

CHARLOTTE GRAY

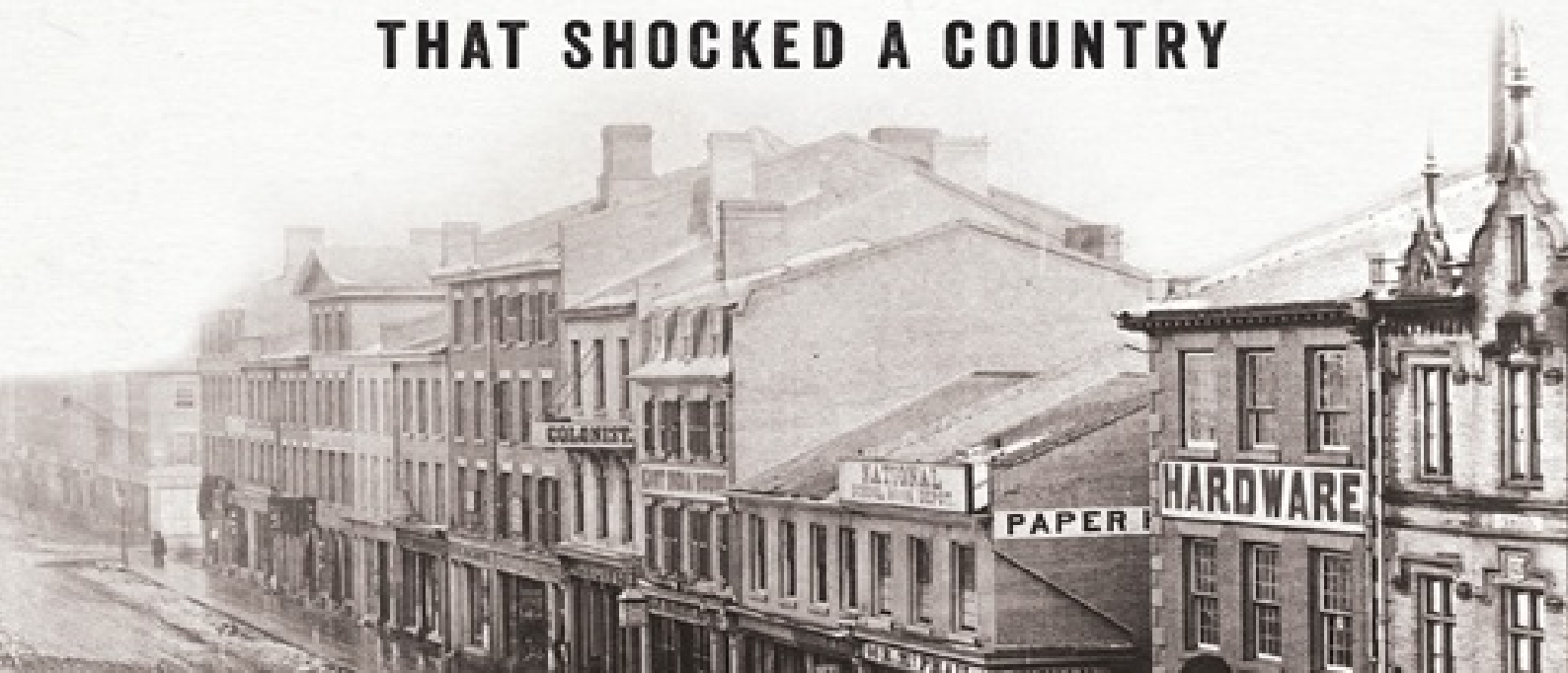
THE BESTSELLING AUTHOR OF *GOLD DIGGERS*



The

MASSEY MURDER

A MAID, HER MASTER, AND THE TRIAL
THAT SHOCKED A COUNTRY



The
**MASSEY
MURDER**

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 HarperCollins e-books

Dedication

For George

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Preface

In Europe, a bloodbath had begun six months earlier. Across Canada, men volunteered to fight, and women prepared to cope alone as they watched husbands and sons march awkwardly away. Politicians talked endlessly of “the War Effort”; generals calculated how many battalions they could raise. A nerve-racking suspicion that the world would never be the same again was seeping into the public consciousness.

And then, on a gloomy February evening in 1915, a gunshot rang out on a quiet Toronto street. A city caught up in the midst of the greatest conflict ever known was suddenly gripped by the strange story of the maid who shot a Massey. The incident itself was unusual and shocking, but it began as a private drama. Yet it quickly mutated into a public scandal on the home front, its flames fanned by passions beyond the control of those most intimately involved.

Ostensibly, at the centre of this story is Carrie Davies, a lowly domestic servant who worked in the household of a member of one of Canada’s most famous families. Yet she is the object rather than the subject of events because her fate was taken in hand by so many other actors and forces. This book is a story about Toronto in the early twentieth century, a fast-changing and divided community in the process of reinvention, and about Canada as it embarked on a century of dramatic evolution. A single bullet fired on Walmer Road had an extraordinary significance.

Most of my previous books have been about people or events that made a difference. I looked through the telescope of history and brought into focus lives that created change. Writers who helped shape Canada’s literary heritage; an inventor who transformed the world by creating instant communication; a gold rush in the subarctic north that hinted at vast mineral wealth below the snow. In these books, individuals contributed to larger national and international stories, and each book covered several years (in the case of *Gold Diggers: Striking It Rich on the Klondike*), if not decades (in my full-length biographies of Susanna Moodie, Pauline Johnson, and Alexander Graham Bell). For each book, I was able to understand my subject from the inside, because he or she had left personal papers in which I could read what they thought and hear their voice. Yet after finishing each one of these books, I found myself wondering about forgotten lives, the long-dead individuals who left no record behind them. What happens to anonymous, powerless individuals who are swept up by events and currents completely beyond their control?

