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***DISCORDANT MUSIC:
Charivaris and Whitecapping in
Nineteenth-Century North America****

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That monster custom, who all sense doth eat,
Of habits devil, is angel yet in this.
That to the use of actions fair and good
He likewise gives a frock or livery,
That aptly is put on.
Hamlet, III, 4

Friend, hast thou hear'd a Strong
North Eastern roar,
Or the harsh discord of Charivari,
or Cat's wild scream ere them to
love agree?
Quebec Gazette, 12 January 1786.

* This is a version of a paper presented to the Canadian Historical Association meetings, London, Ontario, 2 June 1978. I would like to thank the many individuals who directed me to sources, replied to my letters, and shared materials with me. I have acknowledged the aid of a number of friends and scholars who shared specific sources with me in the footnotes. This paper benefitted greatly from a reading by Russell Hann, who suggested a number of revisions. Michael S. Cross graciously shared research with me, and Edward Shorter offered early encouragement at a time when I needed it most. The Canada Council supported the research in its initial stages. Finally, it is a pleasure to acknowledge two other debts. Donald Swainson, whose knowledge of 19th-century Ontario is truly encyclopedic, directed me to many important sources of information. Gregory S. Kealey, who critically assessed a crude first draft, also shared his notes from Toronto's *Globe* with me, allowing me to enrich my presentation.



From W. S. Walsh. *Curiosities of Popular Customs* (1898).

I

On a Saturday night in late March, 1890, at approximately 10 o'clock, William Misner, alias William Black, popularly known among the lumbermen with whom he worked as "Yankee Bill", was killed near Holmesdale, Ontario. Misner was originally from Toledo, Ohio, and was survived by his wife and family, still living in the United States. He was known to the lumbering community, nestled along Lake Huron on the St. Clair branch of the Michigan Central Railroad, as a charitable man, although one prone to excessive drink. Perhaps he had been too charitable. When a fellow-worker, named McFadden, had fallen on bad times, Misner had aided the family. As McFadden went on the proverbial tramp, searching for the work that was seldom to be found, Misner and Mrs. McFadden, a woman of "poor reputation", struck up an "undue intimacy". For two years McFadden lived apart from his wife, but when he reappeared in the cold, winter months of 1890 he apparently sought a return to the *status quo*; a brief separation, to the husband's mind, provided scant justification for the deterioration of a relationship sanctioned by God and law. Mrs. McFadden saw things differently. Quarrels, bitter and violent, ensued, and the woman eventually moved in with Mr. Misner, living in his shanty, cooking meals for "Yankee Bill" and his hired men. This, however, was a transgression that the community could hardly sanction. Taking another man's wife, a valuable commodity on the timber frontier, was a serious breach of unwritten law. A group of woodsmen from nearby Weidman and Glenrae, led by Alexander Stewart, Frank Hall, Abe Charlton, Archie Thompson, Aaron Mitchell, and a man named Kelly, decided to charivari Misner and thrash him for his imprudence. McFadden,

however, proved a reluctant participant. Only with the inducement of a couple of drinks was he drawn to the ranks of the charivari party. The group consolidated, they headed for Misner's shack, looking forward to the prospects of a fight. It was more like a massacre. As a number of men howled, shouted, and fired their guns in the air outside of Misner's shanty, others climbed on the roof, tearing boards off of the structure, demanding two dollars to appease their anger. Misner offered a brief moment of opposition, and then wisely agreed to the lumbermen's terms. As he prepared to pay up, Aaron Mitchell burst through the locked shanty door. Seeing Misner reach for his gun, he unloaded both barrels of a shotgun into the woodsman's body. Two hours later Misner was dead. Mrs. McFadden was not heard from while, oddly enough, her husband was held for trial after an inquest at Petrolia, although all agreed that he had played no role in the actual shooting, and only a minor part in the affray at the shack. Justice, apparently blind to the social indiscretion that had precipitated the act of violence, proved no more perceptive in its tragic aftermath.¹

This vignette could serve as an introduction to a number of themes of importance in the social history of nineteenth-century North America: the social impact of transiency; the fragility of the plebeian family; or the undercurrent of brutality associated with lower-class life. Here, Mr. Misner's death, a consequence of a particularly violent confrontation, prefaces a wider discussion of ritualized methods of enforcing community standards and morality. Charivaris and whitecapping, two prominent forms of extra-legal authority in North America that have received little scholarly attention, reveal important dimensions of the nineteenth-century past.

The following examination of these two mechanisms of enforcing popular standards rests upon evidence drawn from a number of Canadian and American regions and communities. Statistically, the data encompass 197 references to charivaris, and 141 references to the practice of whitecapping. Chronologically, the period involved is the nineteenth century, although there are excursions both before and after those hundred years, "cultural phenomena being no devotee of the time categories of the historian's card index boxes."² These references are drawn from newspapers, travellers' accounts, literary works, contemporary journals and magazines, reminiscences, dictionaries of popular speech and "Americanisms", and current scholarly works (largely within the disciplines of history, anthropology, linguistics, and folklore) which have touched on the ritualistic enforcement of appropriate behaviour, either directly or in passing.³

¹ *Globe* (Toronto), 25 March 1890.

² Robert Colls, *The Collier's Rant: Song and Culture in the Industrial Village* (London 1977), p. 13.

³ See J. H. Hexter, "The Burden of Proof," *Times Literary Supplement*, 1250 (24 October 1975), for a comment on the problems associated with this kind of "source mining."

So as not to inflate this data base, it is necessary to note that some of the references are of a very general nature, while others refer to detailed accounts of an actual charivari or case of whitecapping. Moreover, one source may have yielded a number of references. Thus, Susanna Moodie's chapter on the charivari in *Roughing it in the Bush* contains a general discussion of the ritual set within the context of five references to specific cases: Madelein Noble's unpublished dissertation focusing on the White Caps of Harrison and Crawford counties, Indiana, contains an appendix listing 80 cases of whitecapping in the years 1873-1893.⁴ But these are rare finds, and much of the material, like the opening account of the Holmesdale charivari, is culled from sources depicting an individual, local event.

Finally, it needs to be stressed that this evidence defies quantification. There is simply nothing to be gained by counting how many cases of whitecapping were directed against this or that form of misbehaviour; nor would reliable trends be established if one counted the number of charivaris in particular years, relating the ritual to seasonal or economic cycles. It is possible to speak, in the most general of terms, of the kinds of behaviour that precipitated the charivari or whitecapping, but beyond that few patterns emerge. Nor could they, for the data base is itself fragmentary and problematical, dependent upon what was reported, and what was found through research undertaken by a single individual, aided by his colleagues. In short, what was missed may have been as important as what was found, and what went unrecorded may well have been as significant as that which found its way into the record of the past, where the atypical and the particularly violent were likely to draw attention.⁵

Bearing in mind these preliminary caveats, this essay attempts a number of tasks. First, a brief discussion of the charivari in its European setting introduces the essential background to the North American phenomenon. Second, the charivari, as practised in a number of North American regions and communities, is investigated. Third, the process of whitecapping, prom-

⁴ Susanna Moodie, *Roughing it in the Bush* (Toronto 1962), pp. 144-149; Madelein M. Noble, "The White Caps of Harrison and Crawford Counties, Indiana: A Study in the Violent Enforcement of Morality," Unpublished Ph.D. dissertation, University of Michigan, 1973, pp. 177-190.

⁵ Lacking a strong folkloric tradition, North American scholars cannot draw on the kinds of detailed works available to the French and English, including Van Gennep's studies and surviving prefecture's lists of charivaris in specific regions. Van Gennep's *Manuel de folklore français contemporain* (Paris 1943), and *Le Folklore des Hautes-Alpes* (Paris 1946), have proved invaluable. See Claude Gauvard et Allan Gokalp, "Les conduits de bruit et leur signification à la fin du Moyen Age: le charivari," *Annales: E.S.C.*, 29 (1974), p. 694. An article drawing on prefecture lists is Rolande Bonnain-Moerdyk et Donald Moerdyk, "A propos du charivari: discours bourgeois et coutumes populaires," *Annales: E.S.C.*, 32 (1977), pp. 381-398. See for the English case, Violet Alford, "Rough Music or Charivari," *Folklore*, 70 (December 1959), pp. 505-518.

inent across North America in the years 1888-1905, at approximately the same time that the charivari was falling out of use, is dealt with. Finally, the problems of interpretation and analysis are raised.

II

Perhaps one of the most persistent cultural forms known to scholars of popular customs and traditions was the charivari. As a ritualized mechanism of community control, with roots penetrating back to the medieval epoch, the charivari was known throughout the Atlantic world.⁶ Although it could be directed against virtually any social offender, the custom was most often used to expose to the collective wrath of the community adulterous relationships, cuckolded husbands, wife and husband beaters, unwed mothers, and partners in unnatural marriage. Many variants were possible, and the phenomenon had a rural as well as an urban presence, but the essential form was generally cut from a similar cloth. The demonstration was most often initiated under the cover of darkness, a party gathering at the house of the offender to beat pans and drums, shoot muskets, and blow the ubiquitous horn, which butchers often rented out for the occasion. Sometimes the guilty party was seized, perhaps to be roughly seated on a donkey, facing backwards, and then paraded through the streets, passers-by loudly informed of his/her transgression. The charivari party was often led by youths, on other occasions by women. In seventeenth-century Lyon and eighteenth-century Paris we know that journeymen and artisans were particularly active, as were rural tradesmen in eighteenth- and nineteenth-century England. As a constant check on misbehaviour, the charivari served an important purpose in many communities and in many different cultural contexts. Its disappearance, usually dated around 1850 at the latest, has been interpreted as an indicator of the potent rise of the nuclear family, which no longer required the collective surveillance of neighbours and townsfolk to assure its stability and continuity.⁷ But let us examine some specific national and regional variations, beginning with England and France, where the literature is most developed, and concluding with some comments on a number of other European nation-states.

The English charivari was practised under a multitude of names: rough music, known in East Anglia as tinning, tin panning, or kettling⁸; skimming-

⁶ See Eloi-Christophe Bassinet, *Histoire Morale, Civile, Politique et Littéraire du charivari* . . . (Paris 1833); Ruth Mellinkoff, "Riding Backwards: Theme of Humiliation and Symbol of Evil," *Viator: Medieval and Renaissance Studies*, 4 (1973), pp. 153-177.

⁷ As an introduction to the charivari see Edward Shorter, *The Making of the Modern Family* (New York 1975), pp. 46, 64, 217-228; Roger Pinon, "Qu'est-ce q'un charivari? Essai en vue d'une définition opératoire," in *Kontakete und Frenzen. Probleme der Volks-, Kultur- und Sozialforschung*, (Göttingen 1969), pp. 393-405.

⁸ Robert Chambres, *The Book of Days: A Miscellany of Popular Antiquities*



Hogarth's Depiction of an English Variant of the Charivari.

ton, skimmerton, skimmety-riding, or wooseting, recreated in literature by Thomas Hardy, and in art by Hogarth's print, "Hubridas Encounters the Skimmington"⁹; riding the stang, apparently most popular in the northern counties and in Scotland¹⁰; Devon's stag hunt¹¹; the occupational variation, the butcher's serenade, artfully employed by London's Clare Market men¹²;

(Edinburgh 1864), II, p. 510; Francis Grose, *A Classical Dictionary of the Vulgar Tongue* (London 1785), p. 291; *Brewer's Dictionary of Phrase and Fable*, revised by Ivor H. Evans (London 1970), p. 937; Frank Huggett, *A Day in the Life of A Victorian Farm Worker* (London 1972), p. 64; Rev. William H. Cope, *A Glossary of Hampshire Words and Phrases* (London 1883), p. 75; Enid Porter, *Cambridgeshire Customs and Folklore* (London 1969), pp. 8-10; Porter, *The Folklore of East Anglia* (London 1974), pp. 27-28; Christina Hole, *English Folklore* (London 1940), p. 23; Joseph Wright, ed., *The English Dialect Dictionary* (New York 1905), V, pp. 156-157.

⁹ *Brewer's Dictionary*, p. 1009; Cope, *Hampshire Words*, p. 83; Thomas Hardy, *The Mayor of Casterbridge* (London 1919), pp. 335-343; Hole, *English Folklore*, p. 23; George Roberts *The Social History of the People of the Southern Counties of England* (London 1856), pp. 534-537; B.H. Cunningham, "A Skimmington in 1618," *Folklore*, 41 (September 1930), pp. 287-290; Wright, ed., *Dialect Dictionary*, V, p. 475; W. Carew Hazlitt, *Brand's Popular Antiquities of Great Britain* (New York 1905), II, pp. 551-552; *Notes and Queries* (London), 4th ser., XI (15 March 1873), p. 225; (31 May 1873), p. 455; III (5 June 1869), p. 529; (26 June 1869), p. 608.

¹⁰ Elizabeth Mary Wright, *Rustic Speech and Folklore* (London 1914), pp. 276-277; Mrs. Gutch, *County Folk-lore: Examples of Printed Folklore Concerning the East Riding of Yorkshire* (London 1912), VI, pp. 130-133; William Henderson, *Notes on the Folklore of the Northern Counties of England and the Borders* (London 1967), pp. 29-30; *Notes and Queries* (London), 5th ser., V (25 March 1876), p. 253; 6th ser., VI (25 November 1882), pp. 425-426.

¹¹ Hole, *English Folklore*, 23; Theo Brown, "The Stag Hunt in Devon," *Folklore*, 63 (December 1952), pp. 104-109.

¹² Chambers, *Book of the Days*, I, p. 360; William S. Walsh, *Curiosities of*

or, the American term, shivaree, common among Cornish miners.¹³ E.P. Thompson has recently described the particular forms, and there is no need to recreate his argument here.¹⁴ But Violet Alford's early note on the stages of the English charivari bears repeating, for virtually all of these variations on an essential theme follow a classic pattern: "Rough music is the beginning of popular justice, the overture on pots and pans, whistles and bells outside the house of a culprit; the second and more deadly stage is the *Ride on a donkey*, a ladder or a pole. . . . The third stage is a *public play*, a re-enactment of the censured conduct, with a mock-judgement and sentence."¹⁵

Two cases of English charivaris waged against wife-beaters indicate the general contours of the practice.¹⁶ The first instance, recorded in 1860, documented the use of the custom in the Surrey and Sussex region during the 1840s. It was suppressed by the police, who grew irritated with forms of rough music because they frequently rendered the roads impassable. Offending wife-beaters were first warned of the community's wrath, chaff from the threshing-floor strewn on their doorsteps in the dead of night. If the offence continued, the man was subjected to rough music. Under the cover of darkness a procession formed, headed by two men with huge cow-horns, followed by an individual with a large old fish-kettle around his neck, representing the trumpeters and big drum of a serious parade. Then came the orator, leading "a motley assembly with hand-bells, gongs, cow-horns, whistles, tin kettles, rattles, bones, frying-pans, everything in short from which more and rougher music than ordinary could be extracted." At a given signal, the group halted, and the orator began to recite:

There is a man in this place
Has beat his wife!! (*forte*. A pause)
Has beat his wife!! (*fortissimo*.)
It is a very great shame and disgrace
To all who live in this place.
It is indeed upon my life!!

A bonfire was then lit, and the charivari party danced around it, as if in a

Popular Customs (Philadelphia 1907), p. 156. The Butcher's Serenade is depicted in Hogarth's "The Industrious Prentice Out of His Time and Married To His Master's Daughter," the sixth print in the *Industry & Idleness* series.

¹³ A.L. Rowse, *A Cornish Childhood: Autobiography of a Cornishman* (New York 1947), pp. 8-9, where Rowse questions whether the "shivaree" was an old Cornish custom, or whether it was brought to the region by miners returned from America.

¹⁴ Thompson's discussion replaces Alford as the definitive treatment. Rich in detail and subtle in analysis, it is a pathbreaking effort. E.P. Thompson, "Rough Music: Le Charivari anglais," *Annales: E.S.C.* 27 (1972), pp. 285-312. Note, too, the brief comments in Lawrence Stone, *The Family, Sex, and Marriage in England, 1500-1800* (New York 1977), pp. 145, 374-375, 504.

¹⁵ Alford, "Rough Music," 505-506.

¹⁶ Thompson has outlined the English charivari's increasing concern with wife-beating in the 19th century in "Rough Music," esp. p. 297.

frenzy. The noise was heard as far away as two miles. The orator closed with a speech recommending better conduct, and the practitioners of rough music departed, encouraged by the offender's neighbours, who provided beer for "the band."¹⁷

Another case, this time from Hedon, in the East Riding of Yorkshire, outlines the events of 18-20 February 1889. Jack Nelson had cruelly beaten his wife. An effigy of Nelson was carried by two men through the village, accompanied by a large crowd, wielding the traditional instruments of rough music. The procession eventually came to a halt in front of Nelson's door, and the clatter of pans and horns quickly ceased, the crowd breaking out in voices loud and harsh:

Here we cum, wiv a ran a dan dan;
 It's neather fo' mah cause nor tha cause
 that Ah ride this stang
 Bud it is fo' Jack Nelson, that Roman-noosed man.
 Cum all you good people that live i' this raw,
 Ah'd he' ya tk wahnin, for this is oor law;
 If onny o' you husbands your gud wives do bang
 Let em cum to uz, an we'll ride em the stang.
 He beat her, he bang'd her, he bang'd her indeed;
 He bang'd her afooar sha ivver stood need.
 He bang'd her wi neather stick, steean, iron nor stower,
 But he up wiv a three-legged stool an knockt her backwards over.
 Upstairs aback o' bed
 Sike a racket there they led.
 Doon stairs, aback o' door
 He bunct her whahl he meead her sweear.
 Noo if this good man dizzant mend his manners,
 The skin of his hide sal gan ti the tanner's;
 An if the tanner dizzant tan it well,
 He sal ride upon a gate spell;
 An if the spell sud happen to crack,
 He sal ride upon the devil's back;
 An if the devil sud happen ti run,
 We'll shut him wiv a wahld-geese gun;
 An if the gun sud happen ti miss fire,
 Ah'll bid y good neet, for Ah's ommast tired.

Upon the conclusion of this serenade, the clamour of rough music was again initiated. Amidst cheering and loud noise, the effigy was carried around the village for three successive nights. The ceremony was terminated on the third evening, when Nelson's likeness was finally burned on the village green.¹⁸

¹⁷ *Notes and Queries* (London), 2nd ser., X (15 December 1860), pp. 476-477. See also Thompson, "Rough Music," p. 297; Shorer, *Modern Family*, pp. 224-225.

¹⁸ Gutch, *County Folk-Lore . . . Yorkshire*, VI, 132-133. On other folk-rhymes directed against wife-beaters see G. F. Northall, *English Folk-Rhymes* (London 1892), pp. 253-257, all of which were recited in the midst of subjecting an offender to "riding the stang."

In France, and indeed on the continent in general, wife-beaters were seldom subjected to the charivari. But the practice was nevertheless quite common, often initiated by the young, resentful of old men who married young women, robbing youth of its rightful access to the marriageable females of the community. Payment was often demanded to appease those who saw themselves wronged by the act of unnatural marriage:

Fork up, old pal
The dough that you owe
We're the boys of the block
And we want a good show

We're wild as they come
And off on a spree
So out with the cash
Or charivari!¹⁹



From Robert Chambers. *The Book of Days: A Miscellany of Popular Antiquities*, I (1863).

¹⁹ Van Gennep. *Manuel de folklore*, I, p. 626. quoted and translated in Shorter, *Modern Family*, p. 221.

