

WIFE TO WIDOW

Lives, Laws, and Politics
in Nineteenth-Century Montreal

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Preface and Acknowledgments

In June 1988, I was walking toward the McGill university chapel in Montreal, holding the hands of my five- and eight-year-old daughters, Emily and Anna. My parents walked a few steps behind. John Bradbury, my first husband, had died several weeks earlier. As we walked toward the chapel I was approached by one of my university colleagues. Over John's six-month battle with stomach cancer, I had become accustomed to the discomfort with dying and death that characterize late-twentieth-century Western societies. I had also benefited from enormous support from friends and neighbours. But this was a colleague whom I did not know very well. He was clearly searching for the right words to express his condolences. "I just wanted to tell you," he started, in French, "I just wanted to tell you," he continued, "how lucky you are to be a widow and not divorced." I gulped, thought how glad I was that my parents' French was not fluid enough for them to understand him, thanked him, and filed the story away. Over time it became a good tale for dinner table exchange, sometimes another way to ease the discomfort of those who discovered for the first time that I had lived through a husband's illness and death.

I recount this here, not to embarrass that colleague, should he read the book and remember, but rather because it serves as a reminder of the similarities between the ways divorce dissolves family today as widowhood did more frequently in the past. It also underlines the differences between people's familiarity with death and widowhood in the nineteenth century, and the discomfort of the twentieth and twenty-first centuries. Little about having experienced a husband's death or having been a widow myself helps me to understand the lives of the women I follow here from their marriages through their widowhood to their own deaths. The temporal and cultural distance of close to two centuries is immense. The gap between

my place in the 1980s as a privileged, middle-class widow, with my own home and a tenure-track university teaching position, and the social and economic situations of the widows of many classes and ethnicities whom I study here is huge too. I first thought of writing about widowhood as a wife, not a widow – integrating some material into the final chapter of my previous book. Studying working-class families in an industrializing city heightened my sense that widows deserved a study of their own.

This book has been a long time in the making and my debts are enormous and diverse. It is the result of a collective research effort. It would have been impossible to write without major support from SSHRC and FQRSC; my first thanks go to them. Grants from both agencies, to me and to the Montreal History Group have allowed me to employ many students, who have performed much of the demanding and sometimes tedious work of tracing men and women from their marriages through to their deaths. I could not have done the work without them. Many also shared intellectual insights that helped me better understand nineteenth-century Montreal. To acknowledge their hard and often tedious work, I have used the word “we” in the chapters that follow when I refer to research that was the product of more than my labour. My second set of thanks, therefore go to H el ene Bedard, Marie-Anne Chaput, Alexandre Dessan, Amanda Glasbeek, Peter Gossage, Michel Guenette, Laila Haidarali, Kathryn Harvey, Stephen Henderson, Dan Horner, Darcy Ingram, Evelyn Kolish, Dominique Launay, Valerie Minette, Tamara Myers, Nathalie Picard, Mary Anne Poutanen, Ren e Roy, David Silverman, John Spira, Michelle Stairs, Alan Stewart, Sylvie Taschereau, Steven Watt, Jennifer Waywell, Erica Wien, Sovita Chander, and others. My third set of thanks is to Sherry Olson for making the maps, for helping me track people, for all her careful work on Montreal’s past, and much more, and to Robert Sweeny, Mary Anne Poutanen, Jean-Claude Robert, Jean-Marie Fecteau and Nathalie Picard for sharing databases and for their other contributions that have shaped this book. A special thanks to Heather Steel and Jarett Henderson for creating the index. And, many thanks too to the anonymous readers of the manuscript for supportive and helpful suggestions. All mistakes are, of course, my own.

It has been my privilege to get feedback on various versions of these chapters from many colleagues, friends, and graduate students. My fourth set of thanks goes to all of them. I would especially like to thank Kathryn McPherson, Molly Ladd-Taylor, Anne Rubenstein, and Michele Johnson, who generously read the whole manuscript and offered wise suggestions and generous encouragement. To Craig Heron a special thanks for listening to widows’ stories over the years, supportive intellectual encouragement

and feedback, reading a near final draft, sharing our children, and so much more. Further thanks to all my colleagues in the Montreal History Group, from whom I have learned so much over our many years together: to Lorraine Code and Susan Ehrlich for a stimulating year of reading one another's work, to members of the women's and gender history reading group at York University who have commented on several chapters, and to the former Faculty of Arts at York University for a research leave and other support. I have written and revised parts of this manuscript at home and on sabbatical in Australia and New Zealand. Thanks to the history department at the University of Melbourne for space to work there and to colleagues there, especially Pat Grimshaw for support and feedback. Thanks to Charlotte Macdonald, Rosalba Finnerty, and my sister, Ione, for giving me space to write in New Zealand; to Andrée Lévesque for her friendship and giving me a home base in Montreal; to Nikki Strong-Boag and to all other colleagues, friends, and family who have shared laughter and love, food and wine.

This book has been a long time in the making, and earlier versions of some of the material herein have already been published. A very early analysis of the marriage contracts and the legal issues treated in Chapter 3 was co-authored with Alan Stewart, Evelyn Kolish, and Peter Gossage. It appeared as "Property and Marriage: The Law and Practice in Early Nineteenth Century Montreal," in *Histoire sociale/Social History* 26, 51 (May 1993): 9-39. Some of the material in Chapter 4 appeared initially as "Debating Dower: Patriarchy, Capitalism and Widows' Rights in Lower Canada," in Tamara Myers, et al., eds., *Power, Place and Identity: Historical Studies of Social and Legal Regulation in Quebec* (Montreal: Montreal History Group, 1998), 55-78. Aspects of the practices and laws treated in Chapters 7 and 8 were explored in "Itineraries of Marriage and Widowhood in Nineteenth-century Montreal," in Nancy Christie and Michael Gauvreau, eds., *Mapping the Margins: Families and Social Discipline in Canada, 1700-1975* (Montreal: McGill-Queen's University Press, 2004), 103-40, while an early version of Chapter 9 appeared in Mona Gleason and Adele Perry, eds., *Rethinking Canada: The Promise of Women's History*, 5th edition (Toronto: Oxford University Press, 2006), 73-94, as well as in "Widows at the Hustings: Gender, Citizenship, and the Montreal By-elections of 1832," in Rudolph M. Bell and Virginia Yans, eds., *Women on Their Own: Interdisciplinary Perspectives on Being Single* (New Brunswick, NJ: Rutgers University Press, 2008), 82-113. I first investigated the material used in Chapter 11 on elderly women's use of institutions in "Mourir chrétiennement: La vie et la mort dans les établissements catholiques pour personnes âgées à Montréal au XIXe siècle," *Revue d'histoire de L'Amérique française* 46, 1 (été

1992): 143–75, and in “Elderly Inmates and Care Giving Sisters: Catholic Institutions for the Elderly in Nineteenth Century Montreal,” in Franca Iacovetta and Wendy Mitchinson, eds., *On the Case: Case Files and Social History* (Toronto: University of Toronto Press, Toronto, 1998), 129–55. I am grateful to all these publishers for allowing me to reprint material.

Introduction

And, I am sure you will also have the imprudence, the lack of reason, tact and intelligence to imagine, in caricature ... on one side of the street a dowered widow "à la loi française," at ease, well dressed and nourished and on the other side a widow "à la loi anglaise" walking the streets with her children in tow, begging for bread and requesting alms because the father had not perhaps seen too clearly.

– M., letter to the editor, *L'Aurore des Canadas*, 18 December 1840

On 18 December 1840, in a letter to the editor of the Montreal newspaper *L'Aurore des Canadas*, "M." brilliantly and sarcastically uses the story of a father approached by his daughter's suitor to assert the superiority of French over English law in its treatment of widows and to underline the arrogance of British claims to a superior civilization. "Dower" is a word little used today. It is frequently confused with a dowry, the property a woman brings into a marriage. "Dower," however, refers to a widow's right to the use of a defined portion of her husband's property after his death. As M. explains in the same letter, a dower means that "after the husband's death the wife will have the use of certain lands and property during her life and that ownership will go to the children, or that before any other creditors she will take for herself and her children certain sums of money."¹

The full text of this letter foreshadows many of this book's main themes, arguments, and concepts. In it, M. highlights women's transition from wife to widow, reminding us and his readers of death's centrality as the main cause of family dissolution. (Today, a more complex mix of separations, divorce, and death dissolve long-term relationships.) His caricature represents only two potential outcomes of a husband's death: a home, independence, and comfort; or begging, charity, and a life on the streets. I argue here that

widows' lives were much more diverse than that. In attributing the poverty or wealth of widows to the differences between French and English law, M. highlights the coexistence of at least two different understandings of the law and of patriarchy among Montreal's citizens of the early nineteenth century. Elsewhere in the letter, he links this essentially domestic question of a woman's claim on her husband's property to major political, legal, and social issues of the period, tying together private familial decisions and public policy. The letter represents and produces different gendered cultural and ethnic identities through differing legal marriage regimes as dualities for political ends in this particular colonial context. In the "colonial order of things," early-nineteenth-century Montreal and the colony of Lower Canada (later Quebec) was a historically specific contact zone in which British colonizers, Canadiens (the conquered French Canadians), and other immigrants sorted out their individual and collective identities and lives, largely separate from the colony's Aboriginal peoples.²

