1824 to 1830, During which Period He Traversed the United States of America and the British Province of Canada with a View to Settle as an Emigrant [...]* (London: Effingham Wilson, 1831), 70-71; and, at Sovereign's, his next point of call (p. 73), "a girl of eighteen or nineteen, smart and lively but without stockings came for a pound of tobacco (some of the landlord's own raising) to learn to smoke she said."

to the public house in fact differs in no way from men's casual calls at local taverns.

Genteel Mary Gapper, later Mary Gapper O'Brien, was a customary tavern-goer who found amusement in public interaction with strangers. With her brother Southby, and his wife Mary, Gapper drove into York in 1829 to make social calls, but being "disappointed of our visits" they were instead "amused by the parties at the Inn" all apparently connected to the House of Assembly, who conversed in "enigmatic" terms on politics in one of the public rooms. She enjoyed witnessing several moments of heterosexual tension between her brother's wife, Fanny, and a young officer, both in the street and in the dining room of a public house.

We met a young officer whom we recognised as a friend of Mr. O'Brien's. That she might be able to describe him, and to make sure of the fact, she took due measure of him with her eyes. He also, it seemed, was attracted as he crossed our path several times while we were returning to the inn. Mr. O'Brien brought him in to dine with us, and as he caught sight of Fanny he opened his eyes, dropped his cap, and had much ado to regain his self-possession.

There is nothing in the passage that indicates any reluctance on the part of respectable women to engage in social encounters with unfamiliar men in public places, and there is nothing in Gapper's amused description to suggest her censure of the nature of the encounter between a married woman and a stranger. Gapper also noted more prosaic social interaction amongst men and women who were strangers to each other. Stopping at an inn for supper in the course of a stage coach journey, she met a "storekeeper, a modest intelligent man who seemed well pleased to be admitted to our conversation" and discussed Black settlement and tobacco cultivation in Upper Canada with him. She made fun, on the same occasion of a "young

Englishman playing the fine gentlemen."²⁷ For Mary Gapper, an Englishwoman and a clergyman's daughter, the taverns offered physical refreshment and also provided welcome opportunities for public sociability with new people.

Like Mary Gapper, other Upper Canadian women joined freely in tavern companionability in a variety of ways. Tavern dining was popular. In 1837, for instance, Harry Jones "[f]ound a strong party consisting of the 4 girls, Letitia Salter, John, Robert, Sam Forster, and Kyffin [at the wharf] - determined on dining at the County Seat, started accordingly and soon bought up at my old quarters [Palmer's Exchange Hotel] - dined and separated." John Bigsby commented upon a "very pleasing and talkative young lady in a most becoming green satin dress who sat next to my friend, a handsome young officer, at dinner that day," at the inn at Niagara Falls in 1850. James Buckingham in a comment which may include women noted in 1843 that "[a]t the table of our hotel almost everyone drank wine, beer, or brandy-and-water." Courting women called at country taverns in company with their beaux. While living in Chatham, Harry Jones "made an engagement to accompany Miss McDonald to Fisher's [public house] the next day which I did accordingly, and a very lover like trip we made of it." Similarly, from Kingston in 1841, a government clerk named Steers and "a damsel with him from Town" arrived at Fairfield's tavern in Bath about tea time. A tavern call may have been a common part of couples' walks and rides into the countryside on courting visits. Sometimes women simply joined with other tavern-goers to pass time in the

²⁷ Mary Sophia Gapper O'Brien, *The Journals of Mary O'Brien 1828-1839*, ed. Audrey Saunders Miller (Toronto: Macmillan of Canada, 1968), 46, 86-87, 75

taverns. Mary Lawson and "an Irishwoman" and Harry Jones had "'considerable of a spree' [...] and a grand rat hunt in the sitting room [at Lawson's tavern] - got a little screwy and went to bed." And, women called upon friends in the public houses and received callers there. "Mr. F[oott], Mrs. Foott and Susan Perrier came up to Church and called at Freeman's" tavern in Chatham upon Harry Jones in 1837. In Kingston, in the '40s he heard that "Mrs. Cockburn was at Daly's - walked up and called on her - found the fair widow looking as well as ever."²⁸

Women, together with men, sought out the taverns on their wedding days. At Wilson's Inn in Whitby in 1805, a Miss Tid, her fiancé Mr. Taylor, and a large company, "drank some whiskey" in the hours before the wedding. Brides continued to welcome recourse to the public house into the 1830s and '40s. At Burford's Brantford tavern in 1837, another "bride," even more anonymous than Miss Tid, drank a "glass of hot stuff", to mark her entry to adulthood, and according to the innuendo in Harry Jones' account, to put off the moment of consummation with "her new but very ugly husband [....] Faith! she stuck to the tumbler like grim death." In Hamilton in 1843 a wedding party made "themselves merry for two or three days in succession at different inns [....] singing and enjoying themselves." A "marriage party" arrived at a tavern near Niagara in 1849, "'pleasure bent' [...] two sleighs fastened together and drawn by four horses contained about a score of blythe folk, they sat two and two, on Buffalo robes, a small brass band in front, boughs of pine decking the sides of the sleighs, and a blue

²⁸ HJ, Sept. 22, 1837; John Bigsby, *The Shoe and Canoe: Or, Pictures of Travel in the Canadas [...]* vol. 2 (London: Chapman and Hall, 1850), 9; Buckingham, *Canada, Nova Scotia, New Brunswick*, 51; HJ, May 9, 1838 and for other excursions there with McDonald, May 8 and Sept. 11, 1837; For Fisher's as a public house see, HJ, Oct. 24, 1837; HJ, July 16, 1837, Sept. 2, 1841

ensign waving over the stern."²⁹ In their active and public celebration of marriage women acknowledged its importance in their lives and they continued to welcome taverning and public drinking as an appropriate way to do so, not only because of the ready availability of food, drink, and space, but also because of their association with conviviality and the symbolism of drink. Just as politicians inaugurated election to office with public dinners and toasts, or litigants reaffirmed formal good will through mutual treating at the bar, women marked marriage as an important rite of passage with public drinking in the taverns. And the public houses welcomed their patronage.

While these groupings support the observation that women taverned only in male company, they also show women's active engagement with public sociability. Women talked to strangers and sought amusement in the taverns, they dined, accompanied beaux, entertained social callers, and celebrated their weddings. In the process women expressed a willing engagement in public sociability.

