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Aller au sommaire du numéro

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Résumé de l'article

L'on sait peu de choses sur la manière dont on assistait les pauvres du Haut-Canada au tournant du XIX^{e} siècle. Cet article se penche donc sur les changements idéologiques et structuraux qu'a subis cette assistance jusqu'à la fondation du premier asile pour les pauvres à Toronto en 1837.

L'auteur se penche sur les divers moyens qu'ont employés plusieurs sociétés à buts charitables pour alléger le fardeau du pauvre, et de même, il attire l'attention sur le fait que, bien que ces organismes aient pu être efficaces avant 1828, après cette période, le nombre grandissant de gens dans le besoin, les coûts inhérents et les problèmes sociaux qui en découlèrent ont fait en sorte que l'intervention de l'Etat soit devenue non seulement désirable mais tout à fait nécessaire.

Enfin, l'auteur tente également de voir comment les changements qui s'observent au Haut-Canada sont reliés aux débats en cours, dans l'Angleterre de l'époque, au sujet de la loi concernant les pauvres. Il suggère aussi que ces événements ne sont peut-être pas étrangers à la nomination de Sir Francis Bond Head en tant que lieutenant-gouverneur du Haut-Canada, en 1836, puisqu'il avait été impliqué dans ces débats en qualité de « Assistant Poor Law Commissioner ».

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Paupers and Poor Relief in Upper Canada

RAINER BAEHRE

I

Historians know little about poor relief practices in Upper Canada before 1840.[1] There is some reason to believe, though, that both the structure and ideology of relief in the colony underwent significant changes between 1817 and 1837. Indicative of this transformation is the supplanting of voluntary societies by a more formal and permanent mode of relief, the House of Industry. Its appearance in Upper Canada coincides with the implementation of the portentous English Poor Law Amendment Act in 1834 and follows in the wake of unprecedented immigration of paupers after 1828 into the colony, suggesting a relationship between the poor law debate, immigration, and Upper Canadian poor relief practices. A principal purpose of this paper, therefore, is to examine the origins, structure, and ideology of poor relief in Upper Canada and explain where possible why these practices changed. As well the institutional structures of poor relief will be viewed within the context of the "asylum,"[2] namely, that the institutions themselves embody attitudes, ideas, and socio-economic concerns in terms of their architecture and regimen. Finally, the introduction of the House of Industry with the mysterious arrival of Sir Francis Bond Head as lieutenant governor to Upper Canada in 1836, it is suggested, may very well be related, for he had previously been Senior Assistant Poor Law Commissioner in England.

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1. This period in the history of poor relief in Upper Canada has been called "obscure". See Stephen A. Speisman, "Munificent Parsons and Municipal Parsimony: Voluntary vs. Public Poor Relief in Nineteenth Century Toronto", *Ontario History*, 65 (March 1973), p. 35. Related studies include Richard B. Splane, *Social Welfare in Ontario 1791-1893* (Toronto, 1969), esp. p. 44; Margaret Angus, "Health, Emigration and Welfare in Kingston, 1820-1840", in Donald Swainson, ed., *Oliver Mowat's Ontario* (Toronto, 1972), pp. 120-35; and Edith G. Firth, ed., *The Town of York, 1815-1834* (Toronto, 1966), pp. lxii-lxvii, 222-59. Fine overviews of the problem of poverty are provided by Judith Fingard, "The Winter's Tale: The Seasonal Contours of Pre-Industrial Poverty in British North America, 1815-1860", *Historical Papers*, (1974), pp. 65-92; and Dennis Guest, *The Emergence of Social Security in Canada* (Vancouver, 1980), esp. pp. 1-38.
2. For example, see Peter L. Tyor and Jamil S. Zainaldin, "Asylum and Society: An Approach to Institutional Change", *Journal of Social History*, 13 (Fall 1979), pp. 23-48.

II

Upper Canadian legislators had rejected the English Poor Law system in the 1790s. In so doing they were likely responding to the almost universal criticism of poor relief practices in England in that period.[3] While there were still some in the intervening years before 1834 who continued to defend the Poor Laws as a "distinguished monument" of the "humanity of the British nation and a duty of charity," critics frequently blamed poor relief practices for growing pauperism, indigence, and vice in the Industrial Revolution. Particularly, they denounced the "Speenhamland system" which was used to subsidize wages by means of the poor rates, especially by agricultural labourers, during times of economic distress. Critics condemned this judicial decision, which was never formally legislated, because it discouraged the able-bodied from working, finding a job, or providing for themselves and their families. Within this debate, one can discern a continuing commitment by members of the propertied classes to the pre-industrial idea of social and community responsibility towards the non-propertied, a trend which would be reversed in the 1830s.

The main catalyst for this ideological shift was the spiralling cost of relief in the early nineteenth century which was regarded as an obstacle to the accumulation of capital. Critics of the old Poor Law successfully called for increased voluntary charity, self-help, and perhaps most significantly the classification of persons seeking relief into "deserving" and "undeserving" categories. Henceforth, able-bodied persons were excluded from acquiring relief except under the aegis of a workhouse, working for their relief by carrying out indoor or outdoor chores.

The formal institutionalization of these views followed the creation of the Poor Law Commission in 1832 and the passing of the Poor Law Amendment Act in 1834. While the subsequent changes in relief practices were gradual and often incomplete, nevertheless, the overall approach to poor relief altered in a permanent fashion, heralding structural and ideological repercussions, "powerful forces whose impact is not yet spent," whose legacy has led some to call the Poor Law Amendment Act a "revolution" and "the great transformation."[4] Among its other effects, it helped to strengthen the development of a free labour market necessary to the growth of industrial capitalism in England during the nineteenth century.

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3. J.R. Poynter, *Society and Pauperism: English Ideas on Poor Relief 1795-1834* (Toronto, 1969), p. 44. Also see E.P. Thompson, *The Making of the English Working Class* (Harmondsworth, 1968); E.J. Hobsbawm, *Industry and Empire* (Harmondsworth, 1969), pp. 79-96; Brian Inglis, *Poverty and the Industrial Revolution* (London, 1971); G.M. Trevelyan, *English Social History* (Harmondsworth, 1967), pp. 476-98; and Richard Allen Soloway, *Prelates and People: Ecclesiastical Social Thought in England, 1783-1852* (Toronto, 1969), pp. 126-92.
4. J.D. Marshall, *The Old Poor Law 1795-1834* (London, 1968); Michael E. Rose, *The Relief of Poverty 1834-1914* (London, 1972); Derek Fraser, ed., *The New Poor Law in the Nineteenth Century* (London, 1976); Sidney and Beatrice Webb, *English Poor Law Policy* (New York, 1910); and Karl Polanyi, *The Great Transformation* (Boston, 1957).

Some definite parallels exist between the English and Upper Canadian approach to poor relief in this period. The colony had excluded the Poor Law system. Yet, developments in the mother country made an impact, insofar as the colony inherited British paupers, British voluntary societies, and certain recommendations of the Poor Law Commission. In turn, these affected colonial modes of relief which reflected uniquely Canadian conditions. An institutional example of this change is the appearance of the Emigrant Asylum about which more will be said.