Once their palms were greased with coin of the realm, the young men often retired to the nearest tavern, and left the married couple to their wedding-night pleasures. Occasionally, however, the charivari was actually used to punish those who had deprived the local young of potential spouses, and no amount of cash could deflect the final reckoning.²⁰ In certain cases, widows or widowers remarrying would be charivaried out of a public concern for the dead spouse, a concern often grounded on religious sentiment.²¹ Regardless of its motivation, the charivari was a popular custom frequently resorted to by the rural and urban masses. Jeffrey Kaplow, noting that the victim *par excellence* was a journeyman who married his master's widow, contends that among the Parisian labouring poor of the 18th century, the charivari was "perhaps their favorite amusement. . . ."²²

Marital mismatches, while a prominent cause of French charivaris, were rivalled by a series of sexual offences. Married men who impregnated single women, cuckolded husbands, unwed mothers, and those engaged in adulterous relationships were all subjected to the charivari, censured for the threat they posed to community social order.²³ In the period preceding *Carnavals au bois*, for instance, the charivari was used by young villagers to publicly sanction married persons involved in illicit liaisons. The first stage in the charivari was the *cornage*, or horning, initiated in February as village youths serenaded each guilty party with all kinds of unlikely musical instruments. Then followed the public unmasking, the formal Carnival procession bearing effigies of the two victims. After the singing of specially composed songs, broadcasting the event for a period of three or four days, came the final judgement: a mock trial in which judges, lawyers, and attendants were present in costume. The whole affair was terminated with the symbolic execution of the offenders, their effigies burned or hung in the public square.²⁴

Finally, the French situation reveals graphically the potential of the charivari as a political force, turned against constituted authority. Indeed, in a fine article discussing youth groups and charivaris in 16th-century France,

²⁰ Nicole Caston, "La Criminalité familiale dans le ressort du Parlement de Toulouse, 1690-1730," in A. Abbiatecci, et al., ed., *Crimes et Criminalité en France sous l'Ancien Régime, 17e-18e siècles* (Paris 1971), p. 106.

²¹ P. Fortier-Beaulieu, "Le veuvage et le remariage," *Revue de folklore français et Folklore coloniale*, 11 (1940), pp. 67-69; "Le charivari dans le Roman de Fauvel," *ibid.*, pp. 1-16.

²² Jeffrey Kaplow, *The Names of Kings: The Parisian Laboring Poor in the Eighteenth Century* (New York 1972), p. 108. See also Eugen Weber, *Peasants into Frenchmen: The Modernization of Rural France, 1870-1914* (Stanford 1976), p. 400.

²³ P. Saintyves, "Le charivari de l'Adultère et les courses à corps nus," *L'Ethnographie*, 31, new ser., (1935), pp. 7-36; Shorter, *Modern Family*, pp. 219-220; Weber, *Peasants into Frenchmen*, pp. 400-401.

²⁴ J. Daunay, "Carnavals au bois," *Revue du Folklore de l'Aube*, 9 (May 1966), pp. 1-19.

Natalie Zemon Davis notes that at this early date the ritual could be moved to explicitly political purpose, a mechanism whereby petty proprietors, artisans, and merchants marshalled the urban poor to voice their critique of king and state.²⁶ Closer to the modern period, charivaris assumed importance in the years of revolutionary upsurge of the 1790s, and in the turbulent political climate of 1824-1848.²⁶ And yet, even in this context, charivaris are perhaps best seen as a pre-political form of class action, admittedly set firmly against the wall of nineteenth-century authority, but lacking in conscious, political direction. A case in point, perhaps, is provided by the Limoges prostitutes. In 1857 they faced persistent harassment and incarceration in a local hospital. Escaping from the institution, the women resisted efforts to curb their business activities by organizing charivaris that drew the enthusiastic support of the local barracks.²⁷ This was, to be sure, a political undertaking, and one revealing important social tensions, but it implies no condescension to place it in the category of primitive rebellion.²⁸

Outside of France and England, the charivari was also a force of considerable stature, although we know far less about its use. In Germany, the custom was generally known as *Karzenmusiken*, but the *polterabends*, the traditional bombardment of the newly-weds' door with old crockery, pots, pans, and assorted other missiles seems to have been a form of the charivari.²⁹

²⁶ Natalie Zemon Davis, "The Reasons of Misrule," in *Society and Culture in Early Modern France* (Stanford 1975), pp. 97-123.

²⁶ Weber, *Peasants into Frenchmen*, p. 403; Bonnain-Moerdyk et Moerdyk, "A propos du charivari," pp. 381-398; Yves-Marie Bercé, *Fête et Révolte: Des Mentalités populaires du XVIe au XVIIIe siècle* (Paris 1976), pp. 40-44.

²⁷ Weber, *Peasants into Frenchmen*, p. 404. On similar uprisings by prostitutes in England in the 1860s and 1880s see Andrew Chier, *Plymouth and Plymouthians: Photographes and Memoirs* (Plymouth 1974), n.p., an account of prostitutes besieging a workhouse, seeking shelter, "beating tin kettles and blowing tin whistles"; and "Report of the House of Commons Select Committee on the Administration, Operation, and Effects of the Contagious Diseases Acts of 1866-1869," *Parliamentary Papers, 1882*, IX, p. 340. A later account, in which prostitutes again use rough music against efforts to suppress their activities, is found in Sarah Robinson, *The Soldier's Friend: A Pioneer's Record* (London 1913), p. 148. I am indebted to Judith R. Walkowitz, whose continuing studies of prostitution and the Contagious Diseases Acts promise much, for bringing these sources to my attention.

²⁸ See E.J. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movements in the 19th and 20th Centuries* (Manchester 1971).

²⁹ George Ripley and Charles A. Dana, ed., *New American Cyclopaedia: A Popular Dictionary of General Knowledge* (New York 1864), IV, pp. 722-723; M. Schele de Vere, *Americanisms: The English of the New World* (New York 1872), p. 589; George Phillips, "Ueber den Ursprung der Katzen-musiken," *Vermischte Schriften* (Vienna 1860), III, pp. 26-92; Karl Meuli, "Charivari," in Horst Kusch, ed., *Festschrift Franz Dornseiff* (Leipzig 1953), pp. 231-234. On the *polter-abends* see Henry Mayhew, *German Life and Manners as Seen in Saxony at the Present Day* (London 1864), I, p. 457. Compare Mayhew with the account of a similar custom, directed at ill-assorted marriages, outlined in Leopold Wagner, *Manners, Customs, Obser-*

Dutch wife-beaters were subjected to treatment remarkably similar to the rough music of the English:

In the Akr-Thal and on the neighbouring Eifel, the country people still keep up a kind of self-instituted police, called *Thierjagen* (Beastchasing). It revives each time that a husband beats his wife and woe to him that is found guilty. With kettles, fireshovels, and tongs, boys and women assemble under the venerable village lime-tree ... the mob hurries towards the culprits house, before whose door soon resounds a music whose echoes a lifetime does not shake off.³⁰

The Andalusian *cencerrada*, forcefully depicted in Pitt-Rivers' classic discussion of *el vito* in the village of Alcalá, resembles variations of the charivari common in France and England.³¹ Strawboy activities at Irish weddings, where horn-blowing, gun-shooting, shouting and masks were commonplace, remind one of the charivari³², as does the Welsh practice of the *ceffyl*



Hogarth's *Depiction of the Butchers' Serenade*.

vances: Their Origin and Signification (London 1894), p. 107. Another practice, in which the wedded couple was showered with shoes, was apparently common in England, and was revived in Canada. See "An Old Custom Revived," *Ottawa Citizen*, 6 June 1871.

³⁰ *Notes and Queries*, (London) 2nd ser., X (8 September 1860), p. 185.

³¹ J.A. Pitt-Rivers, *The People of the Sierra* (London 1954), pp. 169-177.

³² Sean O. Suilleabhain, *A Handbook of Irish Folklore* (London 1963), pp. 204-208; Shiela St. Clair, *Folklore of the Ulster People* (Cork 1971), p. 15.

pren, or wooden horse.³³ In Italy, the charivari was known as *scampanata*.³⁴

The charivari, then, was hardly an isolated phenomenon. Bound by neither region nor nation, it was a universally practised custom, an essential component of the "invisible cultures" and "limited identities" of the plebeian world.³⁵ It belonged, as Claude Lévi-Strauss has noted, "to the European popular tradition." But Lévi-Strauss errs when he argues that attempts "to generalize the institution do not seem very convincing."³⁶ For the charivari has a North American presence, as well as a European one. Those migrating to the New World brought much of their culture with them: traditions; values; language; and specific forms of ritualized behaviour. Woven into the very fabric of this culture was the charivari, and it would not easily be displaced.

III

Conventional wisdom has it that the charivari was brought to North America by the French, that it was originally prominent in the settlements of Lower Canada, Louisiana, and Alabama, and that it was gradually adopted in English-speaking areas, where the derivative term shivaree was used to denote the custom.³⁷ And, indeed, the first recorded instances of North American charivaris that have come to my attention occurred in Lower Canada. A Quebec charivari of 28 June 1683 illustrates a common pattern. François Vezier dit Laverdure died 7 June 1683, leaving a widow 25 years of age. Three weeks later his mourning spouse took a new husband, Claude Bourget, aged 30. Twenty-one days of widowhood seemed an unreasonably

³³ David Williams, *The Rebecca Riots: A Study in Agrarian Discontent* (Cardiff 1955), pp. 54-55.

³⁴ Ripley and Dana, ed., *New American Cyclopaedia*, pp. 722-723.

³⁵ Note the discussions in J. M. S. Careless, "Limited Identities in Canada," *Canadian Historical Review*, 50 (March 1969), pp. 1-10; Brian Stock, "English Canada: The Visible and Invisible Cultures," *Canadian Forum*, LII (March 1973), pp. 29-33.

³⁶ Claude Lévi-Strauss, *Introduction to a Science of Mythology: The Raw and the Cooked* (New York 1969), p. 300.

³⁷ On the French origins of the term see William J. Fielding, *Strange Customs of Courtship and Marriage* (Philadelphia 1942), pp. 50-51; Moodie, *Roughing it in the Bush*, p. 145; *The Charivari; or Canadian Poetics: A Tale After the Manner of Beppo* (Montreal 1824), p. 49 [This source has recently been republished in the "Early Canadian Poetry Series", authorship attributed to George Longmore, edited and introduced by Mary Lu Macdonald. See Longmore, *The Charivari or Canadian Poetics* (Ottawa 1977). See, also, Carl F. Klinck, ed., *Literary History of Canada* (Toronto 1976), I, pp. 140-141, 145, 147.]; John S. Farmer, *Americanisms — Old and New* (London 1889); William S. Walsh, *Curiosities of Popular Customs* (Philadelphia 1898), pp. 209-213; Walsh, *Handy-Book of Literary Curiosities* (Philadelphia 1892) p. 149; Sylva Clapin, *A New Dictionary of Americanisms* (New York n.d.); *American Notes & Queries*, I (27 October 1888), pp. 311-312; III (15 June 1889), p. 82. Hereafter A. N. & Q.

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short time for the people of Quebec, and they turned out to charivari the couple. Disorder reigned for more than a week, and the Church authority eventually intervened. Monseigneur François de Laval, first Bishop of Quebec, issued a Mandement, 3 July 1683:

Having been informed that in consequence of a marriage celebrated in this city of Quebec, six days ago, a great number of persons of either sex have gathered together every night under the name of Charivari and . . . as there is nothing more prejudicial to religion, to good customs, to the public good and to the peace of all families. We for these reasons and to bring a remedy appropriate to such a great evil . . . very expressly prohibit and forbid all the faithful of either sex in our diocese, from finding themselves hereafter in any of the said assemblages, qualified by the name Charivari, the fathers and mothers from sending their children or allowing them to go, the masters from sending their servants or permitting them to go voluntarily — this on pain of Excommunication.

In suppressing these riotous gatherings, the Church relied upon "the Secular Arm."³⁶ This early tumultuous charivari, then, posed problems of order and disorder that church and state would contend with throughout the eighteenth and nineteenth centuries.³⁷

³⁶ *Mandements, Lettres Pastorales et Circulaires des Evêques de Québec* (Québec 1887), I, pp. 114-115. See, E.Z. Massicotte, "Un Charivari à Québec en 1683," *Bulletin des Recherches Historique*, XXXII (1926), reprinted in Pierre-Georges Roy, ed., *La Ville de Québec sous Le Régime Français* (Québec 1930), I, pp. 447-448; and William Renwick Riddell, "The 'Shivaree' and the Original," *Ontario Historical Society, Papers & Records*, XXVII (Toronto 1931), pp. 522-524. There seems to be some confusion dating this event, the quoted source placing it in the year 1682, and Riddell dating it 1684. I have followed Massicotte's note. On charivaris in New France see Robert-Lionel Séguin, *Les Divertissements en Nouvelle-France* (Ottawa 1968), pp. 70-75. The practice was common in the 1670s. See Cornelius J. Jaenen, *The Role of the Church in New France* (Toronto 1976), p. 140. See, for a later period, John Long, *Voyages and Travels in the Years 1768-1788* (Chicago 1922), pp. 46-47.

³⁷ Church resistance is documented in J.P. Wallot, "Religion and French Canadian Mores in the Early Nineteenth Century," *Canadian Historical Review*, LII (March 1971), pp. 81, 89; Jaenen, *Role of the Church in New France*, p. 140. Charivaris were outlawed in a number of North American communities, either by local by-laws or police regulations. See John McNab, *The Magistrates' Manual: Being a Compilation of the Law Relating to the Duties of Justices of the Peace* (Toronto 1865); R.E. Kingsford, *Collection of Such of the Revised Statutes of Ontario, and of the Acts of the Legislature of that Province Passed in the session 41 Victoria, 1878 as relate to Municipal Matters* (Toronto 1878), p. 151; F.J. Joseph, *The Municipal Manual . . . The Amending Acts of 1888 and 1889* (Toronto 1889), pp. 401, 423. In Kingston, Ontario, the first city by-law, passed in 1846, was aimed at the suppression of charivaris. See *By-Laws of the City of Kingston From the Date of Its Incorporation as a City in 1846 to December 1906* (Kingston 1907), p. xxx. My thanks to Patricia Malcolmson for making this source available to me. On the reaction of the Montreal and Hamilton police to charivaris see Jean-Claude Robert, "Montréal 1821-1871: Aspects de l'urbanisation," *Thesis de doctorat en histoire, 3 cycles, Université de Paris, 1977*, I, pp. 195-197; Hamilton Board of Police, *Minutes, 1841-1842* (22

During the nineteenth century the French influence in North American charivaris continued to be felt. In Upper Canada, for instance, the ritual was generally considered to be a French institution.⁴⁰ In the town of York in 1802 the marriage of Augustin Boiton de Fougères, a French Royalist who had come to Canada with de Puisaye, to Eugenia Willcocks gave rise to a charivari,

the young beaux of the Town remindfull of the happy occasion and the French Custom of *Shivierie*ing the Parties a number of them in disguise assembled and made a great noise about the old Esquires House, till, the Esquire, his Son and Doct. Baldwin came in a great passion with their Guns and threatened to Shoot if the disguised Party did not disperse, and some run of, one frenchman was taken, the guard that was in the Town, was sent for, the Constables call'd, and the noisey Party soon ware all gone. about 10 o'clock, all was quiet and we went to bed. . . .

For three more nights the young men kept up the "shivierée", dressed as Indians, demanding liquor from local residents and innkeepers, "cutting capers til 2 O'clock in the morning." The affair ended, finally, as "the Esquire threatened vengeance on the perpetrators."⁴¹ In regions with a sprinkling of French Canadians, the charivari was always present. Ottawa and Peterborough were well known for the practice, and the Smith's Falls and Gatineau regions also witnessed the custom on a number of occasions. Well into the 1870s the ritual remained intact.⁴²

Lower Canada, too, was familiar with the charivari. Bishop Pleissis, in 1807, noted with horror that the *habitants* of Laprairie had staged an unprecedented "affreux et horrible charivari . . . soit pour la durée, soit pour les injurjes, obscénités, imprétés, de toute espère . . . les travestissements, mascarades, profanations des cérémonies, ornements et chants funèbres de l'Eglise."⁴³ Montreal was the scene of a veritable epidemic of charivaris in the early 1820s, eliciting this response in the *Règles et Règlements de Police*:
 Quiconque étant déguisé ou non sera trouvé dans aucune partie de la ville ou des fauxbourgs de jour ou de nuit, criant, *Charivari*, ou fesant avec des pots, chaudières, cornes ou autrement, un bruit capable de troubler le repos public, ou qui s'arrêtera de

March 1842), p. 50. My thanks to John Weaver for directing me to this source. See also Leo A. Johnson, *A History of Guelph, 1827-1927* (Guelph 1977), p. 233.

⁴⁰ Robert Gourlay, *Statistical Account of Upper Canada* (London 1822), I, pp. 254-255; Edwin C. Guillet, *Early Life in Upper Canada* (Toronto 1933), pp. 308-309; W. Canniff, *History of Settlement of Upper Canada* (Toronto 1869), p. 631; Nancy Howell and Maxwell Howell, *Sport and Games in Canadian Life* (Toronto 1969), p. 11. See also John McTaggart, *Three Years in Canada, 1826-1828* (London 1829), I, pp. 41-42.

⁴¹ Ely Playter's Diary, in Edith Firth, *The Town of York, 1793-1815: A Collection of Documents of Early Toronto* (Toronto 1962), I, pp. 247-248.

⁴² *A. N. & Q.*, I (27 October 1888), pp. 311-312; *Smith's Falls News*, 23 July 1875; 6 August 1875; *Globe*, 2 May 1877; *Pembroke Observer*, cited in *Smith's Falls News*, 4 May 1877.

⁴³ Wallot, "Religion and French Canadian Mores," p. 81, fn. 128.

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la même manière devant aucune maison, en faisant un tel bruit, encourra une amende de cinqu livres courant pour chaque contravention.⁴⁴

These affairs, as John Bigsby noted, were "intended to reach delinquents not amenable to the common process of law — offenders against propriety and the public sense of honour." The form was remarkably consistent:

First came a strange figure, masked, with a cocked hat and sword — he was very likely the grotesque beadle we see in French churches: then came strutting a little hump-backed creature in brown, red, and yellow, with beak and tail, to represent the Gallic cock. Fifteen or sixteen people followed in the garb of Indians, some wearing cows' horns on their heads. Then came two men in white sheets, bearing a paper coffin of great size, lighted from within, and having skulls, cross-bones, and initials painted in black on its sides. This was surrounded by men blowing horns, beating pot-lids, poker and tongs, whirling watchmen's rattles, whistling, and so on. To these succeeded a number of Chinese lanterns, borne aloft on high poles and mixed with blazing torches — small flags, black and white — more rough music. Close after came more torches, clatter and fantastic disguises — the whole surrounded and accompanied by a large rabble rout, who kept up an irregular fire of yells, which now and then massed and swelled into a body of sound audible over all the neighbourhood.⁴⁵

Edward Allen Talbot documented the case of a Montreal charivari, in the winter of 1821, where the object of ridicule was a widow lady of considerable fortune, recently married to a young gentleman. After a pitched battle, involving the local constabulary, a crowd of 500 managed to extort £50 from the couple, presenting it to the Female Benevolent Society.⁴⁶

Similarly, in New Orleans in March 1804, Madame Don Andres Almonaster was "sherri-varried", an immense crowd "mobbing" her house. Thousands of people gathered, ludicrously disguised, to give the old woman and her unpopular new husband the Creole version of rough music. Effigies of the woman's present and late husbands were paraded about the house, the latter in a coffin, the widow impersonated by a living person sitting near it. Civil authority, it seemed, was "laid aside." After three days, the crowd was eventually appeased with the sum of \$3,000, the money apparently given to the orphans of the city.⁴⁷ Common throughout the *Cajun* districts of the

⁴⁴ Cited in Robert, "Montréal, 1821-1871," p. 197. Longmore's poem *The Charivari*, was developed in the context of this outbreak. Note the discussion of horning in Robert-Lionel Séguin, "La Raillerie des cornes en Nouvelle-France," in Louis-Philippe Audet, *et al.*, *Les Cahiers Des Dix*, 35 (1970), pp. 127-139.

⁴⁵ John Bigsby, *The Shoe and the Canoe: or Pictures of Travel in the Canadas* (London 1850), I, pp. 34-37.

⁴⁶ Edward Allen Talbot, *Five Years' Residence in the Canadas Including a Tour Through Part of the United States of America in the Year 1823, in 2 Volumes* (London 1824), pp. 299-304. For a remarkable early discussion of Canadian charivaris, largely in early 19th-century Lower Canada, see E.Z. Massicotte, "Le Charivari au Canada," *Bulletin des Recherches Historiques*, XXXII (November 1926), pp. 712-725.