Yet women's access to the public houses was controlled. We have already seen the power of customary regulation upon taverning in the discussions of drinking culture and tavern violence: a set of cultural practices which acknowledged the potentially dangerous nature of alcohol and physical confrontation worked to contain and limit each. Without

²⁹ EP, Sunday Oct. 27, 1805; HJ, Jan 22, 1837; National Archives of Canada (NA), RG5 C1, Upper Canada Sundries, Civil and Provincial Secretaries' Offices; Upper Canada and Canada West; Correspondence Received, vol. 270, file 1515, J.B. Robinson to the Lieutenant Governor, May 8, 1843. re: *Q. v Hugh McCulloch*, cited also in John Weaver, "Crime, Public Order and Repression: The Gore District in Upheaval, 1832-1851", *Ontario History* 78, no.3 (Sept. 1986): 183; Alexander, *L'Acadie*, 203.

entering into speculations about colonial approaches to the 'danger' represented by women in public places, it is evident that similar cultural regulation surrounded women's access to and use of the taverns. Little evidence has been found of women, travellers excepted, resorting to the taverns without male companions, whether husbands, lovers, friends or courtship partners, brothers, fathers, grown sons, members of large, mixed groups or bridegrooms. Women's taverning was generally regulated by a popular expectation that they come to the public houses in male company, to which women, customarily, acceded.

Women-only Gatherings

There are hints that some women, particularly bourgeois women, also acceded to contemporary constructions of womanly or ladylike behaviour by shaping their taverning in response. Gentle Catherine Parr Traill, for instance, had to pretend to her literary audience that she had never tasted alcohol. She reached an inn along the Peterborough road in a state of near exhaustion about midnight in the mid 1830s. "On seeing my condition the landlady took compassion on me [... and] provided a warm potation which I really believe, strange and unusual to my lips as it was, did me good." The potation was probably whiskey punch, or hot stuff, and by inference Parr Traill's reluctance to write with her usual clarity suggests it had become difficult for gentlewomen to drink in public by this period, attributable to the combined effects of bourgeois constructions of femininity and temperance ideology, both of which as a recent English emigrant, Parr Traill knew in a developed form. Women of the respectable classes, as opposed to the bourgeoisie, may also have distanced themselves from

public drinking by mid-century. Hope Shuman was a farm woman from Fredricksburgh township. She stopped, in 1853, with her husband and a large party at Clark's tavern near Kingston. She "was at the inn in the sitting room," while the others gathered in the barroom or another public room.³⁰ Parr Traill's literary treatment of the "potation" and Shuman's recourse to the sitting room are behaviours which conform to proscriptions governing women's deportment in the late 1830s and beyond. They contrast sharply with the women tavern-goers known to Ely Playter about the turn of the century, and to those encountered by Charles Fothergill at Fralick's in 1817. Both Parr Traill and Shuman, if their behaviour can be generalized upon, suggest that some women may indeed have withdrawn from public drinking and integrated taverning during the 1830s, making their use of the taverns different to the men whom they accompanied.

If women used the taverns differently than men, and differently in the middle third of the nineteenth century than at its beginning, need this be interpreted as evidence of an important exclusion from public life? In one sense of course it was - women lost a customary place in convivial public gatherings over drink. But an argument which emphasizes exclusion runs the risk of ignoring or devaluing women's alternate experience of the public houses. For, in the taverns, women often showed a preference for each other's company, usually gathering in spaces away from the barroom. Even though it is clear that early nineteenth century women enjoyed easy access to drinking companies, Ely Playter's diary suggests a concern amongst

³⁰ Parr Traill, *Backwoods of Canada*, 78-79; AO, RG 22-390, 58-2, Burns, Kingston 1853. *Shuman v Hearn*

them to find some time alone together. In March, on coming home to his tavern he found "Mrs. Moore and Mrs. Carpenter from the head of the Lake there, and Miss T[hompson] a'laughing in the kitchen"; at Beman's after an evening of music and conversation, the "young Ladys went to writing," and the men went upstairs for brandy and continued conversation amongst themselves. Because we know these women also drank and taverned in the public rooms it is an easy matter to see the element of choice in their separate sociability in this period. A description of an evening at Dow's tavern near Detroit in the early 1830s suggests that women appreciated each other's company as an opportunity to discuss their shared concerns and knowledge related to their labour within the household:

[M]y father and brother conversed with the settler about the soil here, price of land, crops and kindred subjects; my mother and sister conversed with the settler's wife about the hardships, trials, and sufferings of life here in the west. Woman is the first to notice and speak of the toil, care, hardships, and sorrows of life because she is the most patient and resolute in bearing them.

Even mediated through male eyes and words and in the context of a mixed gathering, the separateness and the gender specific nature of women's communication is evident. In 1841 at Chartres' tavern in Fredricksburgh township, Harry Jones "drank tea and talked to the women who mustered strong in the kitchen and almost all seemed blessed with babies." While there is no suggestion that the women's sociability excluded men, given Harry's ready acceptance into the kitchen company, there is evidence of women's use of tavern space away from the barroom and their interest in each other's company. At the Cataract House in Niagara Falls in the same decade, women tourists were more insistent upon the exclusivity of a women's-only

gathering. When a male traveller ventured out "upon the balcony, which the ladies seem to appropriate to their own use," he was met by young women who "tittered audibly and the words- *exclusion* and *intrusion*" reached his ears.³¹ Women's withdrawal to relatively secluded areas within the public houses bears a close resemblance to the withdrawal of polite society in early York to tavern parlours and upstairs rooms, and to the preference amongst bourgeois men in Kingston in the 1840s for sociability amongst a restricted circle. While women tavern-goers attuned their comportment both to the social constructions of femininity which distanced them from the public nature of mixed drinking companies, and to the association of drink with moral temptation and sexual ruin wrought by temperance ideology, it is nevertheless apparent that they valued the company of other women and sometimes resisted male intrusions upon it. It seems unlikely that any of them would have experienced the hours passed in female sociability as an 'exclusion.'

In terms of current feminist thought upon issues of women's inclusion in public life a more complex comment is necessary. Although women's use of the public houses can be paralleled to that of polite society and later to that of the bourgeoisie as a whole, tavern-keepers did not cater explicitly to women's desire for gender-specific gatherings. The weight of the evidence suggests that barrooms and other public rooms resisted the impositions of

³¹ EP, Mar. 10, 1802; May 6, 1803; A.D.P. Van Buren, "Pioneer Annals," *Pioneer Collections: Report of the Pioneer Society of the State of Michigan* 5 (1884): 241-242; HJ, Oct. 10, 1841; Morleigh, *Life In the West: Backwood Leaves and Prairie Flowers : Rough Sketches on the Borders of the Picturesque, the Sublime and the Ridiculous: Extracts from the Note Book of Morleigh in Search of an Estate* (London: Saunders and Otley, 1842), 181

women and their babies and that, in response, women crafted for themselves in tavern kitchens and balconies, spaces for the expression of female sociability. Perhaps they made a virtue of necessity, but perhaps women did not seek inclusion in barroom companies on male terms. In adapting the public houses to female sociability women joined in "a positive sense of group difference" that embraced the specificity of women's experience and implied a resistance to the masculinity of the public itself.³² The concept of women's culture, developed by theorists and historians lends credence to the analysis. They argue that as women conducted their lives within the common circumstance of legal incapacity and economic dependency, and within the shared experience of the work of marriage, with its cycles of pregnancy, birthing, and labouring for the household economy, these and the nurturant, mediating values associated with them, formed the substance of women's group identity and women's culture.³³ The