Wife to widow. It is this transition that lies at the heart of this book's subject and its structure. I focus here on the lives of women who married and became widows in Montreal, and on negotiations and renegotiations of patriarchy in their individual lives, in the laws that framed marriage and widowhood, and in the politics of the period. I observe this transition and these negotiations at different levels, moving across analyses at the scale of individuals, couples, families, and kin, the institutions of the city, custom, the law, and colonial politics.³ *Wife to Widow* follows two generations of Montreal women from the time they became wives in the 1820s and 1840s respectively, through their years as widows, to their own deaths in the nineteenth century and beyond. It links narratives of the individual itineraries of their lives with analysis of the laws and customs that framed their rights as wives and widows and the political debates that changed them. I seek to show the ways women interacted with and shaped the city's culture, customs, and institutions, alongside their ongoing but changing exclusion as women from most positions of power and authority, by weaving their lives as wives and widows into the history of the city and society in which they lived. Thus, this book shares with much feminist history the desire to articulate the ties between personal and political issues, and with historians of gender and colonialism the goal of exploring the "broad scale dynamics of colonial rule and the intimate sites of its implementation." Historians of other colonial contexts have focused extensively on inter-racial sex and relationships or extra-marital sexuality as key sites of intimacy; my interest here is in the institution of marriage and questions of property, wealth, and inheritance within this city in a white settler society with two main groups of colonizing Europeans.⁴

At the heart of *Wife to Widow* are the biographies of the women, who, roughly a generation apart, were married by Catholic priests, Protestant ministers, or Jewish rabbis in Montreal in selected years during the 1820s and the 1840s. So that readers may understand the information that I have pieced together about the women of these two generations of marriages, this introduction first explains my sources and methodology in greater depth. It then explores the different historical contexts in which each generation married and concludes by turning briefly to the concepts and intellectual influences that have shaped my approach.

Two Generations of Women: Building Biographies and Collective Genealogies

The book begins, as my research strategy did, with marriage. To become a widow it was necessary to be recognized as female, marry a male, and outlive him. The biographies of individual women and most of the broader patterns discussed in the chapters that follow are based on the traces my researchers and I have been able to find of the lives of women who married in Montreal between 1823 and 1826 and a generation later, between 1842 and 1845.⁵

These two decades were chosen in part because Montreal censuses exist for 1825 and 1842 that show some characteristics of the city's population at the time of these marriages, and because in 1842 registration of marriage contracts promising widows dowers was first required. Most importantly, these two generations were married on either side of many of the major political, legal, social, demographic, and religious transformations of the period. The couples followed here married before and after the rebellions of 1837 and 1838 and the challenges they reflected regarding the relations between this colony and its metropole, between the conquered French colonizers and English colonizers, and issues of political representation and citizenship in the colony. They became husbands and wives before and after major changes to widows' dower rights were initiated by a Special Council that replaced representative government following the rebellions. Those changes were part of broader changes in the law and jurisprudence of the colony, which incorporated elements of English common law into the Custom of Paris, the body of French law retained for civil matters following the British Conquest. In the 1820s, land transactions were complicated by seigneurial tenure, dower, and other claims on land that left few if any written records. In the years following the 1840s marriages, changes to dower and other laws left land more "liberated from all of these restrictions."⁶

When the couples married in the 1820s, migration from rural areas, Ireland, and elsewhere in the British Isles was relatively slow. By the 1840s,

even before the Irish potato famine, the numbers were growing rapidly. In between, in 1832, Irish immigrants brought cholera to the colony. Epidemics shaped family dissolution for both generations. Typhus hit in 1847; cholera returned in the 1850s. The generation who became wives in the 1820s married in an artisanal, commercial city, the retirement place of many of the colony's wealthy fur traders. A generation later, producers were accelerating transformations that would lead to industrialization, steamships were replacing sailing ships, and the earliest railways were attracting attention. The first generation married when the Catholic Church in this French and Catholic colony was in a particularly fragile state. Women of the second generation became wives at a time of significant Catholic and Protestant revival.

M. was one of the pseudonyms used by Charles-Elzéar Mondelet, a Canadian lawyer, politician, and Patriote. In June 1824, this Catholic French Canadian married Mary Elizabeth Henrietta Carter in Montreal's Christ Anglican Church.⁷ Charles and Mary were among the first generation of couples whose lives are followed here. Between 1823 and 1826, Catholic priests officiated at the weddings of 584 women with French names – Canadiennes – who were born in the colony of Lower Canada, and 192 Irish women, virtually all of whom were immigrants. A further 560 women, mostly of American, Scottish, English, and Irish origin, were married by Anglican or Presbyterian ministers, the only Protestant denominations allowed at that time to perform marriages in the colony. A generation later, between 1842 and 1845, the numbers marrying in the city reached over 2,800. We sampled half these marriages: they included 508 Canadienne Catholics, 366 Irish Catholics, 575 apparently English-speaking Protestant women, and a few Jewish women. By then, Methodists, Baptists, Congregationalists, and Jews could also register marriages.⁸

Few of these women left diaries or letters that might reveal the joys or anguish of their lives as wives, mothers, or widows. Those that did were usually members of the city's most powerful economic, political, and religious elites. I draw on these at times. Other historians have demonstrated the richness and limitations of family papers for capturing the ways women experienced courtship, marriage, death, and widowhood.⁹ I have chosen to make visible a wider range of women by seeking to "recover the traces" they left at key moments of transition in their lives through the documents produced on such occasions. I call this approach collective genealogy. Family demographers have developed family reconstitution as a method in which all records of births, deaths, and marriages are recorded separately then linked together to constitute family histories and genealogies.¹⁰ Other, Quebec historians who have sought to reconstitute families to study questions of demography, inheritance, and family reproduction have done so in

small parishes or relatively small towns,¹¹ by creating massive databases of the population of a whole region,¹² by focusing on a specific occupational grouping,¹³ or by focusing on a set of family names.¹⁴ Large-scale family reconstitution is difficult for a city like Montreal, though recent digitization projects make it increasingly feasible.¹⁵

The collective genealogies and life histories of the women followed here began with their marriages. Having recorded the information available about the couples in those records, we then searched for each spouse's death or remarriage first in indexes, and then in the church registers. In these searches we confronted all the problems a mobile population poses, as well as the challenges of identifying people across different sources with diverse spellings and some with names too common to follow.¹⁶ Readers who have attempted to trace aspects of their own family history will know the frustrations, joys, and chance discoveries that are part of that process. In a city as large as Montreal, with its mobile population, these were not simple tasks. Following Protestants is particularly challenging because their records are sparser. Here I must again acknowledge my deep gratitude to those students who attempted this task, which at times truly seemed to be a mission impossible.

Having established the demographic profiles of those couples who left traces we could follow, we then searched systematically in some sources, selectively in others, and sometimes made serendipitous finds. We searched the files of Montreal's notaries systematically for any marriage contracts the couples made prior to their weddings, and more selectively for inventories of goods, wills, and testaments. Locating wills is challenging because, unlike in common law jurisdictions, there was no probating or central registration of all wills. Wills and testaments could be made either with a notary or, in English style, privately in front of several witnesses.¹⁷ Most have remained in notary's archives. English-style wills had to be proved in court, and alphabetical listings make them easier to find. The process of establishing a tutor – guardians legally responsible for the care of minor children of widows or widowers and who had the authority to represent them in all civil acts – required a meeting of family and friends, held usually before a judge. We consulted these selectively. In connecting the dots in individual women's lives, as well as in determining overall patterns among widows in the city at particular points in time, city directories and censuses taken between 1825 and 1901 were further complementary sources. We identified all information on the Montreal households that included widows and widowers in 1861, and searched selectively for some of the widows of these two generations who were still alive in the 1881, 1891, and 1901 censuses, as well as searching for specific wives, husbands, and widows in city tax records.

To understand the law and politics of the period more broadly, I turned to the formal documents produced by the political and legal systems and their experts. Most important were the digests of jurisprudence, legal case reports, notaries' manuals, statutes, and journals of the Special Council, Legislative Assembly, and Legislative Council, along with reconstituted political debates. The print culture of the period – primarily newspapers and pamphlets – provided evidence of how marriage, widowhood, and death were represented culturally and debated alongside the formal structures of law and politics.

Unrevealing of emotions and sentiment, of little use in weighing romantic love against economic pragmatism, these documents can nevertheless be read productively to reveal much about the power dynamics at play at particular moments. They reveal choices made when daughters became wives, wives became widows, and families resolved issues of widows' claims, tutorship of children, or of declining health and imminent death. The collective genealogies allow a broad picture of demographic and social patterns and practices. To better understand women's lives and the laws and politics of the times, I have built more detailed biographies of some twenty women and woven them throughout the upcoming chapters. Most of these women are unknown. They were the wives and widows of labourers, carters, and craftsmen, the largest groups in this pre-industrial city. Others are known only as the wives of prominent men like Charles-Elzéar Mondelet. Only one – Émilie Tavernier – already features in the historiography in her own right.¹⁸ The women whose individual stories I tell are not “representative” widows – the routes from wife to widow were so diverse that there were no such women. Rather, in their diversity they represent something of the range of practices, experiences, and situations of Montreal wives and widows. I chose some because their lives left particular traces in the archives, others because they faced dilemmas that reveal key practices structuring marriage or widowhood, and some simply because their stories seduced me. As much as possible, they represent a range of ethnicities, religions, classes, and generations.