⁴⁷ John F. Watson, "Notitia of Incidents at New Orleans in 1804 and 1805," *American Pioneer*, II (1843), p. 229. See also, Alva L. Davis and Raven I. McDavid,

American South, the charivari supposedly gained acceptance out of "an indisposition to allow ladies *two chances* for husbands, in a society where so few single ladies [found] even one husband! a result, it is to be presumed, of the concubinage system so prevalent [there]." ⁴⁶

But we must not mistake the French presence for the whole of the story, writing the North American charivari off, as Susanna Moodie seemed to do, as a custom borrowed from the French. ⁴⁶ Indeed, this conception of the American shivaree as a mere derivative form, was early attacked by Edward Eggleston, whose nineteenth-century novel lauded, "That serenade! Such a medley of discordant sounds, such a clatter and clanger, such a rattle of horse-fiddle, such a bellowing of dumb bell, such a snorting of tin horns, such a ringing of tin pans, such a grinding of skillet-lids." ⁴⁶ And a closer look will indicate that the North American charivari thrived outside of the reach of French culture. Alice T. Chase argued that the charivari was common, in the 1860s, in most rural hamlets from Pennsylvania west to Kansas and Nebraska, being particularly prominent in Ohio, Indiana, and Illinois. She saw the ritual coming to America with the Pennsylvania Dutch. ⁵¹ Among New Englanders the practice was well established, known as the serenade. ⁵² In Nebraska in the 1870s belling the bridal couple, giving them a "warming", was a frequent occurrence. ⁵³ "It was understood," within the Tennessee mining community, "that every bride and groom had to be shivareed." ⁵⁴ The *sanserassa*, a serenade of tin pans, horns, kettles, and drums, was actively

Jr., "Shivaree: An Example of Cultural Diffusion." *American Speech*, XXIV (December 1949), p. 251. This incident is also dramatized in Nan Bugby Stephens, "Charivari," in Edith J. R. Isaacs, ed., *Plays of American Life and Fantasy* (New York 1929), pp. 143-166.

⁴⁶ On the practice of the charivari in Louisiana and Alabama see *A. N. & Q.*, I (20 October 1888), pp. 296-297; E. Bagby Atwood, "Shivarees and Charivaris: Variations on a Theme," in Moody C. Boatright, Wilson M. Hudson, and Allen Maxwell, ed., *A Good Tale and a Bonnie Tune* (Dallas 1964), pp. 68-70; Roy V. Hoffpauir, "Acadian Marriage Customs," *Attakapas Gazette*, III (December 1968), pp. 3-19; James Hall, *Tales of the Border* (Philadelphia 1835), pp. 121-124. An excellent discussion is found in the different editions of George W. Cable, *Old Creole Days* (New York 1883), Part II, pp. 54-55; Cable, *Old Creole Days* (New York 1890), pp. 220-221. The quote is from Watson, "Incidents of New Orleans," p. 229.

⁴⁶ Moodie, *Roughing It in the Bush*, p. 145.

⁴⁶ Edward Eggleston, *The End of the World: A Love Story* (New York 1872), pp. 293-299.

⁵¹ Alice T. Chase, "The 'Shivaree'," *A. N. & Q.*, I (29 September 1888), pp. 263-264, also in Walsh, *Curiosities of Popular Customs*, pp. 209-213.

⁵² Miles L. Hanley, "Charivaria II: 'Serenade' in New England," *American Speech*, VIII (April 1933), pp. 24-26.

⁵³ *Lincoln Nebraska Daily State Journal*, 22 November 1874; 1 January 1878, quoted in Mamie Meredith, "Charivari I: 'Belling the Bridal Couple' in Pioneer Days," *American Speech*, VIII (April 1933), pp. 22-24.

⁵⁴ Robert S. Thurman, "Twas Only a Joke," *Tennessee Folklore Society Bulletin*, XXXV (September 1969), pp. 86-94.

practised by the Spanish population of St. Augustine, Florida, where the ritual was common in the 1820s.⁵⁵ Scandinavian settlements apparently incorporated the practice into their language and their culture.⁵⁶ Even in early Upper Canada, or post-Confederation Ontario, where we have seen the French influence to be operative, numerous cities, towns, villages, and rural communities sufficiently removed from the shadow of French culture utilized the charivari, repeatedly directing it against those who flaunted community standards.⁵⁷ Across North America, then, the custom had a vital presence, known, according to local and regional taste, as serenade, shivaree, charivari, tin-panning, belling, homing, bull banding, skimmelton, or calathump.⁵⁸

Skimeton, or skimmelton, were apparently common in the Hudson Valley region of New York State, with no newly-married couple exempt.⁵⁹ An early letter, dated 3 April 1822, described these escapades in some detail, documenting three skimeton in February and March. When the Reverend Robert Forest married Mr. Edmund Lamb to Mrs. Eliza Munger on 14 February 1822, they were greeted with a Skimeton: "one man mounted up on a white horse having a home made pung slay behind him with an intoxicated man on it and was furnished with something like eight or ten Cow Bells. . . ." Another marriage, again involving a widow, was addressed by "one man armed with one goose Quill and went squacking into the house and salluted the wedding guest and returned without any further interruption." But the real discord was saved for the marriage of Mr. Peter Tripp and Mrs. Abby Lyon of Kortwright, Delaware County, 14 March 1822:

about sun set the Skimetonians assemblyed together with their insterments of music wich had been preparing for about three Days before — the number of them was between thirty and forty wich choosed their Captain and was formed in a line two a breast the first section was armed with a fife and drum second section with horse fiddles third section with sea shells and tin horns forth sec with Cow Bells fifth sec with Goose Quills sixth section with Pans seventh sec with guns and two men behind

⁵⁵ *A. N. & Q.*, I (20 October 1888), pp. 296-297.

⁵⁶ Nils Flaten, "Notes on American-Norwegian with a Vocabulary," *Dialect Notes*, II (1900), pp. 115-126; V. Stefanson, "English Loan-Nouns used in the Icelandic Colony of North Dakota," *Dialect Notes*, II (1903), pp. 354-362; George T. Flom, "English Loanwords in American Norwegian, as Spoken in the Koshkonong Settlement (Dane County, Wisconsin)," *American Speech*, I (July 1926), pp. 541-548.

⁵⁷ See the discussion of the charivari in Bryan D. Palmer, "Most Uncommon Common Men: Craft, Culture, and Conflict in a Canadian Community, 1860-1914," Unpublished Ph.D. dissertation, SUNY at Binghamton, 1977, pp. 184-192.

⁵⁸ Hans Kurath, *A Word Geography of the Eastern United States* (Ann Arbor 1949), p. 78, and Fig. 184; Gordon R. Wood, *Vocabulary Change: A Study of Variation in Regional Words in Eight of the Southern States* (Carbondale 1971), p. 39; *Time* (Canadian edition), 25 July 1949, p. 41; Walter S. Avis, et al., *A Dictionary of Canadianisms: On Historical Principles* (Toronto 1967), pp. 141, 656, 689.

⁵⁹ *A. N. & Q.*, I (13 October 1888), p. 288.

one blowing a rams horn and three or four Goose Quills into it and the other crowing like a rooster whos voice echoed thru the village decently. During this music there was a dish of gun powder feathers and Brimstone set onfire at door step wich made no small smells and there was stones against and in the house wich broke out 24 or 25 lites and damaged the sashes the people in the house being much interrupted was for nowing who they was one going out with a lantern it was dashed out of his hands and he was thrown into the mud and his hat was took by someone and was cut in pieces that was worth six dollars. during this there was others come out and one of them got a fighting with one of the skimeton boys and got whipt by this time there was 16 or 18 warrants got out this stopped their music the next mornig they took all they could finad and was a week or more before they got them all

The account concluded with the note that the charivari had been "carried on in the way of a riot. . . ."⁶⁰

The shivaree, common in the American mid-west, as well as in certain eastern states, such as Maine, also often resulted in riotous gatherings.⁶¹ When Hi Hatch, or "Laughing Hatch", a bachelor of fifty, married an Illinois woman in Des Moines, Iowa, in the winter of 1869, "the city turned out to serenade him." For three nights the clamour and din continued, the section of the city where Hatch lived turned into "Pandemonium"; the mayor ordered the marshal to preserve order, but without effect. Finally, the city resumed the even tenor of its ways, the crowd's energy apparently dissipated. Hatch and his bride had not even been in the city, having secretly departed for Indianola, 13 miles distant. The tumult was raised outside of a darkened and empty house.⁶²

But the objects of the shivaree were seldom as far-sighted, or as fortunate, as Hatch. In the second quarter of the 19th century, Robert Carlton described a "shiver-ree" of John Glenville, of Guzzleton, as three hundred locals gathered to do special dishonour to "d--d 'ristocraticul and powerful grand big-bug doins." With the aid of two corn baskets full of cow-bells tied to saplings, a score and a half of frying pans beat with mush sticks, thirty-two Dutch oven and skillet lids clashed as cymbals, fifty-three horse shoes played as triangles, ten large wash-tubs and seven small barrels drummed with fists and corn-cobs, one hundred and ninety-five quills, prepared and blown as clarionets, forty-three tin whistles and baby-trumpets, used vigorously until they cracked, two small and one large military drums with six fifes, scalp and war cries, and all manner of yells, screams, shrieks, and hisses, the party descended upon the newly-wedded couple's house. When the group's demands for wine were met with silence, anger was aroused. A fifty-pound pig was promptly hoisted through the bedroom window and into the honey-moon chamber, and the proceedings quickly degenerated into riot. Southerners, the

⁶⁰ Julia Hull Winner, "A Skimeton," *New York Folklore Quarterly*, XX (June 1964), pp. 134-136.

⁶¹ On shivarees in Maine see *A. N. & Q.* (20 October 1888), p. 297; II (3 November 1888), p. 12.

⁶² *Ibid.*, II (3 November 1888), p. 9.

organizers of the shivaree, were soon opposed by a Northern contingent, and amidst cries of "Knock 'em down! — drag the big-bug yankees through the creek," the fight was on. The shivaree could highlight sectional, as well as social, tensions.⁶³

As should by now be apparent, the shivaree in the United States was commonly directed against the newly-wedded couple. From Orlando, Florida to Ann Arbor, Michigan, peals of shivaree would often greet the 19th-century bride and groom. The ritual survived well into the twentieth century, with actual cases being recorded in central Indiana, Grant County, in the 1890s, in Ithaca, New York, in 1891, in Jackson County, Missouri, in 1892, in northern New York and northern Ohio in 1896, in Broome County, New York, in 1900, in north-west Arkansas in 1902, in Kentucky and Nebraska in 1905-1906, and in Aroostook County, Maine, in 1909.⁶⁴ The list is virtually endless, popularized in literature and reminiscences.⁶⁵ Nor was the situation all that different in Ontario or the west, where the shivaree was an established institution, also directed against the recently married, particularly those unions that appeared to be mismatched.⁶⁶ But despite its rather mundane purpose, often mere enjoyment at the expense of the newly married couple, the charivari often posed acutely the problem of social order and disorder.

In nineteenth-century Upper Canada, for instance, the charivari was often a force undermining social authority, resolutely opposed by magistrate

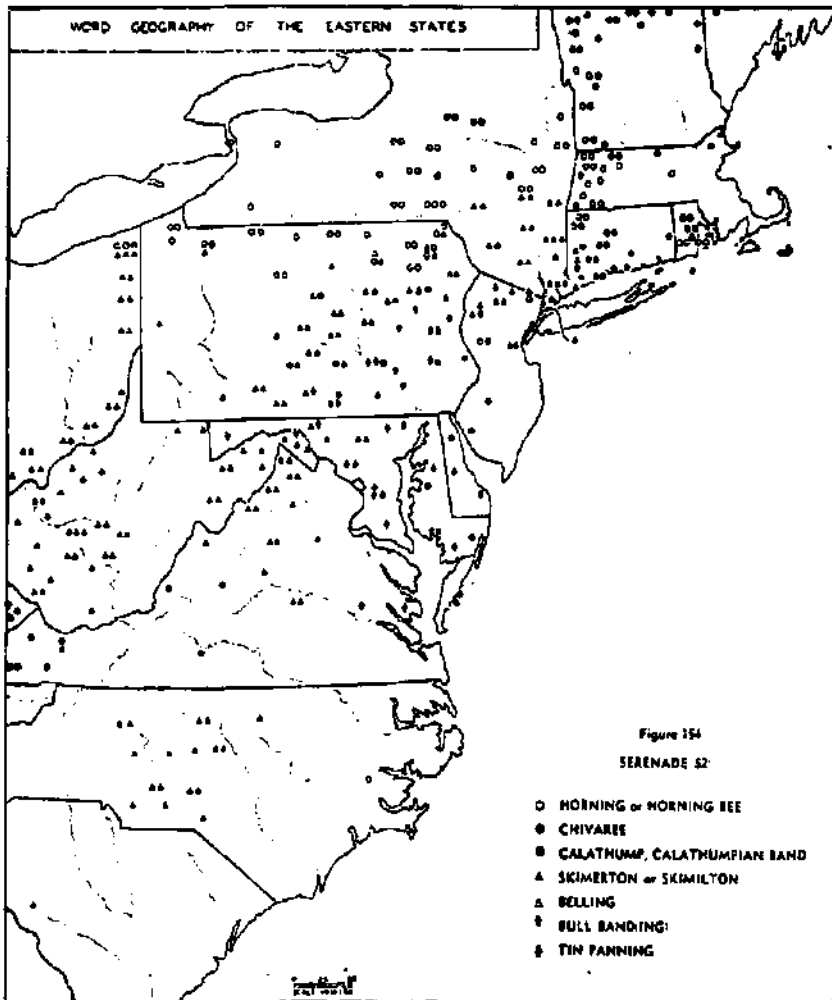
⁶³ Robert Carlton [Baynard Rush Hall], *The New Purchase: or, Seven and a Half Years in the Far West* (New York 1843), II, pp. 228-234.

⁶⁴ Harold Wentworth, *American Dialect Dictionary* (New York 1944), pp. 550-551; Mitford M. Mathews, ed., *A Dictionary of Americanisms: On Historical Principles* (Chicago 1951), II, pp. 1523, 1885. See also R.S. and H.M. Lynd, *Middletown: A Study in Modern American Culture* (New York 1956), pp. 245-246.

⁶⁵ James B. Herrick, *Memories of Eighty Years* (Chicago 1949), pp. 25-26; Jesse Stuart, *Beyond Dark Hills: A Personal Story* (New York 1938), pp. 268-269; Stuart, *Men of the Mountains* (New York 1941). A fascinating dramatic rendition, notable for its feminist perspective is Mark O'Dea, "Shivaree," in *Red Bud Women: Four Dramatic Episodes* (Cincinnati 1922), pp. 27-52.

⁶⁶ Riddell, "The Shivaree," pp. 522-524; Edward O'Brien Journals, Public Archives of Canada, Journal #4, 12-28 November 1828; Mr. and Mrs. James Dixon, Marburg, "The Charivee," in *Tweedsmuir Histories: South Norfolk District*, Public Archives of Ontario, MS-8, Reel 69; W. J. Wintemberg, "Folklore Collected in the Counties of Oxford and Waterloo, Ontario," *Journal of American Folk-lore*, 31 (April-June 1918), pp. 137-138; Michael Gender Scherck [A Canuck], *Pen Pictures of Early Pioneer Life in Upper Canada* (Toronto 1905), pp. 224-225; Canniff Haight, *Country Life in Canada Fifty Years Ago: Personal Recollections of a Sexagenarian* (Toronto 1885), p. 74. On shivarees in the Canadian West see E. C. Morgan, "Pioneer Recreation and Social Life," *Saskatchewan History*, XVIII (Winter 1965), pp. 45-46; Nellie McClung, *The Second Chance* (Toronto 1910), p. 350; John Onstow, *The Bowler-Hatted Cowboy* (Edinburgh 1962), p. 248; *Eye Opener* (Calgary), 25 February 1905, cited in Avis, *Dictionary of Canadianisms*, p. 689.

and police. Ely Playter's diary tells of a "sheriverie" in the town of York in 1804, occasioned by the marriage of a Miss Fisk. Playter and a friend heard the clamour of rough music and, as they "could not be easy without being with them", went in disguise to the house. There, "the old man shot at [them] 3 times & then came with his sword." After "some fun", the men dispersed. The next evening, however, they were back, confronted by the Magistrates who were attempting to stop the noise and punish the leaders. By the end of the week, "several people were bound over to Court by the Magistrates for



From Hans Kurath. *A Word Geography of the Eastern United States*. (1949).

being in the Shivaric. . . ."⁶⁷ Another York charivari, in August 1828, also drew the ire of constituted authority, condemned as a practice that would "disgrace even the walks of savage life."⁶⁸

Three Kingston, Upper Canada, charivaris of the mid-1830s, all directed against remarriage, forced the hand of the local authorities, one leading to two arrests, another necessitating the calling into operation of the Summary Punishment Act, the third leading to the creation of a special force of constables, 40 strong, to enforce the peace.⁶⁹ The latter event, led by one Henry Smith, Jr., illustrates well the deliberate, planned nature of some of these undertakings, revealing the importance, perhaps, of local groups consolidated around a popular figure. Smith was a barrister with a long history of involvement in shady legal entanglements, a man who had himself been in court on charges of assault, perjury, and riot. Indeed, in July 1835, he had led two popular assaults on the house of a black resident of the town, James Anderson, and on the dwelling of a local master shoemaker, John Murray. In the first case Smith led a group of rowdies in pulling down partitions upon the negro inmates of the domicile, attacking a woman named Mary Johnson as an "improper character", forcing her and her children to take refuge in the yard. Commanding in a military fashion, Smith, who had experience as a Captain in the Kingston Volunteer Fire Company, directed his followers with shouts of, "Make ready, present, fire!" His other leading role in a crowd action involved a group of journeymen shoemakers, angered by their employer's "curtailment of their wages." They gathered at Murray's house and daubed its front with "human ordure." After this "outrage", Smith and the shoemakers assembled outside of Murray's door to smash windows and scream insults. When the editor of a local paper, the *British Whig*, Dr. Barker, printed accounts of the crowd actions, he was threatened by an anonymous letter, signed "Pugnator", promising him a thrashing if he continued to slander Smith's name in the pages of his newspaper. The front of the *Whig* office, too, was smeared with excrement. Smith, it would seem, was a man of some stature in early nineteenth-century Kingston. A patrician being, who would become, in the early 1840s, the city's Chief Marshall, who would occupy a prominent place in Kingston's political structure, and who was the son of the Kingston Penitentiary's infamous warden, Henry Smith, Sr., Mr. Smith, Jr., could obviously gather the forces of the plebeian world to his cause, a testimony, perhaps, to his intimate contact with local youth groups and gangs.⁷⁰ It could well have been men like Smith who provoked

⁶⁷ Cited in Firth, *Town of York*, 1, p. 250.

⁶⁸ *Canadian Freeman*, 21 August 1828.

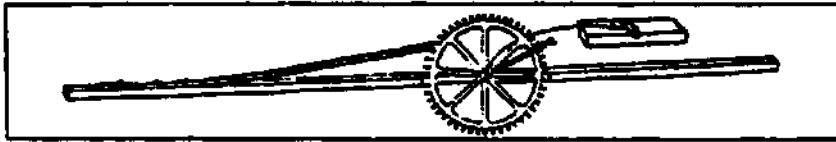
⁶⁹ *British Whig*, 18 March 1834; 11 March 1837; 31 July 1835. A Kingston charivari of 1877, complete with costumes and effigy is noted in Massicotte, "Le charivari au Canada," p. 717.