³² Iris Marion Young, *Justice and the Politics of Difference* (Princeton, N.J.: Princeton University Press, 1990), 171-173

³³ Historians of women's culture argue that gender distinct experience created a gender distinct set of values for women. See in particular Carol Smith-Rosenberg's classic article "The Female World of Love and Ritual: Relations Between Women in Nineteenth Century America," *Signs: Journal of Women in Culture and Society* 1, no. 1 (1975): 334-359. Historians of women in Upper Canada tend not to employ the concept of women's culture. Elizabeth Jane Errington in fact explicitly denies its existence on the basis of women's predominantly class identity, see *Wives and Mothers, Schoolmistresses and Scullery Maids: Working Women in Upper Canada 1790-1840* (Montreal: McGill-Queen's University Press, 1995) Janice Potter-Mackinnon in *While the Women Only Wept: Loyalist Refugee Women* (Montreal: McGill-Queen's University Press, 1993) traces the dismissal of women's refugee experience from the Loyalist Myth constructed in Upper Canada and focuses on their common experiences of war, economic support of their families, persecution, exile, and refugee life but does not directly introduce the idea of a women's culture. Katherine M. J. McKenna, "Options for Elite Women in Early Upper Canadian Society: The Case of the Powell Family," *Historical Essays on Upper Canada: New Perspectives*, ed. J.K. Johnson and Bruce G. Wilson, Carleton Library Series, 146 (Ottawa: Carleton University Press, 1991), 401-424, and "The Role of Women in the Establishment of Status in Early Upper Canada," *The Invention of Canada: Readings in Pre-Confederation History*, ed. Chad Gaffield (Toronto: Copp Clark Longman Ltd, 1994), 312-333, similarly looks at women's values in the private sphere and their manipulation of public status through private sphere values but does not refer to women's culture as a theoretical construct. Her more recent *A Life of Propriety: Anne Murray Powell and Her Family 1755-1849*, does adopt the perspective. Alison Prentice et.al., the authors of *Canadian Women: A History* (Toronto:

concept of women's culture, while it addresses private lives and not public behaviour, nevertheless points the way to a positive evaluation of women's place in the public houses. Instead of emphasizing exclusion and implying that women were figuratively banging on the barroom door because denied the right of free access, the concept of women's culture grants integrity and value to the separateness of female experience in the public houses as elsewhere even as it acknowledges the inequalities of women's lives.

Women Tavern-goers and Drink

There is a piece of very early evidence, in the form of a joke, published in the *Upper Canada Gazette* in 1798, which suggests women enjoyed easy access to tavern liquor.

A woman, very early one morning went into a tavern, called for a gill of New England rum and drank it. -- Upon which the lady who tended the bar expressed her wonder that she should drink so much rum on an empty stomach? Why la, says she my stomach is not empty, for I have drank a pint before this morning.³⁴

It is difficult to know how seriously to take the joke, while it was probably funnier because the tavern-goer was a woman, it seems unlikely that a joke would be structured about a deeply unfamiliar act. It implies at least, that some women not only went to the taverns alone but drank with freedom. Together with the women glimpsed in drinking companies in Ely Playter's diary - Andrew Thompson's wife at Stoyell's, Hannah Playter, Sophia Beman and Mary

Harcourt Brace Jovanovich, 1988), 22, maintain a questioning approach to the concept. In pre-industrial society they ask if separate work supported "a separate, gender-based culture that was different from that of men? If so, how did this cultural identity manifest itself?"

³⁴ *Upper Canada Gazette*, Nov. 3, 1798.

Thompson at three Niagara taverns, and Miss Tid at Wilson's on her wedding day - the early date raises the possibility that turn of the century women enjoyed freer access to drink than those who lived during its middle decades, as indeed ought to be likely. Yet, there is ample evidence that a woman who wanted a drink could go to a tavern and get one at least into the late 1840s. While reluctant drinkers, like Catharine Parr Traill, and women-only gatherings away from the barroom represent one aspect of women's relationship with the public houses, Margaret Lizars, introduced in the opening quote, and several other drinking women represent another.

A woman named Matilda at James Phillips' tavern north of Ganonoque in 1829 was perhaps one of them. Although she appears only once in his account book and we know nothing about her, she did make a barroom bet with William Dunfy, a regular patron of the house, which the tavernkeeper entered on Dunfy's account: "1 half pint do. [whiskey]. bet with Matilda."³⁵ Mr. and Mrs. William Cruden, a farming couple, drank together at a tavern in Burford township in 1839. "Mrs. Cruden came out of [the] tavern [...] with a bottle in her hand."³⁶ Mrs. Hillas, a member of the Baptist congregation in Dundas in 1847, went "to a Tavern and call[ed] for a glass of Liquor and dr[a]nk it."³⁷ Into the 1830s Harry Jones' diary

³⁵ NA, Daybook of James Phillips, 1828-1830, Mar. 5, 1829

³⁶ Susan Lewthwaite, "Violence, Law and Community in Rural Upper Canada," *Essays in the History of Canadian Law*, vol. 5, *Crime and Criminal Justice*, ed. Jim Phillips, Tina Loo and Susan Lewthwaite (Toronto: Published for the Osgoode Society for Canadian Legal History by University of Toronto Press, 1991), 359

³⁷ Lynne Marks, "Religion, Leisure and Working-Class Identity," *Labouring Lives: Work and Workers in Nineteenth-Century Ontario*, ed. Paul Craven, Ontario Historical Studies Series (Toronto: University of Toronto Press, 1995), 288.

also provides a record of continued public drinking by women, often quoted here with a different emphasis. It was his words for instance which captured the "bride," at Burford's drinking, with some desperation, a "Glass of hot stuff" in company with her new husband as the stage coach passengers spilled into the public room. He notes as well the customary drinking of tavernkeeper Mrs. Lawson, who was "notorious" for over-indulgence in drink. He mentions also that Mrs. Freeman, another married tavernkeeper, was drinking one night in June, 1837; she in fact got "rather tinged with the blue." Because Jones has become quite well known to us in the preceding pages as something of a snob who chose to mingle only with gentlemen and their families, or with the men and women of the emerging bourgeois class in the capital cities, his diary suggests, by association, that the women with whom he socialized in the taverns were amongst that class, for instance, "Mrs. Cockburn," the "fair widow" upon whom he called at Daly's Hotel in Kingston in 1841. When he writes, then, in 1843 that "in the evening walked into town and drank gin and water and talked of theatricals with Mrs. Armour at Belanger's,"³⁸ one of the principal public houses in Kingston, there is every reason to suppose she ranked similarly. The date and her probable social status caution against collapsing all respectably ranked women's taverning into the willingness of some to distance themselves from public drink in this period. Like the men with whom Jones taverned in the principal houses, and of course, Margaret Lizars, Mrs. Armour also expressed an interest in public drink and conversation in the tavern.

