The Fort Saskatchewan Prison Ledger 1914–1919: Portraits of Vagrants

Mélanie Méthot*  
University of Alberta – Augustana Campus

With its twenty-five distinctive headings, the Fort Saskatchewan prison ledgers paint surprisingly detailed portraits of incarcerated vagrants. The quantitative analysis reveals few common characteristics amongst them, which tends to invalidate the notion that there existed a “class” of vagrants that could be identified by particular attributes. It confirms, however, how vagrancy was indeed a crime of status. It also shows gender differentiation in the treatment of offenders.

KEY WORDS: Vagrancy, Fort Saskatchewan Prison, Prisons’ Ledgers, Alberta, Gender

The current Criminal Code of Canada (hereafter Code) defines vagrant as anyone who “supports himself in whole or in part by gaming or crime and has no lawful profession or calling by which to maintain himself” (section 179). In essence, any “professional” criminal, anyone who devotes his or her life to crime, falls under this category. Statistics Canada does not even consider vagrancy in its table 2009–10 Police-Reported Crime for Selected Offences. (n.d.:85–002). Although the crime remains on the books, it seems a vestige of a past society.

* In collaboration with Cynthia Bottomley, Kristi Folk, Megan Schmidt and Cody Sroka. Direct all correspondence to mmethot@ualberta.ca, University of Alberta Augustana Campus, Camrose, AB, Canada, T4V 2R3
Indeed, one would be hard-pressed to find exactly how many vagrants are serving sentences in Canadian prisons under section 179 of the current Code. Prison records for the 19th and early 20th century tell a different story. For instance, nearly 20 percent of the entries in the Fort Saskatchewan prison registries between 1914 and 1919 deal with vagrants.

The topic of vagrancy has caught the attention of scholars. Some researchers studied the way specific cities treated vagrants or established policies specific to their situation to deal with vagrancy (Adler 1986; Black 2010; Bright 1995; Phillips 1990; Harring 1977; Pitsula 1980; Weston 2000), while others concentrated on prostitution and the woman vagrant (Backhouse 1985; Bright 2003; Hinter 2001; McLaren 1986; Romeo 2004). Canadianist and labour historian, David Bright, insists that vagrancy in early 20th-century Calgary was a “crime of status rather than a crime of action” (2003:48). He corroborates other scholars when he states: “vagrants in this period represented a section of society that had failed or refused to internalize dominant middle-class values” (Philips 1990:128; Pistula 1980:116). In the same vein, Jeffrey S. Adler, a professor of American history and criminology, describes how in the United States, broad definitions of vagrants permitted law enforcement officials to arrest anyone who threatened the social order (Adler 1989:215).

Using prison ledgers as a corpus, we chose to concentrate on those whom the authorities considered deserving of imprisonment. Canadian sociologist, Professor Helen Boritch, contends that sources such as prison registries are invaluable in establishing justifiable connections between character traits such as class, age and sex (2005:138). With their 25 distinctive headings, the Fort Saskatchewan prison registries (Provincial Archives of Alberta (PAA), 1979.139, Box 33) paint surprisingly detailed portraits of incarcerated vagrants: Name, civil state, number of convictions, age, weight, height, complexion, eye colour, hair, physical marks, education, drinking habits, occupation, birth place, creed, and crime. The other columns inform us more on the judicial system itself, with important dates such as when the offender arrived at the prison and the sentencing date, the sentence, the judge, the court, the district where arrested, when he or she was discharged, and a remarks section. The corpus thus yields enough information to verify if a “typical” convicted vagrant existed. Social historian Harvey Graff draws on prison registries to question the relationship 19th-century social reformers established between illiteracy and
pauperism (Graff 1977a). He underlines how “[t]he nineteenth-century Canadian viewed the criminal as intemperate, illiterate, and prone to self-destruction, belonging to a ‘self-perpetuating class’ of citizens without fixed abode” (Graff 1977b:477). Bright writes about “the popular notion that vagrants comprised a discrete group or class within society, one which possessed particular and observable characteristics” (Bright 2003:49). The quantitative analysis reveals few common characteristics amongst imprisoned vagrants, which tends to invalidate the notion of a “class” of vagrants with particular attributes. Although most vagrants listed an unskilled occupation, nearly 65 percent knew how to read and write. The ledger does not point to a direct correlation between vagrancy and drinking habits, since only 55 percent of the entries include intemperate individuals, although without knowing the background of intemperate individuals, it is impossible to know if they are over-represented in this population. One suspects they were. The warden noted numerous religious affiliations. Few were repeat offenders. In terms of age and origins, we cannot draw a single portrait, though distinctions between men and women do emerge when we look at age, origins, marital status, and physical marks. The information available on sentences reinforces the notion that male and female offenders received different treatment. This gender axis does not bring much new to historical knowledge; it simply confirms gender differentiation in the courts (Graff 1977a:262; Méthot 2006; Myers 2006:384).