Judging on the basis of types, numbers, and operating costs, it is fair to say that Upper Canadian poor relief practices changed in a structural sense between 1817 and 1837. Prior to 1817, no institutional mode of relief existed; instead, magistrates occasionally sanctioned payment or support for individuals in distress. In 1817, the first major welfare agency made its appearance at York, the Society for the Relief of Strangers, which was a voluntary organization.[5] Modelled on a similar society in London, England, its object was "to afford relief to Strangers who having no legal settlement in England are not entitled to parochial relief under the poor laws." There had until then been no need to pass legislation to deal with the colony's poor because of the "happy state" of Upper Canada. Beforehand, the legislature through district magistrates had allotted "a distinct and liberal provision" to individuals in distress. The increase in immigration following the end of the Napoleonic Wars, however, had resulted in "much apparent and temporary distress" beyond the ability of this system to cope with. Thus, this society had come into existence "for the special purpose subserving to the wants and alleviating the misery" of destitute emigrants. Funded by subscriptions from "the charitable and well-disposed" townspeople of York, Chief Justice Powell presided over its initial organizational meeting, with Archdeacon John Strachan becoming its first treasurer.[6]

The Society for the Relief of Strangers operated successfully in this manner for just over a decade. One way of possibly determining the extent of poverty in the community was how many were helped. During the period 1817-28, "hundreds" had "by its exertions been rescued from the greatest misery." Of these, "many" became "respectable and even affluent Farmers and Tradesmen."[7] In subsequent years, hundreds needed assistance in a single season of emigration. Moreover, the society appears to have coped well with the demands placed upon it. More than subsistence needs were met. In 1827, for example, William Allen, secretary-treasurer of the society, made only thirty-four entries in his account book, with relief consisting of flour and meat in most cases. But the society also supported some orphan children, paid a hospital bill, bought a truss, purchased paint,

5. Upper Canada, *Journals of the House of Assembly*, 24 March 1817; and "Meeting of the Society for the Relief of Strangers in Distress", *Upper Canada Gazette*, 13 April 1820.
6. Public Archives of Canada (hereafter PAC), Founding of the benevolent Society and Emigrant Asylum (c. 1829), RG7 G14, vol. 55, pp. 8734-8.
7. *Ibid.*

and paid a labourer's passage to the Welland Canal. Most entries in the 1822-28 period are in this vein.[8]

A marked change occurred in 1828 when £50 in subscriptions and another £70 in church donations assisted eight hundred men, women, and children.[9] This very dramatic rise can be attributed to the increase of able-bodied and non-able-bodied individuals coming to the Canadas, a comber in 1828 which would become a tidal wave between 1829 and 1836.[10] The Society for the Relief of Strangers in Distress decided in 1828 to change its name to The Society for the Relief of the Sick and Destitute "with the view of making it more acceptable to the inhabitants and thus increasing the subscriptions and consequently the means of doing good." Significantly, relief was accorded local paupers, not just strangers. But, to qualify for relief, one had to be both sick and destitute, with others being now excluded. In making this change, Strachan complained, the society in 1828 was losing its character as its "original promoters" were being "displaced" by others;[11] and, implicitly, less discretion could now be exercised over who might be entitled to relief.

As the society faced more demands for assistance, there was immediate pressure to raise money. This effectively changed it from a strictly voluntary charity to one dependent on a system of quasi-taxation which proved notably unsuccessful. Under the old system, the onus had fallen almost entirely on the society's subscribers and church collections. Thus the membership of the society decided to approach the town's inhabitants, dividing it into nine wards, and using "two respectable Gentlemen" as "Collectors" for each ward. The collectors managed to accumulate £58.8.11 more, but also encountered much hostility. "Many" among them refused to continue in this capacity because "of the disagreeableness of the Service, that they were in many instances treated and in some actually insulted."[12]

In this year as well, individual contributions came to supercede church collections. Only one collection was made in York's Episcopal, Roman Catholic, and Baptist churches. While £170 was raised, expenditures amount to £201, the balance being paid from the previous "savings" of the society. Funds were "entirely exhausted" by the end of 1828, raising the concern at the time, which proved to be valid, that "many poor families would be reduced to great suffering" unless more was done. The result was a new form of poor relief in Upper Canada, The Emigrant Temporary Asylum.[13] Its appearance marks a definite shift in poor relief practices from societies based on an individual/voluntary mode to a very different institutional mode partially supported by the provincial treasury.

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8. Baldwin Room, Toronto Metro Library (hereafter Baldwin Room), William Allen Papers, Account Book of the Society of Friends for the Relief of Strangers.
9. Founding of the benevolent Society and Emigrant Asylum, p. 8735.
10. See Rainer Baehre, "Pauper Emigration to Upper Canada in the 1830s", *Histoire sociale-Social History*, 14 (November 1981), pp. 339-67.
11. Founding of the benevolent Society and Emigrant Asylum, p. 8735; and "Meeting of the Society for the Relief of Strangers in Distress", *Colonial Advocate*, 11 December 1828.
12. Founding of the benevolent Society and Emigrant Asylum, p. 8735.
13. *Ibid.*

Basically "a log building in the form of a large barrack room with a double tier of berths," the Emigrant Asylum accommodated fifty-four persons in all, an estimated thirty to forty families. Initially a Committee of Management made up of resident clergymen from various denominations in York and appointed by subscribers at the annual general meeting determined its affairs. This committee also inspected the asylum as well as examining "the pretension of all who apply for assistance or admission into the asylum." They were empowered "to discharge from the lists all who are found unworthy or who for any cause are not deemed proper objects for the Society's Benevolence."[14] Later, the society was reorganized and the superintendent thereafter admitted and discharged inmates. Overall, its function was distinctly different than The Society for the Relief of Strangers in Distress. The latter had expanded its role slightly to include "the aged—the infirm—deserted women and children" while the Emigrant Asylum accepted "deserving" emigrants.[15]

By looking at the combined Account Book of the Emigrant Asylum and the Society for the Relief of the Sick and Destitute, one discovers both indoor and outdoor recipients. Altogether, 135 separate families, amounting to 582 persons, were relieved between 1 May 1831 and 1 May 1832. The average length-of-stay was usually less than two weeks in the Emigrant Asylum. Persons on outdoor relief received beef and flour. Their number varied, but increased steadily between April and December of 1831.

Table 1 — Persons Given Provisions by the Society for the Relief of the Sick and Destitute for April-December 1831

Month	Men	Women	Children	Total
April	21	30	89	140
May	27	33	105	165
June	40	62	142	244
July	53	93	262	408
August	56	92	269	417
September	58	99	260	417
October	64	108	335	507
November	101	142	441	684
December	119	169	485	773

SOURCE: Provincial Archives of Ontario, MU 2105, Misc. MSS No. 7, 1831, Emigrants, Temporary Houses at York.

Everyone wanting outdoor relief had to be signed in by a Visitor of the Emigrant Asylum. From these entries, it becomes clear that some emigrants had been

14. *Ibid.*
15. For further background on the categorization of paupers, see Inglis, *Poverty and the Industrial Revolution*, esp. pp. 41-64.

taken in by a local family, but many others had their own addresses, living at the Don Bridge, the Block House, the "Poor House" (probably the Emigrant Asylum), the Emigrant Asylum, and the Commons.

As pauper emigration into Upper Canada increased between 1829 and 1836, social welfare services expanded too. Many destitute newcomers were sent to the townships via York by various emigrant societies. This led to a proliferation of charities in the town, both in number and type, supplementing The Society for the Relief of the Sick and Destitute. Lieutenant-Governor John Colborne took several *ad hoc* measures, such as granting small plots of land to destitute emigrants and supplying them with some provisions and tools which the Colonial Office was reluctant to have him do and which was done because charities could not cope with the needs of these emigrants until they somehow became self-supporting. For the same reason, Colborne put destitute emigrants to work on public projects like canals and roads, billeted destitute families with local inhabitants, encouraged farmers and others to hire and apprentice destitute labourers or women and children as servants and keepers—measures considered wholly inadequate for this purpose as early as 1829.[16] Colborne, furthermore, took the responsibility of establishing emigrant societies and placing emigrant agents at the main Upper Canadian ports along the St. Lawrence River,[17] this, too, being really another form of poor relief because these agencies gave information, passage, and food specifically to destitute emigrants.[18]

Where did the money to pay for these services come from? As voluntary subscriptions and donations became unequal to the task, Colborne, for instance, authorized subsidies to builders of two-thirds of the cost of building roads and bridges which would then give employment to the destitute.[19] Moreover, a five-shilling tax was imposed on all emigrants to the Canadas in 1833. One quarter of the proceeds of this unwelcomed tax, which emigration promoters feared would discourage potential newcomers, went to the Emigrant Society at Montreal and Quebec in order to forward "destitute emigrants as far into that province [Upper Canada] as funds permit."[20] Money was directly spent on cholera relief, the King-