³⁸ HJ, Jan. 22, Sept. 2, June 19, 1837; Jan 30, 1843

Plebeian women also drank in the public houses. The "common women of the town," gathered together at Joseph Case's Hamilton beer shop in 1836, drank to excess, and made enough noise to disturb the neighbours. In the process they demonstrated a less constrained relationship to the public space than their more formally respectable counterparts.

Also in Hamilton, in 1835, Mrs. Ann Lindly frequented the tavern of Thomas Wilson. She was a poor woman, with two children and responsible for the support of her household. At some point in May of 1835 a member of the board of police, Jas. English, and the bailiff, Duffy, came to take her for rent. Their treatment of her was rough enough to leave Ann Lindly unconscious for several hours, provoke strong censure from a local barrister, a physician, and Thomas Wilson, the tavernkeeper, who knew her as a regular customer and spoke in her favour. Throughout the Board of Police investigation into English's and Duffy's conduct, Ann Lindly's relationship to liquor played a role. Although Lindly had bought liquor from Wilson "on the day the offense occurred" he "could not say whether she was in liquor but thought the treatment accorded her was improper." It seems to have been Ann Lindly's poverty, not a problematic relationship with alcohol which exposed her to physical danger and public humiliation (she was at one point "standing in a corner near the door of Mrs. Owen's house with her two children sobbing and crying.") Thomas Wilson said she "bought considerable liquor from him" but he "never saw her intoxicated."³⁹ Ann Lindly seems to have been a customary drinker who desired the sociability of the tavern, not the blunting effect of

³⁹ McMaster University Archives, Mills Memorial Library, Marjorie Freeman Campbell Collection, Hamilton Police Village Minutes, Dec. 19, 1836; June 1, 2, 1835

drunkenness. She found the tavern congenial and enjoyed unrestrained access. Thomas Wilson, at least, seems to have found nothing unusual in her habitual patronage of his tavern, although she apparently went alone, and he was more than willing to defend her as a controlled drinker. In fact there is nothing to suggest that anyone focussed upon her drinking as 'deviant' in gendered terms. Instead, underlying the tavern-keeper's statements about Lindly is a matter-of-fact assumption that a woman might choose to patronize the public houses for drink.

In 1847, tavernkeeper Thomas Robinson's account book shows one who did. His accounts for the Prescott tavern are overwhelmingly filled with men, with the exception of two women tavern-goers, Mrs. Welsh and Mrs. Wilson, widow. In addition, references to women appear under men's names. Robinson debited William Fraser's account for a half pint of beer "by Sarah," the same day Fraser himself bought two quarts. Similarly, Thomas Fraser Esquire's account shows a debit for " $\frac{1}{2}$ p[in]t Brandy /7 $\frac{1}{2}$ / Mr. W's[?] Girl." It seems likely that Sarah drank the half pint, given William Fraser's same day patronage, but the "Girl" may have been sent in by Thomas Fraser to buy him some brandy, although he too was an almost daily customer at the tavern. There may well have been other women drinking at Robinson's, perhaps with their husbands and hidden within a male account, or paying cash for their drinks and not therefore appearing in the book, but Mrs. Welsh and Widow Wilson were the only women who received credit in their own names. In the autumn of 1847, Mrs. Welsh came in for a gill of brandy on two separate occasions, and took a pint of beer as well. The amounts

suggest consumption in the tavern. Mrs. Wilson, widow, was a steadier customer. She appeared on the barroom accounts daily from November 31st to December 17th 1847, not before and not after, indicating she lodged at the central tavern. On her first day there, Mrs. Wilson bought a glass of whiskey, another of brandy and a few pints of beer. Again these are amounts for consumption on site. From then on she stuck with the beer and her tally at the last entry totalled fifty-six pints, an average of three pints a day. She also bought a pint for a "Girl" on November 31st, and another for Mary Wilson on the 2nd of December: "Mrs. Wilson, widow, p[in]t beer Mary Wilson/ 2 ½." A William Wilson also appeared within the same set of dates as the widow and he had a separate barroom account. Perhaps he was her adult son, but he was not drinking on her tally, which means Widow Wilson almost certainly bought drinks for her own consumption and perhaps treated callers and bought for other members of her party, for instance Mary Wilson and the "Girl." Her class position is unknown, but because it was not inexpensive to stay at a central hotel with a party of more than one she was almost certainly amongst the respectable. According to gender ideology and the pervasiveness of temperance ideals by the 1840s, Mrs. Wilson was theoretically out of place in Robinson's barroom. Yet, her deportment claimed otherwise and her daily patronage and the substantial amount of drink purchased, whether for herself, or as treats, shows a willingness and a desire to engage in public sociability over drink.⁴⁰

Ely Playter's journal, Harry Jones' diary, the Hamilton police records, and Thomas

⁴⁰ Upper Canada Village Archives. Thomas Robinson Account Book, 1843-1858, for Mrs. Welsh, p. 110; for Mrs. Wilson, pp. 115-116; for William Fraser and Sarah, p. 43; for Thomas Fraser and Girl, p. 44

Robinson's account book trace a half-century history of women drinkers in the taverns. Together they show women's willing participation in the unremarkable, everyday nature of most public drinking. At the turn of the century women were often casually included in drinking companies, and the joke in the *Gazette* hints at their customary consumption of liquor. In Margaret Lizars', Mrs. Welsh's, Mrs. Wilson's, the "common" women of Hamilton, and Ann Lindly's use of the taverns from 1835 to 1847, is evidence that some colonial women continued to enjoy public drinking in an era which redefined its meaning. All of them, by doing so, slipped beyond the parameters of ideal womanhood as it was developed in the colony in the 1840s. Margaret Lizars, although amongst the bourgeoisie, was probably too old to care about nineteenth-century constructions of feminine behaviour, and represented an approach to public sociability and drink more akin to Ely Playter's cohort, who were the same age as her children. And none of the others were really "ladies" anyway; that is, none of their lives combined economic dependence, marriage, mothering young children, and living in respectable circumstances. Widow Wilson headed her household, or she would not have had a separate account on the tavernkeeper's books. The "common women of the town" at Case's, the phrase implies, may have been prostitutes and they were certainly of the plebeian ranks.⁴¹ Ann Lindly, although she mothered young children, in her poverty lived too public a life to be a lady and she headed her household, however meagre. In other words, there is no evidence of 'ladies' in tavern account books, or sitting around barroom tables **drinking** in the 1830s and

⁴¹ *New Shorter Oxford English Dictionary on Historical Principle* (Oxford: Clarendon Press, 1993), s.v. "Town"

'40s as they did c.1802 in York. Possibly, Mrs. Armour at Belanger's who talked "theatricals" with Harry Jones over gin and water is an exception.