Methodology
The source under study, the 1914–19 Fort Saskatchewan penal record, dictates the parameters of the analysis. Constructed in 1914, the Fort Saskatchewan jail received 60 transferred prisoners in March. The province only added a women’s cellblock in 1919, although the prison had begun incarcerating women in 1917. The prison accepted males from everywhere north of Red Deer. Women from as far south as Fort Macleod were housed in the Fort Saskatchewan institution. Harry Austin Driggs, former rancher, banker, merchant and civil engineer, was appointed warden of the Fort Saskatchewan Jail in 1914 and occupied the position until 1923. Emily Horam, the matron of the women’s section, also stayed in position for those years (PAA, 79.139, Box 62).

To avoid definition problems we have included in the main analysis only the offenders incarcerated under a charge of “vagrancy.” There were 360
entries for men between 1914 and 1919, and 48 for women for those dates. With the addition of the women’s block in 1919 came a specific ledger. In order to have more significant data when comparing male and female vagrants, we have used all the data collected in the 1919–28 women’s ledger (152 entries).

It is important to note that we are not studying all of the individuals accused of vagrancy in Alberta, but only those who served time in the Fort Saskatchewan institution. Data collected from police magistrates’ monthly returns—which list each case tried including the name of the offender, the informant, the date, the crime and the sentence—illustrate that the majority of those accused of vagrancy often received a suspended sentence or a fine. For instance, during two of the years Magistrate W.S. Davidson replaced Colonel Saunders in Calgary’s Police Court, he heard 225 vagrancy cases, giving 51 suspended sentences and sending 33 vagrants to prison. Emily Murphy, magistrate of the Edmonton’s Women Police Court, sent 30 percent of offenders to prison (PAA, 1969.210. W.S. Davidson and Emily Murphy). Few of those accused of vagrancy passed through the doors of the Fort Saskatchewan prison. Still, the ledgers do inform on the ones police magistrates decided to send to prison. Amongst its 2,038 entries, the prison ledgers specifically identify 408 vagrancy offences. The considerable number of those offences testifies to the authorities’ willingness to use the law to put undesirable elements of society—such as prostitutes, gamblers, beggars, rioters, vandals, loafers, and “Johns”—behind bars. The related section of the Code included 17 subsections describing those the authorities could arrest for vagrancy.

**Portraits of Vagrants**

Since the corpus covers the period 1914–19, it is possible to evaluate the impact of the Great War on the incarceration of vagrants. Figure 1 indicates that nearly half of the 360 vagrancy offences males committed occurred before the start of the First World War. After the autumn of 1914, the number of incarcerations drops significantly. The line also illustrates how seasons did not play a specific role in the arrest patterns.
Arrests of Male Vagrants According to Seasons

Figure 1: Fort Saskatchewan Prison Registries (Provincial Archives of Alberta (PAA), 1979.139, Box 33).

If in its most basic legal definition, vagrancy implies lack of fixed abode and/or lack of employment, as a crime of status, it makes sense that the authorities would incarcerate fewer men during a time of prosperity and high employment rates. The war certainly increased work opportunities. Under the occupation column, there are for women “housewife,” “chambermaid,” “waitress,” and “domestic”; for men, the most frequent occupations are “laborer,” “clerk,” “homesteader,” or other unskilled designations. There are a few skilled occupations such as “blacksmith,” “printer,” “electrician,” “telegrapher” and “carpenter.” The fact that the vast majority of incarcerated vagrants did not have marketable skills lends credence to the crime of status argument, as the majority of offenders came from the most economically vulnerable elements of society.