⁷⁰ Smith's checkered career in the 1830s is well documented in local newspapers. The crowd actions are briefly described in *British Whig*, 7 July 1835. On his later political

this response from the Hamilton Board of Police, 22 March 1842:

Whereas the custom of meeting together at night by ill disposed persons disguised by dress, paint, and for the purposes of indulging in what is commonly called a chevare, has been a source of great annoyance to all the peaceable inhabitants of this Town, and whereas such assemblages endanger the peace of the Town, the safety of property and person and are highly disgraceful to all concerned in them . . . it is ordered that all persons convicted of being a party to any such proceedings shall be fined. . . .⁷¹

Nor were the consequences of the charivari conducive to the maintenance of stability and order. In fact, in both Canada and the United States, fatalities and serious maimings were often the result, as we have seen. Under the headlines, "Married and Murdered" and "One More Charivari Victim",



The "horse-fiddle", an instrument of rough music commonly employed in Oxford and Waterloo counties in Ontario. It was made by fastening a large cog-wheel with a crank to a board, attaching a thin piece of hickory, or other wood, to the end of the board, the free end resting on the cogs of the wheel. See *Journal of American Folklore*, 31 (1918). In Illinois, the "horse-fiddle" was a large box covered with resin, across which a rough pole was rasped. See Helen M. Wheeler, "Illinois Folk-Lore," *The Folk-Lorist*, 1 (1892), p. 64.

the *Globe*, discussing the fatal beating rendered an Ottawa man in 1881, noted that: "In many previous cases participants in the charivari have lost their lives or innocent persons have been laid low by misdirected blows, but in this case the bridegroom was the victim."⁷² If actual death did not result, order could be dealt a severe blow by the sheer violence of the affray. In a charivari near Lucan in the 1870s, for instance, Will Donnelly, the club-footed, second oldest-boy of the famous Irish clan, used the event as an excuse to vent his frustrations against the Thompsons, a family that resented their daughter, Maggie, being courted by a Donnelly. When Maggie's brother and his new bride returned to their home, Will and his friends broke every pane of glass in the house, smashed the walls with sticks and stones, used the

activity see Donald Swainson, "Sir Henry Smith and the Politics of Union," *Ontario History*, LXVI (September 1974), pp. 161-179.

⁷¹ Hamilton Board of Police, *Minutes, 1841-1842* (22 March 1842), p. 50.

⁷² *Globe*, 12 August 1881. Other charivaris, ending in death or serious injury, are recorded in *Sarnia Observer and Western Advertiser*, 23 November 1853; 9 June 1865; *Globe*, 3 September 1867; 17 December 1867; 26 August 1868; 2 May 1877; 4 November 1881; *Sarnia Observer and Lambton County Advertiser*, 27 December 1867; *Perth Courier*, 27 December 1867; *Ottawa Citizen*, 1 June 1871; *Smith Fall's News*, 4 May 1877; *Hamilton Spectator*, 30 January 1880; 1 November 1881; 29 October 1881; *Windsor Evening Record*, 13 January 1896; 14 January 1896; *A. N. & Q.*, III (14 December 1889), pp. 4, 81; 1 (27 October 1888), pp. 311-312.

chimney for target practice, demolished a rail fence, and started a bonfire that almost burned down the house.⁷³ The charivari, as Mrs. Moodie's neighbour put it, was "not always a joke."⁷⁴

Perhaps the one charivari that most explicitly raised the question of public order occurred in Montreal, in late May and early June, 1823.⁷⁵ Directed against the remarriage of an old widower named Holt, the "charivary" had been kept up for "ten or fourteen days", to the "incessant annoyance of one or two respectable families." The "disguised rabble" made the usual demands for money, to be used to aid "charitable and useful institutions", and assailed the house with a "persevering uproar." Eventually the objects of the harangue tired of the proceedings and informed the Magistrates, who "most properly issued a Proclamation for 'suppressing the RIOT and bringing the offenders to justice'." This action was taken 30 May 1823. On Monday, 2 June 1823, another proclamation was found placarded in various places throughout the city:

NOTICE

The Charivary will meet this evening at half
past eight o'clock on the Hay Market.

By order of
Capt. Rock

Drawing upon the anonymous traditions of extra-legal authority common throughout the Irish countryside, where Captain Rock was feared as "the commander of one of the most cruel and blood-thirsty banditti", the organizers of the charivari galvanized their followers to action. They were described by the Magistrates as "persons of various characters and dispositions from other countries", "émigrés".⁷⁶

Meeting on the Hay Market they proceeded to Holt's house. Several shots were fired into the crowd and a servant of one of the parties defending the house, John Swails, was killed, many others were seriously injured. Irritated by such defiance, the charivari party dispersed, vowing its revenge. The next evening a body of "several hundred persons" descended upon the house of their opponent. Before the Magistrates and militia could arrive, "a scene of outrage and plunder took place as would reflect disgrace on the most savage and barbarous inhabitants of the woods":

Every door in the house was burst open and every window, with its blinds and other

⁷³ Martin Robin, *The Bad and the Lonely: Seven Stories of the Best — and Worst — Canadian Outlaws* (Toronto 1976), p. 100.

⁷⁴ Moodie, *Roughing it in the Bush*, p. 146. See also *Humilton Spectator*, 24 February 1883; *Globe*, 19 August 1869, for cases of police intervention.

⁷⁵ As an introduction to this event see Longmore, *The Charivari*, pp. 3-10; Robert, "Montréal, 1821-1871," p. 196.

⁷⁶ On Captain Rock see the reprints from the Irish newspapers in *Montreal Gazette*, 28 June 1823; Galen Broeker, *Rural Disorder and Police Reform in Ireland, 1812-1836* (Toronto 1970), pp. 7, 193.

ornaments, was shattered into a thousand pieces, not a stick of furniture was allowed to remain together . . . and all that the eye could see or the hand could reach was in a moment involved in one general confusion and ruin. Neither fire-place, mantle-piece, nor stair railing escaped their desolating hands, and even the very partitions and walls of the house were battered and crumbled in some places to rubbish. In short, no ruin could be more complete than that which has visited the inanimate dwelling of the object of revenge, who, fortunately for him, made a timely escape with his family, to another country, we believe.

"Well-disposed" citizens reacted with vigour, establishing a City Watch that, in conjunction with the Constables, paraded the city nightly to preserve "public order." By mid-week, the city was once more governed by calm and respectable elements; the threat to order had been stifled. But Captain Rock made his presence felt even in the midst of defeat. Placards were posted on public walls denouncing several individuals, and threatening letters were sent to members of the watch. In late August the event remained imprinted on the consciousness of constituted authority, when Judge Reid commented that:

. . . it is greatly to the discredit of the laws, and of good order, that such tumult and violence should happen among us — it is impossible to foresee the outrages that may be committed by a mob, or where it will stop, when put in motion — the assembling of it for a *Charivari* may also be used as a pretence by evil disposed persons, to effect purposes of a very different nature, or more dangerous to the public security, and it is therefore to be hoped, that by the vigilance and exertion of those charged with the administration and execution of the laws, such disturbances will be oppressed, and never permitted to recur in any shape, nor under any pretence.

Charivaris directed against domestic impropriety, particularly remarriage, could thus raise issues that went well beyond popular distaste for unnatural marriage.⁷⁷

In other cases, too, the charivari extended beyond the purely domestic concerns that so often defined its purpose. Indeed, the custom often reflected essential social tensions. Mrs. Moodie documented the case of Tom Smith, "a runaway nigger from the States", charivariated for his pretentious, and successful, bid to have an Irish woman marry him. Dragged from his bed, ridden on a rail, and beaten, the black died under the hands of the charivari party.⁷⁸ Perhaps a similar motivation lay behind the charivari described in the *Cincinnati Commercial*, where "a party of disguised Ku-Klux visited the house of a citizen in that locality while a wedding was in progress, and took possession of the premises. They fired off pistols and danced over the floor, and the fright occasioned to the daughter of this citizen caused her to go into spasms, succeeded by insanity." In Franklin, Virginia, in 1867, a Northern clergyman was treated to "tin-horn serenades" for starting a school for

⁷⁷ The above account draws on *Montreal Gazette*, 7 June 1823; 14 June 1823; 6 September 1823; *Canadian Courant and Montreal Advertiser*, 4 June 1823; 7 June 1823; 11 June 1823; 30 August 1823; *Quebec Gazette*, 16 June 1823.

⁷⁸ Moodie, *Roughing it in the Bush*, p. 147.

former slave children.⁷⁹ Anti-semitism, too, could fuel the fires of the charivari crowd, as "the execution of the Belleville Jew", in effigy in April 1837, testified:

Last Friday night some wicked boys
Thought they would something do:
So they turned out, and wheel'd about,
And hung the Belleville Jew.

Jew Benjie then to get revenge
Did raise a cry and hue
Of Maw-worn snarling hypocrite,
Oh! Sainly Belleville Jew.

The Mayor's clerk by way of lark
Some say did lead the crew
While others say without delay
'T WAS PORK, AND DONT KNOW WHO.

Let's stop to pause a double cause
To show this guessing true,
For Pork's the meat Jews must not eat
No doubt it killed the Jew.

But oh! my eyes! 'tis all surmise —
The rope that hangman drew,
That brought to shameful sacrifice
The slandering Belleville Jew.

The neck and brains were hung in chains,
And would have swung till two,
Had not a smith with pole forthwith
Pulled down the Belleville Jew.

George Benjamin, founder of the *Belleville Weekly Intelligencer* in 1834, was the object of this ritualized derision, the crowd contending that his "Belleville Smut-machine / Spoke nothing that was true."⁸⁰

More explicitly, the charivari was often used to show open disapproval for certain forms of behaviour, particularly those judged immoral or illicit.⁸¹

⁷⁹ Quoted in *Ottawa Citizen*, 18 January 1872; Herbert G. Gutman, "Work, Culture, and Society in Industrializing America, 1815-1919," *American Historical Review*, 78 (June 1973), p. 577.

⁸⁰ *British Whig*, 27 April 1837; J. Owen Herity, "Journalism in Belleville," Ontario Historical Society, *Papers & Records*, XXVII (1931), p. 400. Benjamin was not even Jewish and the attack was likely motivated by political animosity. See Donald Swainson, "The Personnel of Politics: A Study of the Ontario Members of the Second Federal Parliament," Unpublished Ph.D. dissertation, University of Toronto, 1968, pp. 77-79.

⁸¹ An early eighteenth-century reference is *Diary of Simeon Perkins*, Liverpool,

Thus, in 1867, John Cummings, James Cummings, John Lewis, Hiram Anderson, Jacob Palmer, and John Palmer led a riotous charivari directed against a widow, Rachel Mugg, whose daughter had recently been married. According to local authorities, "Mrs. Mugg's mode of managing her household affairs did not come up to the social standard of moral ethics observed in the romantically situated village of Millgrove."⁸² A Bowmanville, Ontario, lawyer, Mr. Loscombe, faced the rough music of his neighbours in 1868, when a crowd gathered at his office to tar-and-feather him, punishment for his unlawful bestowing of affections upon a servant girl. A constable eventually had to escort Loscombe home, but the crowd captured the lawyer, handled him roughly, and threw him over a fence. After an announcement that the man's wife was ill, the crowd discontinued the disturbance. The next morning Loscombe escaped the city, but the group assembled anyway, burning effigies in front of his house.⁸³ At Sand Point, Ontario, a small hamlet in the Perth-Ottawa region, a labourer named Fitzpatrick had been caught in some "disorderly act" during the progress of a charivari. The following day he was straddled over a rail, "and rode through the village to his heart's content." Obviously not reformed, Fitzpatrick was next discovered in the act of stealing a coat. No rail being handy, an old pump was procured, and the labourer was daubed with black car-grease and carried through town by his tormentors. The administrators of "Sand Point law" — among them "Nigger" Ross, "Two-Fingered Jack", "White Bear", "Nigger" Lew, and "Corny Toes" — retired to the nearest tavern.⁸⁴ An Ancaster, Upper Canada, lawyer, accused of living adulterously with a woman who had deserted her husband due to ill treatment, a New York City woman thought to be a murderess, and a free-love advocate, cohabiting with his mistress in Utica, New York, in 1860, faced similar forms of rough justice. The process of community control of sexual standards was sufficiently entrenched to draw comment in a fictional account of life in an early twentieth-century Newfoundland fishing village.⁸⁵ Prostitutes, too, were likely candidates for the charivari, bearing the brunt of a vicious form of popular justice in the Quebec timberlands and American west well into the twentieth century.⁸⁶

Nova Scotia, 9 October 1766, reprinted in S.D. Clark, *Social Development of Canada* (Toronto 1942), p. 160.

⁸² *Hamilton Times*, 7 August 1867.

⁸³ *Globe*, 9 July 1868.

⁸⁴ *Perth Courier*, 6 December 1872.

⁸⁵ Josephine Phelan, "The Tar and Feather Case, 1827," *Ontario History*, LXVIII (March 1976), pp. 17-23; *Sarnia Observer and Lambton Advertiser*, 21 May 1857; *Utica Morning Herald*, 19 March 1860. My thanks to Mary P. Ryan, currently engaged in a fascinating study of women in Utica in the mid-nineteenth century, for this latter reference. Although no ritualistic forms are involved see also, Harold Horwood, *Tomorrow Will Be Sunday* (New York 1966), a novel constructed around the central passage, "Even within earshot of the last trump the force of habit remains strong." (p. 90)

⁸⁶ Note the discussions in Robert Goulet, *Le Charivari* (Paris 1961), translated as

A jealous eye toward property, or resentment of those who attempted to establish themselves as superior elements in a community of equals, also elicited the charivari. The daughter of an innkeeper in the village of Moore, located near Sarnia, Ontario, was charivariated before her marriage, because the local youths thought that she was unworthy of her chosen partner.⁸⁷ Edward Littlejohn, aged 74, was charivariated in 1881 by a group of young men who hoped to drive him off of his Highland Creek, Scarborough Township property so that they could secure access to the land.⁸⁸ In Hamilton, in 1894, Old Man John Christie was subjected to the jeers and clamour of rough music when he married "pretty Widow Andrews." Leading the assembly was Christie's daughter, determined to keep her father from entering his old, Catherine Street home. Devoid of any daughterly sentimentality, the woman claimed the house as her own, vowing that her mother had left it to her, and that if her father entered it he would exit in a coffin.⁸⁹ When Jennie and Emily Groombridge attempted to exclude certain youths from a party they were having in Weidman, Ontario, in 1884, their soiree was rudely disrupted by a gang of young men bearing arms, blowing holes in the wall of the house, proclaiming that they would allow "no private parties" in their district. Later, after the conviction of four members of the charivari party, Mrs. Groombridge was jostled on a train by one of the leaders of the men, resulting in further fines. Social pretensions drew immediate reaction in the timberlands of western Ontario.⁹⁰ Finally, the hostility with which a "ruffian mob" greeted a Saltfleet marriage in 1868, the husband "revoltingly maltreated", and the bride "taken out *en dishabille*, and conveyed some distance in the piercing cold on an ox sleigh, meanwhile being taunted on the felicities of her bridal tour," suggests a strong sense of resentment.⁹¹

Occasionally, the charivari could be directed, not at domestic impropriety, sexual misbehaviour, or social pretension, but at constituted authority itself, a brazen display of popular contempt for law and order. This appeared to be the case in a series of noisy parades in St. John's, Lower Canada, in August 1841. As the local police seemed incapable of quelling the disturbances, they asked for deployment of troops to the town to aid the civil power in suppressing disorder. Upon official investigation the Magistrates were informed that:

... the disturbance, in the first instance, had only amounted to the putting in practice an illegal, but long established custom throughout Canada, called a 'chri-vri'

The Violent Season (New York 1961), esp. pp. 33, 89, 93, 168-69, 171-174, 314-315, 331-332; Jerome Hart, *A Vigilante Girl* (Chicago 1910), pp. 326-327; *Sarnia Observer*, 24 April 1885.

⁸⁷ *Sarnia Observer and Lambton County Advertiser*, 11 November 1858.

⁸⁸ *Globe*, 15 December 1881.

⁸⁹ *Hamilton Spectator*, 14 August 1894.

⁹⁰ *Sarnia Observer*, 31 October 1884; 7 November 1884.

⁹¹ *Hamilton Times*, 13 January 1868.

— a boyish frolic liable to be treated by the police as a common nuisance or actionable under the more serious charge to extort money. . . . The indiscreet conduct of the Magistrate, who appeared to have worked himself up into a state of nervous excitement led some idle persons of the Village to direct their petty annoyances against him with too good success.

A small patrol eventually suppressed the charivari, but not before constituted authority had exposed itself "and Her Majesty's troops to the amusements and derision of the mischievous persons who sought to annoy [it]." ⁹²

In Lower Canada, during the Patriot agitations leading up to the events of 1837-1838, charivaris were organized to show popular disapproval for the repressive measures of the state. ⁹³ The shoe appeared on the other foot, however, in Upper Canada, where the reform agitations drew a crowd to the office of the *Belleville Plain Dealer*, which had recently appeared with an inverted British coat-of-arms on its masthead. Manhandling the staff, upsetting the paper's type, the crowd eventually seized Mr. Hart, the manager, and trailed him through the snow and slush. ⁹⁴ In 1857 St. Thomas, Upper Canada, residents used a "procession through the town of sleighs, . . . with a band playing enlivening airs" to voice their contempt for a judge who had imprisoned a defendant's counsel in the midst of his trial. ⁹⁵ Perhaps one of the most striking uses of the charivari to show popular disapproval, in the political realm, occurred in the Placentia, Newfoundland election of 1869, where the ritual was employed to express the inhabitants' hostility to Confederation. Ambrose Shea, the island's delegate to the Quebec conferences, paid a visit to Placentia, where he was greeted by locals carrying pots of hot pitch and bags of feathers, angered at "de shkeemer's" effort to "sell his country." In addition, a crowd of fifty "sounded melancholy insult to the candidate through . . . large conchs which the fishermen get upon their 'bull tow' trains in summer, and another band of about thirty, . . . blew reproaches and derision through cow horns." Insulted and disgusted by the display, Shea could not even land on the shore. ⁹⁶

⁹² Public Archives of Canada, RG8 C 316, Cathcart, *et al.*, to the Magistrates, St. John's, Lower Canada, 27 August 1841; 24 August 1841; 25 August 1841, 219-223. On the charivari in the Maritimes in the twentieth century, where it was often known as saluting, see Monica Morrison, "Wedding Night Pranks in Western New Brunswick," *Southern Folklore Quarterly*, 38 (December 1974), pp. 285-297; Ernest Buckler, *The Mountain and the Valley* (New York 1952); Avis, *Dictionary of Canadianisms*, p. 656.

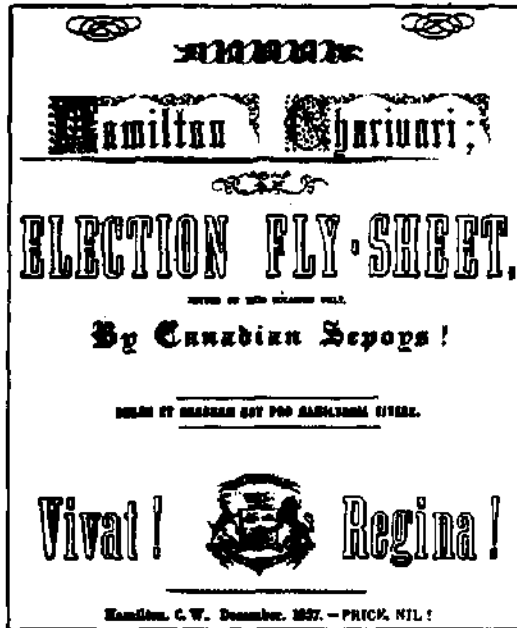
⁹³ See Massicotte, "Le Charivari au Canada," pp. 720-722; Séguin, *Divertissements en Nouvelle France*, pp. 73-74.

⁹⁴ *Belden's Atlas of Hastings and Prince Edward Counties* (Toronto 1878), p. iii; H. F. Gardner, "When the 'Plain Speaker's' Type was Pied," Ontario Historical Society, *Papers & Records*, XX (1923), pp. 84-89; Hon. Wm. R. Riddell, "An Old Provincial Newspaper," Ontario Historical Society, *Papers & Records*, XIX (1922), p. 139; Edwin Guillet, *The Lives and Times of the Patriots* (Toronto 1968), p. 166.