Conclusion

All this evidence of women's accedence to popular expectations that they tavern within the context of male companionship, of women's positive adaptation of the public houses to female sociability, and of the apparent openness of the taverns to women well into the decades which defined drinking as taboo, should not mask underlying tensions. In their taverning women expressed a desire for public life, yet were subject to popular regulations which required its tailoring to suit gender-specific terms of access and inclusion. The desire for public life grated against the limited range of options for its realization open to women. Understood as parenthetical to male companions and generally dependant upon them for access, women's experience of the public houses mirrored their dependant, non-autonomous relationship with society itself. A vibrant interest in women's-only gatherings nevertheless existed and while the taverns provided one limited setting for its expression, women's withdrawal to kitchens and balconies, suggests, ambivalently, both exclusion from the public rooms and an investment in the value of female sociability. And as the ideological context of drinking changed, women who valued their respectability found it increasingly difficult to take a glass in public. It is unlikely, albeit possible, that colonial women simply gave up their

traditional taste for liquor, instead they found it pushed into secrecy⁴² and disconnected from its association with sociability and conviviality and disconnected as well from the cultural practices which worked to limit and control consumption in the taverns.

Nevertheless, women drank, danced, smoked, conversed and caused a disturbance, or not, depending upon their class in the taverns of Upper Canada and it is their presence there which is the central message of this chapter. Moreover, the vast majority of the women who had sex in the taverns were not prostitutes, but came with husbands and lovers. Women travellers on stage coaches and private carts showed no hesitation in accessing the transportation services provided by the public houses. Some women lived at the taverns on a long term basis and together with married and widowed tavernkeepers, the daughters of tavern keeping families, and female servants, suggest a permanent female presence in many public houses. Women tavern-goers usually arrived with men, but they engaged freely in public sociability with companions and strangers alike. Although women's access to the public houses was less easy than men's and their relationship to public sociability, especially as linked with drink became more complex, the taverns were customary sites for women's sociability both in mixed gender groups and in women's-only gatherings away from the bar and other public rooms.

⁴² See Cheryl Krasnick Warsh, "'Oh Lord, pour a cordial on her wounded heart': The Drinking Woman in Victorian and Edwardian Canada," *Drink in Canada*, ed., Warsh, 70-91

Conclusion

Tavernkeepers tried to make a living by providing good service to the public who frequented their houses. The taverns enjoyed the patronage of respectable farm and artisanal families, bourgeois men and women, soldiers, travellers and emigrants, and the variety of occupational and rank groups who made up pre-industrial society. Some provided room for mixed race sociability. The taverns were multi-roomed with parlours, upstairs sitting rooms, dining areas, barrooms, private as well as many bedded sleeping rooms, and offered secure stabling and storage facilities. Tavernkeepers, some employing the skills of architects, designed tavern interiors to balance rooms used primarily for the public consumption of liquor with those providing for relative seclusion and those for large gatherings, like balls or inquests. Parlours and sitting rooms often provided the tools of polite social intercourse, like elegant furnishings or an attempt at them, tea tables and tea services, space for private dining, or the tools of literacy, books, desks and ample lighting. The public dining table was usually well provided with substantial, if monotonous food, good liquor, wine, or tea, and a proper selection of crockery, cutlery, serving utensils and seasonings, all of which enabled mannerly dining. Barrooms, typically, were sparsely and inexpensively furnished with pine benches, chairs and tables, usually a clock, and a rich selection of liquor. The arrangement of their houses enabled tavernkeepers to draw members of a diverse public to seek their particular entertainments at the taverns. Despite the common pattern of interior design, three broad and overlapping grades of public houses existed: backwoods or primitive taverns, characterized by

a promiscuous use of space and often appalling standards of service; the minor public houses, by far the most numerous category, offering decent and sometimes excellent accommodations in town and country alike; and the principal public houses of the towns and cities which provided superior entertainment and immediate connections to urban services and fashionable life. Although tavernkeepers, as a group, had a difficult time making a living in the trade, and two-thirds gave it up within five years, to focus on the farms, workshops, commercial enterprises or professions which most pursued simultaneously with tavern keeping, the taverns themselves evolved materially across the Upper Canadian period into an institution offering a range of choice to the public.

As an institution the taverns weathered the temperance decades remarkably unscathed. Although half a million people in the Canadas pledged themselves, in the 1840s, to give up drink, the number of taverns per capita remained constant. People had a more complex relationship with the taverns than one premised solely upon liquor and they found many practical reasons to continue going there. The taverns facilitated transportation in the colony, extended the sphere of economic activity as needed, provided a place for free political discussions and the workings of the democratic process, and functioned on many levels as a centre of community communications. The public services provided by the taverns explain their continued importance to the public despite the successful reforming crusades of the pre-Confederation years.

Nevertheless, people drank while waiting for the stage, treated each other over business deals and toasted political favourites, and the thesis explored the place of drink in

tavern culture. Critical contemporaries and historians associated the taverns with drunkenness, vice, and violence, but tavernkeepers and tavern-goers testified to a popular expectation of good order within the taverns. Drink was valued as a symbol, and both welcomed and respected as a substance. Sophisticated cultural practices monitored alcohol consumption, understood its consequences, and controlled and responded to excess. People expected reasonably restrained drinking behaviour in the taverns in which consumption ceased prior to drunkenness, in part because they recognised a link between drunkenness and violence. While there was a high tolerance for violence in colonial society and it was a legitimate tool of social negotiation, ritual and rule governed its expression, limited its eruption and controlled its damaging potential. In short, a complex of social expectations and cultural practices worked against drunkenness and violence in the taverns.

Taverning must also be understood beyond the culture of drink and the thesis described customary tavern pastimes, emphasizing taverning as a peaceful, civil pursuit. Song and dance, story-telling and conversation, each had a natural home in the tavern and created social bonds and a sense of group cohesion amongst inclusive and exclusive companies alike. Gaming was an equally natural tavern pastime, but because it was illegal, seems to have been engaged in with some discretion. Sporting activity, as various as cricket, wrestling, cock-fights, bowling, billiards and horseracing found space in some taverns. There was a tendency, amongst the socially respectable, to distance themselves from the rougher forms of customary tavern pastimes as the period advanced. They did not, however, distance themselves from the taverns, but continued to engage in more refined pastimes there, in gatherings characterized

by select membership and polite deportment and within the material settings created by tavernkeepers anxious to attract the custom of the socially privileged. Taverning traditionally included this second, exclusive, set of preferences. In the early settlement period these tavern-goers preferred to socialize together in parlours and upstairs sitting rooms for afternoons of music and polite conversation. By the late 1830s and '40s when a hierarchy of taverns had emerged fully in the colony, they patronised the principal public houses, emphasizing the ritual of fine dining in particular. If the activities they engaged in, eating, drinking, talking and singing, were no different than those enjoyed by the mass of tavern-goers, the relatively privileged nevertheless invested them with a different meaning and placed a great deal of importance in maintaining an appropriate degree of social distance. The facilities of late eighteenth-century parlours and mid-nineteenth century hotels each granted the space which allowed for social separation and sociability amongst a restricted circle. Overall, the popular regulation of drink and violence, and the civility of both popular and privileged tavern pastimes show the taverns as tavernkeepers and tavern-goers understood them - as orderly places of public resort.