16. PAC, Colborne Papers, MG24 A40, vol. 3, pp. 606-8, Memorandum, Strachan to Colborne, 5 September 1831.
17. *Ibid.*, vol. 25, pp. 7660-73, Colborne to the Duke of Argyll, 8 October 1840.
18. Any direct assistance to emigrants was to be "strictly confined, in all parts of the province, to the charge of conveyance to the townships where they have a prospect of obtaining employment." See McMahon to Johnstown Emigrant Society, *Brockville Gazette*, 3 May 1832.
19. Baldwin Room, Minutes of the General Quarter Sessions for the Home District, 21 April 1832, Peter Robinson to John Gamble, 11 April 1832. Also see "Public Meeting to Relieve Poor", *Correspondent and Advocate*, 28 December 1836.
20. Upper Canada, *Statutes*, 2 William IV, Chap. 7; and Baldwin Room, H.S. Chapman, "Report on Emigration to the Canadas", *Appendix to the Poor Law Report* (hereafter Poor Law Report), pp. 42-5. The pro-emigration solicitor-general in Upper Canada, Christopher Hagerman, complained that this tax would reduce emigration. See *Cou-*

ston and York Hospitals, the Prescott Emigrant Society, as well as the York poor, amounting to £12,675.12.11½ between 1831 and 1834. Another £31,728 was spent by the Emigation Department without direct legislative approval.[21] In addition, Lady Colborne, wife of the lieutenant governor, arranged four bazaars between 1831 and 1833, helped by Miss Yonge and a Committee of eight "ladies", raising £1,100 and 315 blankets, 1,158 woolen garments, and 120 sets of baby linen. These were distributed through the Society for the Relief of the Sick and Destitute. Too, during the winter of 1831, sixty cords of wood were given away, and £200 was for tea, sugar, oatmeal, extra clothing, and house rent for sick persons at home.[22] One can rightly conclude that the pressing contingencies of a population explosion of 100 per cent between 1829 and 1836, of which destitute emigrants represented from 9.38 per cent to 39.37 per cent, necessitated the growth of relief services and their functional differentiation.[23]

The sick were themselves placed into various categories. In 1828 the York Hospital had begun treating "the indigent poor" for fever and eye diseases,[24] but two years later its funds were "wholly exhausted"[25] and as a result lunatics outside of the Home District were refused admission.[26] Whereas the hospital treated the most serious cases only, the Society for the Relief of the Sick and Destitute tried to solve "a major problem," which was providing for convalescent patients who were destitute but had "no means to procure for themselves comfortable lodgings." These destitute sick often suffered relapses requiring rehospitalization.[27] The Upper Canadian parliament also passed legislation in 1830 and 1832 which gave relief to the destitute insane who were frequently ending up in the District gaols in order to survive.[28]

The largest body of pauper emigrants to enter Upper Canada in this decade came in 1832 with the estimated arrival of ten thousand. Already before any out-

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rier, 11 April 1832; *Patriot*, 24 April 1832. In contrast, Lord Goderich, the colonial secretary, stated that the tax was necessary because of "the accounts which have reached this country of extreme sufferings." Goderich to Colborne, 20 September 1832, in Upper Canada, *Journals of the House of Assembly*, 3 December 1832.

21. See Robert D. Wolfe, "Myth of the Poor Man's Country", (M.A. thesis, Carleton University, 1976), p. 234.
22. PAC, Colborne Papers, MG24 A40, vol. 29, pp. 8464-6, Annual Meeting of the Stranger's Friend Society, 14 December 1833.
23. Baehre, "Pauper Emigration to Upper Canada in the 1830s", p. 347.
24. First Report of the York Hospital, *Journals of the House of Assembly of Upper Canada*, (1830), p. 38.
25. Annual Meeting of the Stranger's Friend Society, p. 8465.
26. *Minutes of the General Quarter Sessions for the Home District*, 27 April 1832.
27. Annual Meeting of the Stranger's Friend Society, p. 8466.
28. Upper Canada, *Statutes*, 1 William IV, Chap. 20; 3 William IV, Chap. 45.

break of cholera, different types of poor relief were being arranged such as the Lying-in Hospital for pregnant women, which was recommended by the Upper Canada Medical Board owing to the "destitute condition in which many arrive."[29] The cholera epidemic that year merely exacerbated an existing and pressing problem, leading to the formation of The Society for the Relief of Orphans, Widows and Fatherless, Caused by the Cholera, as part of the Society for the Relief of the Sick and Destitute. The former society convened twice monthly between August 1832 and August 1834, helping 745 persons, mostly orphans, in this period.[30] Committed to "the frugal regulation of all expenditures," its aid consisted of paying for steamboat passages and binding out children under the direction of Mr. Cooper, the superintendent of the orphan house.[31]

Notwithstanding such efforts, there remained destitute and orphan children excluded from the benefits of existing charities. One finds Thomas McHaffee asking the city for help in supporting two children, Eliza and Alfred Dodomay, aged ten and six, whom he had discovered sitting on a neighbour's step. The girl had told McHaffee that

> her sister was burned to death some time ago, that her mother had died of grief, and that her father was lying for death in the hospital. The woman she had lived with ran away and the man had turned her and her brother out. She had nowhere to sleep, nothing to eat, nor no clothing but an old frock to put on."[32]

McHaffee had taken the children in, but was now unable to support them both. There was also Catherine McGan who petitioned city council to assume support for a deserted child of six weeks of age which had been left her. She could no longer afford to support the child. Similarly, a "poor widow" ordered to move from her dilapidated shanty asked the city for support for her six children, including two adopted orphans raised by her "individual industry." A widow for eight years, she had "suffered many privations notwithstanding she maintained her orphans by the sale of fruit and vegetables, without receiving any elemosynary [sic] aid or assistance whatsoever." She was too poor to move without subjecting herself and the six orphans to "utter destitution" unless council intervened.[33]

The problem of children being left without means of support led to the founding of a Children Friend's Society in Toronto in 1835, which used apprenticeship as a form of poor relief. This function was later embodied in the House of Industry, one purpose of which was the apprenticing of children. Joseph Talbot initially requested patronage for this society from the mayor of Toronto, R.B. Sullivan.

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29. "Medical Board Recommends Lying-in Hospital", PAC, Upper Canada Sundries, vol. 115, cited in Firth, *The Town of York*, p. 236.
30. *Christian Guardian*, 17 September 1834.
31. Annual Meeting of the Stranger's Friend Society, p. 8465.
32. Archives of the City of Toronto, Toronto City Council Papers (hereafter Council Papers), Thomas McHaffee to the Board of Alderman and Council, 8 July 1834.
33. *Ibid*, Petition of Catherin McGan, 23 September 1835; and *ibid*, Petition of Elizabeth Guest, 23 June 1835.

A select committee, chaired by R.H. Thornhill, then recommended that city council "afford their countenance" to the society, later reporting that it could not refrain "from expressing their satisfaction that so useful and benevolent a Society" had been formed, hoping it would be "eminently successful, and useful to the children thus relieved from distress and misery as well as to the individuals in this country who may offer employment to them." Apart from Colborne's patronage, its supporters were John Beverley Robinson, Bishop Mountain of Quebec, Archdeacon Strachan, and other prominent citizens.[34]

Modelled on a founding chapter of the society in London, England, and in conjunction with its Kingston counterpart, the main purpose of the Children Friend's Society of Toronto was to bring pauper emigrant children from Great Britain, train them to "habits of industry," and instruct them "in moral and religious duties." While girls were to be "apprenticed as domestic servants to families," boys went to mechanics, farmers, and others. About one hundred boys and girls came to Upper Canada in 1836 under this arrangement, but it probably also helped in binding out a growing number of Canadian pauper children.[35]

At the beginning of the 1830s, government officials were regarding pauperism in Upper Canada as temporary. Within a few short years, however, its more lasting character had become apparent. The economic depression of the day and the inclemency of winter weather led to a public meeting late in December 1836 to discuss poor relief, where a subscription list was opened and two hundred dollars immediately raised. Those who attended resolved it was "the duty of christians [sic] of all denominations to unite in promoting objects of general benevolence and that it is their paramount duty to make provision for the wants of the poor, the widowed, and the fatherless," striking a committee "to enquire into the extent of distress and to determine the best mode of providing that relief and of raising the funds."[36]

An employee of the Bank of Upper Canada who attended this meeting, B. Turquand, wrote a letter to the mayor of Toronto shortly thereafter reminding him that John Dunn, the receiver-general, had once proposed "the establishment of a Workhouse" in Toronto, which was "a more permanent and extended mode of relieving the industrious poor and of supplying the means of employment, clothing and education to the many indigent children" abounding in the streets of the city. He suggested that funds to buy the grounds and construct the workhouse might come from wealthy churches, the proceeds of which would then be supplemented by the labour of the workhouse inmates. A "desiraderatum of no ordinary magnitude," there was no project "of greater importance nor more likely to meet with success than this," wrote Turquand. Its ultimate object was

34. *Ibid*, Joseph Talbot to R.B. Sullivan, Mayor, 14 March 1835; *ibid*, Report of a Select Committee, 18 May 1835.
35. Kingston *Chronicle and Gazette*, 7 May 1836; see also Angus, "Health, Emigration and Welfare in Kingston, 1820-1840", pp. 132-3.
36. Council Papers, Petition of John Strachan, D.D., et al., 22 December 1836; also "Public Meeting to Relieve Poor", *Correspondent and Advocate*, 28 December 1836.