Collective genealogies are challenging to create. The scratches of evidence of people's lives left in archives are not random. Those used here were produced at moments when men and women formalized decisions they had made, or reported vital events that had occurred, and some male official of the church or state recorded the details. As such, the nature of their traces vary depending not just on the unfolding of their individual lives, or their visibility and power in the society of the time, but also on their cultural practices and the particular demands of the religious, political, legal, or economic institutions with which they interacted. Most left

only scratches resulting from the bureaucratic acts recording their marriages, the birth or death of their children, the death of a spouse, or census enumeration. Other actions produced records more like scars – the remaining written evidence of conflicts and tension that erupted into the public domain – “signs of victimization but also of resistance.”¹⁹ When things went wrong in families either because of conflict between generations or between husband and wife, some men and women ended up in civil or criminal courts defending their actions or claiming their rights. Others turned to local notaries for help. A few women marched through their times leaving a trail of abrasions and bruises in the archives.²⁰ A few left more fully formed vignettes and portraits.

In this genealogical tracking, legal, religious, and cultural custom and practices condition what it is possible to know about individuals and influence our certainty about who individuals were.²¹ When Scholastique Bissonnet married Louis Ducharme dit Saint Denis in Montreal’s Notre Dame Parish church on 10 July 1826, the register indicated that she was a minor and that her mother was her legal tutor. Louis was identified as a joiner who resided in the parish, though was not originally from there. The names of both of their parents were also listed, as required by Catholic rules but not the law.²² The register also indicated that both of their fathers were dead. A year later, when their son Louis died eight days after his birth, Scholastique’s husband was again identified as a joiner. Six years later, when yet another son named Louis died at the age of sixteen months, his father was described as an innkeeper. When Louis himself died in April 1834, leaving Scholastique a widow, the register again indicated that he was an innkeeper but did not identify her name. When men died, Catholic officials only sometimes recorded the names of their widows. When married women or widows died, in contrast, Catholic records nearly always listed the name of their spouses. Not only does this show how married women’s identity was linked closely to that of their husbands, it also facilitates successful tracing and makes successfully identifying women easier than successfully identifying men. Catholic registers also normally listed the previous spouse’s name when a widow or widower remarried.

The “methodology of family-tree building is a gendered one,” as Megan Doolittle has argued, “because it relies so heavily on names to make kinship links.”²³ This is true, but naming practices vary across cultures. Catholic practices in Lower Canada offer a stark contrast to the English practices she targets. At his death in 1834, Louis was listed only by his name, as an innkeeper, and as aged thirty. Were it not for Scholastique’s remarriage three years later to a shoemaker, when she was identified clearly as the widow of Louis Ducharme, joiner, it would be difficult to be sure that this was her

husband. Similarly, the registration of her death in 1895 at the age of eighty-three indicated clearly that she was the widow of her second husband.²⁴

This patriarchal lingering identification with a dead husband thus serves to make it pretty easy to successfully trace Catholic women from marriage to their deaths or remarriages. Compare these traces with those left by the Protestant Sarah Young. In 1844, she married Samuel Allen at the Zion Congregational Church, one of the nine Protestant denominations allowed to register marriages by that date. The record indicates that she was a spinster living in Montreal and that he was a labourer. There are no names of parents to aid later identifications, no indication of whether either spouse was widowed. In trying to follow her life, my researchers found two Sarah Allens who died. Both turned out to be infants. They also found a marriage between a Sarah Young and a John Neil in 1856, but this Sarah Young was listed as a spinster, so it was not considered a trustworthy match.²⁵ Our tracing method, which worked pretty well for Catholics, was much less useful for non-Catholics because they left different tracks.

Sarah Young's itinerary following her marriage would likely have remained unknown, as it did for large numbers of the Protestants whom we sought to follow, had we not turned to the records of the Protestant cemetery.²⁶ The cemetery was the one place in Montreal that united all Protestants who died or were buried in the city after the early 1860s.²⁷ The records its officials made included alphabetical indexes of all Protestant deaths in the city. For the early years, they are in bound, handwritten registers and have an index in which the names of all those buried in a year are clustered by the first letter of the dead person's family name. Wives were usually listed by their husbands' names, following English practice. After the new Protestant cemetery opened on Mount Royal in the 1860s, names were listed on alphabetical cards kept in a drawer. In one of the early registers we found mention of a Samuel Allen who died of cholera on 8 July 1854. Upon searching a second source – the names of grave owners – we discovered that the grave in which he was buried belonged to a Mrs. Samuel Allen. Was this Sarah née Young? Possibly. Possibly not. These traces lead readily into false genealogical tracks that turn on themselves so often that they take on the appearance of truth. A third piece of information available at the cemetery is a listing of all the people in a particular grave. There we found buried with Samuel Allen a John Neil who had died in 1878 of a "disease of the heart" at the age of fifty. Thus, the remarriage we had found between the "spinster" Sarah Young and John Neil in 1856 must indeed have been that of Sarah Young, widow of Samuel Allen. The card with Sarah's name and details of her death is bundled in the records next to those of her two husbands. Her card records that she died of cirrhosis of the liver in 1883 at the age of sixty-two.²⁸

If I seem to linger unnecessarily over these examples of how we have traced these women's lives it is for three reasons. First, the differences between Protestant and Catholic registers serve as a reminder that seemingly simple bureaucratic acts involve a set of rules and interactions among actors with different power, authority, and traditions that shape their content and categories. This is as true of parish registers as it is of censuses, wills, marriage contracts, and the records of charity workers. Marriage was not just an individual arrangement between husbands and wives, or an agreement between their families. It was a contract sanctioned and recorded by state, church, and community members. Parish registers in Lower Canada were both civil and religious documents. One copy remained with the church, the other had to be deposited with the civil authorities.²⁹ The law of the colony set out a minimal amount of information that was meant to be recorded. It also required two to four witnesses and the signatures of the literate. The Catholic Church had long demanded more. Protestant churches often provided less. Some of those responsible for recording asked for more details than others. Individuals, family members, and bureaucrats brought their own concerns and cultural traditions into these situations, choosing what they wished to report and how.

Second, these differences have influenced the numbers of Protestants and Catholics whom we have been able to follow from their marriages to the deaths of the first partner. The difficulty of making sure matches interacted with the greater mobility of Protestants to shrink the proportions of Protestants we could trace from marriage through to the death of the first partner. As a result, whereas I know definitely whether the wife or husband died first for over half of Catholic marriages, I have this information for under a quarter of the Protestants.³⁰ Because of this vast difference in the numbers of marriages where the outcome is known with certainty, some comparisons of Catholics and Protestants are not statistically robust. Yet, the combined information on both populations does provide useful demographic information about the lengths of marriages and of widowhood, the speed of remarriage for men and women, and the ages at which people married and died. This allows me to locate the individual life stories of specific wives within broader patterns.

Third, as mentioned earlier, the biographies based on such searching and on combining the demographic details with information from marriage contracts, wills, censuses, and city directories are the core of the book. The people, processes, and such divergent, culturally determined practices are my focus as much as are statistical patterns. Piecing together the traces that couples left, interrogating the significance of visibility and invisibility in these and other sources, and treating these documents as revealing moments and processes in which new identities and rights were produced

rather than just reflected allow me to narrate aspects of the individual life stories of wives and widows and to ponder people's unequal ability to leave traces of their lives and deaths in particular kinds of records.

Here I tell the stories of women who became widows, not of husbands whose wives died first, leaving them widowers. The possibility that wives might become widows was, I argue, a matter of private worry for parents, for husbands, and for wives. It shaped early philanthropic work and entered public policy and debate, as Mondelet's letter reveals. Husbands were as likely to become widowers. Yet, legally, socially, and culturally, widowhood was not the same for men and women. Widowhood was neither imagined, legislated for, nor lived in the same way as was the transition from husband to widower. Wives became widows. M.'s letter captures some of the ways widowhood was represented as a female status and as the concern of fathers or husbands. The protection that Mondelet envisages fathers seeking for their daughters through a dower was a provision that had no equivalent for men in the Custom of Paris.³¹

Both husbands and wives were expected to grieve, yet widows remained publicly linked to their deceased husbands in myriad ways that were not true of men. Both faced challenges if they were widowed with dependent children. But those challenges were of a different order. Widows resumed the legal capacity they had surrendered on marrying. Marriage never stripped husbands of theirs. Women, not men, were imagined slipping from comfort to poverty through the death of their spouse. And, given the few ways women could earn or raise money, their chances of doing so were greater. Mourning customs and expectations were different too. Because of these differences, and because widows are important historically as the largest group of single mothers in the past, they are the main focus here. At times, where relevant and possible, I compare the rights, practices, and experiences of husbands who became widowers.