Tavern-goers also reveal the tensions and complexities of race relations in Upper Canada. In some places and times Blacks, whites and Natives enjoyed integrated sociability and an apparent absence of "racial consciousness" characterised tavern gatherings. Yet, Natives and Blacks simultaneously shared the experience of a racial identity imposed by white society which defined them as 'other.' Both government policy relating to First Nations peoples and contemporary debate about the place and position of Blacks in society point to

the willingness of colonials to think in racial terms and react on the basis of characteristics associated with race. Each affected Blacks' and Natives' access to and inclusion within tavern sociability and their experiences of the taverns suggest that the term 'public house' had limited applicability for non-whites. The presence of Native people in and about the taverns was often commented upon, and sometimes linked to the image of the 'drunken Indian' by white tavern-goers. More often Native tavern-goers appear as participants in political negotiations held in tavern spaces, as parties to economic exchanges with tavernkeepers, as polite diners, and as drinking companions. Yet race certainly mattered and became most visible in moments of conflict, as in the tendency of white tavern-goers, for instance, to give a racial construction to tavern violence involving non-whites. From the Native perspective, the taverns seem to have provided a site for interracial and inter-cultural contact in various forms, but one which privileged European custom and culture in language and deportment. From the Black perspective, the taverns seem to have represented desirable sites for sociability to which Black tavern-goers enjoyed easy and customary access in many places and times. There is some indication that specific taverns known for a mixed race clientele were amongst the poorest, but nevertheless offered a well-frequented place for shared sociability amongst the marginalised. But violent eruptions challenging Black access to the public houses were also a reality and ranged from threats of ejection backed up by force, to murder. As such, the taverns must have been regarded by Black Upper Canadians, perhaps like other public places, as polymorphic sites, capable of transformation into frightening and dangerous forms on the basis of race. For them and for Native peoples who utilized the taverns primarily as sites of

interracial contact, the publicness of the public houses, in terms of accessibility and openness, was qualified.

The relationship of women to the taverns and to taverning was equally complex. As travellers, whether alone or with their husbands and families, women showed no reluctance to access tavern services. Some women lodged in country taverns and principal public houses for extended periods and moved freely about the public rooms. Women also engaged in tavern sociability in its full sense, taking food and drink in the public rooms, conversing with friends and strangers, calling with their beaux on courting excursions, stopping in for a smoke or some tobacco, or joining in a noisy dancing party. The presence of women and their children amongst the company in colonial taverns tempers their traditional association with male sociability. In their taverning, women, like men, expressed a willing engagement in public sociability. Yet gender affected its realization. Cultural regulation, in the shape of a popular expectation that women come to the public houses only in male company denied autonomous access to the taverns and tavern culture. It was an expectation to which women, customarily, acceded. Patterns of tavern use were similarly gendered, and more markedly so into the 1830s and 1840s, as hardening proscriptions governing conduct for respectable women made drink and public association increasingly difficult. Women tended to maintain distance between themselves and public drinking and when in a tavern in number, gathered together in kitchens, sitting rooms and balconies to enjoy sociability amongst themselves. Women's separate use of tavern space is open to dual interpretation. At one level women lost easy access to the customary place in convivial gatherings over drink enjoyed by highly respectable eighteenth

and early nineteenth century women. Yet women had also traditionally expressed a desire for female sociability within tavern gatherings, withdrawing to separate rooms after tea or drink in mixed company, and their practice of doing so into the nineteenth century can also be seen as positive evidence of the value women placed in female sociability and their willingness to adapt the public houses to its needs. Certainly not all women withdrew from public drink in the 1840s, and tavernkeepers willingly accommodated their custom. If no tidy or rigid relationship between women and the taverns can be established, it is possible to observe that women taverned, that they tended to do so in the context of male company as expected and, exceptions notwithstanding, women who cared about their respectability became increasingly reluctant to frequent the public rooms for drink as the period advanced.

Overall, the thesis argues that the taverns in colonial and pre-industrial Upper Canada were orderly and well-regulated places of public resort; legitimate sites for formal and informal association amongst a diverse populace. They were an integral part of Upper Canadian life, in the sense that they provided valuable public services which facilitated movement and communication in the colony, in the sense that taverning combined easily with working and family lives, and in the sense that group relations within the taverns were patterned according to popular ideas about the ways in which class, gender, and race affected social membership.

This interpretation makes a break with the image of the colonial taverns current in Canadian historical writing and popular imagination. It distances the taverns from their exclusive association with the history of drink and temperance. Not only are the taverns

presented as essentially reputable sites for reputable people, but, they also emerge from these pages as more than mere drinking sites. Instead of spaces housing the excesses of a heavy drinking frontier culture, the taverns are seen as the locus of family living, of polite sociability amongst the socially privileged, as sites of generally controlled and well-regulated behaviour, as points of access into an array of public services. In short the taverns were a complex and flexible social institution answering a variety of public needs or desires, of which drink was but one. As specialized buildings and services emerged in the colony, so the taverns 'declined,' or rather, focussed more exclusively on satisfying the people's need for sociability instead of their needs for transport or meeting space. In this respect the history of the taverns is as much a part of the familiar history of colonial institutional and state development as it is of the history of drink. But because the taverns were, simultaneously, sites in which members of colonial society forged bonds of mutuality and community and defined social relationships, the history of the taverns in Upper Canada also allows entry into wider theoretical and international discussions. Observations of the wide clientele who patronised the taverns suggests that understanding the public houses as the locus of an emphatic male sociability may be misleading in its simplicity and overlooks the significant presence of women in the public rooms, both as tavern-goers and tavernkeepers. The focus on women contributes to the historiography of early Victorian transformations in gender norms, particularly regarding the place of women in public places. The observation that the gathered company in some colonial taverns socialized without apparent "racial consciousness," as contrasted to eruptions of racist violence at other times, contributes to the historiography of race relations in colonial or

colonising societies. Thus the recasting of the taverns from simple sites of drunkenness and disorder into complex sites of public service and public sociability allows for a much fuller understanding not only of the taverns themselves, but more importantly, of the society and culture which sustained them.