Then I discovered the case of Carrie Davies. Nobody would ever have heard of the timid eighteen-year-old if she had not run afoul of the law. She herself left none of the traces bequeathed by biographers like me, who want to hear our subjects’ voices. There were no letters, journals, notes, or diaries, although I know she was literate. However, I realized I could explore Carrie’s circumstances through the record of her imprisonment and trial. I could enter not only the enthralling world of a true crime, but also the story of someone in the shadows of a past era. Carrie Davies herself remained something of an enigma, and she had no immediate impact on history. But the turmoil of her times, on both the home front and the battlefields of France, decided her fate.

So this time I have used the literary equivalent of a microscope rather than a telescope as I gaze backwards across the years. It allowed me to bring into sharp focus day-to-day events that convulsed

city during three crucial weeks. Then I lifted my head from the eyepiece and set the various characters I discovered onto the larger landscape of history that drove the conclusion. No one appreciated it at the time, but the Carrie Davies case gave spectators a glimpse of the Canada to come.

My sources for the legal case that is at the core of the story were limited. I had to rely on the official report of the coroner's inquest, plus newspaper articles. But I was lucky. For reasons that I describe, the day-to-day coverage of this shooting was detailed and vivid. Different newspapers gave radically different accounts. The passions aroused were as strong as any triggered by more recent violent events that have involved difficult ethical questions.

The background to Carrie's case was extensive: my challenge was to prevent the layers of circumstantial detail from overshadowing the story. In 1915, Canada was abuzz with "-isms": militarism, imperialism, feminism, and nascent nationalism. Each of these movements affected Carrie's case, although she herself probably knew nothing about them. But she was a cork floating on powerful cross-currents of assumptions about class, race, and gender: her canny lawyer, Hartley Dewart, used those currents to her advantage.

Nonetheless, Carrie Davies is the central figure of this book, and I have had to use all the conventions of narrative non-fiction to bring this silent witness to life. I imagine, but I do not invent; I do not fabricate characters, events, or dialogue—anything in quotation marks comes from a written source. Physical descriptions, of people and buildings, come from photographic evidence. However, I speculate and I interpret, based on empirical evidence and knowledge of common practice and human behaviour. I do so cautiously, and only when I am confident that I am more likely to be right than wrong. In the words of the historian Modris Eksteins, "For facts to become memorable, an element of fiction [is] essential."

And sometimes, that element is the only way to understand what it was like to actually *be* there, when the ordered world crumbled and war broke the old vision.

List of Characters

AT 169 WALMER ROAD, TORONTO

Charles Albert “Bert” Massey, 34, Studebaker car salesman, house owner, and grandson of the late
Hart Massey

Rhoda Vandergrift Massey, 34, Bert’s wife

Charles Massey, 14, Bert’s son

Carrie Davies, 18, English-born housemaid

AT 326 MORLEY AVENUE, TORONTO

Ed Fairchild, Carrie’s brother-in-law, foreman with Jas. R. Wickett, Ltd., a building firm Maud Davi
Fairchild, 22, Carrie’s older sister and Ed’s wife

Two small children, Bobby and Joyce

MASSEY FAMILY MEMBERS

Arthur Lyman Massey, 41, Bert Massey’s brother, resident of 165 Admiral Road

Mary Ethel Massey, 38, wife of Arthur and sister-in-law of Bert Massey

Vincent Massey, 27, cousin, resident of 515 Jarvis Street

Fred Massey, cousin

THE POLICE

Patrol Sergeant Lawrence Brown, from Police Station 11 on London Street

Constable Follis, Police Station 11

Constable Martin, Police Station 11

Inspector George Kennedy, senior detective, City Hall

Constable Mary Minty, Toronto’s first female police constable

Colonel Henry James Grasett, 67, chief constable of Toronto

OFFICERS OF THE COURT AND JUSTICE SYSTEM

Colonel George Taylor Denison, 75, chief magistrate, resident of Heydon Villa, Toronto

Mr. Chapman, police court clerk

Rev. Dr. Andrew B. Chambers, governor of Don Jail

Mrs. Sinclair, superintendent of Women’s Department, Don Jail

Miss Carmichael, matron of hospital wing, Don Jail

Dr. Arthur Jukes Johnson, 67, chief coroner of Toronto

Sir William Mulock, 72, chief justice of the Exchequer Division of the Supreme Court of Ontario

(later simply chief justice of the Supreme Court)

WITNESSES

Ernest Pelletier, 16, newsboy

Dr. John Mitchell, resident of Walmer Road

Beatrice Dinnis, resident of Walmer Road

Joseph Pearson, guest of Walmer Road resident

Mrs. Edna Nesbitt, passerby

Dr. J.E. Elliott, physician who performed post-mortem

John L. Hynes, friend of deceased and resident of 106 Walmer Road

LAWYERS

Dewart, Maw & Hodgson, of Home Life Building, Adelaide Street, Toronto:

Carrie's defence team

Herbert Hartley Dewart, KC, 54

Henry Wilberforce Maw

T.C. Robinette, clerk

Arthur Roebuck, clerk

Richard Greer, 37, Crown attorney for York County

Edward Du Vernet, 49, Crown counsel

Arthur John Thomson, 37, Massey family lawyer

NEWSPAPERS

John Ross Robertson, 74, proprietor of the *Evening Telegram* (the "Tely")

"Black Jack" Robinson, editor of the *Evening Telegram*

Archie Fisher, "The Crow," reporter at the *Evening Telegram*

Joseph Atkinson, 49, owner and editor of the *Toronto Daily Star*

Helen Ball, reporter at the *Toronto Daily News*

TORONTO'S LOCAL COUNCIL OF WOMEN

Florence Gooderham Hamilton Huestis, 42, president

TORONTO, 1915

1. Adelaide Street Courthouse
2. Albany Club
3. City Hall
4. Court Street Police Station
5. Don Jail
6. Euclid Hall
7. Fred Victor Mission
8. Massey Music Hall
9. Morgue
10. National Club
11. Osgoode Hall
12. Police Station 12
13. Toronto Club



{ PART ONE }

The Story

{ CHAPTER 1 }

Bang!