The Historical Context of These Two Generations

Charles-Elzéar Mondelet concluded his 1840 letter to the editor by suggesting that should his readers wish to talk to the current legislators or even the governor about the importance of preserving widows' dower rights, they would be unlikely to get a sympathetic hearing. This letter was published sixteen years after his marriage, and just two years after reformers, radicals, and Patriotes in the two colonies of Upper and Lower Canada had moved from contesting the authoritarian rule of governors and their Tory supporters in the legislative assemblies and print media to armed conflict and Patriote defeat by the well-organized British-led troops and loyalist volunteers in successive battles in December 1837.³²

It was nearly a year since exiled, increasingly radical Patriotes crossed the border from the United States, proclaiming the independence of Lower Canada, calling for universal male suffrage, claiming that “all persons including INDIANS, are to enjoy the same civil rights,” and seeking voting by ballot and an end to widows’ customary dower rights. They had again faced defeat. Mothers lost sons, sisters lost brothers, wives became widows. Repression was particularly harsh after November 1838, when well over eight hundred Patriotes were imprisoned in Montreal’s jail. Over one hundred faced charges of treason. Twelve Patriotes were publicly hanged in Montreal. More than fifty were transported to Australia, others exiled to Bermuda.³³ Publication of Patriote newspapers was forbidden and habeas corpus was suspended, along with trial by jury for the accused. The governor suspended the Legislative Assembly of the colony of Lower Canada. From April 1838, successive Special Councils comprising elite men, handpicked by successive governors for their loyalty, had been passing numerous laws, furthering “a single legislative agenda,” which Steven Watt argues represented the wishes of Montreal’s most anti-French Tories.³⁴ One of the changes they were considering as Mondelet wrote would transform widows’ rights in the colony. Hence his letter.

Reshaping patriarchy was on the agenda of both the predominantly Tory Special Council and the Patriotes. Both sought to reduce widows’ claims on men’s property, though in different ways. Both in their own ways were rethinking the contract of marriage.³⁵ The rebellions and the period of authoritarian rule that followed them constituted a significant watershed in Quebec history and in the ongoing negotiations of authority, power, influence, and identity that Britain’s conquest of the colony of New France in 1759 had precipitated. As M.’s letter, the demands of the Patriotes, and Allan Greer’s work make clear, issues of gender as they intersected with ethnicity, race, culture, and religion were part of these colonial contests and were reshaped in the aftermath of the rebellions.³⁶

Growing immigration, especially from the British Isles, fuelled Patriote worries, reshaped the ethnic and religious composition of Montreal, and shaped each generation of marriages differently. Marguerite Paris, Émilie Tavernier, and Caroline Campbell were among the 1,338 women whose marriages were registered in Montreal churches between 1823 and 1826. As world cities went, Montreal was a relatively small town. The census taken by Jacques Viger and his colleague Louis Guy in 1825 recorded just over twenty-two thousand inhabitants.³⁷ This was about the same size as Cape Town, though there just over half were classified as “slaves,” “Hottentots,” or “free-blacks.” It was double the population of Sydney, New South Wales, where over four out of ten of the inhabitants had been transported



FIGURE 0.1 “Montreal from Indian Camping Ground.” This view of Montreal around the time the second generation of couples married positions First Nations men and women outside the growing city. Their clothing and temporary shelters appear primitive in contrast to the houses, smoke, windmills, and church spires that signal the civilization and progress of the not so distant city. | After a lithograph by James Duncan, 1843; T.L. Hornbrook, 1780–1850 (copyist). *Library and Archives Canada, 1934-409-1.*

as convicts.³⁸ At that time, New York boasted well over sixty thousand people and Edinburgh some eighty-three thousand, whereas the city of London was the world’s largest city with over a million. Montreal’s inhabitants included Canadiens, the eldest of whom still remembered living in a French colony. Immigrants from the United States, Scotland, England, Ireland, and from a few other parts of Europe and the expanding British Empire had joined them in the years since the Conquest. Some came in the army and stayed. Montreal was home to a very small black community, including descendants of slaves of African heritage who had once worked as house slaves for the city’s elite, blacks who had migrated as Loyalists, and African Americans escaping the fugitive slave acts. Their numbers would increase after mid-century as the railroads began to offer work to the men.³⁹ First Nations men and women were concentrated away from the city. They might visit from the mission village of Kahnawake, across



FIGURE 0.2 “Old Market, Montreal.” James Duncan was a prolific sketcher. In this image of the market, the class and ethnicity of sellers and buyers are signalled by their clothing. The background captures the mixture of sail and steam boats that characterized the harbour. | James Duncan (1806–82), *The Duncan Sketchbook*. Watercolour and gouache over black crayon, 1831–34. *Royal Ontario Museum*, 951.158.12, ROM2009_10778_7.

the Saint Lawrence River, or from further away. Visitors noted them walking the city streets; setting up their baskets, moccasins, and other wares to sell near the city market; and camping on the city outskirts, as evoked in this mid-century image in Figure 0.1. They were not welcome as residents.⁴⁰

As Jacques Viger, the city’s first modern sociologist, and later its first mayor, attempted to categorize the ethnic identities of its citizens in the 1825 census, he conceptualized three groups: Canadiens, English Canadians, and English and Strangers – or those not born in the colony. His categories showed that when the first cohort of couples married in the 1820s, Canadiens made up over half the population, English and “foreign” newcomers a third, whereas locally born anglophones comprised about 13 percent. Viger’s categories blended Montreal’s Scots, English, Irish, and Americans, whether they were born in the colony, or were more recent arrivals, and hid the

city's small Jewish community and its tiny numbers of blacks, Italians, and other Europeans. Montrealers were either Catholic or Protestant, French or English, married or not. Widowhood, so important in the city, and the status his wife had held before their marriage, disappeared, as did more subtle markers of ethnic and religious difference (see Figure 0.2).⁴¹

A generation later, when the Irish Catholic immigrant Maria Mitchell married the Irish Protestant Thomas Spiers, and the Canadienne Catholic Marie-Louise Genant married the master tailor Pierre-Bernard Decousse, the city's population had nearly doubled, reaching over forty thousand. By then, Montreal had clearly outdistanced Quebec City as the largest city of the colony of Lower Canada, indeed of the colonies of British North America. It was also the colonies' major economic centre. Immigration had boosted the number of non-French-speaking residents so that even before the famine Irish started arriving in 1847, they outnumbered Canadiens. Yet Canadiens remained the largest ethnic group, and their numbers increased as growing numbers migrated to the city from rural areas of the colony. Over upcoming decades, the city's growth continued. In 1871, the census recorded some 107,000 inhabitants. When the last known surviving widow from the two generations studied here died in 1915, the city had over 300,000 residents.

In the early 1820s, when Marguerite Paris and others of the first generation married, demolition of the walls that had separated the old town of Montreal from the suburbs, populated largely by artisans and labourers, was complete. Ambitious plans led to the remodelling of city streets and squares, providing the city with grand new public spaces, which, Robert Sweeny argues, heralded and fostered a new bourgeois order. The pre-industrial, walled town was being transformed into a bourgeois colonial city. A large new courthouse and jail represented the rule of law through their classical architectural style. The streets along the waterfront and stretching out to the suburbs had been widened, facilitating the movement of immigrants, locals, and the wares traded across the Empire and into the west. Land in the city was increasingly concentrated in the hands of a few prominent families: in 1825, close to three-quarters of its households rented their homes.⁴² (See Figure 0.3.)

By the time of Sarah Young's marriage in the 1840s, the city was a different place. Montreal merchants were adjusting to the effects of Britain's repeal of much of the protection that had encouraged trade through Montreal and colonial ports. The numbers of immigrants, especially Irish Catholics, passing through the city had increased dramatically. Over a thousand British troops were housed in the city's garrison. The wharves had been rebuilt in granite, and the streets along the riverside housed elegant new three-storey stone commercial buildings. Nearby was the grand



FIGURE 0.3 “Southwest view, Notre-Dame Street, Montreal.” This drawing by John Murray presents a clean and ordered view of Montreal’s streets peopled by respectable men, women, and children. | John Murray (1810–68), 1850, engraving, coloured by hand. *Library and Archives Canada, 1970–188–87, W.H. Coverdale Collection of Canadiana.*

new Bonsecours market building. The Catholic hierarchy was aggressively seeking greater control over its flocks, while evangelical Protestants sought to control drinking and increase converts. Montrealers of different religious and political beliefs continued to use violence to settle scores, most notably when a Tory mob, incensed at compensation being offered to Patriotes who had lost property during the rebellions, torched the building housing the Parliament.⁴³

In the 1820s, as in the 1840s, the men of the city made livings for themselves and their families as entrepreneurs, merchants, bourgeois, craftsmen,

journeymen, labourers, carters, sailors, and soldiers. Montreal was a mercantile city, linked to Great Britain through the export of furs, lumber, and wheat and the import of semi-manufactured and luxury goods. Its merchants included Canadiens; Scots who had long dominated the fur trade; Americans, some of loyalist and some of more recent origin; and Englishmen from various parts of the British Isles, many of whom traded with merchants, even family members, in the colonial metropole. The city's merchants also included large numbers of Canadiens and newcomers who bought and sold at the more local scale of the continent, the colony, or the more immediate region. Merchants large and small were involved in a wide range of economic activities.⁴⁴