It was perhaps as important for authorities to determine the prisoners’ level of education as their occupation, since social reformers associated illiteracy with crime (Graff 1977a:245). The title the Alberta government chose for its 1910 compulsory school legislation reflects well this preoccupation: the *Truancy and Compulsory School Attendance Act*. Analysis of literacy rates from the 1901 census shows that Central and Eastern Europeans had the lowest rates at 60 percent, while other ethnic groups reached between 84 and 99 percent (Green, Mackinon, and Minns
The ledgers reveal that close to 65 percent of incarcerated vagrants knew how to read and write. The number of literate convicts could be even higher if we consider that those immigrants who came from countries with different alphabets often passed as uneducated. The warden identified three Chinese men, as well as all the Russian and Galician prisoners, as illiterate; it is possible that they knew how to read and write in their own languages. Their supposed lack of literacy conforms to stereotypes of the time. In an encyclopedia entry on “Prejudice and Discrimination,” Leo Driedger explains: “The ethnic stereotypes of turn-of-century Canada emphasized the peasant origins of central, eastern, and southern Europeans and Asians, depicting them as poor, illiterate, diseased, morally lax, politically corrupt and religiously deficient” (Driedger and Palmer n.d.). Still, literate or not in their native tongue, these individuals did not possess the writing, reading and speaking skills necessary to function in their adoptive land. Nevertheless, the relatively high percentage of literate vagrants impresses and defies the notion of an underclass of uneducated rogues. If these vagrants belonged to an underclass, it would certainly not come from their lack of schooling, nor did it manifest itself by excessive drinking. At the zenith of the temperance movement era, prison authorities conveniently collected data that supposedly illustrated the morals of convicted felons. H.A. Driggs, the prison warden, recorded the drinking habits of male prisoners. Canadian labour historian Craig Heron explains how society associated alcoholism with men rather than women (Heron 2003:14). On July 1, 1916, as prohibition came into effect, beside the temperate and intemperate columns, Driggs added a “total abstainer” category and from then on designated some vagrants as such; 55 percent of convicted vagrants received an “intemperate” label.

According to David Bright, authorities in Calgary “frequently made explicit this association between vagrants and habitual alcoholics” (Bright 2003:50). The record does not explain the criteria Driggs used to place such labels on prisoners. Was it a self-proclaimed declaration? Did the jail superintendent decide for himself the drinking habits of the offenders? Either way, the fact that only slightly more than half the men incarcerated for vagrancy received an intemperate assignation defies the association that appears to have been made in Calgary. As such, “morals” do not serve as a differentiating category. When we combine morals and nationality, we quickly realize the Fort Saskatchewan warden did not seem to suffer from
ethnic prejudices. For instance, despite their reputation for being hard drinkers, 52 percent of Central Europeans came under the “temperate” or “total abstainer” category. In fact, the record does not uncover one particular type of intemperate vagrant.

Contrary to what God-abiding citizens believed at the time, vagrants did not suffer from religious deficiency either. According to the ledgers, nearly all prisoners espoused a religious affiliation. The religion column displays only eleven entries (3 percent) with “none.” It seems very few vagrants admitted having no connection whatsoever with religion. At the same time, to identify with a specific creed did not necessarily make one a religious person. The next figure indicates that Roman Catholics formed the biggest group with 30 percent; however, if we regroup all the other Christian denominations, we find they represent the largest cluster (55 percent). These percentages do not differ significantly from the actual makeup of Alberta’s population (Palmer and Palmer 1985). In the end, just like education and morals, the record reveals religion does not constitute a determining category.

Religion of Vagrants in Percentage

![Religion of Vagrants in Percentage](figure2.png)

Figure 2: Fort Saskatchewan Prison Registries ( Provincial Archives of Alberta (PAA), 1979.139, Box 33).

When we only consider recidivists (28 percent of those on the ledgers), we observe few common features. Half of them fell under the intemperate category. Aged between 18 and 50, they came from everywhere and professed different creeds. Like the first-time offenders, they shared the
same marital status and type of occupation: 84 percent were single, and 72 percent performed unskilled labour. They did not possess particular characteristics. Even when they arrived in groups on the same day from the same jurisdiction, the men did not share characteristics. For instance, in March 1914, Edmonton Police Magistrate G.W. Massie condemned three unrelated individuals to one-month jail sentences. In Lacombe, Justice of the Peace G.G. Switzer sentenced on the same day one intemperate 41-year-old Swiss machinist and one 34-year-old intemperate Yorkshire man to 30 days. On July 7, 1914, he condemned seven men who do not seem to have anything in common to serve either 15- or 30-day jail terms. When vagrants from smaller communities arrived in jail on the same day or within a few days of each other, it reminds one of “clean up” operations. On June 2, 3 and 4, 1914, the Hardisty Judge sent five men to jail to serve sentences of two or four weeks. Another possible clean-up operation happened at the end of July 1914 in Red Deer: Seven men were sent away for four months. On February 27, 1914, Justice of the Peace E. Schantz sent four young men from Austria to sojourn one month in jail. Although we do not know if these convicted vagrants were arrested together, the male ledger does indicate in 149 cases, two or more individuals visited the courtroom on the same day. Bright’s sources expose how police officers in Calgary arrested vagrants in groups, but not all received jail terms. Hence, our vagrants might be part of a much larger group (1995).