MONDAY, FEBRUARY 8, 1915

Charles Albert Massey sauntered away from the new Dupont streetcar station, heading west in the chilly dusk. Most of a recent snowfall had been shovelled off the sidewalk by Toronto Public Works department, which meant that heaped banks of dirty snow protected pedestrians from cars, horse-drawn carriages, and delivery trucks. Dupont was a teeming downtown thoroughfare lined with grocery stores and bakeries. Massey, a slender man of medium height, carefully picked his way around dog excrement and slushy puddles, thankful that, despite a hangover, he had remembered to pull galoshes over his leather shoes that morning.

Bert, as his friends called him, was a member of one of Canada's most prominent families, a dynasty that had built its fortune by producing the wagons, tractors, threshers, reapers, and binders of which Canada's newfound prosperity, and reputation as the "bread basket of the Empire," was based. The thirty-four-year-old cut a stylish figure, with a diamond stick pin in his silk tie and his dark hair slicked back from his wide forehead. Right now, he was probably too eager to get home to let his thoughts linger on either agricultural implements or the fact that his American wife, Rhoda, had not yet returned from a visit to her family, the Vandergrifts, in Bridgeport, Connecticut—a visit that she had kept extending. When she left a week earlier, they had not parted on good terms. Rhoda didn't share her husband's sense of *fun*. A rather shy New Englander, she certainly didn't have his appetite for fast cars and late nights: she preferred to stay out of the limelight.

After a block, Bert Massey turned south past the dairy at the corner of Dupont and Walmer Road. Within minutes, he could no longer hear the Dupont traffic or smell the sour milk from the empty churns in the dairy's backyard. Bert lived in the Annex, the area between Bloor and Dupont, west of Avenue Road, that had been developed over the previous three decades as Toronto's population exploded and streetcars allowed middle-class residents to live farther away from their workplaces. The Bloor Street end of Walmer Road was the fashionable part, with circular towers, portes cochères, and tall chimneys ornamenting spacious stone mansions. Most of the houses near Dupont, where Bert Massey lived, had been hastily constructed and lacked the imposing bulk, wraparound porches, and extensive grounds enjoyed by Toronto's wealthier families—the kind of homes that Bert's rich relatives lived in. Nevertheless, a few of the flourishes of grander mansions had migrated north to Walmer Road's pokier residences. There were pillared porches, stained-glass windows in some front doors, and dormer windows for attic bedrooms in which servants slept.

Number 169, where Albert and Rhoda Massey lived, was particularly shabby. Squeezed between its neighbours, it lacked their balconies and decorated bargeboards. It was not even well maintained. Massey had raised his eyes to his roof, he would see that a recent warm spell had melted much of the snow from his tiles, blocking the gutters and creating dangerous icicles overhanging the front porch. Did he make this typical homeowner's check? Probably not. It was after six o'clock, so visibility was poor despite newly installed street lamps. And he was tired. After socializing until 1:45 a.m. the previous night at a neighbour's, he had risen early to reach York Motors Ltd. on Yonge Street. Bert Massey did not work in the family firm; instead, he had a job at a Studebaker dealership, selling cars that were built with American-made parts and assembled in Walkerville, Ontario.

In theory, Bert Massey had a great job in a booming industry. In the past few years, automobile

had gone from exotic rarities to status symbols. Back in 1908, traffic monitors at one Toronto intersection noted only six automobiles in ten hours. Cars were expensive (around \$1,400 each—twice the annual salary of a schoolteacher, and four times as much as an ordinary labourer earned), so ownership was slow to gather momentum. But within four years, the motoring craze had taken off, and the same intersection was seeing 382 cars each day. Now, in 1915, there were close to 100,000 vehicles on Canadian roads, the majority of them in the increasingly urban central provinces. It was all quite chaotic: there were no stop signs or traffic lights, and drivers in some provinces stuck to the British custom of driving on the left-hand side of the road, while in others they followed the American custom of driving on the right. Prince Edward Island had banned automobiles altogether until 1911. But what man could resist progress, or the excitement of having a McLaughlin-Buick, or a Ford, or a Cadillac, or a Reo, or a Hupmobile parked outside his home? Even Laura Borden, the irreproachable respectable wife of Prime Minister Robert Borden, cheerfully drove herself through Ottawa's muddy streets in an electric car.

Bert's job as a Studebaker salesman gave him a certain social flash, since his friends could glimpse him cruising down Yonge Street, one hand on the steering wheel as he showed a potential buyer how to signal for turns, or double-declutch during a gear change. It certainly suited his employer to have Massey as a salesman. This week, Bert had been busy helping hang banners and bunting in York Motors' state-of-the-art showroom for a display of four splendid new Studebaker models in mid-February.

But in practice, Bert's income didn't match the flash: he sold on commission, and with a war on sales had slumped. The job required him to be smartly dressed, on his feet, and professionally charming all day, no matter how rude or stupid the customers. Today had been particularly exhausting, so icicles hanging off his porch were the least of his concerns. Anyway, Bert Massey didn't bother much with routine chores—in his wife's absence, he had barely bothered to sweep the snow off the sidewalk.

Before Bert Massey reached home, he met Ernest Pelletier, the sixteen-year-old paper boy who had just delivered a copy of the *Toronto Daily Star* to the Massey house. Massey flashed his most charming smile as he pulled out a quarter to pay for delivery of the *Star* for the previous month. Even since Christmas, the war in Europe had dominated the *Star's* front page: today, the news was that Britain's Russian allies had attacked German troops in the Carpathians on the eastern front, and that French allies had dynamited a German trench on the western front. As usual, the *Star* had found a poignant local human-interest story for the middle of the page. A short article described how, the day after a local woman had received an official telegram informing her that her husband was dead, a letter had arrived from him containing the message, "Cheer Up Girlie, I'll Be Home by May."

Bert Massey turned off the sidewalk towards his front door. He had no idea what awaited him.