The thesis pulls the colonial taverns closer to the public drinking places of the old world and republican America by exploring several trends apparent in the history of the Upper Canadian tavern that spanned national boundaries and cultures. Thus the only thing unique about the Upper Canadian taverns' facilitation of transportation, their extension of the sphere of economic activity and their provision of space for formal and informal association, was the timing: well into the second half of the nineteenth century. The grand English inns of London and the provincial cities, for instance, also lost their pre-eminent position in the network of trade and transport with the evolution of specialized buildings and services, but had done so just as Victoria came to the throne in England, a date at which the Upper Canadian inns and taverns were developing into their mature forms and remained fundamental to the provision of public services. And, as we have considered the provision of space for political expression to be an aspect of the taverns' public service functions there is another, related point to be addressed. In the international historical literature of the public drinking houses, titles like the "Parliaments of the People': The Political Culture of the Cafés in the Early Third Republic," or "The Tavern and Politics in the German Labour Movement," or *Eight Hours for What We Will: Workers and Leisure in an Industrial City*, abound. Many historians are explicit in naming "working-class" or "proletarian" cafés, wineshops, and taverns. Their works point to

the importance of the public houses for working-class specific organization and action. But in Upper Canada, while there were poor taverns where the socially marginalised gathered, and plenty of examples of what we might call "working-class" drinking groups, people like soldiers, labourers, butchers' assistants and pedlars, no evidence of rank or class centred expressions of group interest or solidarity in the taverns have been found in this period. Peter deLottinville's "Joe Beef of Montreal: Working-Class Culture and the Tavern, 1869-1889,"¹ which explores the network of practical and moral support offered by one important waterfront tavern to the working poor, suggests that these developments came later. The question of how and when the consciously working-class tavern emerged from those of colonial and pre-industrial Upper Canada indicates an important area for future research.

The history of women and gender relations in the taverns of Upper Canada similarly suggests an affinity to international experience. Recent work on the nineteenth-century Parisian café reveals parallels between urban European, and colonial public house sociability. In both places sexually respectable women of respectable economic status patronised the taverns, typically in the company of men. In both places the public drinking houses are seen as places for mixed gender sociability, including that of married couples. Although prostitutes seem to have been far more visible in the Parisian cafés, and women customers there as a

¹Susanna Barrows, "Parliaments of the People': The Political Culture of Cafés in the Early Third Republic," *Drinking: Behavior and Belief in Modern History*, ed. Susanna Barrows and Robin Room (Berkeley and Los Angeles: University of California Press, 1991), 87-97; James S. Roberts, "The Tavern and Politics in the German Labour Movement, c.1870-1914," *Drinking: Behavior and Belief*, ed. Barrows and Room, 98-111; Roy Rosenzweig, *Eight Hours for What We Will: Workers and Leisure in an Industrial City, 1870-1920*, *Interdisciplinary Studies on Modern History* (Cambridge: Cambridge University Press, 1983); Peter deLottinville, "Joe Beef of Montreal: Working Class Culture and the Tavern, 1869-1889," *Labour/ Le Travail* 8/9 (Autumn/Spring, 1981/82): 9-40

whole used the cafés as a point of access into political debate - a function of the taverns for women not apparent in the Upper Canadian sources - the shared evidence of respectable women's patronage suggests two things. First, there was nothing uniquely "colonial" about women's presence in the Upper Canadian tavern and the "frontier" ought not be marshalled as an explanation for the "aberration." Indeed and secondly, the coincidence of experience for urban European and colonial North American women is enough to cast doubt on the assumption that women, with the exception of prostitutes, did not frequent the public houses in the late eighteenth and nineteenth centuries. Taken together the evidence makes one suspect that ideas about women's absence may be historiographical error rather than a reflection of historical reality.²

A specifically North American public house history is indicated by the parallel material developments of republican American as compared to Upper Canadian taverns, and by the shared experience of negotiating the meaning of race within tavern sociability. Probably derived from a common root, the substantial English alehouses of the mid seventeenth-century and beyond, the inns and taverns of both republican America and the Upper Canadian colony shared the same architectural patterning, the same types and standards of food and lodging, a "democratic" or "independent" manner of public relations between keep and company, and the same willingness to distinguish between plebeian and privileged patrons by developing a hierarchy of public houses in which an upper echelon catered exclusively to the elite. In both

²W. Scott Haine, *The World of the Paris Café: Sociability Among the French Working Class, 1789-1914*, Johns Hopkins University Studies in Historical and Political Science, 114th ser., 2 (Baltimore: Johns Hopkins University Press, 1996)

countries the public house was open to all comers and, unless previously arranged, dining was at a common table at a common time, but those who sought social distance on the basis of rank or class position frequently found tavernkeepers to accommodate their desires, especially in the towns and cities. The taverns, in other words, replicated the material distinctions practised by members of late-eighteenth and early-nineteenth century North American societies.

The theme of race and race relations similarly links the histories of the public houses in Upper Canada and the United States. In both places evidence of mixed race sociability co-exists with evidence of violent racist assertions of whiteness in inns and taverns. Canadian historians, unlike historians of the United States, have neglected the history of Black-white relations. Yet, the insistence with which race makes itself felt in these pages as an issue which animated colonial tavern-goers points out the need for a fuller analysis. People cared about racialist issues in pre-industrial, colonial society - the taverns tell us that much. But there are simply too few fragments about Black taverning in the first half of the nineteenth century to reach firm conclusions or pinpoint change over time. Did the apparent ambiguity about the meaning of Blackness for inclusion in public sociability harden into certain exclusion over time, for instance about the 1840s when strictures governing women's access became tighter and when a full hierarchy of ranked public houses expressed a society's willingness to differentiate in terms of class? Was mixed race sociability a plebeian experience only? Did Black women frequent the taverns? Did poor whites erect colour barriers in Upper Canada as they did in the public houses and streets of the urban United States prior to 1850? Rather than

answering questions, this thesis, in its look at race and race relations, suggests the need to ask more about each in colonial history.³

Finally, Upper Canadian tavern-goers belonged to a shared Western European drinking culture. This is especially evident in the custom of treating. As in England, France and the United States, treating carried meanings of reciprocity and the ability to build and cement social bonds as a symbol of mutuality. Thus we find drink used as a symbol for uniting tavern companies variously defined by ties of neighbourhood, occupation, or family, by a business relationship, political interest, or shared concerns in each of the countries named in town and country alike throughout the period under discussion. The treating ritual, moreover, survived the transition to an industrial economy in the United States and England and served as a symbol not only of group mutuality but of mutuality as an oppositional value in the face of acquisitive individualistic capitalist values.⁴ Drinking culture, as it extends to amounts consumed, similarly suggests a rough equality between Upper Canadian drinkers and their counterparts in the United States and western Europe. The number of public drinking establishments did not differ markedly amongst these places, and if anything, Upper Canadian taverns were thin on the ground in comparison to European numbers. Taken together, common drinking rituals and similar rates of consumption, despite the low incidence of

³David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*, The Haymarket Series in North American Politics and Culture (London; New York: Verso, 1991); Michael Kaplan, "New York City Tavern Violence and the Creation of a Working-Class Male Identity," *Journal of the Early Republic* 15 (Winter, 1995):591-617

⁴See Rosenzweig, *Eight Hours for What We Will*, 59-61

taverns in the new colony, bring the Upper Canadian tavern-goer much closer to his or her companions in urban Europe.

