

Criminal lunatic women in 19th century Canada¹

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The new lodgings held much promise for the three women. Nestled between Lake Ontario and the St. Lawrence Valley, with the city of Kingston nearby, the women could perhaps temporarily forget the crimes and emotional turbulence bringing them to this place. As a laboratory for the scientific study of criminal insanity, it may even offer a cure for their mental distress. However, if the first occupants of the new Criminal Lunatic Asylum at Rockwood ever held out such hope, it was likely shattered once inside the asylum itself. The beauty of the lake and the bustle of the city remained far away from their nine-foot by five-foot cells, illuminated only by the light escaping from the barred peepholes. Although grand in its previous incarnation as a horse stable, the stone building was unsuitable for human occupants, much less so for those in need of refuge. Nonetheless, for the next 11 years, over 50 women occupied these stables. A few of the lucky ones were discharged as “recovered” while the unfortunate majority either met their deaths in these stables or were transferred to other asylums.

As the first institution constructed specifically for “criminal lunatics,” the Rockwood Asylum holds an important place in Canadian penal history. This article briefly considers the circumstances leading up to the creation of the asylum and examines key moments during the 20-year period from 1857 to 1877, after which the asylum admitted only criminal lunatics whose sentences had expired. The focus is largely on female prisoners because they were the ones initially housed in the asylum and were also the most marginalized.

In the beginning

Criminal lunatics became recognized as a unique group only in the 19th century.³ Prior to this time, criminals, the insane and debtors were all confined together in jails. However, early Canadians soon found that jails were becoming overcrowded and were increasingly concerned about the changes associated with urbanization, industrialization, and immigration. In response to these social forces, reformers began to employ scientific methods, including classification, as a means of re-establishing order and control. The separation of criminals and lunatics was

part of this endeavour, achieved through the creation of two institutions of great significance: the Kingston Penitentiary in 1835, and the temporary Lunatic Asylum at Toronto in 1841. A permanent asylum, the Provincial Lunatic Asylum was completed in 1851.⁴

Criminal lunatics soon proved troublesome to both the penitentiary and the asylum. Because of their emotional and sometimes physical outbursts, they disrupted the disciplinary regime underlying the penitentiary. More importantly, however, criminal lunatics were a philosophical conundrum. They were considered a contradiction in terms “inasmuch as the word *Criminal* obviously implies a knowledge of evil, while the word *Lunatic* as evidently implies an utter absence of that knowledge [*italics in original*].”⁵ Female criminal lunatics were an even greater enigma regarding moral agency, since the sexual ideology at the time maintained that women were inherently virtuous and innocent. The fusion of insanity, criminality and femininity appeared incongruent. In transgressing the boundaries of classification, criminal lunatic women disrupted attempts to maintain order and control.

As categorical anomalies, female criminal lunatics fitted into neither the asylum nor the penitentiary. However, since this group contained elements of criminality and lunacy, they belonged in both institutions. Consequently, they were shuffled back and forth between institutions and were wanted by neither. The animosity and vitriol directed at criminal lunatics finally resulted in the establishment of a temporary criminal lunatic asylum within the penitentiary in 1855. In response to the “evils arising from the reception of insane criminals at the [Provincial Lunatic] Asylum,” Attorney General Sir John A. MacDonald recommended that the “portion of the Provincial Penitentiary...be fitted up for the reception of the criminal lunatics in the

Asylum, now 21 in number, as well as for those at present confined in the several County Gaols of Upper Canada." MacDonald also suggested that provision would be needed "for the separation of the sexes."⁶ In his letter to one of the penitentiary inspectors, the warden echoed this last concern. "There must be a positive decision as to female convicts as they cannot be confined within the same prisons as the male lunatics, there not being any place for them."⁷

The issue was resolved by the inspector's decision that "...after a very careful examination of the Penitentiary there is no possibility of making a proper place for female lunatics and would therefore recommend that none of this class be forwarded to this institution."⁸ The success of the inspector's decision is apparent in the warden's smug reply: "... we are rid of the females which is quite satisfactory."⁹ Consequently, when the Criminal Lunatic Asylum finally opened in June 1855, there were no females among its occupants. Female criminal lunatics remained in the Provincial Lunatic Asylum until their transfer to the horse stables at Rockwood in 1857. The Act creating the Criminal Lunatic Asylum at Rockwood stated that the following classes of people were to be admitted into it:

- 1st Convicts in the penitentiary becoming insane while under sentence there.
- 2nd Certain classes of lunatics committed to jail as lunatics dangerous to be at large.
- 3rd Persons charged with some offence of which they had been acquitted on the ground that they were insane at the time such offence was committed.
- 4th Persons indicted for any offence, and upon arraignment thereof found, by a jury especially impanelled for the purpose, to be insane.¹⁰