⁹⁵ *Sarnia Observer and Lambton County Advertiser*, 12 February 1857.

⁹⁶ J. E. Collins, *Life and Times of the Right Honourable Sir John A. Macdonald*,

But this use of the charivari must have been rare. When directed to explicitly political purpose, the charivari was most often a mechanism of popular endorsement, waged to celebrate some notable event, or to support a popular candidate. The Callithumpians, for instance, were a group of Baltimore "rowdies", patterning themselves after the "Ancient and Honourable



Title page of Isaac Buchanan's election fly-sheet.

Artillery Company" of Boston, who ushered in the fourth of July with grotesque attire and the clamour of tin pans, kettles, bells, and rattles.⁹⁷ In New York City the Callithumpians were prominent in the 1830s, when an American story-teller first witnessed them:

I was in New York, New Years, and all at once I heard the darndest racket you'd ever wish to hear. There was more than ten thousand fellers with whistles, penny trumpets, tin pails, shovels, tongs, spiders, gridirons, warming pans, and all such kind of implements. Why, they made more noise than a concert of cats, or a meeting house full of niggers.⁹⁸

Premier of the Dominion of Canada (Toronto 1883), pp. 311-312. My thanks to James Hiller for providing me with this reference.

⁹⁷ Farmer, *Americanisms*; John Russell Bartlett, *Dictionary of Americanisms: A Glossary of Words and Phrases* (Boston 1877), p. 93. The Callithumpians were also active in the American west, as late as the 1890s. See Mathews, *Dictionary of Americanisms*, I, p. 248, citing cases from Glendale, Montana (1879) and Reinbeck, Iowa (1881).

⁹⁸ Hill's *Yankee Story Teller's Own Book; and Reciter's Pocket Companion* (New York 1836), p. 9.

In old Ontario the term Kallithumpian Klan, or "Terribles", often referred to the grotesquely attired processions organized to celebrate the Queen's Birthday or Dominion Day. The term callithumpian band, an American variation of the charivari, seemed appropriately fitted to these parades, always marked by "the sound of discordant 'music'," and outrageous disguise.⁹⁹

First came the general, bearded like a pard, and equipped in a cocked hat of gigantic dimensions. Then came an individual of 'exceedingly suspicious appearance', as the Police Reports say, looking very much like the Pictorial Representations we have seen of the Prince of Evil; then came a large crowd of grotesque characters, where the irrepressible negro was largely represented; a number of individuals half Irish half nigger in appearance, going through a number of salatory exercises upon a platform, which was placed on wheels for their accommodation. . . . Among the rest we omitted to mention a fearful looking monster something between a gigantic frog and rhinoceros, that rode among the rest.¹⁰⁰

Aside from these kinds of festive parades, the charivari was sometimes used to endorse a specific politician, as in 1848 when John Van Buren was tin-panned in Albany, New York.¹⁰¹ Certainly one of the last recorded cases of this use of the charivari occurred in 1910, after Harry Middleton Hyatt's father was elected to the Quincy, Illinois, City Council. A progressive reformer, the elder Hyatt had fought "the City Hall Gang" for years in his newspaper column. Upon his victory, "the old time charivari bunch" turned out to pay their respects, pounding on drums stamped R.A.R., initials proclaiming them the "Ragged Assed Rounders."¹⁰²

Where the charivari was turned most emphatically to purposes of a political or social nature was when it was used by working men and women to register their discontent. The custom had a long history of this type in the British Isles.¹⁰³ When the English government attempted the enclosure of lands and forests in the western districts in the years 1628-1631, popular

⁹⁹ On the American use of the term and its relationship to the charivari see *New York Times*, 25 May 1904; Schele de Vere, *Americanisms*, p. 589; Craigie and Hurlbert, *A Dictionary of American English: On Historical Principles* (Chicago 1938), I, p. 393; Clapin, *New Dictionary of Americanisms: The Century Dictionary* (New York 1897), I, p. 769; Mathews, *Dictionary of Americanisms*, I, p. 248; *Atlantic Monthly*, XV (March 1865), p. 300; *Harper's Magazine* (July 1886), p. 213.

¹⁰⁰ *Hamilton Spectator*, 26 May 1868. See also, *ibid.*, 3 June 1870; 26 May 1867; 15 May 1868; *Hamilton Evening Journal*, 21 June 1870; *Ottawa Citizen*, 29 June 1868; *Sarnia Observer and Lambton Advertiser*, 9 July 1869.

¹⁰¹ *Albany Weekly Argus*, 5 August 1848, cited in Mathews, *Dictionary of Americanisms*, II, p. 1885. See also, Isaac Buchanan's 1857 "election Fly-sheet", *Hamilton Charivari: Election Fly-Sheet Edited on this Occasion Only by Canadian Sepoys!* (Hamilton 1857). Robert Storey originally brought this source to my attention.

¹⁰² Harry Middleton Hyatt, *Folk-Lore from Adams County, Illinois* (Hannibal, Missouri, 1965), pp. 468-469.

¹⁰³ See Thompson, "Rough Music," pp. 304-308, for a brief introduction.

resentment flared in the anonymous personage of Lady Skimmington.¹⁰⁴ In 1696 journeymen hatters battled their masters over the lowering of rates. They chose to make an example of a journeyman who had remained at work, and stirring up the apprentices to seize upon him, tied "him in a wheelbarrow, and in a tumultuous and riotous manner" drove him "through all the considerable places in London and Southwark."¹⁰⁵ The Welsh practice of the *ceffyl pren*, a disorderly procession mocking those who had broken with the popular sentiments of the community, parading the offender, in effigy, on a wooden pole or ladder, assumed a prominent place in the Rebecca Riots of the late 1830s.¹⁰⁶

In the United States the charivari, or similar forms of ritualistic derision, could also be turned to working-class purpose. As early as 1675 a group of Boston ship carpenters had forcefully ejected another worker from their presence, claiming he had not served his full seven years' apprenticeship. John Roberts and eight other defendants admitted having carried John Langworth, "upon a pole and by violence," from the north end of Boston to the Town dock. A constable eventually rescued the carpenter, and the men were fined five shillings each, payable to the government and the victim. But they justified their action on the grounds that "hee was an interloper and had never served his time to the trade of a ship carpenter and now came to work in their yard and they understood such things were ususall in England."¹⁰⁷ In Gilded-Age Trenton, New Jersey, potters often burned effigies in the midst of strikes, as did Chicago workers in 1894, when confronted with the spectre of imported black "scabs."¹⁰⁸ A Pittsburgh court prevented three women from "tin-horning" strikebreakers in the midst of a coal miners' strike in 1884. After the Civil War, a Fall River cotton manufacturer greeted the arrival of some Lancashire operatives with the boast to his overseer that they now had "a lot of greenhorns." But his supervisor was more perceptive, spotting potential trouble with the remark, "Yes, but you'll find they have brought their horns with them."¹⁰⁹

¹⁰⁴ See D.G.C. Allan, "The Rising in the West, 1628-1631," *Economic History Review*, 2nd ser., V (1952-1953), pp. 76-85.

¹⁰⁵ Sidney and Beatrice Webb, *The History of Trade Unionism* (New York and London 1920), p. 28.

¹⁰⁶ David Williams, *Rebecca Riots*, pp. 54-56.

¹⁰⁷ Richard B. Morris, *Government and Labor in Early America* (New York 1965), p. 147.

¹⁰⁸ Herbert G. Gutman, "Class, Status, and the Gilded Age Radical: A Reconsideration," in Gutman and Kealey, ed., *Many Pasts: Readings in American Social History* (Englewood Cliffs, N.J., 1973), p. 141; William Tuttle, Jr., "Labor Conflict and Racial Violence: The Black Worker in Chicago, 1894-1919," *Labor History*, 10 (1969), pp. 87-89; Horace Cayton and George S. Mitchell, *Black Workers and the New Unions* (Chapel Hill 1939), pp. 228-220; Abram L. Harris and Sterling D. Spero, *The Black Worker* (New York 1968), p. 265.

¹⁰⁹ Gutman, "Work, Culture, and Society," p. 577. Note the prominence of noise,

In Canada, the use of the charivari in this manner remains obscure. Strikers, of course, often utilized mock processions to denigrate opposing forces. In the aftermath of the riotous clash on the London street railways in 1899, workers paraded with a coffin labelled "For a Small-man," a reference to T.C. Smallman, resident director of the Street Railway Company. Trailing the casket were a number of moulders and cabinetmakers, dressed in mourning clothes. Unskilled labourers at the Chaudière Lumber Mills, engaged in an 1891 battle with their employers, mocked the militia, summoned to preserve order, with a charivari in Hull, Quebec, twenty of their number blackening their faces. Dressed as "Terribles", the men paraded with sticks on their shoulders "and went through military movements in a laughable manner." Frederick Philip Grove's enticing fictional account of the process of industrial-capitalist development chronicles workers' utilization of ritualized effigy burnings, an expression of their discontent with the gross inequalities of the emerging order. When the object of their derision, Sibly Carter, estranged wife of a mill official, flaunted herself in their presence, a crowd of hands gathered outside of her door: "In the utter dark hundreds of shapes had sprung up out of nowhere. Their voices, accented by whistlings, serenaded the temporary inmates of the house with bawdy songs." Ms. Carter, an archetype of the "new woman", eventually faced the charivari party personally, as she sought escape from the town. "[A] crowd of women resembling those of a witches' sabbath," confronted her with jeers of, "Run, if you want to catch that train. Run, you bitch, run." The fur coat, silk dress, and elaborate petticoat that stood as visible reminders of her class were torn from her body, and "she ran naked, save for her corset", to the train and the policemen guarding it.¹¹⁰

The most explicit use of the charivari in this manner, however, occurred in the midst of a weavers' strike in Hamilton, Ontario, in the spring of 1890.¹¹¹ On two occasions the striking weavers, blowing fish-horns, shouting, and acting, according to the local newspaper, like a procession of

enriched by the clamour drawn from pots and pans, in the strike processions led by Mother Jones in the late 19th century. See Mary Field Parton, ed., *The Autobiography of Mother Jones* (Chicago 1972). See also, the discussion in Michelle Perrot, *Les ouvriers en grève: France 1871-1890* (Paris 1974), II, pp. 562-567.

¹¹⁰ Bryan D. Palmer, "Give us the road and we will run it": The Social and Cultural Matrix of an Emerging Labour Movement," in Kealey and Warrian, ed., *Essays in Canadian Working Class History* (Toronto 1976), p. 122; *Ottawa Evening Journal*, 17 September 1891 (my thanks to Russell Hann for directing me to this reference); F.P. Grove, *The Master of the Mill* (Toronto 1967), pp. 155-162. The Chaudière conflict is discussed in more detail, although this incident is ignored, in Edward McKenna, "Unorganized Labour Versus Management: The Strike at the Chaudière Lumber Mills, 1891," *Histoire Sociale/Social History*, V (November 1972), 186-211. See also, H. Ferns and B. Ostry, *The Age of Mackenzie King* (Toronto 1976), p. 79.

¹¹¹ The strike is discussed in Palmer, "Most Uncommon Common Men," pp. 190-192.

"Grit schoolboys", attempted to intimidate women who refused to join their cause. Mrs. Trope, one of the victims, testified before the local courts,

... that she had worked at the mill for eight years. The mill had been shut down for five weeks because of the weavers' strike. She did not attend any meetings of the strikers and at the request of Manager Snow she went to work last Monday. When she was on her way home that evening she went along Ferrie Street. At the corner of John and Ferrie street she was followed by a crowd of men and women. The defendants Maxwell and Irwin had fish-horns and were blowing them. She estimated the crowd at a couple of hundred, many of them being weavers. Mrs. Trope turned down Catharine Street and was followed by the crowd. She stopped to let the people pass and Mrs. Wright struck her. She tried to strike back and Mr. Carlisle pushed her into the road, and she fell down, injuring her hip.

Another woman, Mrs. Anne Hale was subjected to similar treatment, charging Moses Furlong, Richard Callan, Henry Dean, and Ann Burke with disorderly conduct. The proceedings ended in \$5.00 fines for the "charivaring weavers."¹¹²

Perhaps this kind of legal suppression took its toll. The charivari certainly continued into the twentieth century, but only the carcass remained, pleasant sport for villagers and small-town North American youth.¹¹³ Sinclair Lewis described Cyrus N. Bogart, Main-street America's foremost practitioner of the charivari, and one couple's response to him:

Cyrus N. Bogart, son of the righteous widow who lived across the alley, was at this time a boy of fourteen or fifteen. Carol had already seen quite enough of Cy Bogart. On her first evening in Gopher Prairie Cy had appeared at the head of a "charivari", banging immensely upon a discarded automobile fender. His companions were yelping in imitation of coyotes. Kennicott had felt rather complimented; he had gone out and distributed a dollar. But Cy was a capitalist in charivaris. He returned with an entirely new group, and this time there were three automobile fenders and a carnival rattle. When Kennicott again interrupted his shaving, Cy piped, "Naw, you got to give us two dollars," and he got it. A week later Cy rigged a tic-tac to a window of the living room and the tattoo out of the darkness frightened Carol into screaming. Since then, in four months, she had beheld Cy hanging a cat, stealing melons, throwing tomatoes at the Kennicott house, and making ski-tracks across the lawn, and had heard him explaining the mysteries of generation, with great audibility and dismaying knowledge. He was, in fact, a museum specimen of what a small town, a well-disciplined public school, a tradition of hearty humour, and a pious mother could produce from the material of a courageous and ingenious mind.¹¹⁴

With Cyrus N. Bogart at the head of the charivari party, and with the automobile fender present as an instrument of rough music, we are seeing the emasculation of a tradition. It is impossible to date the decline of the ritual; indeed, numerous colleagues have witnessed forms of the charivari in Canadian villages and towns as late as 1963.¹¹⁵ But the research index cards can

¹¹² *Hamilton Spectator*, 4, 5, 9, 10 June 1890.

¹¹³ See Wentworth, *American Dialect Dictionary*, pp. 550-551.

¹¹⁴ Sinclair Lewis, *Main Street* (New York 1961), pp. 103-104.

¹¹⁵ George Rawlyk, A.R.M. Lower, Donald Swainson, and Peter Goheen all had

tell us something. By the mid-1890s the custom is increasingly rare, and the last nineteenth-century Canadian charivari I have located in the newspapers occurred in 1896, near Brantford, Ontario, on Christmas Eve. Like so many similar affairs, it ended in death, a young farmer succumbing to the shot-gun blast that was meant as a warning.¹¹⁶ In Adams County, Illinois, the charivari had disappeared in the immediate pre-World War I years.¹¹⁷ And yet, despite the unmistakable demise of the custom, its function was to be fulfilled by another ritualized method of enforcing community standards and appropriate behaviour. In the years 1888-1905 whitecapping, a distinctively American phenomenon, took up where the charivari had left off.

IV

John S. Farmer, author of *Americanisms — Old and New*, described the White Caps as, "A mysterious organization in Indiana, who take it upon themselves to administer justice to offenders independent of the law. They go out at night disguised, and seizing their victim, gag him and bind him to a tree while they administer a terrible whipping. Who they are is not known, or if known no one dares to make a complaint against them. They are particularly severe," concluded Farmer, "against wife beaters."¹¹⁸ Other popular dictionaries offered similar definitions of the White Caps, stressing their efforts to regulate public morals, and to administer justice to offenders independent of the law.¹¹⁹ One source concluded that, "The whole White Cap movement was borrowed from English outlawry."¹²⁰

These kinds of assessments, often based on the scantiest of evidence, tell

some personal knowledge of the ritual. My grandmother remembered it practised near Hawkesbury, Ontario. A student tells me that it is still common in Listowel, Ontario. John Weaver witnessed a charivari in Madoc, Ontario, north of Belleville, in 1963, the groom being tied to a rocking chair, and driven around the town in the back of a flat-bed truck. Neil Rosenberg, Director of the Memorial University of Newfoundland Folklore and Language Archive, tells me that the practice is known in Newfoundland, but that the ceremony does not have a standard name. Lawrence Stone, relying on a colleague's recollections, contends that the charivari was still practised in Oregon in the twentieth century. See Stone, *Family, Sex, and Marriage*, fn. on p. 504. As late as 1958 Edmonton passed a law prohibiting charivaris. See *Edmonton Journal*, 30 October 1958.

¹¹⁶ *Windsor Evening Record*, 13, 14 January 1896. Craig Heron has recently informed me that charivaris in St. Catharines, Ontario and Lacrosse, Wisconsin were documented in the *Hamilton Spectator*, 11 August, 9 June 1904. The St. Catharines event, in which the victim drove off his tormentors with the spray from a garden hose, hints at a changed twentieth century context which makes the violent clashes of the previous century a thing of the past. But note, too, the violent charivari at Bishop's Mills (near Brockville) described in *Hamilton Spectator*, 15 November 1906.

¹¹⁷ Hyatt, *Folk-Lore from Adams County*, p. 468.

¹¹⁸ Farmer, *Americanisms*, p. 557.

¹¹⁹ Clapin, *New Dictionary of Americanisms: Century Dictionary*, VIII, p. 6910.

¹²⁰ "White Caps." *The Americana: A Universal Reference Library* (New York 1911), p. XX.

us very little. In some cases they may even lead us into further confusion. For the White Caps owed little to any English predecessor, developing, rather, as a peculiarly North American form of rough justice, one strand in the long history of vigilante activity and popular tribunal that stretched from the tar and feather feats of Cornet Joyce, *jun.*, leader of Boston's revolutionary crowd¹²¹, through the Carolina regulators¹²², and into the nineteenth-century associations emerging in San Francisco and Montana to curb the activities of criminals and highwaymen.¹²³ Lynch-law, and the more indi-

¹²¹ See James Elbert Cultler, *Lynch-Law: An Investigation into the History of Lynching in the United States* (Montclair, N.J., 1969, original 1905), pp. 46-72; R. S. Longley, "Mob Activities in Revolutionary Massachusetts," *New England Quarterly*, VI (March 1933), pp. 112-114; Frank W. C. Hersey, "Tar and Feathers: The Adventures of Captain John Malcolm," Colonial Society of Massachusetts Publications, *Transactions*, XXXIV (1937-1942), pp. 429-473; Richard Maxwell Brown, "Violence and the American Revolution," in Stephen G. Kurt and James H. Hutson, *Essays on the American Revolution* (Chapel Hill 1973), pp. 103-112; Alfred F. Young, "Pope's Day, Tarring and Feathering, and Cornet Joyce, *jun.*: From Ritual to Rebellion in Boston, 1745-1775," Unpublished manuscript prepared for the Anglo-American Conference of Labor Historians, Rutgers University, 1973; Carl Bridenbaugh, *Cities in Revolt: Urban Life in America, 1743-1776* (New York 1955), pp. 121-122. Tarring and feathering, of course, did borrow heavily from the English experience, as many of these sources indicate, and continued well into the nineteenth and twentieth centuries. For the use of tarring and feathering in early Upper Canada see Josephine Phelan, "The Tar and Feather Case, 1827," *Ontario History*, LXVIII (March 1976), pp. 17-23. Cases of the use of tar and feathers in late nineteenth-century Milan, Monroe County, Michigan, and St. Thomas, Ontario, are outlined in *Ottawa Citizen*, 11 May 1871; *Globe*, 11 November 1886. For popular punishment of sexual offenders in Puritan New England see Arthur W. Calhoun, *A Social History of the American Family from Colonial Times to the Present* (Cleveland 1917-1919), I, pp. 129-152.

¹²² See Richard Maxwell Brown, *The South Carolina Regulators* (Cambridge, Massachusetts, 1963); George R. Adams, "The Carolina Regulators: A Note on Changing Interpretations," *North Carolina Historical Review*, XLIX (1972), pp. 345-352; James P. Whittenburg, "Planters, Merchants, and Lawyers: Social Change and the Origins of the North Carolina Regulation," *William and Mary Quarterly*, XXXIV (April 1977), pp. 215-238.

