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'Horrible Temptations': Sex, Men, and Working-Class Male Youth in Urban Ontario, 1890–1935

As one man with a keen interest in boys observed about Toronto in 1898: 'You can scarcely walk a block without your attention being drawn to one or more of the class called street boys.' C.S. Clark went on to describe Toronto's street boys: 'Some of the boys live at home, but the majority are wanderers in the streets, selling papers generally, and sometimes forced to beg. In the summer time they can live out all night, but in the winter they are obliged to patronize the cheap lodging houses ... Their ages run from ten to sixteen years ... They are generally sharp, shrewd lads with any number of bad habits and little or no principles ... Some of the larger boys spend a considerable portion of their earnings for tobacco and drink, and they patronize all the theatres.'

Selling papers, begging, smoking, drinking, and theatre-going were only some of the vocations and vices of the street boy. 'When a newsboy gets to be seventeen years of age he finds that his avocation is at an end, it does not produce money enough and he has acquired lazy, listless habits ... He becomes a vagrant and perhaps worse.' Clark had something quite specific in mind when he hinted at something worse than vagrancy. 'A boy of seventeen has visited nearly all the large cities of the United States, and the stories they tell of their experiences in Chicago in particular are absolutely revolting. The crime that banished Lord Somerset from London society is committed according to their reports, every night in some of the lodging houses in Chicago.' Clark also knew that Ontario boys did not have to roam as far away as Chicago. 'Consult some of the bell boys of the large hotels in Canada's leading cities, as I did, and find out what they can tell from their own experiences.'¹

While they figured in the imaginations of muck-raking journalists, sexual relations between boys and men have generated little interest among historians. There are a few exceptions. Jeffrey Weeks noted

1C.S. Clark, *Of Toronto the Good* (Montreal 1898), 81–3, 90

some time ago that in late nineteenth-century England 'working-class youths featured prominently in all the major scandals, like the messenger boys in the Cleveland Street scandal.' The Cleveland Street affair of 1889–90 revolved around messenger boys who supplemented their post office incomes by working in a male brothel, servicing wealthy men, including Lord Arthur Somerset. As Weeks suggested, the Cleveland Street scandal, along with the stable lads and newsboys implicated in Oscar Wilde's trials, 'underscored the web of casual contacts and monetary exchanges that dominated the nineteenth-century homosexual world.'² On this side of the Atlantic, George Chauncey discovered that boys were involved in at least 40 per cent of all 'homosexual' offences prosecuted each year in early twentieth-century New York City, and he provides an intriguing discussion of 'wolves' and 'punks,' an erotic system of intergenerational sex common among seamen, prisoners, and hoboos.³

Generally speaking, however, the history of sexual relations between boys and men remains unwritten. This is surprising given the prominent place the subject occupies on the contemporary political scene. One thinks immediately of the physical and sexual mistreatment of boys by men in state- and church-run orphanages, training schools, and residential schools. Beginning with the 1989 Newfoundland Royal Commission on Mount Cashel (an orphanage for boys run by the Christian Brothers, a lay order of the Catholic Church), government inquiries and police investigations have documented the widespread abuse of boys in custodial institutions in nearly every province. Film and television dramatizations of particularly sensational cases such as *The Boys of St Vincent* (based on the Mount Cashel scandal) and *The Choirmaster* (based on the case of St George's Anglican Church in Kingston, Ontario) have further focused public attention on the sub-

²Jeffrey Weeks, *Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present* (London 1977), 39. Weeks went on to explore the world of working-class male youth and prostitution in an important article published in 1980, but his evidentiary base remained limited. As Weeks realized, 'the necessary detailed empirical research still has to be done.' Weeks, 'Inverts, Perverts, and Mary-Annes: Male Prostitution and the Regulation of Homosexuality in England in the Nineteenth and Early Twentieth Centuries,' *Journal of Homosexuality* 6 (fall/winter 1980–1), reprinted in M. Duberman, M. Vicinus, and G. Chauncey, eds., *Hidden from History: Reclaiming the Gay and Lesbian Past* (New York 1989), 197

³George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890–1940* (New York 1994), 140, 86–95

ject.⁴ But as Lisa Duggan has pointed out, 'the intense contemporary discussions of children's sexuality and the sexual abuse of children have failed to generate much comparable historical exploration ... [T]his rich and provocative area remains largely unexplored.'⁵