Creating the Rockwood Lunatic Asylum

The new establishment served originally as an estate, owned by John Cartwright. Following Cartwright's death, a physician named John Palmer Litchfield rented the Rockwood villas a private asylum.¹¹ Litchfield was eventually appointed medical superintendent of the temporary criminal lunatic asylum in the Kingston Penitentiary.¹² It is perhaps unsurprising, therefore, that in July 1856, the

Crown purchased 35 acres of the Rockwood Estate to establish a permanent asylum for criminal lunatics. Just as the penitentiary warden was relieved to rid himself of the female criminal lunatics, so too was the medical superintendent of the Provincial Lunatic Asylum glad to have this group removed from his establishment. Superintendent Joseph Workman was not afraid to show his aversion to criminal lunatics. For example, in his first annual report, he referred to criminal lunatics as "moral monsters."¹³ This might partially explain why the women were sent to Rockwood before the architect had even finished his plans for the asylum.¹⁴

Although the new asylum building was not completed until 1870, men began as early as 1862 to occupy those parts of it that were considered inhabitable.¹⁵ Male prisoners were sporadically admitted into the finished parts of the building as the work progressed.¹⁶ Women, however, remained in the stables until 1868.

The social reformer Henry Hurd painted a stark illustration of the stables:

This substitute for an asylum was arranged with single rooms for 20 inmates, while a wooden addition made thereto comprised "four strong walls," a "keeper's room" and a dining room, beyond which again was a kitchen. The size of the single rooms was 9 feet by 5 feet. They were lighted by miserable little barred peep-holes, measuring only 18 inches by 12 inches. The entrance was on the west side, and a small hallway was used as an office.¹⁷

Dowell's depiction of the stables is no less horrific: "human contact was minimal, as the women were shut in by one and one-quarter-inch thick doors six feet high and two feet wide. Food was shoved into the nine-foot by five-foot cells through a slit in the door."¹⁸ Given this portrait, the following poem, conceived during Cartwright's ownership of the estate, can only be read with a sense of irony:

Oh, would to God! That I were able
To build a house like Cartwright's stable.
It fills my heart with great remorse
To be worse housed than Cartwright's
horse.¹⁹

The recollections of a former employee of the asylum, Mr. Evans, provides more information about the conditions in which the women lived. According to Evans, the beds were made of straw ticks and pillows; and the walls and ceilings were “whitewashed with lime.” He further notes that Dr. Litchfield was the only physician at the time.²⁰ Litchfield’s treatment relied heavily upon “a pretty free use of alcohol by day and of sedative at night.”²¹ Along with restraint, other methods of choice included blood letting, leeching, enemas and blistering.²²

Litchfield was also clear that successful therapy hinged on the careful observation and classification of patients along with the establishment of a trusting relationship with them.²³ Fundamentally, he maintained that criminal lunatics were no more dangerous or violent than other lunatics and, therefore, should be treated like ordinary patients. This argument formed Litchfield’s recommendation that the asylum become open to non-criminals. He was concerned that non-criminals were being unjustly charged with criminal offences in order that they be admitted into the asylum. Family and friends were using this method as a means of avoiding sending their loved ones to the Provincial Lunatic Asylum in Toronto, some distance away. The government accepted Litchfield’s proposal and the asylum became open to non-criminals in 1868.

Unfortunately, Litchfield died soon thereafter. His successor, Dr. Dickson, was adamantly opposed to the mixing of criminals and non-criminals. Dickson argued that the two classes must be kept apart: “...the criminal and non-criminal classes of lunatics should never, under any circumstances, be admitted for treatment to the same building; they should never be permitted to commingle, as one vicious criminal is sufficient to contaminate a whole wardfull.”²⁴ Dickson supported his motion on the grounds that the stigma associated with the criminal population prevented families and friends from sending their innocent relations to Rockwood. However, this argument is groundless because the asylum was filled to capacity and there were few criminal lunatics left among its population. Indeed, only 10% of the female population and 29% of the

male population between 1856 and 1877 were criminal lunatics. The great majority of the population had not committed criminal offences but were instead considered to be “dangerous at large.”²⁵

Despite the lack of evidence, the government was convinced by Dickson’s argument and in 1877 the Rockwood Asylum stopped admitting criminals apart from those whose sentences had expired. On 30 June 1877, 22 criminal lunatics were transferred from Rockwood to the Kingston Penitentiary. Only one, Sophia Boisclair, was female.²⁶

Historical legacy of Rockwood

The hostility, scorn and neglect that was typically attached to female criminal lunatics cannot be explained by the danger they posed. Preliminary analysis of case records and other primary data indicate that female criminal lunatics were no more dangerous than “ordinary” ones.²⁷ The great majority of their crimes were non-violent and, once inside the asylum, they did not engage in a disproportionate amount of violence. Female criminal lunatics did, however, threaten to disrupt the new management technique of classification because they did not fit neatly within existing categories.