Behind the front door stood the Massey family's English domestic servant, Carrie Davies. Carrie was a mere slip of a girl, a mousy eighteen-year-old who rarely spoke unless spoken to. She was one of hundreds of thousands of demure little housemaids in cities all over the English-speaking world, from Sheffield to Chicago, Manchester to Melbourne, Tunbridge Wells to Toronto. In her black dress, white cap, and starched apron, Carrie blended into the background decor that, similarly, scarcely varied across continents—heavy velvet curtains, dark wood panelling, framed sepia photographs. In the bourgeois world of 1915, the Carrie Daviseses barely merited a glance, let alone a footnote in history. Women like her formed the silent army that kept households humming, and yet remained almost invisible to many of its employers. Carrie's life was particularly exhausting because she was

Bert and Rhoda Massey's only servant. They couldn't afford the army of cooks, butlers, parlour maids, and lady's maids that kept up the houses of richer Masseys. Carrie had to do everything, during days that began at six in the morning and might not finish until well after 9 p.m.

But tonight, this particular young woman carried a gun—Bert Massey's own .32-calibre Savage automatic pistol. Such guns ("The most powerful, accurate and rapid fire pistol invented") were available in the Eaton's catalogue for \$18. And she was standing close to the door because she had just told the paper boy that her employer was not yet home. When she heard Bert Massey mount the steps to the verandah, she raised her right arm. At first, Bert did not see her in the shadows. Then Carrie pulled the door open and stepped forward. A shot rang out. A sharp pain erupted in Bert's left side. He gaped at the young woman before backing quickly down the steps. A second shot rang out. Bert had barely reached the street before he fell and the life began to drain out of him. Carrie Davies lowered the gun, turned round, and disappeared into the house, shutting the door behind her.

Ernest Pelletier was halfway down the block when he heard the shots. For a second, he assumed that the sharp crack was the sound of one of the new electric street-lamp bulbs exploding. Then he swung round—and watched in disbelief as the man to whom he had spoken only seconds earlier staggered down his front steps and collapsed on the sidewalk. Ernest sprinted back to him. Beatrice Dinnis, who lived at 126 Walmer Road, had seen the flash of a gun and heard Bert exclaim, "Oh," as he buckled to the ground. She was one of the first passersby to cluster around the fallen man, who was groaning in distress. One stranger hammered on the doorway of 169 Walmer, but there was no answer. So he went next door and asked for a glass of water, explaining that a man had been taken ill on the sidewalk.

Nobody knew what to do. A woman screamed. There was no observable wound, no gush of blood. Yet Bert Massey was obviously in desperate straits. Curtains twitched in Walmer Road windows and neighbours peered through the gathering darkness at the huddle of shocked witnesses. A youth who lived at number 133 ran to telephone the police. Dr. John Mitchell, who lived a few doors north and was familiar to his neighbours, shouldered through the crowd, loosened Massey's collar, and had him carried into the house next door, number 171. By the time Charles Albert Massey had been laid on a chesterfield there, he was dead. He had not uttered a word since the first shot was fired.

The police wagon arrived minutes later.

Patrol Sergeant Lawrence Brown and two constables marched up to the front door of number 169 and knocked. Again, no one came to the door. Sending Constable Follis to the back door and instructing Constable Martin to stand guard at the front door, Brown entered the unlocked house. Most of the lights were on in the evening gloom.

The front hall was a cramped space: ahead of him, the sergeant saw a staircase leading upwards, and to his right, through an open door, an empty sitting room. The stocky policeman walked carefully towards the back of the house. In the kitchen, someone had just finished making supper, and there was an unbaked loaf of bread on the table. Brown heard a noise from below, and was startled to see Bert Massey's fourteen-year-old son, Charlie, emerge from the basement in his shirt sleeves. What had he been doing? Perhaps he was smoking one of his father's cigarettes, or even taking a quiet swig from a bottle "borrowed" from the liquor cabinet. Sergeant Brown didn't care. He was more concerned by the boy's expression of shock at seeing a policeman in the house. The noise of the gunshot had not reached the basement, and Brown realized that Charles Albert had no idea of what had occurred. The policeman took Charles to the front door and instructed Constable Martin to look after the boy. White-faced and frightened, Charles kept asking what had happened. Nobody told him.

Sergeant Brown continued his search of the house. The ground-floor rooms were empty, so he cautiously started up the staircase. When he reached the landing, he heard a tremulous call from the third floor: "Who is there?" He replied, "The police." The girlish voice said, "Come on up," but Brown drew his revolver and said, "Come on down."

It was barely half an hour since the two shots were fired. In a bare attic bedroom, Carrie Davies had risen from the table where, in a state of eerie calm, she had just finished writing two short notes. One was to Maud Fairchild, her married sister who also lived in Toronto. The second was to her friend Mary Rooney, another domestic servant who worked for Bert Massey's older brother and his wife, Mr. and Mrs. Arthur Massey, a few blocks away on Admiral Road. Carrie behaved as if in a stupor, oblivious to the furor outside in the street. When she heard the policeman's voice, she had thrust her hands into the arms of a shabby brown cloth coat and picked up the gun again. This time, she held it by the muzzle. Then she started downstairs.

On the second-floor landing, Sergeant Brown stared up in astonishment at the slight figure proffering a pistol as she came towards him. Without taking his eyes off Carrie's expressionless face, the burly policeman grasped the weapon by its handle, and then followed her back to her room.

"I shot him," the young woman announced. Sergeant Brown stared at her, and then gave her the standard caution: "You needn't make any statement unless you like, but any statement you make may be used as evidence either for or against you. [Do] you understand that?" Wide-eyed, Carrie intoned "Yes." Almost as an afterthought, she added, "He ruined my character ... They have been good to me and I have been good to them, but he disgraced my character." The policeman looked at the gun, and then back at her. Carrie began to cry, and repeated, "He has ruined my life ... Take me out of here."

Brown didn't ask her to explain her remark. He took her firmly by the arm and escorted her out the front door of number 169, through a crowd of shocked onlookers. Carrie kept her head down. She appeared to be clinging to Sergeant Brown rather than being unwillingly frog-marched away from the scene of the crime. After the sergeant had bundled her into the paddy wagon, Constables Martin and Follis, solemn and silent, climbed in after her.

A few minutes later, the paddy wagon drew up outside Police Station 11, on London Street close to Bathurst, so that Sergeant Brown could make a note in the duty register of her name, age, and birthplace. Until now, Carrie Davies had behaved as though nothing had happened: she was her mere little self, doing what she was told. But at the police station, she overheard horrified whispers that Mr. Massey was dead. She gasped, then broke down in tears.