¹²³ Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851: A Study of Social Control on the California Frontier in the Days of the Gold Rush* (New York 1969, original 1921); Hubert Howe Bancroft, *Works: Popular Tribunals, in Two Volumes* (San Francisco 1887); Thomas J. Dimsdale, *The Vigilantes of Montana, or Popular Justice in the Rocky Mountains* (Norman 1953, original 1866). A fascinating account is Josiah Royce, *California From the Conquest in 1846 to the Second Vigilance Committee in San Francisco: A Study of American Character* (Boston 1886), pp. 271-376. See also, Frederick Jackson Turner, *The Frontier in American History* (New York 1920), p. 212; J. D. Hill, "The Early Mining Camp in American Life," *Pacific Historical Review*, I (1932), pp. 303-306; Alexandre Barde, *Histoire des comités de vigilance aux Attakapas* (Saint-Jeane-Baptiste, Louisiana, 1861).

visualized acts of cowhiding, rawhiding, and horsewhipping, sustained themselves as part of the same long tradition of American popular justice.¹²⁴ These forms, reaching well into the twentieth century, were often used against radical dissidents, as the history of the Industrial Workers of the World and the 1919 Winnipeg General Strike reveal¹²⁵, or against oppressed groups, but they could also be employed by those significantly removed from the bastions of social and economic power, for their own purposes. Thus, nineteenth-century workers often threatened, and practiced, tarring and feathering, utilizing the ritual against strikebreakers; in the depression decade of the 1930s tarring and gravelling was one popular punishment inflicted on landlords who attempted to exploit hard times, evicting tenants of long residence, drawing out the last penny of rents that, to the suffering victims, seemed highly extortionate.¹²⁶ For the student of North American legal and social history, then, the popular tribunal is a realm of vital importance.¹²⁷

Whitcapping drew much of its vigour from this essential continuity in the North American tradition of vigilante activity. But it buttressed this strength, tapping other sources of attachment and commitment. It may, in certain parts of North America, have drawn on the White Cross Movement, a religious crusade of the 1880s raging against prostitution, drink, and lewdness, for moral tone and rigour.¹²⁸ The regalia of the White Caps, most commonly masks, hoods, and robes, likely borrowed heavily from the experience of the Ku Klux Klan, and must have attracted many to the ranks of the movement.¹²⁹ More important, perhaps, were the elaborate passwords,

¹²⁴ The standard treatment is Cutler, *Lynch-Law*. See also, *Ottawa Citizen*, 3 February 1872; 3, 4 August 1871; 22 February 1872; 27 May 1871; 1 June 1871; 3 May 1871; *Perth Courier*, 18 December 1868; 3 April 1868; *Globe*, 2 September 1868; *Hastings Chronicle* (Belleville), 23 April 1862; John W. Caughy, ed., *Their Majesties The Mob* (Chicago 1960), esp. p. 98.

¹²⁵ Melvyn Dubofsky, *We Shall Be All: A History of the Industrial Workers of the World* (Chicago 1969); A. Ross McCormack, *Reformers, Rebels, and Revolutionaries: The Western Canadian Radical Movement, 1899-1919* (Toronto 1977), p. 161.

¹²⁶ *Hamilton Spectator*, 3 April 1882; Edward McKenna, "Unorganized Labour Versus Management: The Strike at the Chaudière Lumber Mills, 1891," *Histoire Sociale/Social History*, V (November 1972), p. 204; Barry Broadfoot, *Ten Lost Years, 1929-1939: Memories of Canadians Who Survived the Depression* (Don Mills 1975), pp. 338-348. John L. Lewis supporters tarred and feathered an insurgent miner in Indiana in 1930. See Melvyn Dubofsky and Warren Van Tine, *John L. Lewis: A Biography* (New York 1977), p. 165.

¹²⁷ Note the comment in Theodore Watts-Dunton, "Bret Harte," *Athenaeum* (24 May 1902), p. 659. The best brief, accessible introduction to whitcapping is Hugh Graham and Ted Robert Gurr, eds., *Violence in America: Historical and Comparative Perspectives* (Washington 1969), pp. 70-71, 806.

¹²⁸ B. F. De Costa, *The White Cross: Its Origins and Progress* (Chicago 1887); Ellice Hopkins, *The White Cross Army* (London 1887).

¹²⁹ E. W. Crozier, *The White-Caps: A History of the Organization in Sevier County, Tennessee* (Knoxville 1899) p. 31; Nettie H. Pelham, *The White Caps* (Chicago 1891).

rituals, and secret oaths that bound members to a fraternity of associates; in many cases the forms were taken directly from organizations like the Knights of Labor or the Masons.¹²⁰ The Bald Knobbers, a Missouri group remarkably similar to the White Caps, cemented their membership with the following oath, solemnly repeated by men gathered in groups of thirteen, their hands clasped together:

Do you in the presence of God and these witnesses, solemnly swear that you will never reveal any of the secrets of this order nor communicate any part of it to any person or persons in the known world, unless you are satisfied by a strict test, or in some legal way, that they are lawfully entitled to receive them, that you will conform and abide by the rules and regulations of this order, and obey all orders of your superior officers, or any brother officer under whose jurisdiction you may be at the time attached; nor will you propose for membership or sanction the admission of anyone whom you have reason to believe is not worthy of being a member, nor will you oppose the admission of anyone solely on a personal matter. You shall report all theft that is made known to you, and not leave any unreported on account of his being blood relation of yours; nor will you willfully report anyone through personal enmity. You shall recognize and answer all signs made by lawful brothers and render them such assistance as they may be in need of, so far as you are able or the interest of your family will permit; nor will you willfully wrong or defraud a brother, or permit it if in your power to prevent it. Should you willfully and knowingly violate this oath in any way, you subject yourself to the jurisdiction of twelve members of this order, even if their decision should be to hang you by the neck until you are dead, dead, dead. So help me God.¹²¹

There was much, then, beyond the purpose of regulating economic and moral behaviour, that bound nineteenth-century men to such organizations.

Aside from these attractions, and the extent to which all forms of whitecapping utilized extra-legal forms of authority to regulate behaviour, the history of whitecapping was an intensely local affair. Indeed, one early commentator noted the importance of the terrain in southern Indiana in facilitating the growth of the White Caps: the hilly, forested, land serving as a haven for those who sought to impose their own brand of rough justice, keeping their distance from the law.¹²² Bald knobbing, the Missouri variant of whitecapping, drew its name from the "balds" and "knobs" of the

p. 2; A. H. Haswell, "The Story of the Bald Knobbers," *The Missouri Historical Review*, 18 (October 1923 - July 1924), pp. 30-31; Noble, "White Caps," pp. 71-72; "White Caps," *Appleton's Annual Cyclopaedia and Register of Important Events of the Year 1888*, new ser., XIII (New York 1889), pp. 670-671; *Americana: Universal Library*, pp. XX; C. M. Graham, "Have You Ever Heard of the White Caps?" *New Mexico Genealogist*, 6 (December 1967), pp. 3-8.

¹²⁰ Crozier, *White-Caps*, pp. 8, 12-13.

¹²¹*Daily Republican* (Springfield, Missouri), 29 December 1888, cited in Lucille Morris, *Bald Knobbers* (Caldwell, Idaho, 1939), pp. 56-58. See also, Clyde Edwin Tuck, *Bald Knobbers: A Romantic and Historical Novel* (Indianapolis 1910), pp. 7-8.

¹²² Henry Clay Duncan, "White Caps in Southern Indiana," paper presented before the Monroe County Historical Society, 1900, pp. 4-6, cited in Noble, "White Caps," p. 65.

mountains in the southwestern corner of the state, the home of the masked regulators of Tancy, Christian, Stone, and Douglas counties.¹³³ Madeleine Noble has argued that this regional context even affected the direction which whitecapping took: in the mid-west and border states the phenomenon was directed against moral improprieties, while the south and far west witnessed the dominance of whitecapping directed against economic ills.¹³⁴ She has a point, for this certainly seems to be the case, but the dichotomy is drawn a little too rigidly, and the Canadian material complicates the issue further. But what emerges, in spite of local differences, is the way in which whitecapping was used as an American form of rough music. Was Nettie Pelham's play, *The White Caps*, written in 1891, depicting the whitecapper with "a small tin horn at side", symbolic of some essential, but forgotten, link in the chain of Anglo-American popular culture?¹³⁵

Consider, for instance, the home of whitecapping, Indiana, where the movement had precursors in the mid-1850s, attained prominence in the mid-and-late 1880s, and gained a place in the popular literature of the times with Booth Tarkington's first novel.¹³⁶ Of the 80 instances of whitecapping or White Cap warnings, uncovered by Noble in Crawford and Harrison counties in the years 1873-1893, most were directed against those who neglected their family, engaged in wife- or child-beating, exhibited a marked laziness, or stepped outside of the boundaries of appropriate sexual behaviour. Sally Tipton was whipped in July 1884 for giving birth to a child out of wedlock. She claimed to have seen Cornelius Grable in the White Cap party, the man she had previously named in a paternity suit. Mrs. Lucinda Lynch and her daughter Mary were whipped for "lewdness" in June 1887. On 13 December 1888, the *Wooster Republican* warned those citizens who "continually practice adultery" to desist or suffer a visit from the White Caps. Dan Bowen and Mrs. Conrad Baker were whitecapped in November 1887, their conduct being "more than respectable people could stand." When H.T. Taylor and Nancy Hilson were found in bed together in 1892, they were treated to a switching. Aaron Bitner, John Hilderbrand, and

¹³³ Tuck, *Bald Knobbers*, pp. 7-8.

¹³⁴ Noble, "White Caps," p. 6.

¹³⁵ Pelham, *White Caps*, p. 2; Thompson, "Rough Music," p. 308.

¹³⁶ Background on the Indiana White Caps is found in *New York Times*, 12 October 1887; Duncan, "White Caps in Southern Indiana," p. 9; *Journal of the Indiana State Senate*, 38th session of the General Assembly, 4 January 1855, p. 34, quoted in Noble, "White Caps," p. 65. See Booth Tarkington, *The Gentleman From Indiana* (New York 1899); James Woodress, "Popular Taste in 1899: Booth Tarkington's First Novel," in Max F. Schulz, ed., *Essays in American and English Literature Presented to Bruce Robert McElderry, Jr.* (Athens, Ohio, 1967), pp. 111-112, 119-120; Woodress, *Booth Tarkington: Gentleman From Indiana* (New York 1955), p. 82; David Graham Phillips, *Old Wives for New: A Novel* (New York 1908), p. 68; Meredith Nicholson, *The Hoosiers* (New York 1916), pp. 43-45, for the impact on literature.

Fielding Berry were all whitecapped in October 1887, drawing the ire of the White Caps for their ill treatment of wives, daughters, stepchildren, and neighbouring youths.¹³⁷

This kind of community regulation of sexual behaviour and family standards reminds one of forms of the English charivari, and the uses to which they were put in the nineteenth century.¹³⁸ If the White Caps lacked the traditional mock processions and instruments of rough music characteristic of the English charivari, they replaced them with appropriate ritual, depositing a bundle of hickory switches containing a threatening letter on the doorstep of the offender. If the warning was not heeded, a whipping followed. And public shame, so crucial in all European forms of the charivari, was also central in the history of whitecapping.¹³⁹ From Indiana, whitecapping spread quickly to Ohio, and by 1889 had attained a foothold across North America.¹⁴⁰ Its victims were often men like Adam Berkes, of Sardinia, Brown County, Ohio, dragged from his bed 17 November 1888, to face the rough justice of 30-50 horsemen who whipped him for his immoral conduct.¹⁴¹ Were it not for the horses, which denote a measure of affluence, the scene might have been taken from a rural corner of early nineteenth-century Bavaria.¹⁴²

Whitecapping moved most forcefully against immoral activities in Sevier County, Tennessee. Originally convened to rid the county of lewd, adulterous persons who had successfully avoided punishment in the courts, the Tennessee White Caps whipped six women, driving them out of Emert's Cove, notorious for harbouring prostitutes. They later whitecapped a man who was living with a woman who was not his wife. The influence of the association soon spread, and the order controlled local politics and jury selection, assuring the vigilantes immunity from legal prosecution. This entrenched power drew strong opposition, and another grouping, supposedly allied with local prostitutes, calling itself the Blue Bells, engaged in open warfare with the White Caps. Degenerating into a "lawless rabble", the White Caps soon succumbed to legal suppression, and by 1896 they were no longer active.¹⁴³ A similar fate befell the Missouri Bald Knobbers. Led by Nathaniel N. Kinney, a Union Army Captain in the Civil War, the Bald Knobbers of the Ozark Mountains of Missouri were formed in 1885 to oppose

¹³⁷ Noble, "White Caps," pp. 10, 72-76, 165, and esp. the list on pp. 177-190.

¹³⁸ Thompson, "Rough Music," pp. 285-312.

¹³⁹ On the importance of ritual and public shame see Noble, "White Caps," pp. 70-71, 88; Crozier, *The White Caps*, pp. 10-11.

¹⁴⁰ On the emergence of whitecapping in Ohio see *Biographical and Historical Souvenir for the Counties of Clark, Crawford, Harrison, Floyd, Jefferson, Jennings, Scott and Washington: Indiana* (Chicago 1890), p. 35; *Ohio State Journal*, 26, 29 November 1888; 1, 3, 5, 10, 12, 21 December 1888.

¹⁴¹ *Appleton's Annual*, pp. 670-671.

¹⁴² Shorter, *Modern Family*, p. 226.

¹⁴³ Crozier, *The White Caps*, pp. 7, 10-11, 17-19, 20-31. An opposition group, the Black Caps, apparently also formed in Indiana. See *Appleton's Annual*, p. 441.

"lawlessness and disregard of social proprieties." Targets of Bald Knobber justice were thieves, drunkards, whiskey sellers, gamblers, and prostitutes. Wrong-doers were given a switching, and whiskey barrels and beer kegs were often smashed. But the order soon deteriorated, taken over, according to the standard histories, by "rougher elements." As these social types exercised increasing influence, the Bald Knobbers became little more than a vehicle of personal vendetta. Kinney was eventually assassinated, and a local militia formed to rid the region of the masked night-riders. On 10 May 1889, after more than four years of existence, the Bald Knobbers succumbed, three of their members executed for murder.¹⁴⁴

These highly organized forms of whitecapping, prominent in the mid-west and border states, were supplemented by activities in the south and far west, where the ritual was directed against economic ills, often complicated by the issue of race.¹⁴⁵ Mississippi's White Caps, active in the years 1902-1906, directed their anger against black tenant farmers, scapegoats in the battle between small dirt farmers and the mercantile elite that controlled credit and dictated land policy.¹⁴⁶ In North Texas, too, blacks were frequent targets of White Cap gangs.¹⁴⁷ Perhaps the most interesting case of whitecapping emerged in New Mexico, in the mid-to-late 1880s, led by Juan José Herrera, a migrant from Colorado or Utah. Dominated by small squatters of Mexican-American descent, *Las Gorras Blancas* fought large cattle ranchers and landowners who began fencing the best pasturing and watering lands. As they burned fences, cut barbed wire, and terrorized the cattle men, the New Mexico White Caps proclaimed their platform: "To Protect the Lives and Property of Our People. Lawyers and judges be fair and just as we are or suffer the consequences."¹⁴⁸

¹⁴⁴ See Tuck, *Bald Knobbers*, pp. 7-8; F. McConkey, *The Bald Knobbers, or Citizens' Committee of Taney and Christian Counties, Missouri. A History of Southwest Missouri's Famous Organization* (Forsyth, Missouri, 1887); Haswell, "Story of Bald Knobbers," pp. 27-35; Morris, *Bald Knobbers: New York Times*, 28 April 1887; 24, 25 August 1887. On the role of Civil War veterans in the Indiana White Caps see Noble, "White Caps," pp. 68-70.

¹⁴⁵ In Indiana White Caps occasionally directed their attacks against blacks that had defied their authority. See *Appleton's Annual*, p. 441; Noble, "White Caps," pp. 177-190; Mathews, *Dictionary of Americanisms*, II, p. 1865.

¹⁴⁶ William F. Holmes, "Whitecapping: Agrarian Violence in Mississippi, 1902-1906," *Journal of Southern History*, XXXV (May 1969), pp. 165-185; *New York Evening Post*, 21 December 1904.

¹⁴⁷ Noble, "White Caps," pp. 156-158; Samuel L. Evans, "Texas Agriculture, 1880-1930," Unpublished Ph.D. dissertation, University of Texas, 1960, pp. 320-321. See also, C. Vann Woodward, *The Strange Career of Jim Crow* (New York 1966), p. 87; Cuttler, *Lynch-Law*, p. 154.

¹⁴⁸ Graham, "Have You Heard of White Caps?" pp. 3-8; Robert W. Larson, "The White Caps of New Mexico: A Study of Ethnic Militancy in the Southwest," *Pacific Historical Review*, XLIV (May 1975), pp. 171-185; Andrew Bancroft Schlesinger, "Las Gorras Blancas, 1889-1891," *Journal of Mexican American History*, 1 (Spring

This kind of structured movement remained rare in Canada, although whitecapping was frequently practised, often in an organized fashion. White Cap gangs battled other youth groups and police in turn-of-the-century Hamilton, Ontario.¹⁴⁹ But the most impressive documentation comes from Georgetown, Ontario, where the White Caps were led by E. Copeland, "an American desperado, who carried on the same business in the United States, and defies the officers of the law to arrest him." Like their counterparts in Indiana, Georgetown's White Caps drew on the nineteenth-century community's distaste for wife-beaters.¹⁵⁰ Their first victim was a Mr. Crowe, notorious for his acts of cruelty to his wife. In mid-February 1889 Crowe was sent a warning. On a Saturday evening, in early March, a dozen armed and masked men attacked Crowe's house, seized the wife-beater, stripped him naked, switched him, and rolled him in the snow. Crowe left town shortly after. From this beginning, the White Caps broadened their activity, sending threatening letters and bundles of hickory switches to a number of persons known for their laziness or social indiscretions. But the Georgetown group took particular delight in tormenting the Salvation Army, penning obscene and threatening letters to the Captain of the religious band and his female officers. Their anger seemed to have been directed against the Salvation Army's tendency to "run on the boys", probably a resentment of the religious body's attacks on irreligious behaviour. Then, too, a letter warned the Captain "to be careful what he says about the Catholics, as we would White-Cap him quick." Tensions finally erupted in an attack on the Salvation Army's barracks: shutters were torn off the building, windows broken, and a meeting loudly disrupted. Three leaders — Copeland, Jack Hume, and Fred Board — were eventually incarcerated, the movement broken. But for days the White Caps had defied the police, pelting them with stones, avoiding arrest, stalking the streets with impunity, accosting innocent women. Like the charivari, whitecapping could reveal vividly the fragile basis of social order in the nineteenth-century community.¹⁵¹

These forms of whitecapping, from the highly structured bands of Indiana, Tennessee, Missouri, and New Mexico, to the less cohesive groupings of the southern states and Georgetown, Ontario, were but the most visible peak of the movement. They have survived historical oblivion because they are entrenched in local folklore, because their presence spanned a number of weeks, at least, if not a number of years. But it is entirely likely that the phenomenon of whitecapping was most prominent as a spontaneous,

1971), pp. 87-143. An early instance of fence-cutting is described in *Pembroke Observer and Upper Ottawa Advertiser*, 30 January 1885.

¹⁴⁹ *Hamilton Spectator*, 2 May 1900; 19 June 1900.

¹⁵⁰ Note the comments on wife-beating in *Hastings Chronicle*, 30 July 1862; *Perrin Courier*, 27 October 1871; *Palladium of Labor*, (Hamilton), 17 October 1885.

¹⁵¹ This account draws on sketches in the *Globe*, 8, 23, 30 March 1889; 1 April 1889. These sources also document the emergence of White Cap bands in other, nearby towns.

sporadic effort to enforce standards and traditional rights. Like the charivari it would be used on the spur of the moment, when local outrage exploded at one final transgression.