The categories of origins, age, marital status, and physical marks confirm the existence of a gender gap. The percentage of local female vagrants (born in Alberta) surpasses considerably the percentage of local men (25 percent versus 3 percent). These ratios are not surprising since immigrants were predominantly male; very few lone women tried the immigration adventure.
In addition to gender differentiation, Figure 3 illustrates how vagrants arrived from various regions of the world, although many came from the traditional pools of immigrants: the British Empire and the United States. In fact, their respective percentage follows closely Alberta’s population. By 1911, one out of two Albertans had family connections to Britain (Palmer and Palmer 1985:7). As with education level, morals, and religion, the origins column does not identify one particular group of migrants which experienced more trouble than the others in adapting.

The age category also highlights a gender gap. Nearly 30 percent of female vagrants had not yet turned twenty, while not even 4 percent of male vagrants belong to this age group.
After the teenage years, the age curves follow roughly the same path, meeting in the twenties, and dropping slightly for the thirties in the case of males and more drastically for females. Judges clearly sent more young women than men to prison. Sixty-two percent of incarcerated female vagrants were under 30; while only 37 percent of males had not reached their thirties. The 1908 *Industrial School Act* might explain the low percentage of boys. The Alberta Government negotiated an agreement with Manitoba where delinquent boys could be sent to an industrial school at Portage La Prairie; no such institution existed in Alberta for girls.

The other gender gap resides in the civil status of the prisoners. For women, 71 percent were married, despite the fact that they were younger than the men. Conversely, only 13 percent of the male vagrants were married. If it is clear that social reformers and authorities believed unattached men loafing around threatened the social order, the case of married female vagrants demands some explanation. In a patriarchal society, one might expect husbands to take care of their wives, not the State. The war, however, created artificial widows: more women than had been the case previously found themselves either destitute or simply in need of...
companionship. Early on, Ontario, Quebec, Nova Scotia and Manitoba (Gilbert 2008; Strange 1985; Weloschuck 2006) established reformatories where authorities sent “deviant” women; no such institutions existed in Alberta. In 1922, Police Magistrate Emily Murphy publicly sought “a place of refuge for vagrant girls.” The Edmonton Bulletin reported that Edmonton did not have any such home or institution to protect girls. After outlining the story of an unfortunate 15-year-old in great detail, the reporter concluded: “There are many similar cases, says Mrs. Murphy; and her great problem is to know what to do with them or where to find a place to send them for protection. The jail does not appear to do them any services” (April 22, 1922).

Beyond the traditional statistics on gender, class, and origins one can gather from the ledger, one can also tap into the six descriptive columns. They may have simply served to identify prisoners more accurately, but they could also have nourished eugenics and physiognomic studies of the early 20th century. As Bright mentions, some Canadians did believe vagrants “possessed particular and observable characteristics” (2003:48). At first glance, the data the warden collected seems quite innocent. Briggs recorded eye and hair colour, weight and height (to the quarter inch!), complexion and physical marks. The detailed physical marks column may have served in lieu of mug shots. When we analyze the description columns in more depth, if the weight and height statistics tell us about the physical condition of the prisoners, they also give indication of social class. For instance, at the time, few individuals sported tattoos; they were the domain of military servicemen, the lower class and low culture (University of Toronto, “20th Century Tattoos” (n.d.)). Of all the male vagrants, 36 had tattoos. We also find three women with a tattoo. The column also allows one to identify the disabled: 19 men were either deaf or missing limbs. Physical marks provide information about the nature of prisoners: a broken nose could imply either a fight or intoxication. Thirty-one year old J. Anderson had “[a] nose broken, blue scar on bridge of nose, powder mark on forehead, tattooed ring on left middle finger, tattooed form of woman with union jack standing on the atlas inside left forearm, sail, anchor, crossed flags on right forearm.” The multiple tattoos combined with the nature of his scars suggest an individual predisposed to pugilism: “third and little finger on left hand broken,” “cuts on left fist” and “scar on knuckles” all point to fist fights. Not all scars indicate a belligerent disposition; however, as the marks recorded
ranged from a small blemish on the finger or around the eyes, to deep scars on the forehead; the marks simply serve to further identify the convict. 29-year-old Jack Cohen had a “small scar inside right forearm” and a “scar on the right side of hand.” A certain Page had “very small hands,” while 22-year-old Fred had a “very pimply face and a large head” (Fort Saskatchewan prison registries, Provincial Archives of Alberta (PAA), 1979.139, Box 33).