Montreal's vibrant artisanal sector involved many Canadiens and growing numbers of craftsmen, skilled workers, and tradespeople from Great Britain and the northern United States, where the Industrial Revolution had long been transforming their crafts. Canadiens and newcomers alike also set up shops both large and small and ran inns, hotels, and taverns. Craftspeople, shopkeepers, and innkeepers sold their products and services to families in the city, to migrants passing through, and to an ever-growing hinterland to the north and south of the city and especially to the expanding areas of settlement in Upper Canada (later Ontario), to the west. Providing this population with professional services as notaries, lawyers, and doctors were Americans, Canadiens, and English and Jewish Canadians. Providing, among other things, the daily labour on construction sites, and the horses and carts that moved people and goods around, were the city's numerous labourers and carters, men of many backgrounds, though Canadiens and Irish Catholics predominated.⁴⁵

Women's employment in the city is harder to capture. Their labour was critical to the running of their husbands' artisanal workshops, and in a few trades – notably the clothing trades – women hired and trained girls as apprentices. Wives often assisted their merchant, shopkeeping, and artisan husbands. They dealt with creditors, orders, and deliveries during the long absences that many merchants' work demanded. Married women, single women, and widows alike opened up their homes or rented spaces to run schools and to teach music, or to house boarders. Young girls, often recently arrived from rural areas or Ireland, were employed throughout the city as domestics. Women were visible in street trades that ranged from hawking wares to prostitution. They were also visible, as Mary Anne Poutanen has shown, among the vagrants who were living on the streets, surviving by stealing, squatting, and selling their bodies. A few were well established in the sex trades and ran profitable brothels. Some did well in this city with its floating population of sailors and garrison of British soldiers.⁴⁶ In the 1820s, a very small number of women worked and lived religious lives in the

city's Catholic convents. Numbers then were at an all-time low. Recruitment of sisters and priests had been falling for over a century. This would change during the 1840s as Catholic leaders sought growing control over their people's lives.⁴⁷

Over the lifetimes of the survivors of these two marriage generations, Montreal was transformed from a pre-industrial town to a modern, capitalist, cosmopolitan metropolis, from one city in a conquered colony to the largest and most important urban centre in the nation of Canada.⁴⁸ Work options for women changed first as industry opened up paid labour in factories, workshops, and the exploitative putting out of the sewing and leather trades, and then toward the end of the century as new possibilities for employment were created in offices and department stores. Only a few of the women who married in the 1820s and 1840s would live long enough to experience all those transformations.

Influences and Debts

This study of women's lives as wives and widows and of the negotiations and renegotiations of patriarchy in their individual lives, in the laws that framed marriage and widowhood, and in the politics of the period has been shaped by many areas of feminist inquiry and historical writing. My approach and analysis has been profoundly influenced by the last two decades of social and cultural history and by the broad shifts in historical and academic writing. The linguistic or cultural turn in history and a range of post-structuralist theories have reshaped thinking in and outside academia over the last two decades about how to understand the present, the past, power, and social change. Cogent critiques of the kind of quantitative study I had initially envisaged – in which data would be collected on individuals, coded, slotted into categories of my making, and then subjected to statistical testing – have pushed historians to think much more carefully about who produced the records we use, why, and to consider the cultural work they performed. Above all, historians have learned to be careful about what they can claim to know from such documents, complicating illusions that there are simple ways of capturing the experiences of people without power in the past.⁴⁹ Here I seek to blend the strengths of social history with insights from old and new cultural historians, through biographically focused narratives.⁵⁰

In seeking to make sense of these women's lives I have built mostly on the concepts, methods, and findings of feminist history, family history, legal history, and histories of Quebec and Montreal. Feminist debates have informed the interrelated, widely debated, and diversely deployed understandings of patriarchy, gender, identity, class, and public and private upon which I draw here. Patriarchy was one of the earliest concepts used to

understand women's oppression. It has been widely criticized for being ahistorical and essentialist, for ignoring women's agency, and as an inadequate tool for capturing the complex ways class, race, and gender intersect.⁵¹ Yet, like Judith Bennett, I believe it remains a useful concept for some subjects. Adrienne Rich defined patriarchy years ago as "a familial-social, ideological, political system in which men – by force, direct pressure, or through ritual, tradition, law and language, customs, etiquette, education, and the division of labour, determine what part women shall or shall not play."⁵² Thinking in this broad way still seems to me to help us understand nineteenth-century women's lives. Patriarchy was equally a cultural system that produced and policed gender difference. It was one axis of power that was constantly negotiated and renegotiated in individual relationships and through legal, political, and institutional changes. Those negotiations were historically specific and diverse, shaped by class, age, religion, ethnicity, sexuality, and other individual characteristics, as well as by gender. In 1986, Constance Backhouse argued that despite some commitment to what family historians have called "companionate marriage" among legislators, the judges in English Canada imposed a "pure patriarchy" that vested authority with the husband. I argue here that nineteenth-century marriage is best understood as companionate patriarchy, and that Montreal couples opted for a range of different versions of companionate patriarchy in their marriages, especially regarding property and authority, depending on their cultural-legal heritage and their class.⁵³ What couples considered the proper ordering of gender and property relations in marriage changed between these two generations and across the century. Of course, not all marriages were companionate. Some were loving, some respectful, some abusive, and some simply did not work.

Identity, like patriarchy, is used in diverse ways. In this book I use the concept to refer very broadly to cultural meanings produced discursively in ways that usually made particular characteristics and differences seem natural or biological. Identities were expressed culturally as well as negotiated, performed, and reshaped collectively, individually and interrelationally. Gender is one such identity; ethnicity, race, age, sexuality, and class are others. Catherine Hall has argued that "the time of empire was the time when anatomies of difference were being elaborated, across the axes of class, race, and gender. These elaborations were the work of culture, for the categories were discursive, and their meanings historically contingent."⁵⁴ In the colonial city of Montreal, Canadiens and newcomers forged new meanings of national, ethnic, and religious identity in relationship to each other. M.'s letter to the editor in 1840 began by claiming that English Montrealers regarded "the law of dower as a residue of barbarity and of ignorance." It cleverly poked fun at the English belief that they were the

most civilized society because they treated their women better than other nations by showing how badly the English common law treated wives and widows. Another major argument here is that in Lower Canada/Quebec, debates about marriage, widowhood, and inheritance fused with broader conflicts over the merits of French and English law. Montrealers imagined marriage and widowhood through the lenses of the legal cultures linked to their identities as Canadiens or British.

Class too has many meanings and is used in diverse ways by historians. How to designate women's class has occasioned much debate. I use "class" broadly to refer to men's wealth, their status in the community, and their relationship to the means of production as captured in their occupations. I treat wives and widows as sharing their husbands' class position, though not necessarily their wealth. Class was also a cultural category expressed through material culture. A further argument of *Wife to Widow* is that money, property, and class mattered. Different legal regimes framed divergent claims on husbands' estates and family fortunes. Yet, the types and amount of property accumulated during a marriage mattered too. Without family fortunes, inherited in their own right, or accumulated during their marriage and bequeathed by husbands, widows' alternatives were stark.

A husband's death turned a wife into a widow. Both wife and widow were legal, social, and cultural identities. The law forged categories of wives and widows as individuals with widely divergent legal capacities. Customs of mourning intensified the differences between the identities of wives and widows. Custom demanded that widows don a complete outfit of black mourning clothes for up to twelve months. Most men wore only an armband to signify their mourning. Mourning clothes, like names, marked widows with traces of their dead husbands' identities, for months, years, and sometimes for lifetimes. Caroline Scott, who married the notary Thomas John Pelton in 1844, was identified at diverse times after he died as "Mrs. Widow Pelton," "Mrs. C. widow John," and "Pelton, Mrs. Caroline, widow, Thomas J." Traces, Nancy Hewitt has reminded us, drawing on the definition in the *American Heritage Dictionary*, "can be 'a visible mark or sign of the former presence or passage of some person, thing or event'; 'a barely perceptible indication of something.'"⁵⁵ Beyond the similarities of such traces and markers, the categories of wife and widow as individual identities and as discursive constructs were diverse. They were lived and produced concurrently with their class, gender, ethnicity, religion, and age. The diversity of widows' situations and of the range of ways they interacted with historical events and shaped the city in which they lived is another main argument of the book.

The idea that men and women occupied and should occupy different spheres was a significant component of gender ideology in most Western

nations in the nineteenth century. As an explanatory concept, it has been found wanting. Most historians would now agree that few women lived out their lives in domestic seclusion and that age, ability, class, ethnicity, race, and religion interacted to shape different experiences. Intellectual historians have pointed to the many divergent meanings of “public” and “private” in philosophical, political, religious, and other discourses of the times. I draw here on the rich body of writing that problematizes the question of gender and separate spheres and that seeks to explore the “ragged frontiers” between public and private and the complicated ways in which place and space, from homes through streets and notary’s offices to the hustings, were gendered as appropriate for some men and women and not for others.⁵⁶

Within feminist history I build most specifically on the small but growing number of studies of widowhood and “singlehood” that explore aspects of widows’ lives in the past.⁵⁷ Writing about widows in Canada has focused more on the period of New France or on rural areas than on women in nineteenth-century cities.⁵⁸ Most useful have been studies of widows elsewhere that explore provisions in husbands’ wills, laws of inheritance, widows as businesswomen, and institutions providing for poor widows, or that offer snapshots of widows’ residential situations through census listings.⁵⁹ Building on these themes and this work, I insist here on the importance of understanding both marriage and widowhood and of following women across their lives by blending demography with the study of legal, political, and institutional histories. Hence, my debts extend also to the broader literature that explores issues of marriage and property;⁶⁰ female poverty, charity, and the work of benevolence;⁶¹ early pensions for widows and mothers;⁶² and gender, citizenship, and nation.⁶³

In *Wife to Widow*, I seek to contribute both the stories of individual women’s lives and an understanding of the different ways they negotiated and reshaped patriarchy across their lives in nineteenth-century Montreal. Feminist historians in Quebec have paid surprisingly little attention to women and gender in the early nineteenth century. Mary Anne Poutanen’s important work on prostitutes and vagrants, Janice Harvey’s research into women and Protestant charities, and Nathalie Picard’s research on voting women are the main exceptions. I am indebted to all three, both for their insights and for sharing data with me that have enriched this study. I build here too on the insights of the Collective Clio, which in what remains the only survey of Quebec women’s history, highlighted the significance of the transformations to dower rights and women’s loss of the right to vote in this period. I dig deeper into these changes, nuancing the book’s argument that capitalist expansion led by the British explains these changes.⁶⁴

In thinking about population movements and legal and political debates about marriage of the period, I found it useful to conceptualize Montreal as a particular colonial space in which the dynamics of race, class, sexuality, gender, ethnicity, and the workings of difference can be fruitfully approached through the lenses of the rich and growing literature on gender and empire.⁶⁵ The particularities of Quebec's place in the relations of empire deserves more attention than it has received.