This was likely the case in Battle Creek, Michigan, December 1888, when White Caps left notices at several saloons, demanding sober and righteous behaviour.¹⁸² An "outrage" in 1896, perpetrated by the "Wingham Whitecaps", also conforms to this pattern. On 10 March a crowd of 60, faces blackened, had marched through the streets of the Ontario town, broken into a house, and dragged J. G. Field from his bed. As Field's son was held silent by a loaded revolver, oaths were administered to the whitecappers. Field was then horsewhipped, and left in the snow, where he eventually died of exposure. The leading figures in the crowd action were sentenced to two and three years in the penitentiary, but local feeling went out to the convicted whitecappers: "... a partial investigation of Field's past life has been made and many horrible stories of cruelty and immorality are being reported on apparently good authority... circumstances in connection with the case should have been investigated some years ago... a certain amount of sympathy with those implicated."¹⁸³ In Berlin, Ontario, two Germans received three-year prison terms for their role in whitecapping a Mrs. Koehler. On 20 May 1896, Mrs. Koehler, who had recently subjected a stepchild to considerable abuse, was aroused from sleep by cries that a neighbour was ill. As she opened her door she was seized by four men. Then followed the ritualistic enactment of rough justice: her bed-clothes were violently torn from her body; she was ridden on a rail for a certain distance; and, finally, she was tarred and feathered.¹⁸⁴ When the "White Cap" idea struck New Rochelle, Westchester County, New York, in late 1888 it emerged in the form of two men with white caps and masks warning young men and women not to keep late hours "or they would be made the objects of discipline."¹⁸⁵

White Cap actions against wife-beating, probably the single transgression against social propriety most often punished, were also likely to be spontaneous affairs. This seems to have been the case in 1901, when Trenton, New Jersey, whitecappers threatened a wife-beater.¹⁸⁶ In Lambton, Ontario, near London, four or five neighbours whitecapped William Lawson in 1889. On the night of 26 November they rushed up to him, grabbed him, and accused him of mistreating his wife. They then took him to the pump where, according to Lawson, they "half-drowned" him. When Lawson refused to beg his wife's forgiveness, the men forced a large pole between his legs and

¹⁸² *Battle Creek Journal*, 12 December 1888, cited in Mathews, *Dictionary of Americanisms*, II, p. 1865.

¹⁸³ See *Windsor Evening Record*, 26 March 1896; 14 May 1894; 4 April 1896; 7 April 1896.

¹⁸⁴ *Napanee Star*, 29 May 1896; *Hamilton Spectator*, 10 June 1896.

¹⁸⁵ *New York Times*, 18 December 1888.

¹⁸⁶ *Hamilton Spectator*, 11 January 1901.

danced him about the yard. They concluded this version of rough justice by parading the offender up and down the town's streets.¹⁵⁷ One rare occasion when women took a prominent part in whitecapping a wife-beater occurred near Tavistock, Ontario, in 1889. A man of independent means, Richard Semmler, and his wife had annoyed their neighbours with frequent rows for many months. On 13 March 1889 a crowd gathered outside of the Semmler home, and secured a confession from the wife-beater. The women, aided by Jacob Schaeffer, a cousin of Mrs. Semmler, and reeve of South Easthope, and Conrad Eichenauer, formerly a constable in South Easthope, then removed Mrs. Semmler from the house, dragged her belongings and all of the furniture from the building, and loaded it on sleighs. Before proceeding to the wife's father's home, they threatened both Mrs. and Mr. Semmler with dire punishment if they should ever attempt a reconciliation. Divorce and separation, in a pre-progressive era, could be a popular as well as legal undertaking.¹⁵⁸

Finally, to conclude, we must note one more way in which whitecapping functioned in nineteenth-century North America. In both its highly structured, organized forms, and in its more spontaneous instances, whitecapping could be turned to distinctly working-class purpose, a threatening tactic employed to enrich the process of class struggle. This was most obvious in the case of *Las Gorras Blancas*, the New Mexico squatters who battled the rich for the right of access to traditional grazing lands. The link between this White Cap group and the working-class movement was explicit, the association attempting to establish itself as a *bona fide* assembly of the Knights of Labor. When their efforts in this direction failed, however, the group moved towards another labour-reform body. When Charlie Siringo, the cow-boy detective infamous for his activities in the Coeur D'Alene strike of 1894, infiltrated the White Caps in the early 1890s he found them an adjunct of the Populist Party. Nor did the New Mexico White Caps' involvement in working-class activity end there. During the building of the Sante Fe Railroad, whitecappers stopped sectionmen hauling ties, burned the ties, and proclaimed that the railroad was setting wage-rates below an acceptable standard. A blunt note was posted on railroad buildings:

All section foremen and operators are advised to leave at once or they will not be able to do so.

Signed,
White Caps¹⁵⁹

This kind of threat, relying on the fear inspired by the White Cap name, may well have been common in nineteenth-century labour struggles. Herbert Gutman notes what may have been an early use of this form, during a lockout

¹⁵⁷ *Globe*, 8, 9 April 1890.

¹⁵⁸ *Ibid.*, 19 March 1889.

¹⁵⁹ See Graham, "Have You Heard of White Caps?" pp. 3-8; Larson, "White Caps of New Mexico," pp. 171-185; Charles A. Siringo, *Cow-Boy Detective: An Autobiography* (New York 1912), pp. 120-122.

of 1873-1874 at the Cambria Iron Works, Pennsylvania. The general manager of the works, Daniel J. Morrell, was sent threatening "Ku Klux letters" by the miners warning him to "prepare for death."¹⁰⁰ In Hamilton, Ontario, during an iron moulders' strike in 1892, a non-union moulder, Clendenning, was prosecuted by a constable for carrying firearms. Clendenning attempted to justify possession of the weapon, arguing that whenever he went out he was followed by union men. He noted that another strikebreaker, a French Canadian named Fleury, had received a threatening letter, headed by a skull and cross-bones, a whip, and a club:

Scabs, beware! We have formed an association to go and club the life out of scoundrels if you don't cleare this town before Wednesday night. Ye will a lashing such as white man never got before what you are looking for badly.

The communication bore the sinister signature, "WHITE CAPS." Clendenning was bound to hold the peace for six months, or forfeit \$50. But the strikebreaker's fear was hardly pacified by the judge's restraining order. "If the union men get their way," he complained, "I won't be here for six months."¹⁰¹

Whitecapping, then, like the charivari, was a ritualized form of enforcing community standards, appropriate behaviour, and traditional rights. As part of a long tradition of extra-legal authority, it drew on a rich and complex heritage. As a force directed against immoral, illicit, or unjustifiable behaviour, it shared an essential place, along with North American forms of rough music, in the history of popular culture. But what are we to make of these two ritualized manifestations of rough justice?

V

Faces blackened or masked, voices drowned out by the clamour of a perpetual din, figures obscured by the shadows of the night or the dim light of the moon, the ubiquitous anonymity imposed on the charivari party or the White Cap gang by the threat of prosecution — this is not a process that lends itself easily to identification. And yet the first interpretive question begging of an answer is a most elementary one. Who practised these two forms of rough justice? In confronting this analytical query some important conclusions can be reached regarding the place and importance of charivaris and whitecapping in nineteenth-century North America.

In the case of the charivari the question as to who participated is a complex one, although a pattern does seem to emerge from the data. The ritual was apparently practised by all social groupings and classes in the first half of the nineteenth century, each stratum subjecting its own members to the discordant sounds of rough music. Hudson Valley skimetons, for instance,

¹⁰⁰ Herbert G. Gutman, "Two Lockouts in Pennsylvania, 1873-1874," in *Work, Culture, and Society in Industrializing America* (New York 1976), p. 335.

¹⁰¹ *Hamilton Spectator*, 11 April 1892.

were utilized by rich and poor alike.¹⁶² While the weight of the evidence indicates clearly that the plebeian world was the more appropriate setting for the charivari, upper-class figures could also be drawn to the customary wedding-night celebrations. The involvement of the well-to-do, perhaps, testifies to the social acceptability of the practice; a complex web of legitimation seemed to encase both the participants and the victims. But this legitimation had its limits. Even in the opening decades of the century, plebeian crowds gathered to charivari their social betters seldom, if ever, received endorsement. The custom was not meant to cross class lines.

It was in this context that the ritual thrived in early nineteenth-century North America. Even when opposed, it was recognized as an established institution. A case from the Newcastle District, Upper Canada, in 1814, illustrates the point. David Greene, a labourer, told a Justice of the Peace that on the night of 8 September 1814 he "was taken out of bed at Elijah Burks Inn in Hamilton about eleven or twelve o'clock at night and was carried some times on a rail and some times on horse back. . . ." Beaten during the ride, Greene was eventually "tied in the woods with his ribs broken and other wise much bruised. . . ." Ten or twelve men had perpetrated this act, although the records do not indicate why. A month later these men faced the majesty of the law, but were held over on £100 bonds until January 1815. The case was once more postponed because the defendants were on militia duty. On 11 April 1815, the issue was finally settled, a number of men convicted of riot and assault and fined £5. The fine, although a substantial amount, indicated how gingerly early courts trod on custom, even where violence was involved. Other convictions for riot and assault often drew fines of £10, and in the late nineteenth century similar transgressions were severely dealt with, imprisonment for two or three years being common. But more revealing than the court's handling of the case was the response of the local people. Harry Thompson, a soldier assigned to guard the lakeshore in the midst of wartime hostilities, was awakened by the incident: there was "a great noise" followed by cries of "spare my life." He followed the group for four miles. Obviously armed, he did nothing. Five others witnessed the event, and they too failed to intervene. The *Canadian Freeman* [York] noted in 1828 that the charivari "has been carried on latterly in this town to a very great extent without interruption," and then proceeded to chastize the Magistrates for their failure to suppress such gatherings.¹⁶³ As late as 1837, a Kingston editor could defend charivaris, arguing that magisterial authority had no place interfering in such popularly sanctioned assemblies:

Charivari parties may be unlawful, and much mischief may at times be committed by them, but the custom is an ancient one and cannot easily be suppressed. It is the only

¹⁶² *A. N. & Q.*, I (13 October 1888), p. 288.

¹⁶³ Newcastle District Minutes of Quarter Sessions, Public Archives of Ontario, RG 22, Series 7, Case File Envelope 9; *Canadian Freeman*, 21 August 1828. My thanks to Dale Chisamore for the first reference.

way in which the public can shew their distaste of incongruous or ill-assorted marriages. The interference of the magistrates on this occasion we fear is injudicious, since if we know anything of the spirit of the young gentlemen of Kingston, the more they endeavour to preserve the fair lady from annoyance, the more they will subject her to insult.¹⁶⁴

Kingston, Upper Canada, was perhaps a good locale for a defence of the ritual, for in few cities was the patrician influence so pronounced. Carl Fechter, friend of the Canadian poet Charles Sangster, described three "notable" charivaris of the 1840s, led by men of property, standing, and respectability. In 1846 some young, but obviously established, Kingstonians had founded the "physiognoscophochraphy society." Upon the marriage of one of their number, John Metcalfe, proprietor of the Duke of York Inn, on 20 July 1846, they turned out in a charivari parade. Heading the assemblage was a large carriage drawn by six horses, carrying the ubiquitous band. Thirty horsemen followed, splendidly attired. Completing the entourage was the main body, on foot, bearing torches, flags, and banners. After serenading the couple for an hour, the society was entertained with cake and wine, and £5 "was placed in the leader's hands for the purpose of buying bread for the necessitous poor." Costing \$1500, the celebration was hardly the work of the lower orders, but some of the "boys" still managed to offend local authorities, landing themselves in jail. Two years later, on the night of 11 September 1848, the order again turned out, to charivari Jeremiah Meagher. The first night was spent in consuming a small barrel of whiskey and two kegs of beer. Next evening the display was more awesome, judged the best showing of the "terribles" in the city's history:

First of all came three marshals on horseback, with torches, clearing the road. Then followed a band of sixty horsemen, all dressed fantastically, the outer files bearing torches. Next was a carriage drawn by six horses, the effigy of the culprit exalted on high and held up by eight pall bearers dressed becomingly. Two other carriages followed in order, the first bearing "the minister of war" of the society, and his eminence the secretary Santillanum Fernando, together with other officials; and the other bore the public executioner and his satellites, all dressed in red.

The last of these three "notable events" occurred when Captain R. Gaskin took his second wife. Marking the charivari procession as an extraordinary exhibition was the representation of the *Britain*, the Captain's favourite vessel, mounted on wheels, fully rigged, over twenty feet long, and manned by Neptune and his helpers.¹⁶⁵ Even if the charivari was not exclusively a patrician affair, as it most certainly was in these cases, a plebeian following

¹⁶⁴ *British Whig*, 11 March 1837.

¹⁶⁵ Carl Fechter, "Charivaring in Kingston: Some Notable Events and Who Participated in Them," *Kingston Daily Whig*, Supplement, Special Issue, December 1886, p. 14. My thanks to Donald Swainson for pointing me in the direction of this source. On Fechter see H.P. Gundy, "Who Was Carl Fechter," *Historic Kingston*, 12 (January 1964), pp. 11-18, who mistakenly identifies Fechter as Sangster, and *Whig*, 18 January 1887.

could be led by an upper-class element, Kingston's Henry Smith, Jr., of the 1830s being a prime example.¹⁶⁶

Nevertheless, it is difficult to regard these gala Kingston processions or the patrician leadership of the plebeian charivari party as anything but aberrations. Patrician acquiescence, and even occasional participation, undoubtedly legitimized the ritual in plebeian eyes, but it was a fragile foundation of support. While European charivaris of the sixteenth and seventeenth centuries may have been instigated by patrician elements, willingly sanctioned by constituted authority, recognized as "according to custom" and "in some sort necessaire", there is little indication that North American forms of rough music were ever given the formal blessings of the socially superior.¹⁶⁷ The threat to public order, as we have seen, was always too potent:

The crowd around were of a motley sort,
All shout, and bustle, — wantonness — vulgarity — ,
Some vicious as the hirelings of a court.
(Nor speak of these things with mark'd disparity) —
And some, in frolic, made it a resort,
For such a crowd in Canada's a rarity,
Not as in England — where your mob's a measure
For people to declare their "Freedom's" pleasure.¹⁶⁸

As the Montreal magistrates well knew, as early as 1823, charivaris had to be suppressed, like all "riots, bruits, troubles ou réunions tumultueuses."¹⁶⁹

This understanding gradually permeated the consciousness of patrician elements. From mid-century on, one must look long and hard to find an upper-class element involved in some variant of rough music. And as patrician forces departed, the complex legitimation encasing the custom melted into the background: charivaris were more vigorously suppressed; victims began to respond to the insulting taunts of the crowd with hostility rather than good humour; and violent confrontations often developed. As the charivari became exclusively an affair of the lower orders, then, the ritual came to be associated with the barbarism and savagery of the masses. What had once been defended was to be harshly condemned. It is this process of the proletarianization of a cultural form that marks the charivari as a ritual of particular concern to those interested in an autonomous, working-class cul-

¹⁶⁶ Smith, the patrician leader of the plebeian crowd, perhaps had a counterpart in Peter Aylen, leader of the Shiners in the Ottawa Valley in the 1830s. See Michael S. Cross, "The Shiners' Wars: Social Violence in the Ottawa Valley in the 1830's" *Canadian Historical Review*, LIV (March 1973), pp. 1-25.

¹⁶⁷ See, especially, Bernard Capp, "English Youth Groups and *The Pinder of Wakefield*," *Past & Present*, 76 (August 1977), pp. 132-133; Davis, "The Reasons of Misrule," pp. 97-123; E.P. Thompson, "Patrician Society, Plebeian Culture," *Journal of Social History*, VII (Summer 1974), pp. 382-405.

¹⁶⁸ *The Charivari*, p. 37.

¹⁶⁹ Robert, "Montréal, 1821-1871," p. 197.

ture, and explains the fear and loathing with which bourgeois elements perceived that development.

Contemporary sources commenting directly on the class makeup of the charivari party are strikingly explicit in rooting the custom in the plebeian world. Arlo Bates, for instance, argued that the shivaree was common in his boyhood days in East Machias, Washington County, Maine, "although it was confined to the rougher elements of the town."¹⁷⁰ Another commentator, also addressing the use of the shivaree in Maine, claimed that it was "reserved for the rougher elements. . ."¹⁷¹ A Saltfleet, Ontario, charivari was described as a "ruffian mob", while in Tweedsmuir, Upper Canada, the "charivaree" was "something to be prevented at all costs, gotten up by the rowdies and toughs and heavy drinkers with the sole idea of making life a burden for their respectable neighbours."¹⁷²

The very location of the charivari often conveys some message as to the composition of the group gathered to subject someone to the clamour of pot, pan, horn, and musket. When 20-30 men and boys of Guelph, Ontario, assembled at a round house near Sleeman's brewery to charivari a man named Foster, they likely betrayed their occupational place in the nineteenth-century city.¹⁷³ Striking workers who gathered outside of workplaces to subject "scabs" to the screech of the fish-horn left no doubt as to the social standing of the members of their particular "tin pan bands." Finally, the Callithumpians of New York, Baltimore, and the American west, or the Kallithumpian Klan or "Terribles", of old Ontario, grotesquely attired, revelling in the rude or the risqué, were not likely of the upper crust. The North American rich, at this late date, had likely repressed such traditional forms of revelry; they would keep a tighter lid on their emotions, expressing their political involvement in more socially acceptable forms.

With the custom linked explicitly to the lower orders, and as any form of legitimation, however mild, collapsed, the charivari drew attack from many quarters. "Such pastimes as we refer to will not exact any portion of 'young Canada'," argued the *Globe* in 1867. "Those inclined in such a direction had better take warning, and turn their attention to more becoming, more respectable and somewhat more civilized amusements."¹⁷⁴ The terrain of the rough, unpolished multitude, the shivaree was, in Alice T. Chase's words, "a survival of semi-barbaric times; the curious point to note is how nearly this barbarous custom touches our advanced civilization of the present day."¹⁷⁵ And barbarity, of course, was not of the genteel, bourgeois world. Neither,

¹⁷⁰ *A. N. & Q.* I (20 October 1888), p. 297.

¹⁷¹ *Ibid.*, II (3 November 1888), p. 12.

¹⁷² *Hamilton Spectator*, 13 January 1868: Dixon, "The Charivee," in *Tweedsmuir Histories*. Public Archives of Ontario.

¹⁷³ *Sarnia Observer and Lambton Advertiser*, 27 December 1867.

¹⁷⁴ *Globe*, 17 December 1867.

¹⁷⁵ *A. N. & Q.* I (29 September 1888), p. 264.

apparently, were the practitioners of rough music, who instead were denigrated, condemned, and persistently held up to the ridicule of the defenders of public virtue: "... lunatics assaulting a man's house after dark and making the night hideous with their howls"; "... a collection of wild, ignorant, howling savages, whatever may be the particular colour of their skins or the depth and variety of their gutturals"; "... the abolition of horning would be very cheaply purchased by the sacrifice of a horner in every community in which the disgusting practice survives."¹⁷⁶

By the late nineteenth century, then, the charivari had shed its patrician elements; its very vulgarity, often culminating in violence, posing a serious threat to order and stability, repelled any bourgeois support it had once attracted. And victims who had once accepted the authority of the ritual now challenged its power, precipitating the violent encounters often chronicled in local newspapers. This process occurred over the course of the nineteenth century: the timing varied from location to location, altered by the unique situations prevailing in innumerable North American communities, but the end result was likely to be the same. The large urban centres were apparently the first to succumb, followed by the smaller cities, towns, and villages, trailed by the frontier regions, the outposts of North American civilization. Where bourgeois consciousness matured earliest, the charivari was first attacked; where such consciousness was developing weakly it tended to survive longest. It was in this context that the ritual came to be monopolized by the lower orders. Although certain working-class trades, organized and enamoured of their skilled status, understandably attracted to more respectable, rational forms of protest, may have shied away from the custom as it drew increasing hostility, other members of the plebeian community retained their allegiance: immigrants new to America's shores; agricultural labourers; the urban armies of the unskilled; decimated crafts like shoemaking, weaving, and blacksmithing; small farmers; rural tradesmen; timberworkers, socially, culturally, and geographically on the margins of society; miners in isolated communities; and the underclass of town and country. It was men, women, and youths drawn from these groupings that breathed life into the charivari in late nineteenth-century North America, despite a relentless attack, and in the face of concerted opposition.