Interestingly, 82 percent of males had some kind of scars (but no vaccine marks). Women, however, remained remarkably unmarked; although 58 percent bore vaccine marks. Gender differentiation clearly shines through the physical marks column. We find that when Briggs and his colleagues examined men, they limited their examination to what was visible on a clothed individual: scars on fingers, neck, arms and faces. Meanwhile, Emily Horam, the matron of the women’s section, searched for scars on the abdomen and appendix. For instance, 18-year-old Eleanor Pattison, had “operation marks on right side,” and 25-year-old Margaret Hull had a “scar on abdomen.” Horam was perhaps focusing on abdomens for some signs of pregnancy, and in the process, she neglected to record other marks that could identify these vagrants. Very few women had other kind of scars or deformities. We learn that a 4’11” woman had a “right hand little finger badly bent.” At her next visit to the jail, she had, in addition to her bent finger, a “scar over her left eye.” Visibly, women’s physical examinations did not serve the same purpose—of identification—as those of the men. Instead, the matron was monitoring whether women had received vaccines and was verifying their “morals” via their abdomen as a replacement for recording their drinking habits. In the end, the physical marks column exposes that women’s physical examinations were much more intrusive than those of men’s.

Probably the most striking gender difference comes from sentencing practices. Figure 5 reveals that the male and female curves meet at “between one and three months”; then we see the curves diverge.
Sentences According to Gender

Figure 5: Fort Saskatchewan Prison Registries (Provincial Archives of Alberta (PAA), 1979.139, Box 33).

Men accused of vagrancy most often received sentences of less than three months, with a high of 47 percent at the one-month mark; conversely, women most often served three months and more; 27 percent received the maximum sentence of six months (compared to only 6 percent for men). Vagrancy constituted one of the rare crimes where women received longer sentences than their male counterparts. Could this be a result of the wartime context? Did local authorities realize the country could not spare the labour of men? Were judges sending young women to jail to “care” for them rather than to punish them? Or, perhaps it is a case of women’s transgressions being perceived as worse than those of men, since society expected women to be well behaved; they were the guardians of morality.

Contrary to the men’s ledger, where the warden simply signed on the last column to indicate the release of the prisoner, the remarks section for women records what happened to the woman once she was discharged. In 75 percent of the time, the former prisoner would receive 50¢ to $1 as a one-time payment for subsistence, or at the very least transport to where she was arrested. An article in the *Edmonton Bulletin* lends credence to the “care” argument when it reports one of Judge Murphy’s *leitmotifs*: “There is no place of refuge for girls over sixteen who have made the fatal mistake, except the jail” (*Edmonton Bulletin* 1923). Legal historian John McLaren explains Judge Murphy’s maternal feminism, stating how she “exhibited
understanding of and compassion for those she saw as the innocent victims of privation and exploitation” (McLaren 1986:234). Nonetheless, without case files or actual judgments, the reasons for the gap in sentencing remain obscure.

Conclusion
In the end, the study of vagrancy in Alberta through the Fort Saskatchewan prison ledgers offers conclusive evidence that runs counter to the idea that authorities could describe anything like a “class” of vagrants separate from the remaining settler population. Men and women incarcerated for vagrancy had little in common. Similarly, there is little evidence that defined a class of recidivists. The occupation column, however, confirms vagrancy in Alberta was a crime of status. Most of the convicted vagrants were unskilled labourers who had failed to secure permanent employment. They were thus unable to prove that they could provide for their needs. Soon after Canada entered the First World War, as the province’s unemployment rate shrank, the number of incarcerated male vagrants decreased drastically. The exceptional circumstances of a country at war might explain the shorter sentences men received compared to women; the government could not afford to spare the labour of any men in time of war.

The war years may additionally explain the high number of married female vagrants. In many cases judges fined the women, but no husbands came forward to claim their wives, so in lieu of a fine, the women served their sentences. Judge Murphy’s frequent complaints about the lack of proper institutions in the province to take care of fallen girls elucidate the presence of young women in the jail. It suggests as well a desire to reform such women rather than to punish them.

Finally, the physical marks column provides gendered information—marks on men recorded their efforts to respond to and to make their mark in society, while women’s bodies were examined for ways in which they themselves had been “marked.” In this case, the state’s desire to monitor women’s virtue reinforced the notion of women as passive rather than active agents.

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**Endnotes**

1 All the statistical data comes from the Fort Saskatchewan prison registries. (Provincial Archives of Alberta (PAA), 1979.139, Box 33).

2 Unfortunately we do not have the same data for women since the record only accounts for female prisoners from 1917 on.

3 Since we did not find the case files for most of these prisoners, we cannot verify if they indeed were arrested at the same time.

4 We did not find any pictures in the case files we consulted.