The tavernkeepers and tavern-goers of Upper Canada participated in the creation of a settled colonial society. The material history of their taverns, the building of public settings of substance and comfort as soon as the passing of frontier conditions permitted, symbolized the public houses' engagement in the process of physical settlement and economic development. The taverns' provision of services and their flexibility in response to both frontier and settled conditions provided the public with points of access into networks of transportation, exchange, and communication as needed. The preference of keep and company alike for good order and civil sociability is indicative of a society who valued these more generally. Those who frequented the taverns were the same people who cleared the forests and made farms, who made their livings in artisans' shops, government offices and commercial pursuits and built the balanced agricultural economy of Upper Canada through their work. They founded voluntary societies and charitable organizations, they went to church and sent children to school, they read newspapers and discussed politics. They successfully integrated taverning with productive working lives and family responsibilities. Although there were alcoholics and abusive drunks in Upper Canada, their's is not the story of these pages. The focus here has been on the majority of tavernkeepers and tavern-goers whose preference for respectable surroundings and good order testifies not only to the character of colonial public houses but to the values of the settlement society which kept and patronised them.

Included in the creation of a settled society was the process of social differentiation. In the material development of the taverns and the emergence of a hierarchy of tavern styles the willingness to define and separate patrons on the basis of class is evident. In the patterns of patronage practised by women and non-white men is evidence that race and gender mattered and defined degrees of participation in colonial public life. The discussion of women, for instance, suggested that terms of access may have hardened by mid-century. Perhaps the same process affected Black and Native access. The question arises to what extent tavern-goers' willingness to make separations in the public houses based upon gender, class and race was a new social imperative, or merely a new ability to express latent and pre-existing socially felt divisions. This question cannot be answered by looking at the taverns; they merely mirrored wider social realities. But certainly part of the history of the taverns and tavern-goers from the 1790s to the 1850s is the story of social fragmentation amongst public house companies.

Note on Sources

Two of the primary sources listed below in the Bibliography require special mention: the Supreme Court of Ontario Judges' Benchbooks and the newspapers. As noted in the Introduction, the **benchbooks** contain judges' notes taken at the bench during the course of civil and criminal trials in the different courts of the colony. James B. Macaulay's are the earliest extant and date from 1827. John Beverley Robinson's benchbooks are available from 1829. After 1840 the benchbooks of Christopher Hagerman, William Draper (after 1847), Robert Baldwin Sullivan (1848), Robert Burns (1850), and William Buell Richards (1853) are also available. Jonas Jones was appointed to the Bench in 1837 but only one of his benchbooks (1846) is extant. (William H. Blake (from 1849) also left benchbooks covering the period of this study, but these concern Chancery proceedings only.) In all, the benchbooks of eight judges have been used which, as a group, cover the period 1827 to 1855, the cut-off date of this study.

I used the 1827 and 1829 records in their entirety. From 1830 to 1855, I read the benchbooks at three year intervals in the Eastern, Midland, Home, Niagara, and Western Districts, researching 58 in total. My concern was to note both change over time and any regional variations in tavern use. The benchbooks were organized by the judges according to District and date, facilitating consistent regional coverage for researchers today.¹ The three year interval seemed long enough to use research time efficiently, as the source is both a dense

¹After 1850 Assize sittings are listed by the Judges by town or city and no longer by District.

and a difficult one requiring long hours per benchbook, yet short enough to maintain touch with patterns of tavern patronage and use. The planned three year interval did not always coincide with an extant benchbook, however, and in such a case I turned to the closest available date for that District and judge. Thus, dates for 1831, '32, '34, '35 and etcetera, which theoretically should not appear in the footnotes, do, in fact, appear there. The Western District serves as an illustration. James B. Macaulay leaves benchbooks for court sittings there in July 1827, July 1832, July and October 1835, May 1841, May 1843, May 1849, and April-May 1852. John Beverley Robinson's Western District benchbooks are dated August 1830, August 1833, August and September 1836, September and November 1842, April to May 1845, September to October 1848 and October 1850, which conform almost perfectly to the planned three year intervals. Christopher Hagerman's Western District benchbooks were researched for September 1843 and September 1845 - his only extant sittings there. Jonas Jones' one book contains a Western District sitting for October 1846. Robert Baldwin Sullivan heard cases there in April and May 1851. William Henry Draper leaves bench notes for Western District trials in September 1849 and September to October 1851. The other Districts were treated in the same way. Obviously, not all of these bench notes contained information of relevance to the history of taverns and taverning in Upper Canada, but the organization of chronological research both by District and by Judge presented the best means to access as much evidence as possible. While the research strategy employed here was designed to ensure reasonable and secure coverage of taverns and tavern-goers over time and space, the high quality and the uniqueness of the evidence yielded by the benchbooks suggests

that their comprehensive study would be rewarded with new insights into the social, cultural and, indeed, legal history of the pre-industrial years - an era when few other sources allow such direct access to words as they were spoken by most Upper Canadians.

The **newspapers** were used for specific information and primarily only the advertising columns were consulted. Tavernkeepers' advertisements made it possible to trace the material development of the taverns in terms of architecture, size, levels of comfort, and the relative sophistication of services provided to travellers and local patrons. In addition, the advertisements of stage coach lines revealed the taverns' role in transportation. Advertisements of voluntary associations, government agencies and private businesses revealed the taverns' functions as meeting places, places to conduct official business and as places for private business. Again, I researched the four main regions of the province - the earliest settled regions about Kingston and Niagara, the central York/Toronto area, and the predominantly later settled Western region. The newspapers are arranged in the Bibliography accordingly. The comparison of old and new areas meant a comparison of relatively urban versus 'frontier' taverns was possible. The advertisements indicated that, overall, a hierarchy of taverns existed. Newspapers were chosen according to their dates of publication in order to cover the period in full. I read each paper at four month intervals (January, May, September) every other year. An attempt was made to balance Reform papers against their Tory counterparts, for instance, note that in Toronto both the *Advocate* and the *Patriot* were used for the 1830s. On occasion other newspapers were used for particular information. When British traveller Patrick Shirreff, for example, referred to a "riot" at a St. Catharines hotel in

1833, I turned to the *Farmer's Journal and Welland Canal Intelligencer* of that year, and indeed found a lengthy description of the incident which appears in Chapter 3. But in general, and after initial forays, I did not make any effort to read the editorial or news columns for tavern stories or commentary. Certainly another researcher might find information there about atypical tavern occurrences (about what was 'news'), or about the way temperance activists saw tavern life, but my concern was to reconstruct the ordinary patterns of tavern life - patterns more evident in diaries, court records, licensing records, and indeed, advertisements.

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