Sergeant Brown knew that this case was more than the London Street station could handle. So Carrie was bundled back in the wagon and driven downtown, to police headquarters at City Hall, at the intersection of Queen and Bay Streets, where Inspector George Kennedy, Toronto's most senior detective, had his office. The police sergeant ushered the now-terrified young woman into the inspector's presence. When the detective began to question her, she admitted in her pronounced English accent that she had pointed a gun at her employer and pulled the trigger. Her motive for the killing, she sobbed, was that "he tried to ruin me."

Brown and Kennedy exchanged shocked looks. Sergeant Brown had already told Inspector Kennedy that this was more than a routine crime, because the dead man was a Massey. Kennedy's eyebrows had nearly lifted off his face when he realized he would be dealing with a family that was already a Canadian legend: the Masseys were respected for their fierce Methodism, appreciated for their public benefactions (Toronto's Massey Music Hall and Fred Victor Mission were only two of the numerous

Massey good works), and resented for their power. By the start of the twentieth century, Methodists like the Masseys—along with the Eatons and the Flavelles—were on their way to becoming Toronto's new capitalist class, an elite that challenged the city's Victorian aristocracy in both wealth and snobbery. Bert Massey's relatives lived in one of the grandest houses in Toronto, "Euclid Hall" on Jarvis Street, and Bert himself, as a child, had been dressed like a prince, in velvet coats and *broder anglaise* collars. The family was not used to seeing its members enmeshed in gossip.

Now this frightened young woman had uttered the sensational accusation "He tried to ruin me," and the two Toronto policemen realized that they had a major scandal on their hands. "Ruin," in this context, meant only one thing: that Bert Massey had tried to have sexual intercourse with his maid. Reporters on the crime beat would swarm City Hall as soon as they got wind of the shooting. Kennedy could already hear a buzz of excitement in the front office. Moreover, at the time of the crime, Bert Massey had been unarmed and several feet from Carrie—an apparently law-abiding breadwinner returning from a long day at work. Carrie had taken him completely by surprise. Was she speaking the truth? And anyway, how many eighteen-year-old domestics knew how to fire a revolver? Under questioning, Carrie stammered that she had worked for Mr. and Mrs. Charles Albert Massey for two years, and she repeated that they had always been kind to her.

The two policemen stared at the wretched girl in dismay. Still, all they could do was follow procedure. Inspector Kennedy began the routine questioning—name, age, height—and then took Carrie through the events of the evening, noting her answers in longhand. Within half an hour, Carrie had answered all the questions put to her, and Kennedy, in a rush to get the paperwork finished so she could appear in the police court the following morning, had instructed his assistant to take Carrie away. In his haste, he forgot to ask her to sign the statement.

Carrie was taken to the Court Street station, the hub of the police department, which was three blocks south of City Hall at the busy corner of Church and Adelaide Streets, behind the elegant Georgian facade of the Adelaide Street courthouse. The police station had cells in the basement for transient prisoners—cells that were cramped, dirty, and stank of human sweat and excrement. There she spent the night in custody, listening to indignant shouts and clanging bolts as drunks, hookers, and other petty criminals were locked up alongside her. In her short life, Carrie had often been uncomfortable—in her overcrowded English home, or the drafty attic bedrooms of employers' houses, or the shared steerage berth when she crossed the Atlantic. But a night in the cells, surrounded by harsh sounds and human misery, with no idea what the next day would bring, must have been the most traumatic night of her life. A shabby cloth coat could not protect her from jailhouse chill, let alone the terror and humiliation of her predicament.

For three weeks, the sensational tale of the Massey killing gripped Toronto. On several days, the case received more coverage than a much more important story—the war in Europe. Thousands of young Canadian men had donned uniforms, crossed the Atlantic, and, in the same month that Carrie faced the court, were preparing to risk their lives in the defence of the British Empire.

This was an extraordinary period in Canadian history. Although the former British colony had entered the twentieth century relatively poor and largely rural, its resources underdeveloped and only a third of its arable land settled, it now had the world's fastest-growing economy. Until war broke out in Europe in 1914, immigrants by the hundreds of thousands had poured into the West, factories had sprung up in the east and railways had criss-crossed the landscape. The Dominion of Canada, still less than half a century old, was riddled with anachronisms and paradoxes—the first gasoline-driven

tractors had appeared on Saskatchewan and Manitoba prairies where teams of sturdy Doukhobor women were still harnessed to single-furrow plows. Small general stores served rural housewives, but in the cities huge department stores like Mr. Eaton's on Yonge Street were becoming palaces of consumption. City dwellers were snapping up gadgets like electric toasters, irons, and vacuum cleaners, and filling store cupboards with bottled tomato ketchup, Shredded Wheat, and Palmolive soap, while out west, farm hands still lived in sod huts, ate salt pork and cabbage, and lined their bookshelves with newspapers. A giddy optimism had spread across the country, but though Canada now exercised almost complete control over its internal affairs, it continued to deal with the external world as a vassal of Great Britain, the historic "motherland."

Nevertheless, the Dominion was starting to see itself as an autonomous nation. In 1904, Sir Wilfrid Laurier, the country's seventh post-Confederation leader and first French-Canadian prime minister, had made a startling prediction: "Canada has been modest in its history, although its history is heroic in many ways. But its history, in my estimation, is only commencing ... The nineteenth century was the century of the United States. I think we can claim that it is Canada that shall fill the twentieth century."

The slow evolution of a Canadian identity rubbed up against Canada's passionate attachment to "the Old Country," and in 1915 no province was more profoundly British in its sentiments than Ontario. On the flyleaf of the Ontario *Fourth Reader* of 1910, beneath the Union Jack, appeared the motto "One Flag, One Fleet, One Throne." On the first page appeared a quotation from Rudyard Kipling: "O Motherland, we pledge to thee, Head, heart and hand through years to be." The first picture in the *Reader* was a portrait of the late King Edward VII. Loyalty to Britain suffused Canada's most populous province, even as its residents watched their own country develop economic muscles and political sinews unthinkable at Confederation.