The binary logic underlying the notion that criminals were responsible for their actions while lunatics were not, led to a philosophical impasse. Criminal lunatic women further exacerbated this predicament because Victorian sexual ideology undermined the moral agency of females. In attempting to restore social order, Victorian reformers employed methods of social classification. However, this process invariably failed to capture the complexities of human experience. In transgressing categorical divides, female criminal lunatics exposed the limitations of science and the broader project of achieving social order and control. Consequently, a variety of fears and social anxieties were projected upon them. As Faith, Boritch and Hannah-Moffat have argued, this historical legacy remains embedded within the bedrock of Canadian penal practice.²⁸ ■

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- ³ K. Kendall, "Beyond Grace. Criminal Lunatic Women in Victorian Canada," *Canadian Woman Studies*, 19, 1 and 2, (1999): 110–115.
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- ⁵ Medical Superintendent J. P. Litchfield quoting Lord Derby, "Report of the Rockwood Criminal Lunatic Asylum for the Year 1866," *Sessional Papers*, Legislative Assembly of Canada, 1868): 126.
- ⁶ J. A. MacDonald to the Provincial Secretary, February 27, 1855, *The Letters of Sir John A. MacDonald, 1836–1857*, J. K. Johnson, ed. (Ottawa, ON: Public Archives of Canada, 1968): 249.
- ⁷ D. E. Macdonell, Warden's Letterbook, Kingston Penitentiary, March 21, 1853, National Archives of Canada, Ottawa, RG–13, C3, 1050.
- ⁸ W. Nelson and A. Dickson, Letter to the Hon. Gen. Cartier, Provincial Secretary, 12 May 1855, Inspector's Letterbook, 23 April 1835–1 May 1866, National Archives of Canada, Ottawa, RG–73, 350.
- ⁹ Macdonell, Warden's Letterbook, 22 May 1855.
- ¹⁰ Cited in T. J. W. Burgess, "A Historical Sketch of Our Canadian Institutions for the Insane." *Transactions of the Royal Society of Canada*, Section IV (1898): 38.
- ¹¹ J. McKendry, *With Our Past Before Us. Nineteenth-Century Architecture in the Kingston Area* (Toronto: University of Toronto Press, 1995).
- ¹² Litchfield was a very interesting character. He served time in an Australian debtors' prison and made fraudulent claims regarding his medical qualifications. Nonetheless, he held three chairs in the Faculty of Medicine at Queen's University including forensic and state medicine. See T. Gibson, "The Astonishing Career of John Palmer Litchfield," *Canadian Medical Association Journal*, 76 (1954): 326–330. See also A. A. Travill, *Just a Few. Queen's Medical Profiles* (Kingston, ON: Faculty of Medicine, Queen's University, 1991).
- ¹³ J. Workman, "Report of the Medical Superintendent, and Bursar's State of the Income and Expenditure of the Provincial Lunatic Asylum, Toronto," *Sessional Papers*, Legislative Assembly of Canada, 1854–1855.
- ¹⁴ McKendry, *With Our Past Before Us. Nineteenth-Century Architecture in the Kingston Area*.
- ¹⁵ J. P. Litchfield, Report of the Rockwood Lunatic Asylum for the Year 1862, *Sessional Papers*, Legislative Assembly of Canada, 1863.
- ¹⁶ Inspector's Report, Fifth Annual Report of the Board of Inspectors, *Sessional Papers*, Legislative Assembly of Canada, 1866.
- ¹⁷ H. Hurd, *The Institutional Care of the Insane in the United States and Canada* (Baltimore, MD: Johns Hopkins University Press, 1916–1917), 148.
- ¹⁸ J. Dowell, "Not All a Story of Horror. Rockwood — from Stable to Treatment Centre," *The Kingston Whig-Standard*, April 12, 1967.
- ¹⁹ Hurd, *The Institutional Care of the Insane in the United States and Canada*.
- ²⁰ "Mr. Evan's Recollections of Rockwood," unpublished manuscript, Kingston Psychiatric Hospital Staff Library (date unknown).
- ²¹ Gibson, "The Astonishing Career of John Palmer Litchfield."
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²⁵ C. Sims, "An Institutional History of the Asylum for the Insane at Kingston, 1856-1885," (unpublished M.A. dissertation, Queen's University, 1981): 40.

²⁶ Register of Convict Lunatics Transferred from Rockwood Asylum to Kingston Penitentiary, Medical and Hospital Records, Correctional Service of Canada Museum, Kingston, M-92-041.

²⁷ Casebooks, 1857-1904. Kingston Psychiatric Hospital. Archives of Ontario, Toronto, RG-10, Series 20-F-1, 1-9.

²⁸ K. Faith, *Unruly Women* (Vancouver, BC: Press Gang, 1993). See also H. Boritch, *Fallen Women: Female Crime and Criminal Justice in Canada* (Scarborough, ON: Nelson, 1997). See also K. Hannah-Moffat, "From Christian Maternalism to Risk Technologies: Penal Powers and Women's Knowledges in the Governance of Female Prisons" (unpublished Ph.D. dissertation, University of Toronto, 1997).

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