> the needful support of the destitute—the employment and consequently, food and raiment of the industrious poor—the inculcating and encouraging of principles and habits of industry and moral virtue, whereby the temporal, as well as the future happiness of the 'Child of Adversity' may be promoted.[37]

A citizen's committee petitioned city council shortly after, echoing Turquand's points. Alarmed at widespread begging and vagrancy and calling for an asylum for the poor "at the least possible expense," it suggested the House of Industry as a permanent form of poor relief.[38] This institution began operations in the spring of 1837, effectively displacing the role of former voluntary societies in Toronto and supplementing ethnic/religious organizations such as the St. George Society (founded in Toronto in 1835), the St. Patrick Society (1836), and the St. Andrew Society (1836). The latter, for example, held meetings to grant relief and supplied a chaplain and a physician to "indigent and poor natives of Scotland."[39] There was also the Auxiliary Bible Society in Kingston and Toronto whose charitable purpose was to supply bibles "at prime cost, reduced prices, or gratis," according to the circumstances of the recipient.[40]

The House of Industry was meant *only* "for the relief of those whose existence was the most desolate," relieving paupers "either as Out-Door Pensioners partially relieved, or as Inmates of the House wholly dependent on the Institution for their subsistence—it may almost be said existence." The number of persons relieved by it reached 857 by July 1837, its first half year of operation, representing nearly one in every twelve persons in the city, and one in every seven children. Nourished on a diet of milk and bread at this time, in-door pensioners knitted or performed domestic chores while out-door pensioners worked on city streets. The committee claimed it received many applications for relief in this period making additional funding necessary to aid even the most helpless or "deserving" paupers on their meagre fare.[41]

In reviewing the changing structure of poor relief in Upper Canada between 1817 and 1836, one notices a number of important developments. Most signifi-

37. Council Papers, B. Turquand to T.D. Morrison, Mayor, 28 December 1836.
38. *Ibid*, Petition of a Committee appointed by the citizens to provide for the relief of the poor and destitute, 4 May 1837; *ibid*, Committee of Management, House of Industry, to the Mayor, 12 July 1837. Moreover, a week later, a newspaper article entitled "Charity Sermon" stated: "To every humane mind, it must be gratifying to learn the amount of suffering which has been prevented, and of the happiness that has been produced, by the benevolence of those who have contributed to its support." See *Christian Guardian*, 19 July 1837.
39. Baldwin Room, *Constitution of the St. Andrew's Society of the City of Toronto and Home District of Upper Canada* (Toronto, 1836).
40. Baldwin Room, *The Eighth Report of the Quebec Auxiliary Bible Society, 1832* (Quebec, 1833).
41. Baldwin Room, Abstract of Receipts and Expenditures, City of Toronto House of Industry, 11 July 1837; also, see Council Papers, John Strachan and members of the Managing Committee of the House of Industry, to the Mayor, 14 November 1838; *ibid*, General Committee of the House of Industry to the Mayor and the Corporation, 31 December 1838.

cant, perhaps, was the change from temporary relief to a permanent form of relief, the House of Industry, which continued to exist until the twentieth century. Secondly, the nature of those considered "deserving" of relief changed. Before 1828, one had only to be a stranger in distress to qualify. In the early 1830s, one had to be unable to support oneself. Depending on the reason why, the destitute were dealt with by agencies from The Society for the Relief of the Sick and Destitute to the Children's Friend Society. Thirdly, the costs of poor relief continued rising considerably. The Society for the Relief of Strangers in Distress had actually recorded a surplus before 1828, spending merely £120 that year compared to the estimated £45,000 spent by the Upper Canadian government on poor relief in one form or another between 1831 and 1834, excluding subsidies for settlement, small land grants, and the infrastructure needed to accommodate and control this onslaught of pauper emigrants (including another £44,000 to construct the Kingston penitentiary which opened in 1835).[42] Finally, the Emigrant Asylum and the House of Industry were a notable departure in poor relief practices. They were formal institutions, nineteenth century asylums like the penitentiary and the lunatic asylum, enclosing inmates, establishing rules and regulations governing internal discipline, demanding labour, and watched over by an appointed board or committee.

III

Just as the structure of poor relief changed in Upper Canada, so too did its underlying ideology. A primary issue in this regard was eligibility. In other words, who should receive relief and in what form was it to be given? In 1817 money was still given able-bodied persons in distress. Thus, character was not decisive as to whether relief was "deserved."[43] A subtle change is evident in 1820. Able-bodied persons, in other words those able to work but unemployed, received cash, but only in return for some labour, because now it was feared too easily acquired relief discouraged newcomers from looking for work or settling as soon as possible.[44] Subsequently, during the 1820s, the principle of less-eligibility came increasingly into play. The deserving poor were those unable to work; these were eligible for relief. But able-bodied, unemployed persons were now considered less eligible for relief. A similar distinction is evident in the practices of the Halifax Poor Man's Friend Society at this time, coinciding overall with the rise of Malthusians and others who objected to so-called "indiscriminate" poor relief which made no distinction between the able-bodied poor *versus* the deserving poor.[45]

The real watershed in distinguishing one pauper from another came with the changing of the name of The Society for the Relief of Strangers in Distress to The Society for the Relief of the Sick and Destitute. It combined with the Emi-

42. Wolfe, "Myth of the Poor Man's Country", p. 234.
43. Baldwin Room, Powell Papers, Mrs. W.D. Powell to George Murray, 19 October 1817.
44. Meeting of the Society for the Relief of Strangers in Distress, *Upper Canada Gazette*, 13 April 1820.
45. George E. Hart, "The Halifax Poor Man's Friend Society, 1820-1827: An Early Social Experiment", *Canadian Historical Review*, 34 (1953), pp. 109-23.

grant Asylum, together being grouped under The Society for the General Relief and Benefit of Strangers.[46] To be eligible for assistance one had to be sick *and* destitute or one had to go to the Emigrant Asylum which was no longer to afford aid "to all objects which are usually embraced by the Benevolence of the Society and must therefore engross all funds." Now only "occasional aid" was to be dispensed to the aged, the infirm, deserted women, and children because the society feared it would "very soon be overwhelmed with numbers far beyond our means to support and have all the misery and vice of a Workhouse." The Emigrant Asylum was meant solely for an applicant who was "destitute and unable to support himself, or herself and family," and "only for a short time." Thus, the Emigrant Asylum was very rigorous in sorting out the deserving from the undeserving poor. Once it began operations, moreover, "no stranger or distressed person" was to be relieved by "private individuals" in York. Instead, persons were directed to the asylum superintendent "who shall on being satisfied of their distress administer the necessary."[47]

The asylum superintendent made the following distinctions. Families admitted as paupers who had some means and "in proportion to their ability" were charged up to two shillings per day for maintenance and rations. Able-bodied persons reluctant to work "so soon as it can be procured" were dismissed from the asylum along with other members of their family. Anyone who remained in the asylum but found work was charged "the full price of the rations supplied." At all times the asylum was meant to be only "a temporary residence;" and persons finding work or "dilatory or careless in seeking of work" were to be dismissed by the superintendent. Generally speaking, the aid dispensed from this institution enabled destitute emigrants "to subsist for a few days" until they found work or were forwarded to the country. Another restriction on relief was that no families who had been in York for three weeks, in the province for three months, or who arrived there only "in order to get into the asylum" were eligible for help. For, according to the asylum's benefactors, some destitute emigrants had come to York in 1833 from as far away as Quebec and Montreal because of the "hope of more substantial relief." This was to be discouraged. Lastly, and importantly, all single persons, whether male or female, destitute or otherwise, were to be excluded from the asylum.[48]

In contrast to the stranger in distress in the 1820s, the pauper emigrant of the 1830s received only the barest subsistence food allowance at the Emigrant Asylum. A report from The Society for the Relief of the Orphan, Widow, and Fatherless, caused by the cholera, stated that "the wretchedness and miserable existences" of the recipients of its charity was barely possible in view of "the pittance that is doled out to them." Paupers secured daily rations consisting of beef and flour in 1831 as well as fuel for a common cooking stove with a ticket from the superin-

46. Founding of benevolent Society and Emigrant Asylum, p. 8735.
47. *Ibid.*
48. PAC, Colborne Papers, MG24 A40, vol. 29, p. 8392, Revised Organization for the Society for the general relief and benefit of strangers; and "Appeal of the Society for the Relief of the Orphan, Widow, and Fatherless", *Christian Guardian*, 30 January 1833.

tendent who had to authorize them. This changed. While rations were considered a cheaper mode of relief than a soup kitchen, nevertheless, a soup kitchen operated in York in 1833. According to the *Christian Guardian*, its success offered ample proof that this was "the most ready and extensively useful form of dispensing relief that has yet been attempted in this place."[49]

In an effort to cut costs, magistrates and the asylum's subscribers were requested to put the asylum's inmates to work as statute labourers on the streets and roads, which was done. Likewise the "overseers of the highways" were told to apply for labourers at the institution. Farmers did this as well as taking children who were to be bound out in apprenticeship until eighteen years of age.