At the same time, no Canadian city was undergoing more wrenching changes than the province's largest city. Toronto was almost unrecognizable from the muddy town it had been when the Dominion of the North was established in 1867. Back then, with only about fifty thousand residents, it was smaller than Halifax, Nova Scotia, in population and area. But in the 1880s it absorbed adjoining Riverdale, Yorkville, the Annex, Seaton Village, and Parkdale, and within a few years it was linked by electric trolleys and steam railways to outlying communities like Scarborough, Richmond Hill, and Newmarket. In the first decade of the new century, the city's population had grown by a staggering 80 percent, from 208,040 to 376,500, and by 1915 it had over half a million residents—with at least one-third born outside the country. Montreal was still the Dominion's largest city and financial centre, but Toronto had emerged as Canada's industrial leader.

Now, within a city and country under stress, Carrie Davies's actions played into contemporary disquiet about the dissolution of Old World standards of behaviour. Whatever did Carrie Davies think she was doing? Was this the kind of thing that would happen if people didn't know their place, and women were given the vote? Did Charles Albert Massey's death presage more fundamental shifts—perhaps—at best, Canada's evolution towards its own unique national identity; at worst, a slide into social chaos within Toronto thanks to growing numbers of immigrants?

The Beak in the Women's Court

TUESDAY, FEBRUARY 9

THIS IS THE 189TH DAY OF THE WAR.

Today's report notes a heavy German bombardment of Ypres.

—*Evening Telegram*, Tuesday, February 9, 1915

Mrs. Edward Fairchild, sister of Carrie Davies, stated this morning that the only reason that she could advance for her sister's act was that she was in a state of nervous depression caused by the fact that all the money she earned had to be sent home.

—*Toronto Daily Star*, Tuesday, February 9, 1915

The day after Bert Massey's abrupt death dawned chilly and damp: a thick, grey layer of cloud hung low in the sky, blotting out the winter sun. Despite the biting wind that whistled down Queen Street and the slush on the sidewalk, people had been scurrying towards City Hall since dawn. This massive municipal palace, opened only sixteen years earlier, epitomized Toronto's growing commercial muscle and expansive self-belief. Replacing a more modest building on the downtown waterfront, it had been built around a courtyard and covered a whole city block: it housed both Toronto's City Council and the police courts, and it was close to Osgoode Hall, home of the Law Society of Upper Canada and the province's first law school. Like a judge's dais in a courtroom, City Hall's imperious bulk was elevated above the street by twenty wide granite steps so that it dwarfed surrounding buildings.

But the eager court watchers were indifferent to the building's Romanesque gargoyles, rusticated stone arches, and gigantic clock tower; they clustered on the steps and waited impatiently for one of the three large oak doorways to be unlocked. Once inside, the crowd milled around the base of the Grand Staircase, below the monumental stained-glass window that depicted (with typical Toronto braggadocio) "the Union of Commerce and Industry." At the rear police entrance on Albert Street, eager rubberneckers stamped their feet and waited for the police wagons to arrive from the Court Street station with the previous night's crop of arrests.

Detective Inspector Kennedy's gloomy fears had been realized: the editors of Toronto's six newspapers rushed to cover the bloody death of the grandson of pioneering industrialist Hart Massey. For the past few days, the front page of the *Globe*, the paper that served the city's business and political elite ("Canada's National Newspaper," boasted its masthead), had featured exclusively war news. Today, it had a startling change of topic in column five: "C.A. Massey Killed By House Servant Carrie Davies, Aged 18, Under Arrest. Shot At His Own Door." The story began with a breathlessness unusual for the establishment's favourite paper: "A murder of sensationally dramatic and personal interest took place in Walmer Road last evening ..."

The more down-market *Toronto Daily Star* had placed the story in the third column of its front page, under the headline "C.A. Massey Shot By Domestic As He Returned Home. Prominent Toronto Society Man Drops Dead on Own Doorstep. No Motive Known For Awful Deed." Reports of German spies in the Port of Halifax, and of German bombs falling on the little French town of Soissons, had been typographically elbowed aside.

News of the sensational event had rapidly spread beyond the city. New York reporters had called to ask about the story, which was covered in the *New York Times*. Montreal's *Gazette*, the most important English-language paper in Canada's largest city, devoted a column to it on page four: "C.A. Massey Shot and Killed by an 18-year Girl: Domestic in His Home Met Him at Door and Shot Him Through the Heart." In its eagerness to highlight the prominence of the Masseys, the paper exaggerated Bert's significance in the mercantile dynasty. "Dead Man Was the Eldest Member of the Famous Massey Family Known Throughout Canada."

The first stage of Carrie Davies's journey through the legal system was her appearance in a police court, which would decide whether she should be allowed out on bail or remain in custody. Carrie

remand hearing would take place in an unusual judicial institution: a police court that dealt exclusively with women. South of the border, such courts had been established in Chicago, Los Angeles, and New York City, but this was the only one of its kind in Canada.

Toronto's Women's Court was the result of efforts by the local branch of a powerful organization called the National Council of Women (NCW). Toronto's Local Council of Women (LCW) had fought for a separate court for women because the LCW's leaders insisted that judicial decks were stacked against women who fell afoul of the law. Women had no way to participate in the development or the administration of the law: they could not be voters, legislators, coroners, magistrates, judges, or jurors. At City Hall's law courts, all court officials and almost all the police were men, and for every woman detained, nineteen men were arrested. Male spectators leered and jeered at women prisoners. Underage girls arrested for "vagrancy" (a euphemism for soliciting) were often followed home and dragged down, in the words of an LCW member, "to Heaven knows what infamy."

In the early twentieth century, most women and men believed that, while men committed *crimes*, women committed *sins*. The LCW argued that, since women could be "saved," they should be treated differently from hardened male criminals. Most important, they should be shielded from the idle throng of male hangers-on, loafers, and lawyers hanging around City Hall, on the hunt for scandal and gossip.