Intended as a contribution to the emerging field of Canadian lesbian and gay social history, the aim of this article is to begin to think through the historical meanings and experience of sexual relations between boys and men.⁶ It is based on the case files of criminal prosecutions involving sexual relations between boys and men in urban Ontario from 1890 to 1935.⁷ An analysis of the case files reveals that boys' sexual relations with men were marked by both sexual dangers

⁴The scandals have generated an uneven journalistic literature. See Michael Harris, *Unholy Orders: Tragedy at Mount Cashel* (Markham, Ont. 1990); Judy Steed, *Our Little Secret: Confronting Child Sexual Abuse in Canada* (Toronto 1994); Darcy Henton, *Boys Don't Cry: The True Story of Canada's Child Abuse Scandal* (Toronto 1995). For a more critical analysis that investigates how government inquiries reproduce homophobic equations of gay men as child molesters, see Gary Kinsman, 'The Hughes Commission: Making Homosexuality the Problem Once Again,' *New Maritimes: A Regional Magazine of Culture and Politics* 11 (Jan./Feb. 1993), 17-19.

⁵Lisa Duggan, 'From Instincts to Politics: Writing the History of Sexuality in the U.S.,' *Journal of Sex Research* 27 (Feb. 1990): 108-9. An important exception, of course, is the work of feminist historians who, in writing the history of men's violence against women, also often examine the physical and sexual abuse of girls. See, for example, Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence* (New York 1988), and Karen Dubinsky, *Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880-1929* (Chicago 1993). See also Terry Chapman, "'Inquiring Minds Want to Know": The Handling of Children in Sex Assault Cases in the Canadian West, 1890-1920,' in S. Smandych et al., eds., *Dimensions of Childhood: Essays on the History of Children and Youth in Canada* (Winnipeg 1990), 183-204.

⁶For historiographical background, see my article 'In Search of "Sodom North": The Writing of Lesbian and Gay History in English Canada, 1970-1990,' *Canadian Review of Comparative Literature/Revue Canadienne de Litterature Comparée* 21 (March/June 1994): 117-32.

⁷This article is drawn from my PhD dissertation, tentatively entitled 'Toronto the Gay: Sex, Men, and the Police in Urban Ontario, 1890-1940' (Queen's University, in progress). My search through court records housed at the Archives of Ontario turned up 313 cases involving 'homosexual' offences in Ontario for the period 1890-1935. It is not possible to pin down exactly how many or what percentage of these cases involved boys, as some cases did not specify the ages of (or provide other age-related information about) the parties involved. I have been able to identify seventy cases involving sexual relations between men and boys/male youth to examine for this article. These cases were processed under the criminal code categories of buggery, indecent assault upon a male, and gross indecency, the latter being by far the most frequent charge. On the legal history of these criminal code

and sexual possibilities.⁸ This contradictory mix of danger and desire can be introduced through the stories of two boys.

arnold and garfield

In 1917, fifteen-year-old Arnold lived in Toronto. One day early in August, as Arnold explained to the police, 'I was coming out of the Star theatre. I met Thomas C. on Temperance Street.' According to his case file, Thomas was a single, twenty-six-year-old 'sausage-casing expert.' 'I walked to the corner of Temperance and Yonge street. I said it is nice weather. He asked me if I would go to His Majesty's Theatre. I went with him. He got 2 seats at the wall. I was sitting next to him. He drew his hand up my leg. I then went with him to Bowles Lunch. After supper we went to the Hippodrome and after the show I went home.' On the day after Arnold first met Thomas, Arnold sought him out

provisions, see Terry Chapman, "'An Oscar Wilde Type": "The Abominable Crime of Buggery" in Western Canada, 1890-1920,' *Criminal Justice History* 4 (1983): 97-118 and Chapman, 'Male Homosexuality: Legal Restraints and Social Attitudes in Western Canada, 1890-1920,' in Louis Knafla, ed., *Law and Justice in a New Land: Essays in Western Canadian Legal History* (Toronto 1986), 277-92. The cases employed here come from two different sets of court records: Archives of Ontario, Criminal Court Records, rg 22, Criminal Assize Indictment Case Files, Series 392 (hereafter AO, Criminal Assize Indictments, county/district, date, case number), and Archives of Ontario, Criminal Court Records, rg 22, Crown Attorney Prosecution Case Files, various series (hereafter ao, Crown Attorney Prosecution Case Files, country/district, date, case number). As the crown attorney prosecution case files remain largely unprocessed and stored in temporary boxes, I will not cite box numbers. In order to be granted research access to the crown attorney's files I was required to enter into a research agreement with the archives. In accordance with that agreement, all names have been anonymized and all case file numbers used here refer to my own numbering scheme and do not correspond to any numbers that may appear on the original case files.