Features of moral management and social control marked the operations of the emigrant asylum. The Visitors of the institution and the superintendent enforced "cleanliness, order, and regularity." They could dismiss anyone immediately for "quarreling, drunkenness or any improper behaviour," regulations which were put into practice at least as early as 1831.

Judging from their account book, Visitors of the Emigrant Asylum described inmates in that year as "behavior, Good," "Well Behaved, and particularly attentive to cleanliness and safety of the appart. [appartment]," "chiefly industrious," "a good moral man," and "very steady." A few fell into disfavour. One fellow was stated to be "not of good conduct, broke the key and left the house dirty;" a family was depicted as "a very dirty people. Alcoholic." In the case of outdoor pensioners, whenever someone in their family was able to support himself or herself or any other family member in any way, relief was terminated by the Visitors. Thus, an able-bodied person recovering from sickness received fewer rations, as was "a young man, ague, but recovered—no object [of charity]." Similarly, a woman found herself "no object now, her children out at work."

The key to relief was being unable to work. The old, the sick, the infirm, widows, and deserted mothers with young children remained forever eligible for relief while others did not. Some extremely impoverished individuals received aid, but only for a limited period, sometimes a matter of days whereafter it was "not to be repeated," one was "not to require more," or, in the case of one woman, "should not get anymore, as her brother did late receive rations for her and her husband and this is the second time in one week." If considered able-bodied, children were "put out" to work in an effort to lower the costs of relief.[50]

In the 1830s, eligibility for relief began explicitly to include the "moral" character of the needy. In 1834 the Emigrant Asylum, while continuing to be "for the temporary accomodation [sic] of any indigent Emigrants" did refuse admis-

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49. *Christian Guardian*, 30 January 1833; and Annual Meeting of the Stranger's Friend Society, 14 December 1833.
50. Public Archives of Ontario (hereafter PAO), MU 2105, Misc. MSS No. 7, 1831, Emigrants, Temporary Houses at York.
51. Archives of the City of Toronto, Toronto City Council Minutes, A.B. Hawke to Mayor, 14 May 1834.

sion to "*idle* and *disorderly* persons."[51] Too, beginning in 1832 the York Hospital refused to care for "the drunken worthless vagabond" and "the debauched candidate for the lock wards."[52]

This eventual institutionalization of Upper Canadian paupers was seen both as a rational, economical, and discriminating method of relief and as a way of regulating the less-eligible poor, instilling in them specific attitudes, values, and habits of work and morality, or, perhaps more aptly stated, the "industry" necessary to the free labour market of a capitalist economy. The basic ideological intention was to reduce relief costs to an absolute minimum *almost* regardless of the social costs, to coerce persons who might want to be dependent on poor relief to practise individual self-reliance and self-help, thereby allowing those who paid the poor rates to accumulate more productive capital. This radical departure from the past altered both the economic and social relationships which had existed in pre-industrial England. This great transformation affected Upper Canada as well as is illustrated in two proposals which surfaced in the colony in these transition years between the Emigrant Asylum and the House of Industry, namely, a depot for paupers and a Relief Union.

The Baldwins, well-to-do and leading moderate reformers in the colony, evidently supported the somewhat grandiose scheme for creating the pauper depot. Lieutenant-Governor Colborne also gave his tacit approval. James Buchanan, British consul for New York state and related by marriage to the Baldwins,[53] had raised the scheme based on actual relief practices in New York and Connecticut. His "experiment" was aimed at England's "dead weight population" which would be brought over in a national program of emigration of at least a thousand paupers per year to be resocialized in Upper Canada at the depot. Within this vision, the pauper colony would confine its inmates, forcing them to adopt "the principle of free agency and self-dependence." A large self-contained village had all the necessary facilities for the deserving and less-eligible poor: a hospital, a school, a sawmill, and so forth. The regimen at the colony was little different in theory than workhouses were in practice. Buchanan proposed that

> the hour for rising shall be at sunrise throughout the year, the bell to be rung, when every person shall immediately arise, comb hair, wash hands and face, under the inspection of monitors, and such as are so disposed, repair to the school room, (place of worship), where the *ten commandments and the Lord's prayer*, shall be read by a discreet person, selected for the purpose by the superintendent, from thence to breakfast and to their respective occupations, the children to attend school.[54]

52. "Dissolution of the Board of Health", *Courier*, 15 August 1832.
53. See James Buchanan to John Joseph, 10 May 1837, in *Arthur Papers* (Toronto, 1957), I, p. 16; also *ibid*, Arthur to Durham, 9 July 1838.
54. James Buchanan, *Project for the Formation of a Depot in Upper Canada with a View to Relieve the Whole Pauper Population of England* (New York, 1834), esp. pp. 9, 14-6, 35-6, 38-9.

Liquor was excluded, some recreation provided, and reading, especially of the Bible, was to be encouraged here. One had to work if able-bodied and this was to be determined by a doctor. An able-bodied person unwilling to work was simply not to be fed. Moreover, punishment faced those refusing to work, damaging property, or violating the colony's rules and regulations, and would be carried out by monitors, elected by the pauper community, under the supervision of the superintendent. This pauper depot thus had all the features of other asylums in this era, namely, confinement, discipline, re-education, and a system of coercion. Buchanan's failure to realize his scheme was probably not based on its approach to poor relief overall, but rather on its premise of massive state-support and the indiscriminate mingling or congregate confinement of inmates.

The Relief Union became a major form of relief in England after the Poor Law Amendment Act.[55] It was much less directly tied to planned emigration than, say, Buchanan's pauper depot. The Reverend Thaddeus Osgood, an official agent of the Society for Promoting Education and Industry which had been founded in London, England in 1825, promoted an early form of Relief Union in Canada before 1830. Auxiliary and short-lived branches of this society existed in Quebec City, Cornwall, Brockville, Kingston, and York in the mid-1820s. These organizations, headed by Osgood from Montreal under the Central Auxiliary Society, engaged in various philanthropic endeavours, such as providing clothing for, and educating poor young children. Osgood also promoted education and industry for Indians and pauper emigrants. But, as has been explained, "sectarian squabbles, rumours of mishandling of funds [and] bitter attacks in public and private on Osgood's character and activities," led to the demise of these projects by 1829, whereafter he left for England, returning to the Canadas in 1835.[56]

The original Society for Promoting Education and Industry had been founded by His Royal Highness the Duke of Sussex and Lord Bexley, a former Chancellor of the Exchequer, among others. In the 1830s, they ardently supported Relief Unions, which united "manual labour with mental cultivation." Their attitudes were widely known. On returning to the Canadas, Osgood began once more to promote Relief Unions for destitute seamen and emigrants and so-called "Friendly Unions" for pauper children. He gained some popular support, but the government of Lower Canada appeared reticent either to provide land or funding.[57]

Whether Osgood backed the proposal for a Relief Union in Toronto at this time is unclear, but doubtful. These notions were widespread and not limited to a single individual. The *Christian Guardian,* in an article headed "Highly Impor-

55. Quite helpful in understanding the structure and ideology of poor relief in this period continues to be the original Poor Law Report. See S.G. Checkland and E.O.A. Checkland, eds., and introduction, *The Poor Law Report of 1834* (London, 1974). Reprint of the original.