The reasoning of LCW activists seems well intentioned but naive today: they wanted to protect women because, as the "weaker sex," they needed to be shielded from the full force of the law. This was the heyday of "maternal feminism"—the belief that women and men had different roles in society, thanks to women's "motherly" perspective. Proponents of this view did not argue for gender equality: instead, they suggested that women should have a role in the public realm because their maternal values and influence would improve debate. Some LCW leaders were ambivalent about the Votes for Women campaign because they felt that women could exert their influence indirectly. Others were ardent suffragettes because they believed that the values and behaviour of mothers would elevate the public realm. Out west, Canada's leading suffragette, Nellie McClung, argued early in the war that "women are naturally the guardians of the race," and that if there had been women in the German Reichstag ("deep-bosomed, motherly, blue-eyed German women") they would have stopped the Kaiser going to war.

Despite their differences on the suffrage issue, Toronto activists were united in their abhorrence for the way that women were treated in the rough-and-tumble atmosphere of City Hall's police court. LCW lobbying had paid off: in February 1913, the Women's Court was established. Women arrested by Toronto police could now be remanded in a court to which no men were admitted, unless they were witnesses or officers of the court. All spectators, including reporters, had to be female. The courtroom was located on the second floor of City Hall, in No. 1 Committee Room, and unlike the stark courtrooms on the floor below, it featured walls painted a soft brick colour, pictures hanging on them, and an ordinary chair rather than a railed dock for prisoners. Most important, women who were discharged from the court could slip away without being harassed by onlookers. The *Globe* remarked, "To the onlooker it seemed all as simple as being called to the teacher's table at school."

The muckraking journal *Jack Canuck* enthused over this new institution, suggesting that "the new and humane order of things will work wonders in the reclamation of the unfortunate daughters of Eve." Mrs. Florence Huestis, the formidable president of the Toronto branch of the NCW, reported that her members attended the court regularly and "did their best to help fallen girls and women." This was where Carrie Davies, already en route from Court Street police station cell, would appear.

By 9.30 a.m., when court sessions were scheduled to begin, the tiled corridors of City Hall were thronged with idlers eager for a glimpse of the trigger-happy domestic. The sensational tale of the murdered Massey had swelled the throng, but Carrie Davies wasn't the only draw. Toronto's police courts, where 90 percent of the city's criminal cases began and ended, always pulled a crowd. Local newspapers covered these courts as if they were covering circus acts and music hall turns, reducing the day's slate of individuals charged with crimes to a cast of ridiculous stereotypes—drunken Irishmen, comic African Americans, naive hayseeds, tarts with hearts. Rubberneckers cheered for decisions they supported and booed those they disagreed with.

The *Evening Telegram* ran a regular column, "Police Court To-day," with brief and often tongue-in-cheek entries. A typical report, under the heading "Judicious Mixture," described how "John Keylock showed some discrimination in his thefts from the Robert Simpson Company Limited. When he took some jam and candies he also annexed a quantity of cascara and headache wafers. Sent down for fifteen days."

Why did the city's residents find justice so entertaining? Largely because of one man: Colonel George Taylor Denison, a tall, silver-haired character with a bony face and walrus moustache who was the police court magistrate—an office that did not require a law degree or any special training, but did imbue its holder with immense authority. Magistrates in England and Canada were often referred to as "beaks," but in Toronto there was only one court official who was invariably called "The Beak," and he was a favourite of the Press Gallery. Denison was the unchallenged monarch of City Hall's police courts. One journalist had recently written that a trip to Toronto without visiting a Denison courtroom "would be like going to Rome and not seeing the Pope."

Police Magistrate Denison stood for everything that was most British about Canada in 1911. Denisons had fought for Canada from the earliest days, and the name was synonymous with loyalty to the British Empire, the Anglican Church, and conservative political principles. There were well over a hundred Denisons in Toronto by 1915, and there had been scarcely a single event in Toronto's development in which a Denison hadn't played a starring role. The Beak's grandfather, the first Colonel George Taylor Denison, emigrated to British North America from Yorkshire in 1792 and fought under General Brock in the War of 1812. The second Colonel George Taylor Denison helped suppress the 1837–38 uprisings and founded a family cavalry regiment, Denison's Horse, which eventually became the Governor General's Horse Guard. Before becoming the police court magistrate, City Hall's Colonel Denison saw service in the militia against the Fenians at Ridgeway in 1866 and the Metis and Indians during the Northwest Rebellion in 1885. He had also made himself an authority on military tactics, especially the élan of the cavalry charge: in 1877, he had travelled to Moscow to receive an award from the Russian tsar for his book *History of Cavalry*. This Colonel Denison's most passionate commitment was to Canada's destiny as an integral part of the British Empire: chief organizer of the United Empire Loyalists and president of the British Empire League in Canada, he crossed the Atlantic frequently to remind British politicians of the importance of Empire to Canada and Canada to Empire.

Heydon Villa, George Denison III's red-brick mansion on the western outskirts of Toronto, was a temple to high Victorianism. Far grander than Bert Massey's house on Walmer Road, where Carrie Davies had worked, it was a cross between a shrine to imperialism and a stuffy gentleman's club. The first sights to meet a visitor's eye were the looming stuffed head of a gigantic bison and an elaborate Denison family tree that hung in the hall. The adjacent library featured a Zulu spear, a quiver of Sioux arrows from the massacre of Custer's men at Little Bighorn, and a vast collection of military books.

the drawing room, where the Colonel entertained like-minded men, a sword he had found at the Battle of Ridgeway did duty as a poker in the grate. In the 1880s, the house had been a gathering place for those who, like Denison, simmered with outrage about Canada's lack of national spirit. Members of the Canada First movement (the most prominent was poet Charles Mair) railed against threats to the new nation from Riel and his followers ("traitors") or the "wrong" kind of immigrants. Imperial crusaders from Britain, including writer Rudyard Kipling and politician Joseph Chamberlain, were regular visitors, and over port and cigars their after-dinner conversations invariably touched on the need for closer ties between Britain and its colonies—and with Canada in particular. Colonel Denison was single-minded about Canada, and most particularly, his version of Canada.