This is a feminist family history. Family historians have influenced my intellectual trajectory, the sources I use, and some of my methodology. In particular, this book joins the growing number of studies that extend the boundaries of family histories beyond domestic and internal familial relations and track the complex interactions among families, family members, kin, and other charitable, social, economic, and political institutions.⁶⁶ I build in different ways too on historical demography, studies of marriage and family formation,⁶⁷ of household structures and residential patterns,⁶⁸ aging and old age,⁶⁹ family dissolution, death, and inheritance.⁷⁰ A wonderfully rich scholarship in English Canada and especially Quebec explores the dynamics of inheritance. Yet, its focus is largely on the transmission of property in agricultural families. Such research has been critical to understanding the dynamics of settlement as Canadiens moved away from the earliest areas of settlement along the Saint Lawrence River into new agricultural areas. Gérard Bouchard's work in particular has placed the dynamics of family reproduction at the heart of analyses of migration and settlement. His study of the Saguenay provides empirical details that demonstrate how gender operated in these areas.⁷¹ Yet, widows either get little attention in studies of rural areas or appear as helpless victims of family strategies or men's "patriarchy from the grave."⁷²

The dominant focus on rural inheritance in Canada has been broken with Peter Baskerville's recent path-breaking study of urban women. In 1987, Carole Shammas and colleagues argued that in the United States too much inheritance literature concentrated on passing on land. They bemoaned the lack of comparable literature on the growth of financial assets and its possible impact on inheritance. Jon Stobart and Alastair Owens have argued cogently for the importance of studies of urban property and inheritance in the British context.⁷³ Our approaches, sources, and periods are different; still, *Wife to Widow* joins Baskerville's *A Silent Revolution?* in looking at questions of women and inheritance in an urban setting in which moveable property – investments, stock, cash, furniture, luxuries, even clothes were more important for most widows than land.

Inheritance, property, and widowhood are also the subjects of legal history. I am indebted to Quebec legal historians for scholarship that has

helped me understand the transformations of Quebec laws regarding marriage, widowhood, and family property and the changes made to the civil law over the late eighteenth and early nineteenth centuries. I build also on writing about the law in other areas of mixed legal jurisdiction.⁷⁴ Studies that explore how the law was practised, used, and transformed by individuals, and the place of legal rituals in family relations and daily life, have been especially useful to me.⁷⁵

The chapters that follow are structured around the transition that the women who outlived their husbands made from wife to widow. In making sense of their lives, general histories of Montreal, dissertations, monographs, and articles on that city's history, along with the broader literature on families, religion, and institutions in Quebec over this period have also been invaluable.⁷⁶ The chapters explore the unfolding of the couples' marriages and individual life courses in the city of Montreal rather than proceeding chronologically, because women lost husbands and husbands lost wives at all ages, in ways that are closer to the erratic timing of divorces today than to the dominant, contemporary impact of partners' deaths. Part 1 investigates marriage. Part 2 turns to widowhood. Chapter 1 introduces the couples who married in Montreal in the 1820s and 1840s, and explores some of the "entanglement of genealogies of dispersion with those of 'staying put'"⁷⁷ that blended in this particular colonial city. Chapter 2 analyzes how different legal traditions and economic factors influenced couples' decisions about how to organize property during their marriages, producing wives with a wider range of legal identities and rights than in the jurisdictions of the English common law. The following chapter probes the range of material and physical contributions that women brought to new households, exploring what Davidoff and Hall called their "hidden investments" and tracing the geographic, occupational, and professional trajectories of some of the couples.⁷⁸

In Chapter 4, I turn to the more public discussions that took place about marriage, and especially widows' right to dower, in the political sphere of legislative assemblies, councils, and select committees. The critical moment here was the debate to which M. was contributing as the Special Council reshaped land registration and widows' dower rights. The final chapter of Part 1 moves back to the private decisions husbands and wives made as they imagined how best to deal with the death of one or other spouse before and after the passage of that law. It returns to those sections of marriage contracts that dealt with the possibility of widowhood, looks at the provisions made by some husbands and wives who wrote wills, and examines some of the other ways spouses made provisions for their death and burial.

The chapters of Part 2 turn to the wives who became widows. Chapter 6 investigates the demographics, and details of the moments when wives

became widows and looks at those who chose to escape widowhood through remarriage. The following two chapters explore the first year of widowhood, that twelve-month period in which widows are commonly understood to have worn deep mourning and retired from public. I suggest that widows had many tasks to see to, so few could simply stay home and mourn. In Chapter 9, I return to politics, and follow several of the women who had already become widows by the time of the particularly violent by-election in Montreal in 1832 to the hustings. Many widows voted in this by-election. I revisit the details of their voting and the jockeying of nationality, class, ethnicity, and gender produced discursively in newspapers, then in the Assembly's investigation, to re-examine the question of why Patriote politicians sought explicitly to exclude Lower Canadian women from voting soon afterward. One of those voters was *Émilie Tavernier*, the best known of the women of these two marriage cohorts. Chapter 10 follows her as she threw herself into sheltering poor, senile, and homeless widows, then took the veil and became the Mother Superior of the first female religious order created in Quebec, the Sisters of Providence.

The two final chapters explore diverse itineraries of widowhood, following some of the widows as they patched together livelihoods, as they aged, and then as some of their bodies and brains faltered, and they faced final illnesses and death. The diverse ways these widows, some wealthy, some indigent, survived as widows, stitching together support systems rich, varied, or sparse, highlights the inadequacy of M.'s didactic contrast between English and French widows, between the poor and the comfortable. Only privileged widows well provided for in marriage contracts or wills, or independently wealthy, could rely on support from their dead husbands for the duration of their widowhood. Most had to shape their own patchwork of support, though on the basis of vastly differing personal and material resources. For many wives who became widows, this was not new. Differences of material resources characterized their lives as wives as well as widows. It is to their marriages in Montreal that the next two chapters turn.

PART I

Marriage, Identity, and the Law

Marriage Metropole

Mobility and Marriage in Early-Nineteenth-Century Montreal

On Wednesday, 4 June 1823, Émilie Tavernier married the merchant Jean-Baptiste Gamelin in Notre Dame Church, “one of the most significant monuments of French colonial architecture in Montreal.”¹ It was the church that they both attended and had been the parish church for the large Catholic parish of Montreal since it was built in the 1670s.² A year later, construction of a new church began. The new Notre Dame Church would remain the only Catholic church registering births, deaths, and marriages until the middle of the nineteenth century. Both spouses were born and raised in the city. There had been members of Émilie’s parents’ families, the Taverniers and Maurices, in the parish of Montreal since before the Conquest. Her father, Antoine, was born in the city in 1754. Marie-Joseph, her mother, was born at the northeastern end of Montreal Island, in Rivière des Prairies, in 1756.³ Émilie had dense networks of kin within the city and its suburbs.