56. W.P.J. Miller, "The Remarkable Rev. Thaddeus Osgood: A Study in the Evangelical Spirit in the Canadas", *Histoire sociale-Social History*, 10 (November 1977), pp. 59-76.

57. *Ibid*, p. 73.

tant," raised the idea of a Relief Union in January 1836. Noting that many useful societies were already in operation, the newspaper called for Relief Unions to be opened in every county of Upper Canada as well because "to suffer the poor to go about from door to door to beg bread and clothing is disgraceful, and tends to promote idleness and intemperance." These institutions would help ensure that "the poor might be furnished with the means of support and instruction, as a reward of their own labour, and be placed in a situation where they could be rendered comfortable and useful." Essential to the newspaper was "happiness in the next world" for the poor "now suffered to wander and beg in the streets." This was "unprofitable;" these paupers were bringing "upon themselves and offspring *temporal distress* and *eternal ruin*."[58]

Alcohol was widely considered the bane of the labouring classes, which is why various institutions such as gaols, penitentiaries, and workhouses enacted rules against its presence. The *Christian Guardian* blamed intemperance for "most of the poverty and sufferings which are witnessed in every part of our world." Consequently, it stated, "every good man should lend his aid to stop the progress of that horrid monster" which had caused "an alarming destruction of life and property." A Relief Union was a way of separating paupers from alcohol; the citizen's committee supporting the institution also recommended that liquor be sold only by apothecaries, thereby anticipating the prohibition movement in Ontario by many decades.[59]

Osgood and the *Christian Guardian* were not alone in their demands. One petition supporting relief unions in Upper Canada came from Archdeacon Stuart, another from the people of Brockville.[60] Observing the increase in begging, the former called for the establishment of Relief Unions on two separate occasions, in January and March of 1836, "to relieve the destitute and reclaim the wandering." The latter argued in November 1836 that Relief Unions were far preferable to the "burden of Poor Laws." They explained to Lieutenant-Governor Bond Head how "pauperism and vagrancy" were evident "to an alarming extent" in some parts of Upper Canada, "a great and growing evil." Instead, they contended, "all those persons walking from door to door, begging food and clothing, might on a farm or in a House of Industry support themselves." One notes little distinction being made between a Relief Union and a House of Industry in these petitions.[61]

Thus, in the 1830s, plans for poor relief had become instruments for the eradication of pauperism and its accompanying social evils. The ultimate aims were social control and economic rationalization as well as benevolence and charity.

58. *Christian Guardian*, 27 January 1836.
59. Petition, Archdeacon Stuart, for Relief Unions, *Chronicle and Gazette*, 9 January 1836 and 19 March 1836; also *Recorder*, 25 November 1836; *Christian Guardian*, 28 December 1836; *Recorder*, 12 January 1837; *Christian Guardian*, 11 January 1837 and 25 January 1837; and Wolfe, "Myth of the Poor Man's Country", pp. 199-202.
60. *Recorder*, 25 November 1836.
61. *Christian Guardian*, 27 January 1836.

In retrospect, the House of Industry in England after 1834 has been described as "a fortress protecting society from two quite different evils, the starvation and insurrection of unrelieved indigence on the one hand and the moral depravity and economic ruin of progressively increasing pauperism on the other."[62] This description is quite applicable to the emergence of a Canadian Relief Union, the Toronto House of Industry.

Under legislation passed in 1810, gaols could be and were used as Houses of Correction in Upper Canada.[63] Inadequate facilities, overcrowding, and congregate confinement within them, however, led to public clamour for separate measures for minor offenders, especially children, and for an entirely new departure in corrections—the penitentiary.[64] Indicative of the problems arising from pauper emigration was a report written by the Board of Health at Quebec City in 1832 demanding the building of a House of Correction.[65] The only gaol in the community had had to be closed to persons prosecuted under the "Sanitary Law" because of the "danger of introducing contagious diseases within it." Also, the Board of Health argued that "to mingle with Felons and Criminals under heavy charge, any drunken and disorderly person, is neither just or seemly, and must lead to a wider moral contamination." A similar chord was struck in a Grand Jury Report at York in 1836 calling for the classification of less-hardened from hardened prisoners in a House of Correction "in order to afford the means of *useful employment* to offenders, as well as to afford some chance of their reformation." In its view, one had "to prevent the young in crime from the possibility of being tutored by the desperate and hardened villain, which is inevitable, under the present system."[66]

Because crime and pauperism were clearly connected in the eyes of contemporaries, they resolved to promote the House of Industry. In a report on prisons in Lower Canada in 1836, for instance, a committee witness, Amury Girod, described how workhouses in France and Switzerland helped contain and suppress vagrancy and begging. He explained:

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62. Poynter, *Society and Pauperism*, p. xxv.
63. An act to declare the common gaols in the several districts of this province to be houses of correction for certain purposes, *Statutes of Upper Canada*, 50 George III, Chap. V (1810).
64. See C.J. Taylor, "The Kingston, Ontario Penitentiary and Moral Architecture", *Histoire sociale-Social History*, 12 (November 1979), pp. 385-408; Rainer Baehre, "Origins of the Penitentiary System in Upper Canada", *Ontario History*, 69 (September 1977), pp. 185-207; J.M. Beattie, *Attitudes Towards Crime and Punishment in Upper Canada, 1830-1850: A Documentary Study* (Toronto, 1977); Susan Houston, "Victorian Origins of Juvenile Delinquency: A Canadian Experience", *History of Education Quarterly*, 12 (Fall 1972), pp. 254-80; and J. Jerald Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment", *Ontario History*, 64 (March 1972), pp. 11-26.
65. Report of the Proceedings of the Board of Health, 31 December 1832 (Quebec City), Appendix D, *Journals of the Legislative Assembly of Lower Canada* (1832-33).
66. For example, see "Mayor's Court", *Canadian Correspondent*, 7 March 1836.

> It was for a long time, and it is still partially believed, that poverty is no crime; and if by poverty is meant that condition in which a man finds himself who is no longer able to hold his station in society according to his habits and education, the belief is correct. But when poverty extends to the total privation of the necessaries of life, it becomes a vice, and the fruitful nursery of crime. It is most true that infirm old age and disease give strong claims upon public charity; but how many robust young men do we see, who think they have a right to live upon the benevolence of the public. And if public charity is finally withheld from them, their first act is the commission of some crime, which they attempt to excuse on the score of their poverty, and which last they excuse in its turn, by the difficulty or impossibility of procuring work.[67]

Here, able-bodied and unemployed young men were seen as resorting to crime in order to subsist. For Girod, the answer was a revamped House of Industry system which would not only confine paupers as its predecessors had done, but under whose aegis young offenders would be reformed, rehabilitated, and given relief.

The prominent citizens who promoted the House of Industry in Toronto did so along Girod's lines, as a possible last refuge for the destitute and as a House of Correction and School of Industry. Moreover, appointed officials in charge of this institution attempted to rationalize through it poor relief in an economic sense. Developed independently from its Montreal counterpart, the Toronto House of Industry responded to identical social problems. Returning for a moment to that public meeting held in Toronto in December 1836 to discuss growing pauperism, following which Turquand had reminded the mayor of John Dunn's proposal for a permanent institution to relieve the poor "as generally adopted in Houses of Industry," he also made the point that poor relief practices inherent in a House of Industry system had already been effected in the city for several months. Why was the institution needed, then? "The chief objects" here, Turquand wrote, was "the total abolition of street begging, the putting down of wandering vagrants, and securing an asylum at the least possible expence [sic] for the industrious and distressed poor." These objects were "highly deserving" and "essential to the comfort and happiness of the community at large."[68]

On 4 March 1837, the Upper Canadian government passed the House of Industry Act,[69] which incorporated many features ranging from the House of Correction, the Emigrant Asylum, and the pauper depot, to the Relief Union. This act defined who was to be incarcerated, employed, and governed in the institution:

> all poor and indigent persons, who are incapable of supporting themselves; all persons able of body to work and without any means of maintaining themselves, who refuse or neglect so to do; all persons living a lewd and dissolute vagrant life, or exercising no ordinary calling, or lawful business sufficient

67. Report, Prisons, Minutes of Evidence, 19 February 1836, Mr. Amury Girod, Appendix F.F.F., *Journals of the Legislative Assembly of Lower Canada*, (1836).
68. Council Papers, Turquand to Morrison, 28 December 1836.
69. An Act to authorize the erection and provide for the maintenance of Houses of Industry in the Several Districts of this Province (passed 4 March 1837), *Upper Canada Gazette*, 16 March 1837; also, see Splane, *Social Welfare in Ontario*, pp. 70-2.