The practice of whitecapping proves similarly elusive, defying a precise analysis of those involved in the organized and spontaneous manifestations of the movement. Many histories of whitecapping, including Madelein Noble's recent assessment, argue that the White Caps drew upon respectable elements of the community, prominent citizens organizing and leading the crusade against immorality, lewdness, vice, and general social impropriety.¹⁷⁷ And, yet, many of these same sources attribute the decline of whitecapping,

¹⁷⁶ *Globe*, 9 July 1868; 2 May 1877; *A. N. & Q.*, III (14 December 1889), p. 81.

¹⁷⁷ Noble, "White Caps," pp. 5, 67-68, 83-86. *New York Times*, 28 April 1887; 12 October 1887; Morris, *Bald Knobbers*, pp. 19-20, 52.

especially its legal suppression, to the degeneration of the movement, its take-over by rougher elements, and the increasingly insignificant role of men of position.¹⁷⁸ The transition from patrician to plebeian control, however, is never satisfactorily explained. Moreover, there is more than a hint that historians have been blind to the not inconsequential role that the lower orders played in the beginnings of the local movements of whitecapping. A.H. Haswell, in an effort to establish the positive contributions of the Missouri Bald Knobbers, noted that the organization had been given a bad name by those who "seized upon [it]... after it had done its work, and after its founders had almost to a man withdrawn from it." A page later, however, Haswell, who was a manager of lead and zinc mines in eastern Christian county (a centre of Bald Knobbing), claimed that "every man on his pay rolls had been active in the movement from first to last."¹⁷⁹ In Hamilton, Ontario, the leaders of the White Cap gang were Robert and George Ollman, the Macklin Street brickmakers.¹⁸⁰ When the Georgetown White Cap leader, Jack Hume, was arrested, his bail was paid by Bob Ingalls, "a shop-mate."¹⁸¹ In Mississippi, the White Caps were a plebeian grouping, small dirt farmers resisting the encroachments on their land and livelihood by a mercantile elite. While they attributed their declining economic fortunes to a familiar scapegoat, the southern black, their racism did not totally blind them to the realities of their situation. How else explain the presence of a *black* among the White Cap gang attempting to drive a Negro sharecropper off his land in 1903?¹⁸² And where White Cap letters were directed against working-class enemies, the class essence of the situation allows no misinterpretation. Finally, the working-class foundation of New Mexico whitecapping, where squatters battled the Western counterparts of "the interests", needs no further elaboration. Whitecapping, like the charivari, was never a process totally dominated by men of property and standing. Both forms of enforcing community standards and appropriate behaviour were the terrain of the *menu peuple*.

If, in fact, working people did figure centrally and persistently in the charivaris and white cap raids of the nineteenth century, does an historical examination of these ritualized forms of popular activity tell us anything about working-class culture, a process that has received such scant attention in North American scholarly circles?¹⁸³ To be sure, the question is not

¹⁷⁸ Haswell, "Story of Bald Knobbers," p. 27; Tuck, *Bald Knobbers*, pp. 8-9. Noble argues that the White Caps of Indiana declined because of an accommodation to the transformation of society and economy that occurred in the 1890s, marking a shift away from the resistance characteristic of the 1880s. The argument is far from persuasive. See Noble, "White Caps," p. 148.

¹⁷⁹ Haswell, "Story of Bald Knobbers," pp. 27-28.

¹⁸⁰ *Hamilton Spectator*, 19 June 1900; *Hamilton City Directory* (Hamilton 1902).

¹⁸¹ *Globe*, 1 April 1889.

¹⁸² Holmes, "Whitecapping," esp. p. 171.

¹⁸³ Here, the work of Herbert G. Gutman, conveniently assembled in *Work, Cul-*

generally posed in this manner, either by historians who have studied the charivari, or by social scientists commenting on such traditional, ritualistic behaviour. Natalie Zemon Davis, for instance, considered charivaris in early modern France in the context of a general discussion of youth groups and the social nature of play and mock ceremony. A concern with modernization dominated Edward Shorter's treatment of rough music. And Claude Lévi-Strauss, whose brief comments on the charivari in *The Raw and the Cooked* imposed a structuralist straightjacket on the custom, linking it to the way in which primitive peoples greeted an eclipse of the moon, seemed too concerned with the form of the charivari to address questions of its meaning, in social or cultural terms.¹⁸⁴ But these interpretations are woefully inadequate in the context of nineteenth-century North America, where charivaris and youth groups seem only peripherally related (and largely unstudied), where nation-states appeared to be born modern, and where any effort to link popular culture to the activities of primitive peoples must be highly strained. We have, in short, few benchmarks to guide us in our analysis of charivaris and whitecapping. Some general observations, however, can be made.

The historical study of whitecapping and charivaris in nineteenth-century North America reaffirms Raymond Williams' forceful depiction of culture as a complex blend of residual and emergent strains. In this analysis, working-class culture is seen as a coalescence of old and new forces, strands in the culture hearkening back to a world seemingly lost, other forms arising that recognize the essential changes that have altered the context of daily life. It is this fundamental unity of residual and emergent, past and present, that delineates much of the history of charivaris and whitecapping in North America. Charivaris, and their persistent use throughout the nineteenth century, thus lend force to an interpretation of culture stressing continuity in the midst of change. None of our history, it appears, is ever quite dead.¹⁸⁵ The use of the ritual against strikebreakers, for instance, illustrates well the way in which a residual cultural form could be adapted to new purpose, bridging the gap between past and present. Whitecapping, too, drew on cultural continuities: the long tradition of violent enforcement of morality characteristic of American vigilante groups; the southern heritage of resistance to black emancipation ("The people of the 'White Cap' belt [of Indiana] . . .," claimed the *Chicago Record*, "came originally from the South."¹⁸⁶ But it,

ture, and Society, stands out as a forceful exception. Note, too, the strikingly innovative discussion in Gerald M. Sider, "Christmas Mumming and the New Year in Outport Newfoundland," *Past & Present*, 71 (May 1976), pp. 102-125.

¹⁸⁴ Davis, "The Reasons of Misrule," pp. 97-123; Shorter, *Modern Family*, pp. 218-227; Lévi-Strauss, *The Raw and the Cooked*, pp. 288-289, 338.

¹⁸⁵ See Raymond Williams, "Base and Superstructure in Marxist Cultural Theory," *New Left Review*, 82 (November-December 1973), esp. pp. 9-12; E.P. Thompson, "A Special Case," *New Society*, 24 (February 1972), pp. 402-404.

¹⁸⁶ *Chicago Record*, 13 April 1894, cited in Mathews, *Dictionary of Americanisms*, II, p. 1865.

also, could be turned to new purpose, continuing in the footsteps of the charivari, moving forcefully against social impropriety, or adapting to the economic needs of the working-class community.

For those who would probe the process of working-class culture this adaptive capacity of the class virtually leaps out at one from the pages of histories of numerous communities.¹⁸⁷ An understanding of this process of cultural formation, in which residual and emergent *together* loom large, does much to negate efforts to "disentangle" the strands of working-class culture, neatly categorizing the progressive and retrogressive fibres of the cloth of working-class life.¹⁸⁸ In fact, working-class culture was cut from a whole cloth, a finely-textured quilt of the traditional and the modern, residual and emergent, progressive and reactionary. Isolating fragments, detaching them from their intimate relationship with other segments of the fabric, only serves analytically to dissect the process: one is left, not with a culture, but with discreet, disemboweled sections of what once was a living unity.¹⁸⁹

It is this very unity that moves the historian to confront the complexity of the working-class experience, for within this coherence one glimpses moments of brutality and banality, undercurrents of savagery and racism, as well as instances of principled stands against the increasing impersonality of an age caught in the midst of transformation.¹⁹⁰ If the picture is not always pretty, it is, nevertheless, enlightening. These awkward collisions of evidence, however, pose interpretive problems of considerable dimension.

One could, of course, condemn the ritualistic enforcement of community standards, drawing attention to the savagery with which the plebeian

¹⁸⁷ I have attempted a larger discussion of this phenomenon in "Most Uncommon Common Men." For other important statements see P. F. Neary, "'Traditional' and 'Modern' Elements in the Social and Economic History of Bell Island and Conception Bay," *Canadian Historical Association. Papers* (1973), pp. 105-136; Daniel J. Walkowitz, *Worker City. Company Town: Adaptation and Protest Within the Troy Iron Worker and Cohoes Cotton Worker Communities, 1855-1884*, forthcoming; Gregory S. Kealey, "The Orange Order in Toronto: Religious Riot and the Working Class," in *Essays in Canadian Working Class History*, pp. 13-34.

¹⁸⁸ Despite its attractions, a recent work exemplifies the pitfalls of this kind of approach. See Alan Dawley and Paul Faler, "Working-Class Culture and Politics in the Industrial Revolution: Sources of Loyalism and Rebellion," *Journal of Social History*, 9 (June 1976), pp. 466-480.

¹⁸⁹ Here one is reminded of Thompson's statements on class as historical process. See, in particular, Thompson, *The Making of the English Working Class* (New York 1963), pp. 9-11; Thompson, "The Peculiarities of the English," *The Socialist Register*, 1965 (London 1965), pp. 311-362; Thompson, "A Nice Place to Visit," *New York Review of Books*, XXII (6 February 1975), pp. 34-37.

¹⁹⁰ See, for an insightful comment, Louis Chevalier, *Laboring Classes and Dangerous Classes in Paris During the First Half of the Nineteenth Century* (New York 1973), pp. 416-417.

constituency guarded its conception of right and wrong. The 1817 *Quebec Gazette* did just that, making its contribution to the stream of abuse heaped on the charivari:

The days of barbarism seem to be returning to us. Can it be creditable to a country for its youth and others, to put it in the power of historians and travellers to say of it, that the peace of society is disturbed night after night by the most dissonant noises suitable only to barbarians? Can it be reputable to our youth and others, to have it said of them, that instead of cultivating their minds, and seeking rational amusements they delight only in uncouth discordance? . . . The *Charivari* has been wisely long suspended here; it were better no more heard of, being a custom more honoured in the breach than in the observance.¹⁹¹

Over 150 years later, Margaret Atwood, pouring over Susanna Moodie's journals, revealed her revulsion at the proceedings of a charivari party with the exclamation, "Stop this. Become human."¹⁹²

Another approach would be to denigrate the importance of ritualized cultural forms, like the charivari and whitecapping, contending that they represented little more than frolic diversions, aimed at easing the pain of life in the nineteenth-century world. And, indeed, the charivari was often just that, as one early authority testified:

'Tis pleasant to get rid of some curs'd care
Of aching malady or blustering people,
Life hath enough of ill for each man's share,
And fortune's ladder gainless as a steeple
With no ascent to 't but a broken stair;
Few are there born, who do not oftener reap ill,
Than gather good, for life we know at best
Is care — and we, its riddle and its jest.¹⁹³

Or, in the rendition of one French-Canadian folksong:

Si cette petite fête
Vous fait plaisir (bis)
Vous êtes, messieurs, les maîtres
D'y revenir (bis)
Et je permets qu'on fasse ici
Charivari! Charivari! Charivari!
Sans un peu de jalousie
L'Amour s'endort (bis)
Un peu de cette folie
Le rend plus fort (bis)
Bacchus et l'amour font ici
Charivari! Charivari! Charivari!¹⁹⁴

But mere condemnation or depreciation, obviously, misses the point.

¹⁹¹ *Quebec Gazette*, 9 October 1817.

¹⁹² Margaret Atwood, "The Charivari," in *The Journals of Susanna Moodie* (Toronto 1970), p. 37.

¹⁹³ *The Charivari*, p. 7.

¹⁹⁴ Massicotte, "Le Charivari au Canada," p. 725.

And that point is the response of constituted authority, which seldom failed to regard charivaris and whitecapping in their proper light, as threats to social order and stability:

Such assemblies of people, are calculated to cover the most nefarious designs — The many, probably from ignorance, lend their aid, but the few may have in view the indulgence of private malice, revenge, and the darkest passions of the human heart. The very circumstances of being capable of perversion to the most dangerous purposes, ought to enhance every good subject with a determination, not merely to give a negative reprobation to the practice, but to furnish positive aid in suppression thereof, hereafter, for ever.¹⁹⁶

The author of this attack, "A Friend to Tranquility and Good Order", saw the charivari for what it was, the threatening order of custom counterposed to the rule of law. The sight, to some eyes, was not a pleasant one.

The rule of law, as a number of recent works have suggested, is a complex and subtle force. Much more than a mere expression of class interest, the law fulfills its hegemonic function, perpetuating class rule, precisely because it addresses vital concerns of the masses at the same time that it serves as the indispensable foundation and guarantor of social stability. The rule of law, in short, secures a society resting upon harmonious social relations, a respectable working population and, by implication, the natural authority of men of wealth and standing, while at the same time displaying an independence from crass manipulation, convincing the lower orders of the potential of justice to be achieved under its majesty.¹⁹⁸

But in nineteenth-century North America there were obscure corners of everyday life where the rule of law could or would not intervene, where, by the law's very concerns — in which property always figured centrally¹⁹⁷ — it had little place. Domestic discord, appropriate marital unions, and immoral behaviour were hardly the concern of the law, except in exaggerated cases of gross cruelty or sexual "deviance", as in infanticide, incest, or rape. But these extremes suggest the point. The mundane wife-beater, or the old widower coming to life in the midst of his unnatural marriage, remained outside the rule of law. So, too, was the employer who refused the just demands of "manly" workers, or the strikebreaker imported to break the resistance of working-class forces. Yet, in the plebeian world, such behaviour seemed a serious transgression, a violation of time-honoured conceptions of appropriate behaviour.

¹⁹⁶ *Montreal Gazette*, 14 June 1823.

¹⁹⁸ See the stimulating discussions in E.P. Thompson, *Whigs and Hunters: the Origin of the Black Act* (New York 1975), pp. 258-269; Douglas Hay, "Property, Authority, and the Criminal Law," in Hay, *et al.*, *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (New York 1975), pp. 17-64. Another perspective is outlined in Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York 1974), pp. 25-48.

¹⁹⁷ In the words of Jeremy Bentham: "Property and law are born together and die together."

In the absence of any recourse to law, the lower orders turned instinctively to custom, posing the discipline of the community against the perceived deficiencies of legal authority. As a force within the plebeian world, custom was obeyed because it was "intimately intertwined with a vast living network of interrelations, arranged in a meticulous manner."¹⁹⁹ It posed an order, an authority, that was, in contradiction to the law, spontaneous, traditional, personal, commonly known, corporate, and relatively unchanging.¹⁹⁹ William Graham Sumner, an essentially nineteenth-century being, knew this process well. "The masses," he wrote, "are the real bearers of the mores of the society. They carry tradition. The folkways are their ways." Sumner also perceptively rooted the order of custom in specific realms: "The mores cover the great field of common life where there are no laws or police regulations. They cover an immense and undefined domain, and they break the way in new domains, not yet controlled at all." And within this context, the authority of custom assumed a particular strength when buttressed by ritual, "... acts which are... repeated mechanically... connected with words, gestures, symbols, ... music, verse, or other rhythmical points."²⁰⁰ This, of course, is what much of the history of charivaris and whitecapping is all about.

But Sumner did more than simply catalogue the attributes of the folkways. He recoiled at their threatening potential. For when the masses turned to custom, they did so as they saw fit, "being controlled by their notions and tastes previously acquired." They may accept standards of character and action from the classes, warned Sumner, "but whatever they take up they assimilate and make it a part of their own mores which they then transmit by tradition, defend in its integrity, and refuse to discard again."²⁰¹

Defending and enforcing popular standards and appropriate behaviour, then, posed the order of custom against the rule of law.²⁰² In the process an autonomous culture reared its head, an implicit challenge to the hegemony of the bourgeoisie. Built on the residual, it could move toward an emergent purpose. Charivari and White Cap gangs thus posed a threat to constituted authority. "Such assemblies of people," our friend to tranquility and good order maintained, "are calculated to cover the most nefarious designs." "The mob is a demon, fierce and ungovernable," warned the general orders for the guidance of Canadian troops sent to aid the civil power.²⁰³ Condemn-

¹⁹⁹ Paul Radin, *The World of Primitive Man* (New York 1953), p. 233.

²⁰⁰ The best brief treatment of this subject, to my mind, is Stanley Diamond's "The Rule of Law Versus the Order of Custom," in Diamond, *In Search of the Primitive: A Critique of Civilization* (New Brunswick, N.J., 1974), pp. 255-280.

²⁰¹ William Graham Sumner, *Folkways: A Study of the Sociological Importance of Usages, Manners, Customs, and Morals* (New York 1906), pp. 45-47, 56-61.

²⁰² *Ibid.*, pp. 46-47.

²⁰³ For particular reference to this process and the English charivari see Thompson, "Rough Music," p. 310.

²⁰⁴ *Extracts From General Orders for the Guidance of Troops in Affording Aid to the Civil Power* (Quebec 1868), n.p.

ing one particularly violent charivari, a magistrate warned:

... it is scarcely to be credited that such a tumultuous concourse of persons would have dared to assemble at different days and times, and to proceed to such violence, in the heart of a populous town, where order and authority existed — it would lend to a belief that we had no laws for enforcing order and tranquility, or for protecting life and property, or if such laws did exist that the execution of them was an object of listless indifference.²⁰⁴

The threat of custom to the rule of law could not have been more eloquently stated.

William Graham Sumner, a cantankerous sociologist with a deeply-entrenched distrust of history, closed his discussion of folkways, first published in 1906, on an odd note:

The modern historians turn with some disdain away from the wars, intrigues, and royal marriages which the old-fashioned historians considered their chief interest, and many of them have undertaken to write the history of the "people". Evidently they have perceived that what is wanted is a history of the mores. If they can get that they can extract from history what is the most universal and permanent in its interest.²⁰⁵

But Sumner's assessment was overly optimistic. Historians have yet to write their history of "the mores", have yet to even appreciate the significance of the subject. If they had, we would know more about obscure practices like charivaris and whitecapping; we would be more informed about general processes of ritual and rebellion; we would have a more finely-developed sense of the relationship between custom and law.²⁰⁶ Given this, historians could perhaps begin to explore the process by which the cultures of the working-class and plebeian worlds clashed with constituted authority: in border, seaside, and river-towns, where smuggling was a way of life; in the settlement of petty scores, where the rule of law was forsaken for the more immediate satisfaction of barn burning, fence destruction, or animal maiming; in urban crowds, purposively directing their anger against perceived threats and recalcitrant employers; in the backwoods and obscure valleys in the shadows of North American civilization, where law always played second fiddle to brute force.

Environments like these spawned men like Peter Ayles, leader of the Irish raftsmen in the Ottawa Valley in the 1830s. Admittedly an atypical element, closer to the status of the privileged than he was to the harsh realities

²⁰⁴ *Montreal Gazette*, 6 September 1823.

²⁰⁵ Sumner, *Folkways*, p. 638.

²⁰⁶ Note Louise Dechêne, "L'Évolution De Régime Seigneurial Au Canada: Le Cas de Montréal Aux XVIIe et XVIIIe Siècles," *Recherches Sociologiques*, XII (1971), pp. 143-183, for a discussion of the mediating influence of custom on contractual, or legal, relations. An extreme statement, but one worthy of attention, is Michel Foucault, ed., *J. Pierre Rivière, having slaughtered my mother, my sister, and my brother . . . : A Case of Parricide in the 19th Century* (New York 1975), pp. 192-193, 198.

of working-class life, Ayles probably stood for much that the lower orders could identify with. "The laws," a contemporary once said of Ayles, "are like cobwebs to him."²⁰⁷ They were of the same insubstantial material to charivaris and whitecapping. And in knowing more about these two forms of enforcing popular standards our understanding of nineteenth-century society and culture, order and disorder, can not help but be richer and fuller.

²⁰⁷ Michael S. Cross, "Stony Monday, 1849: The Rebellion Losses Riots in Bytown," *Ontario History*, 63 (September 1971), p. 182.

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