The Beak was distrustful of French Canadians and Roman Catholics and was horrified by socialism or suffragette ideas. He dismissed the notion of closer commercial ties with the United States as a dangerous slide towards continentalism, and had nothing but contempt for Americans—in his eyes American cities like Chicago were "filled with disease, bad water and ruffians." He belligerently defended the social order that he saw being undermined by industrialization, urbanization, and immigration. His lip curled at the thought of Toronto's new mercantile barons, like the Masseys, and his nose wrinkled at the smell of exotic substances like garlic.

All in all, Colonel George Denison was a nineteenth-century figure increasingly at odds with the twentieth century. But he was not alone in a Toronto that, despite the city's rapid growth, was still run by a Protestant elite of families who flaunted their British origins. Some proudly traced their arrival in Canada to the late eighteenth century, when they had fled democracy, in the shape of the American Revolution, as self-proclaimed "United Empire Loyalists." Many (like Denison) were descendants of the Family Compact, the tight little Tory clique that ran Upper Canada in the first decades of the nineteenth century. Their names—Strachan, Beverley Robinson, Boulton, Jarvis, Simcoe—guaranteed their social prominence from one generation to the next.

By 1915 Toronto was a metropolis that had spread far beyond its original boundaries. Ornate brownstone office buildings had replaced the brick townhouses that the old elite had built along King Street and Queen Street. But Union Jacks still fluttered off buildings, and the WASP grip on Toronto was powerful. The names of streets like Jarvis, Beverley, or Strachan were permanent reminders of old-guard influence. Social divisions were not rigid: the class system was more porous in the New World than the Old, and successful businessmen like department-store mogul Timothy Eaton or meat-packing entrepreneur Joseph Flavelle were welcomed into the top strata once they had made their fortunes. But ties between old-money families were quietly strengthened during regular encounters at St. James' Anglican Cathedral, or at Rosedale "At Homes," or in Toronto's three clubs: the National Club, the Albany Club, and the Toronto Club. Almost all the men in Toronto's overlapping business, social, and military elites belonged to at least one of these social institutions. The National Club, founded by members of the Canada First movement, was now considered the unofficial Liberal Party headquarters in the city, and despite his dinosaur views and insistence that he was not a party man, Colonel George Denison was its longtime president.

How would this martinet and roaring snob treat Carrie Davies? By the time she appeared before him, Denison had completed nearly four decades on the bench to which he had been appointed in 1877, twenty years before her birth. Carrie could expect speedy treatment, because Denison ran his court like a well-oiled machine. Boasting that he presided over "a court of justice, not a court of law," he cantered through cases at a breathtaking pace, relying more on intuition than evidence, and flaunting his impatience with legal technicalities and procedural niceties. Denison handled an average

of twenty-eight thousand cases a year, which, according to Harry Wodson, police court reporter for the *Evening Telegram*, constituted an astonishing caseload of over five hundred a week. To the exasperation of the magistrate's seven clerks, Denison routinely cleared his docket in a couple of hours before lunch, ordered the court adjourned, and then, stick in hand and homburg hat on head, strolled off to the handsome dining room of the National Club, at 303 Bay Street.

Perhaps Carrie, a British-born woman in the most traditional of employments, might have expected a touch of compassion. In Denison's court, people who "knew their place" (retired soldiers, hard-working British immigrants, and the penitent) could expect leniency. In contrast, striking workers, people of Irish or African-American descent, and the *nouveaux riches* found little mercy. Admirable as Harry Wodson, who shared Denison's outlook, thought he was a terrific fellow: "A swift thinker, a keen student of human nature, the possessor of an incisive tongue, he extinguishes academic lawyers, parries thrusts with the skill of a practiced swordsman, confounds the deadly-in-earnest barrister with a witticism, [and] scatters legal intricacies to the winds ... His mind is more or less remote from the affairs of the rank and file of humanity ... Just what mental process is used to make the punishment fit the crime, only the magistrate himself knows." But Denison infuriated those who regarded him as a whip-cracking fossil, mired in the assumptions of a borrowed class system. Phillip Thompson, a journalist and labour sympathizer who worked on the publication the *Western Clarion*, excoriated the magistrate in print: "He is true as hell to the ideals of his Tory U.E. Loyalist ancestors and holds like them that all popular notions of liberty are rank delusions and that the masses were bound to be exploited for the benefit of the ruling class."

Denison had no interest in what drove individuals to break the law. One woman whom he regularly fined for drunkenness amused Harry Wodson by reproaching the magistrate: "The only difference between me and Lady O'Flaherty up in Rosedale is that I have no powdered flunkies to carry me up the bed when I'm drunk." Denison paid no attention and sent her to the slammer.

Only a sense of humour softened Denison's paternal Toryism and patrician bias. He filled his scrapbooks with cartoons of himself (he was easy to caricature), and Harry Wodson enjoyed watching the Beak suppress a chuckle at the cheeky remarks from court regulars. Dodson suggested that his genial manner endeared him to most defendants who appeared before him. A 1913 cartoon pictured a tattered husband and wife jostling each other in front of Denison's seat, and the woman saying to her husband, "Ain't I got as much right to enjoy the pleasure of bein' tried by Colonel Denison as you have?"

Carrie knew none of this when Miss Mary Minty, the beefy, square-jawed Scotswoman who had become Toronto's first female police constable in 1913, escorted her into the Women's Court on the second floor of City Hall. Exhausted and traumatized after a night in the police cells, she barely understood that the stern, snappy man presiding over the court would decide whether she should be kept in custody or allowed out on bail.

The women on the public benches craned forward to see the eighteen-year-old, as she sat on the prisoners' bench alongside gaudily dressed prostitutes ("petticoated birds of paradise and prey," in Wodson's phrase), petty thieves, and haggard drunks. In her worn brown cloth coat and black hat, Carrie seemed out of place in such company. Her face was swollen with tears, and her hands played nervously with her knitted gloves as she looked around the large square room.

Colonel Denison launched proceedings like a Gatling gun at full throttle. The morning's case list began with a handful of cases involving drunkenness, vagrancy, and petty theft, which were dispatched

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