> to gain or procure an honest living; all such as spend their time and property in Public Houses, to the neglect of their lawful calling.[70]

All "fit and able" inmates were to be put to work. The "idle" or those unwilling to "perform such reasonable task of labour, as shall be assigned; or shall be stubborn, disobedient or disorderly," were to be punished by the superintendent.

Thus, the House of Industry acted as a refuge and shelter for the deserving poor, but it also was an instrument of social control for the deserving and less-eligible pauper alike. Mayor George Gurnett, who accepted that "poverty and distress existing in the city" was beyond the control of its victims, was convinced that "the vice of Intemperance, street begging, pilfering, dissipation, indolence, and juvenile depradation of the destitute," was curtailed by this institution. In addition, children "now trained in vicious habits" were to be educated inside "in habits of industry, sobriety, morality, and religion."[71] Almost two years later, the general committee in charge of the House of Industry when seeking additional funds reaffirmed how this institution had "much to do with, not only the well being of the poor, but the peace and well ordering of the city in as much as by a regulated system of charity, Street Begging and its attendants: fraud and vice are in great measure obviated."[72]

Under the House of Industry Act, three successive Grand Jury recommendations were required before a House of Industry was to be built in any district in the colony. Once established, authority over them was placed in the hands of magistrates who were appointed and remained responsible to the lieutenant governor. Increased taxation was necessary to pay for the costs of building, operating, and maintaining these institutions. This also took power away from the local districts back to the provincial parliament. And this legislation ensured uniformity in relief practices throughout the colony. This uniformity and more centralized control of relief in Upper Canada were entirely consistent with the recommendations of the Poor Law Commission in England.[73] This was one significant parallel.

Another strong parallel suggesting that Upper Canada was following suit was the first stage in eliminating outdoor relief. During the transition from the old Poor Laws to the entire elimination of the latter, the Poor Law Commissioners proposed certain modifications, including limiting relief to that in kind rather than cash, making the able-bodied work for relief, and putting into practice an important feature of the principle of less-eligibility, namely, that "the conditions of existence afforded by relief should be less eligible to the applicant than those of the lowest grade of independent labourer." In their words, the workhouse overseers were to be "the hardest taskmaster and the worst paymaster." Then, once these measures were firmly in place, no moral distinction was to be made in granting

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70. *Ibid*, section 6 of the Act.
71. *Patriot*, 14 March 1837 and 28 March 1837.
72. Council Papers, General Committee of the House of Industry to the Mayor and Corporation, urging a continuance of their support, 31 December 1838.
73. Webb and Webb, *English Poor Law Policy*, pp. 14-27.

relief.[74] Beginning with the Emigrant Asylum, Upper Canadian officials had begun instituting relief in kind. The able-bodied poor were put to work, not for wages, but for relief in kind. The food eventually consisted of soup or bread and milk, reflecting the basic fare of the poorest independent labourer. Furthermore, under the House of Industry Act, relief was extended to the deserving poor and to the less-deserving pauper like vagrants, but only if they were willing to accept workhouse conditions.[75]

Parallels between the Upper Canadian and the English mentality do not end there, however. Turquand's proposals to outlaw all other forms of relief except that of the workhouse, to appoint overseers at the House of Industry, to make inmates work for relief such as having women knit and men break stone for public streets, to establish specific rules and regulations to enforce discipline at the institution, to re-educate and resocialize children, and to acknowledge formally the relationship between sickness and pauperism—these all reflect the findings of the English Poor Law Commissioners in the mid-1830s.[76] These measures were implemented in Upper Canada to a considerable degree; they were at the least certainly attempted. Taken together they represent a comprehensive and significant ideological departure from older poor relief practices, both in England and in Upper Canada.

IV

The early 1830s witnessed the arrival of tens of thousands of pauper emigrants to Upper Canada[77] and, as has been seen, new attitudes and ideas on poor relief. However, this decade also saw the appearance of an unlikely choice for lieutenant governor, a former Assistant Poor Law Commissioner. Late in 1835, Colborne relinquished his post to Sir Francis Bond Head. While the evidence is more suggestive than conclusive, the British government's choice was not apparently haphazard, although the choice of Bond Head was regarded even then as "inexplicable" and "ill-judged." Bond Head himself expressed some amazement at being chosen for the task.[78] His appointment has continued to baffle historians as well.[79] His selection, therefore, invites more attention, for there appears to be a direct relationship between his abilities, the problems of pauper emigration, and poor relief in Upper Canada at this time.

Bond Head had been the *senior* Assistant Poor Law Commissioner before arriving in the colony. The Poor Law Report stated that the duties of these commissioners were "by no means easy, as the office was one requiring no ordinary

74. *Ibid*, pp. 3-6, 22-31. The distinction between deserving and undeserving poor is evident in PAO, Bylaws of the Toronto House of Industry, Pamphlets (1851), No. 35.
75. *Ibid.*, pp. 9-15.
76. Webb and Webb, *English Poor Law Policy*, pp. 14-27.
77. PAC, Colborne Papers, vol. 7, pp. 1596-8, Sir. C. Campbell to Colborne, 12 January 1836; vol. 7, pp. 1631-3, Rowan to Colborne, 1 February 1836; and pp. 1674-6, Rowan to Colborne, 18 February 1836.
78. For example, see Sir Francis Bond Head, *A Narrative* (Toronto, 1969), p. 17.
79. See *ibid*, introduction by S.F. Wise, pp. xi-xxxi.

qualifications, necessarily involving a great sacrifice of time and labour, likely to be followed by much hostility and accompanied by no remuneration."[80] As senior commissioner, according to Bond Head himself, he had been involved in "the noblest, and to my mind the most interesting, of all services, that of reviving the character and condition of the English labourer."[81] Lord Glenelg, the colonial secretary, had appointed Bond Head on recommendation of the cabinet, particularly on the advice of Lord Howick, the Secretary-at-War. The latter had been under-secretary to the Colonial Office in the early 1830s during the peak years of pauper emigration to the Canadas and was well aware that the character and condition of the English labouring classes was a problem not just in England but in the colonies.[82] Was Bond Head sent to help solve the problem of pauperism in Upper Canada? It appears so.

The choice of Bond Head begins to make a great deal more sense if one considers some of his previous activities as Assistant Poor Law Commissioner. Following the passage of the Poor Law Amendment Act, the general pattern of procedure throughout England was to prepare the ground for the transition in poor relief practices. An assistant commissioner, such as Bond Head, arrived in an assigned district, met with the local elite, tested their reaction to the changes, and attempted to neutralize opposition. Often carried out quietly, "this prepatory [sic] work often took some time, for speed, though desirable, was not as important as being sure of the future of the Union."[83]

The reason for this was evident. The change of poor relief practices in England came not without resistance and some violence. The first Poor Law Unions, or Relief Unions, were only established in England in February 1835. Within a few short months, rioting had broken out in several areas against the implementation of the legislation. Agricultural labourers in Kent where Bond Head served led one of the more serious outbursts, the precipitating issue being the granting of relief in kind rather than money. The obvious aim of the change was to try and eliminate outdoor relief for the able-bodied and to institute the "workhouse test" instead. The rioters were put down in a clash with police. The net result was that, while the timetable of the Board of Guardians for establishing a workhouse was delayed, its purpose was not. In Bond Head's opinion, these riots were relatively spontaneous in nature, the product of "misguided men who have risen to oppose they know not what." What was learned during the early stages of implementing the New Poor Law was "that popular resistance could be put down with relative ease and that once crushed it was beyond reviving."[84]

Did his exploits as Assistant Poor Law Commissioner bring him recognition and prepare him for the turbulent political and social climate of Upper Canada? Alan Fairford, the author of a pamphlet published in Toronto in 1836, entitled

80. Checkland and Checkland, *The Poor Law Report of 1834*, p. 68.
81. Head, *A Narrative*, p. 17.
82. S.F. Wise, "Sir Francis Bond Head", *Dictionary of Canadian Biography*, X, pp. 342-3.
83. Nicholas C. Edsall, *The Anti-Poor Law Movement 1834-44* (Manchester, 1971), p. 26.
84. *Ibid*, pp. 27-9, 32, 43.