Marguerite Paris’ family were relative newcomers to the city. Her parents married in Terrebonne, north of Montreal, in the late 1790s. Two children were born there, and two more in the nearby parish of Sainte-Anne-des-Plaines. When Marguerite married, both her widowed mother and deceased labourer father were identified as Montrealers. The family of the man she married on Monday, 12 September 1825, the labourer Joseph Guilbault, also came from northeast of Montreal. He was a relative newcomer to the city. His parents married in 1797 in Mascouche, where one of their children was born. At the time of Marguerite and Joseph’s marriage, they were identified as living north of there, in Saint Roch. He had moved to Montreal and was identified as domiciled there.⁴

The man whom Mary Anne Forrest wed in 1845 had arrived in Montreal by more circuitous routes. Both her family history and his were shaped by and part of the complicated webs of empire that accompanied

nineteenth-century British colonialism, emigration, and settlement. Her parents, James and Georginna Forrest, married in London in 1818 and migrated to the colony from England some time after that.⁵ James Bond Forrest was an officer of the British government. During the rebellions of 1837 and 1838, he worked as a commissary and as paymaster for the British troops. At the time of their wedding he was still working for the government and had settled with his wife and other children in Mile End, then a small community north of the city.⁶

Mary Anne's new husband, Joseph Charles Jourdain, might easily be mistaken for a Canadien, for there had been Catholic Jourdains in Montreal since before the Conquest. Yet, family genealogies reveal that he was of Huguenot origin. His father was a merchant silk dyer, living and working in London, England, at the time of Joseph's birth in 1814. Jourdain initially apprenticed in the silk trade. He left England in February 1833, sailing for over four months on the ship *Esther* to Sydney, New South Wales. Colonial port cities like Montreal or Sydney, as historian Kirsten McKenzie argues, were places where "fortunes could be made and new identities forged," places where the "large proportion of newcomers and itinerant visitors" meant that "residents had a certain degree of licence to reinvent themselves." In New South Wales, Jourdain bounced from job to job, working first as a clerk in the New Commercial Bank, then in the Audit Office, and finally in the Office of the Principal Superintendent of Convicts.⁷ Two months after his arrival, a "Mr. C. Jordane" boarded the *Esther* in Sydney. It was bound for the convict colony on Norfolk Island, where convicts had recently seized a government boat full of supplies. Listed with him on the passenger list were convicts, the executioner, and Justice Dowling, fairly recently appointed by the Colonial Office as one of the senior judges of the Supreme Court of New South Wales. This was a work-related trip.⁸

In 1835, Joseph married a woman named Ann Moore, possibly the "Mrs. Moore" listed as a passenger on the boat he had taken to Norfolk Island. Their wedding was registered at Sydney's first established Catholic church, St. Mary's.⁹ Sydney offered possibilities for free men like Charles Jourdain. The 1830s were relatively prosperous years in this convict colony. With good luck, good manners, and a dose of acting ability, a newly married couple might hope to secure a respectable place in the "anxious parade of social distinction," and "competitive status assertion" that the Sydney elite sought to police and newcomers to crack. Yet, as Kirsten McKenzie argues, the "danger of slipping back from a position of respectability and status" was ever present.¹⁰ Bad luck and instability as a worker, husband, and provider haunted Jourdain. Within three years of his arrival and one year after his marriage, he fled the colony, spending some time in Lisbon before

returning to London. In September 1836, he was listed as an insolvent debtor in the *London Gazette*. The entry enumerated the positions he had held in New South Wales and identified him as “late of No 1. Castle Street, Finsbury Square, Middlesex, gentleman.”¹¹ What happened to him next is unclear. Family genealogies indicate that Ann and Joseph had four children. Yet, I have found no further traces of Ann or the children. At some point after this brush with his creditors Jourdain again moved on. In 1842, a Rolph Thomas published a study in London extolling the potential of settling in Canada. There, he affirmed, “the moderately industrious and sober, however poor, are sure of obtaining not only a plentiful subsistence,” but also “many comforts” that in all probability they would “long be strangers” to in the mother country.¹² Canada offered Jourdain the possibility of a new start and some distance from his creditors.

By 1845, Joseph had been in Montreal long enough to court Mary Anne Forrest and convince her she should marry him; long enough too for her parents to decide that this was not a wise match for their daughter.¹³ The wedding took place on 13 December. It was recorded in the registers of Christ Anglican Church, the elegant neoclassical cathedral that the Anglican elite of Montreal had built in close and competitive proximity to the Catholic Notre Dame Church.

Early-nineteenth-century Montreal is well known in Canadian history as the heart of the Empire of the Saint Lawrence, the metropolis of the fur trade, as a seigneurie run by the Sulpicians, a pre-industrial city with a rich artisanal sector, a centre of entrepreneurship, and as a key site of confluence and conflict among Anglo-Protestant and French Canadian and Irish Catholic cultures and migration patterns.¹⁴ The diverse roots and migration histories of the brides Émilie Tavernier, Marguerite Paris, Mary Anne Forrest, their spouses, and the other men and women who married in Montreal in the 1820s and 1840s suggest the advantage of also considering Montreal as a marriage metropole within a particular colonial contact zone. In this chapter I approach Montreal as a place where men and women from within the city, elsewhere in the colony, North America, the British Empire, and the world became husbands and wives, starting new families, blending genealogies. Some married and moved on. Some made Montreal their home for the rest of their lives. In this historical space, specific local, colonial, continental, trans-Atlantic, and imperial migration routes merged and diverged. In such diasporic spaces, as Avtar Brah has suggested, “genealogies of dispersion” tangled with those of “staying put.” Newcomers and long-term residents sorted out new senses of their own identities in relationship to each other. Diverse roots and routes complicated claims of belonging.¹⁵ Ideas of difference, home, religion, faith, and politics required

repeated negotiations of meaning and social significance. Marriages re-asserted and transformed identities of gender, religion, class, and culture and shifted the descent lines of family genealogies. Thinking of Montreal as such a diasporic space blends productively with the interest of historians of nineteenth-century empire in the diverse and different contact zones, in webs and networks of empire, and with empirical studies of population movements, ethnicity, and changing rural-urban relationships in Lower Canada.¹⁶

This chapter serves to introduce readers to *Émilie Tavernier*, *Marguerite Paris*, *Mary Anne Forrest*, and some of the other women and men who married between 1823 and 1826 and between 1842 and 1845 whose stories are followed in subsequent chapters. It explores aspects of the city and colony that their marriages reveal, drawing predominantly on the registrations of the marriages of these two generations by the officiating priests, ministers, and rabbis, complemented where possible by other sources. First it explores the diverse histories of migration and residency that brought marrying Montrealers together. It then looks at the ways husbands and wives were inserted differently within the intersecting “social relations of class, gender, racism, sexuality,” religion, “or other axes of differentiation” of this city.¹⁷ I turn then to demographic similarities and differences of the spouses, examining their marital status and ages, and whether their parents were alive when they married. The chapter concludes by looking briefly at disappearances and departures from the city following couples’ marriages.

Roots and Routes to Marriage

Montreal marriages united locals, newcomers, and birds of passage. Who would marry in the city was influenced by the custom of marrying in the bride’s parish, by both spouses’ place of residence, and by migration patterns. The city attracted some betrothed couples from elsewhere in the colony who chose to marry because of strong social and familial networks in the city or its rich array of cultural and religious institutions. Some came seeking a stately church, a minister of their faith recognized as having the right to officiate at weddings, or a well-informed notary. Others hoped for the relative anonymity that a city with a large floating population offered in contrast to small parishes where an unplanned pregnancy or marriage between close relatives could not escape the eye of vigilant priests and local gossips. Catholics seeking to wed a Protestant, or relatives within the forbidden degrees, could exercise the threat of choosing a Protestant minister with much greater potency in this very Protestant city. Dispensations, historian Serge Gagnon has argued, were more freely given in and around Montreal than in the predominantly Catholic parishes of most of the rest of the colony. They increased throughout the 1820s and 1830s.¹⁸

Marriages were key moments of identity transformation for women as they agreed to the legal and social understandings of what it meant to be a wife. That transition from single woman to wife was shaped by state and church rules, religious rituals, and familial practices. Marriage was a time when spouses, their families, and the broader community negotiated identities of class, gender, cultural affinity, and emotion. Marriage reinscribed gender inequalities in producing husbands and wives with vastly different legal and social power. When Émilie Tavernier, Marguerite Paris, and the other 1,336 women who became wives in Montreal between 1823 and 1826 married, only Catholics, Anglicans, and Presbyterians could officially sanction marriages and keep registers of marriages, births, or deaths. Some 57 percent of the marriages were, like those of the *Canadiennes* Émilie and Marguerite, registered at the Catholic Notre Dame Church. Nearly 25 percent were officially recognized in the registers of either St. Andrew's or St. Gabriel Street Presbyterian churches, whereas the remaining 19 percent were listed either at Christ Anglican or the small Anglican garrison church, which largely served the local military.

When the second generation of women married in the 1840s, political pressure from Jews, Methodists, and other dissident Protestants had made it legal for Jews and most Protestant denominations to marry their own parishioners and maintain legal registers.¹⁹ As a result, Montreal offered couples a much greater array of churches through which to formalize their marriages. Catholic marriages at Notre Dame made up around 60 percent of those registered, though more of the couples were from Ireland than a generation earlier. The Presbyterians, who were mostly Scots and had dominated the early Protestant community and economy, were becoming one denomination among many – only 16 percent of couples married in their seven churches. Similarly, the proportion marrying in the six Anglican churches of the city had dropped to 14 percent. Among this marriage cohort, a further 5 percent of couples married in one of the three Methodist chapels, 4 percent at Zion Congregational Church, whereas under 1 percent chose to sanction their union at either the First Baptist Church or the Spanish Portuguese Shearith Israel synagogue.

Where did these brides and grooms come from? What were their roots and by what routes had they arrived in Montreal to marry? And whom did they marry? Seen through the different traces left in marriage registers, in which place of residence but not of birth were recorded diligently for Catholics and erratically for Protestants, the couples marrying in Montreal can be crudely categorized in the three solitudes that Sherry Olson and Patricia Thornton have described as characterizing nineteenth-century Montreal: *Canadiens* – or Catholics with French names; Catholics with non-French names who were mostly Irish; and English Protestants or Jews.