A Brief Biographical Sketch of His Excellency Sir Francis Bond Head, argued in his favour. His past "marked by integrity, ability, and decisive action," Bond Head had become assistant commissioner "to raise the condition of the agricultural classes, and, by introducing a better system of relief to the needy labourer, to diminish the burdens of rates and taxes which weighed so heavily upon the distressed farmer." Fighting against "old and deep-rooted prejudices," Bond Head had begun his job "under very unfavourable auspices" because people were "generally hostile" towards the Poor Law Amendment Act. Yet, he had managed to meet with magistrates and clergy and had successfully swayed them.[85] While William Lyon Mackenzie called Bond Head's former role that of "Drill Beggar, or a Parish Overseer, or a Beggarman," Fairford assured his readership that the new lieutenant governor had shown "much a humane decision in quelling agricultural riots, in which he exhibited so much ability, and such a ready application of it, to earn the esteem of Kentish yeomanry, and to attract the observations of His Majesty's Ministers." Such "qualifications" made him "a fit successor" to Colborne; they had "eminently fitted him to compose differences, and to conciliate, without unduly conceding."[86]

In Bond Head, Upper Canadian reformers had initially awaited a fellow "reformer." However, the Colonial Office spoke of him as a "conciliator."[87] Naturally, the reformers and the radicals in the colony were bitterly disappointed, for Bond Head gave few concessions in response to their grievances. This misunderstanding stems from the anticipation that reformer and conciliator would be synonymous. Indeed, they were not.

Bond Head's attitude towards poor relief was aptly expressed in an article written by him in the *Quarterly Review* in 1835 on "English Charity." It brought him acclaim from several quarters, such as the *Hereford Reformer*. Cited by Fairford, it stated that "there is a charm about the article which is quite irresistible." One could read it, Fairford assured his readers, "with pleasure, and not quit it, without having derived from it a lesson both of good temper and of sound reasoning."[88] In this supposedly charming, good-tempered, and soundly reasoned treatise, Bond Head attacked the Old Poor Law because of its generosity to the working poor. Rather, he advocated enforcing the principle of less-eligibility to the letter, making workhouses "repulsive" and insisting that "if any would not work [for relief], neither should he eat." In Malthusian fashion, he demanded separating man from wife inside the institution, for congregate confinement led to "wickedness." All these changes were to be carried out in the interests of "elevating the independent labourer."[89] Is this the reason he was sent to Upper Canada to carry

85. Alan Fairford, *A Brief Biographical Sketch of His Excellency Sir Francis Bond Head* (Toronto, 1836). Included in Baldwin Room, *The Speeches, Messages, and Replies of His Excellency Sir Francis Bond Head* (Toronto, 1836), p. 15.
86. Fairford, *A Brief Biographical Sketch*, p. 19.
87. Wise, "Sir Francis Bond Head", p. 342.
88. Fairford, *A Brief Biographical Sketch*, pp. 18-9.
89. Sir Francis Bond Head, "English Charity", in his *Descriptive Essays Contributed to the Quarterly Review* (London, 1857), pp. 46-150.

out the same reforms, while at the same time employing his talents as a conciliator? The fragmentary evidence which exists indicates that such was the case.

Noteworthy in this regard is the timing between Bond Head's arrival in Upper Canada in January 1836 and the first concerted efforts to establish a Relief Union by prominent citizens and clergy. Also, a note exists to William Lyon Mackenzie from Bond Head asking for a copy of the Poor Law Report in 1836.[90] Further, both the arguments in favour of a House of Industry together with features of the House of Industry Act indicate direct links with the English debate on poor relief, even Bond Head's own personal imprint on the Poor Law Commission, for the Poor Law Commission had originally urged creating distinct facilities for different classes of paupers as late as August 1835. Bond Head had argued against this in England, calling for the unification of all poor relief functions in "the same low, cheap, homely building." Once magistrates had worried that a single institution would make insurrection easier. But Bond Head had disagreed and his proposal triumphed when the Central Authority began building the all-inclusive workhouse in 1836.[91] The Toronto House of Industry is such a workhouse. Lastly, in the months immediately before the outbreak of the Upper Canadian Rebellion in 1837, Bond Head, in a breathtaking moment of overconfidence, confided to Frankland, a Poor Law Commissioner, "I have no hesitation in assuring you that this Province is as the County of Kent is *now*, and that property here is infinitely more secure than it was in Kent when the Poor Law Commission first began."[92] Bond Head himself suggests the connection between reaction to changing poor relief practices in England and the socio-political situation of Upper Canada.

V

What then can be said about the origins of poor relief in Upper Canada before 1840? Directly related to the influx of destitute emigrants between 1828 and 1836, voluntary charities found themselves unable to cope with the many demands of these arrivals, their health problems, and their need for relief. They did not disappear from the social landscape, but voluntary charities gave way to more permanent institutions such as the York Hospital and the Toronto House of Industry.

Moreover, various types of distress encountered by destitute emigrants led to functional distinctions between "deserving" and "undeserving" poor. Later, the House of Industry handled all types of paupers in accord with carefully defined rules and regulations. While historians have considered the Toronto House of Industry as voluntary in nature, it nevertheless depended heavily on government support to survive. This was also the case for most other charities in Toronto

90. PAO, William Lyon Mackenzie Correspondence, MS516, reel 2, John Joseph (Government House, Toronto) to Mackenzie, c. March 1836. Joseph requested the following: "The Lieutenant-Governor having occasion to refer to the Poor Law Commissioners' Report, and conceiving that you probably possess a copy of it, desires me to request the favour of you to lend it to him for a day or two."
91. Webb and Webb, *English Poor Law Policy*, p. 57, 60.
92. Baldwin Room, Sir Francis Bond Head to Hon. T. Frankland Lewis, Poor Law Commissioner, Toronto, 5 October 1837.

in this period, necessitating a reappraisal of what has been understood as a drift to *laissez-faire* in social welfare. Voluntary in principle, only partly so in practice, charities and societies were by no means simply voluntary expressions of philanthropy and benevolence.

Considerable changes in the ideology and structure of poor relief practices took place in Upper Canada during the 1830s too, bringing with them a new set of values and attitudes. These fresh approaches were imported for the most part, although adapted to Upper Canadian conditions. The Emigrant Asylum and the emigrant societies were an indigenous development. As for the others, the Society for the Relief of Strangers in Distress, the Lying-in Hospital, the proposed School for Industry, the Children's Friend's Society, the Relief Union, and the House of Industry came from England. Even James Buchanan's scheme for a pauper depot was strangely reminiscent of a right-wing Owenite settlement. Of course the St. George, the St. Patrick and the St. Andrew societies were British in origin.

Most significant in all this perhaps was the *de facto* attempt to carry out the principles of the English Poor Law Amendment Act in Upper Canada, to engineer a more centralized, uniform, and permanent system of poor relief in the House of Industry Act, to put into practice the principle of less-eligibility, to restrict the type of relief to relief in kind, to supercede indiscriminate charity, to discontinue making a moral distinction as to who deserved relief, to make the able-bodied work for their relief, to provide refuge for the old, sick, and infirm in the House of Industry, to use the institution to combat the "evils" of pauperism like vagrancy, begging, vice and petty crime, and to try and educate pauper delinquent children inside the House of Industry. These are remarkable departures. The House of Industry as an asylum played a role far beyond fulfilling simple needs by its attempt to shape work habits, foster discipline, and promote morality. As well, by its very nature, it discouraged the able-bodied from going there for relief. Limitations placed on other forms of relief meant they had to look for work, thereby competing for jobs and helping to create a free labour market.

Finally, the selection and appearance of Sir Francis Bond Head on the Upper Canadian scene in 1836 as lieutenant governor can be linked to an attempt to solve the problems brought about by pauper emigration to the colony. Following his arrival, poor relief measures similar to those carried out in Kent, where he had been Assistant Poor Law Commissioner, were enacted in the province. His presence appears tied in with the opening of the Toronto House of Industry, though the evidence remains somewhat inconclusive. His success at solving local political and social crises suggest why the Colonial Office probably considered him the "conciliator" needed in Upper Canada.