Yet, individual genealogies and choices confound such neat categories. In the 1820s, 43 percent of the brides were *Canadiennes*. Irish and other non-French Catholics made up some 14 percent of the brides. A further 43 percent of the women, largely of English, Irish, American, and Scottish background and a few Jews, had their marriage sanctioned by a Protestant minister. A generation later, between 1842 and 1845, the percentage of *Canadiennes* had shrunk to 35 percent, Irish Catholic women made up 25 percent of the brides, and the predominantly English, Irish, and Scottish Protestants and small number of Jewish women made up around 40 percent of those marrying. The shift in Montreal's population to predominantly English speaking, captured in the census of 1842, occurred earlier among the relatively young and very mobile marrying population than in the city as a whole.²⁰

Émilie Tavernier and Marguerite Paris were among the roughly eight of every ten *Canadienne* brides in each cohort whose parents were identified as Montrealers. The categories of information that officials recording Catholic marriages in Lower Canada in this period were required to include had their history in European Catholicism, augmented by local requirements. Registers reflected both civil and ecclesiastical categories.²¹ As we saw, the Catholic records of their marriages included the names of both of their parents, the name of the parish that the parents and the marrying couple were from originally, and the parish in which they were living or domiciled in at the time of the marriage.

Other *Canadienne* brides had moved to Montreal, some with their parents. Many were women who had apparently migrated on their own, with siblings, other kin, or friends, leaving parents, living and dead, behind. Even taking into account the custom of marrying in the bride's parish, a greater proportion of *Canadien* grooms than brides appear to have migrated to the city before they married, leaving families elsewhere in the colony, hinting at the different mobility possibilities for men and women. Whereas some two of every ten *Canadienne* brides were not from Montreal, this was true of around four of every ten of the grooms.²²

These migrations of women and men with parents and siblings and on their own were part of the extra-ordinary mobility along the Saint Lawrence River that the geographer Serge Courville has described as having two major thrusts: north and west into new resource areas; and into the cities, especially Montreal.²³ Brides in each cohort had moved from as far away as the north shore of the Saint Lawrence, east of Quebec City. Most left parishes located in the agricultural regions around Montreal already linked through close economic, cultural, and social ties. These areas would furnish waves of rural *Canadien* migrants that matched the growing numbers of immigrants from the British Isles. Their fathers were largely listed

as being from parishes just north and east of Montreal, especially Saint Roch, Saint Ours, Saint Henry de Mascouche, and Sainte-Anne-des-Plaines, or from the western and northerly parts of the Island of Montreal or the Île-Jésus. They also migrated from the south-shore parishes – from Saint Denis and from parishes west of the city toward the border with Upper Canada. Brides left areas where agriculture, commerce, and inheritance patterns were in transition as families modified their practices in the face of population growth and the growing attraction of Montreal as a market and potential source of work. Some also migrated from the two other main towns of the colony, Quebec City and Trois-Rivières, perhaps choosing Montreal because it seemed to promise greater possibilities of employment as a domestic, in a trade or business, or on the streets.

Most of Montreal's French-speaking Catholic brides and grooms traced their ancestry back to the period of French rule. But Catholicism and a French name also included those of more recent migration from France, Switzerland, and other parts of Europe. The family of Marie-Louise Lacroix, who married the conservative merchant Charles-Séraphin Rodier in 1825, came originally from Alsace. Rodier's grandfather, Pierre Rodier, was a native of the Dauphiné who came to Canada as a soldier during the Seven Years War and remained in Canada after 1759. By the time of the marriage, both families had resided in Montreal for at least a generation.²⁴ The man whom Charlotte Mount married in February 1823, Jacques-François-Louis Genevay, also had family roots in Switzerland. His father was Swiss, possibly Protestant. Genevay senior served in the militia during the Seven Years War, worked with Governor Haldimand, and was the deputy paymaster general for the District of Montreal prior to his death. He married a French-Catholic Canadienne, Agathe Dumas, and died while Jacques-François was still a young boy. Agathe remarried with another government official, the English Protestant Samuel Dunham Flemming. By the time of her son's marriage she was again a widow. The trail of documents that this young man, his mother, and Charlotte left in the records of notaries shifts between the two languages. They were married in a Protestant church but shortly thereafter purchased a pew at Notre Dame Church.²⁵ Charlotte Mount came from a prominent family in which intermarriage between Catholic Canadiens and English-speaking Protestants had been frequent.

In the 1820s, and even more so in the 1840s, some of the English-speaking Protestant brides and grooms were born in the colony. A minority were second, even third generation Montrealers.²⁶ The marriage of Jane Prescott Forsyth and George Gregory in 1823 at St. Gabriel Street Presbyterian Church united the offspring of two prominent former fur traders and members of the North West Company. Their fathers, John

Forsyth and John Gregory, had both arrived in the colony in the 1770s from Scotland. They were of the generation of Montreal-based men who had extended the reach of the fur trade into new areas of the west, where many kept First Nations women as country wives. By the time their children married, Gregory, Forsyth, and their wives had established themselves among Montreal's elite, investing in land and commerce, maintaining elegant homes, entertaining lavishly, acting on grand juries and as justices of the peace, and engaging in politics.²⁷

The Molson family's roots in the colony began shortly after the Conquest when John Molson senior set up his first brewery. William Molson's two daughters, Elizabeth Sarah and Anne, who married in 1844 and 1845 respectively, were the third generation of that entrepreneurial beer-brewing family to be born and raised in Montreal. Elizabeth Sarah married a recent Scottish immigrant, David Lewis Macpherson. He had arrived in the city as a sixteen year old from Scotland just nine years earlier, joining older brothers and sisters already established in British North America, and settling into a lucrative partnership in his brother's forwarding company. Anne married her cousin, John Molson, thus retaining wealth in the family. John continued in the family business.²⁸

Betsy Rea, who married the merchant John Smith in 1825, was also born in the colony. Her new husband, another immigrant from Scotland, was well established by the time of their marriage. A generation later, their daughter Matilda Caroline maintained the Scottish link when she married the merchant Hugh Allan in 1844. Hugh had been in Canada some eighteen years and was rapidly rising in Montreal's merchant circles, especially in the business of his family – shipping. He was a partner in the company that had “the largest shipping capacity of any Montreal-based firm.” His brother Andrew had also come to Montreal from Glasgow to help Hugh in the extensive family business. Hugh was clearly a man with a future.²⁹

Caroline Campbell, whose marriage to the American immigrant Oliver Wait was also registered at St. Gabriel Street Presbyterian Church in 1823, had probably lived many of her seventeen years in the city, though she does not seem to have been born there. Her Scottish father, William Campbell, had been in the city long enough to build up a solid hotel business by the time he witnessed the marriage of his young daughter to this upwardly mobile widower with six children from his first marriage.³⁰ Like Oliver Wait, both Hannah Lyman and John Easton Mills, the successful merchant whom Hannah married in January 1823, had moved to Montreal from the United States. Mills and his brother Ceophas, who married Hannah's sister, Fanny, two weeks earlier, had migrated as young men in the late 1790s, attracted from Massachusetts by the possibilities that the fur trade offered

young men. She migrated to Montreal from Vermont in 1816 when she was about sixteen with her family.³¹

Some of the small elite Jewish community had also lived in the colony for several generations. Constance Hannah Hart was born and raised in Montreal. Her father, Benjamin, was a prominent merchant in the city. Her new husband, Adolphus Mordecai Hart, was raised in Trois-Rivières, the colony's third-largest city. His father, Ezekiel, had fought to dismantle the laws that prevented Jews from being elected to the House of Assembly. Adolphus continued the tradition, fighting vigorously as a young lawyer to further expand the rights of Jews in the colony. He also defended several Patriotes following the rebellions. At some time, in the early 1840s, he moved to Montreal, where he set up his legal practice. It was there that he married his cousin Constance. Their union was recorded in December 1844 in the register of the Spanish Portuguese Shearith Israel synagogue, then the city's only synagogue.³²

The marriage of Norah Deegan and the labourer Patrick Crowe in November 1823 brought together two of the growing number of Irish Catholics migrating to or through Montreal. Most were relative newcomers. Around one in five of the women from Ireland marrying in the Catholic parish and slightly more a generation later appear to have lived in the city for long enough to be identified in the parish records as Montrealers, rather than as simply domiciled there.³³ The record of their marriage describes Norah, her parents, and Patrick as residents of the parish of Notre Dame. His parents, in contrast, appear to have remained in Tipperary. Mary O'Leary, who married the local painter Nicolas Venière in 1824, was listed as domiciled in Montreal, hinting at a more recent migration. Her parents were from County Cork. Whether they were in Montreal or not is unclear.³⁴ The places of origin in Ireland recorded for these brides and grooms fit the broad patterns of emigration from Ireland that historians have described for the years before the potato famine of 1847 further increased migration. The highest proportion of Irish Catholic brides in the 1820s came from Ulster, the northeastern of Ireland's four provinces.³⁵ Within Ulster, most came from Antrim, the county that includes Belfast, or from Cavan, the most southerly county. A further third of the women of that generation came from Leinster, the province that stretches down the eastern side of Ireland. Husbands came in more equal proportions from Ulster, Leinster, and Munster provinces, and many more men than women came from Tipperary and Cork in the south. Twenty years later, the women came from pretty well all over Ireland. The proportion from the southwest had increased. Among the brides marrying between 1842 and 1845, the largest numbers came from Munster province, in

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