⁸There are some parallels here with the history of working-class girls and their sexual relations with men. As Christine Stansell has argued for nineteenth-century New York City, young girls learned 'early about their vulnerability to sexual harm from grown men ... [but] also learned some ways to turn men's interest to their own purposes. Casual prostitution was one.' Stansell locates the way 'girls gambled with prostitution' firmly within the economic necessities dictated by life on the street, as well as within girls' desire for independence and amusement. By virtue of their gender, boys, especially older boys, stood a better chance than most girls in the luck of the sexual draw with men. But the dialectic between vulnerability to sexual harm and turning that vulnerability around to one's own purposes also characterizes much about boys' sexual relations with men in early twentieth-century urban Ontario. Stansell, *City of Women: Sex and Class in New York, 1789-1860* (New York 1986), 182

again. 'On Aug 5 I went to his room at 329 Jarvis and we went out and then I went home. Aug 6 I met him again ... and we went to the Crown Theatre at Gerrard and Broadview and nothing happened. I went to his room on Aug 8. He opened my pants and handled my privates and I pulled his private person until there was a discharge and he did the same with me. He done this to me 8 times before Aug 31st.' In September, Arnold and Thomas left Toronto for western Canada, not returning until the end of the month. Asked by the court why he made the trip with Thomas, Arnold responded: 'He paid my way to the West and fed and clothed me all this time.' After their return to Toronto, Arnold and Thomas continued to see each other. As Arnold told the police, 'I slept with him on Dec. 17th ... this was the last time.' It is unclear from the case file how their relationship was discovered, but Thomas was charged and arrested by an inspector of the Morality Department and shortly thereafter Arnold was picked up and compelled to testify against his friend.⁹

In 1904, Garfield was seven years old and lived with his family in London, Ontario. One Saturday, while passing by the hospital, Garfield encountered a stranger who, as he told the judge, 'asked me to go down the Hospital Hill and I wouldn't go.' The man, a teamster employed by the City of London, 'caught hold of me and dragged me down the hill and I caught hold of the hospital boulevard post and he said if I wouldn't let go he would cut my hands off. He took me down the hill then he undone the back of my pants which were fastened up with braces. He took my pants down. He undone the front of his pants... I was lying down and he was lying down too right on top of my back... He took out a great big thing from the front of his trousers and he put in right behind me and I screamed it hurt. I could feel it. I screamed when he was taking me down the hill.' As William E. explained to the London Police Court Magistrate, 'I am in the post office service. The boy Garfield is my son. I first heard of this trouble when I came home about a little after five o'clock ... Garfield spoke to me about it. He told me what had occurred.' The next day, Garfield's father laid a charge against the man for indecently assaulting his son.¹⁰

Arnold and Garfield told very different stories about their sexual relations with a man. Arnold sought out his sexual encounter, boldly striking up a conversation with Thomas on the street. Their dates and gradual build-up to sex resembled something akin to a courtship, and Arnold used a matter-of-fact language to describe their reciprocal sexual

⁹ao, Crown Attorney Prosecution Case Files, York County, 1918, case 35

¹⁰ao, Criminal Assize Indictments, Middlesex County, 1904, case 191

relations. Arnold's relationship with Thomas appears to have been based on a mixture of economic need and an insatiable desire for the theatre. For Arnold, as for many other poor boys, sexual relations were rooted in a distinct moral economy in which working-class boys traded sex in exchange for food, shelter, amusement, money, and companionship. Garfield did not seek out his sexual encounter – he was forcibly taken by a man who used him for his own sexual purposes – and Garfield described his experience in the language of assault and harm. The locations of sexual danger for boys (along with more mutual relations) were embedded in the social relations of working-class boy life in household, neighbourhood, and a variety of institutional settings.¹¹ For the historian accustomed to dealing with power based on gender, race, and class, the case files of sexual relations between boys and men are a forceful reminder that age was also a significant axis of power. Always existing in complex relation to gender, class, and ethnicity, age shaped sexual relations in at least two distinct ways. First were the age differences between men and boys. Sexual danger for boys was grounded in men's greater age and physical strength, as well as in their positions of power over boys within a number of different organizational settings. Second, there were age differences between boys. Older boys such as Arnold were able to turn men's interest to their own advantage, while younger boys like Garfield were more vulnerable to men's unsolicited and sometimes violent sexual advances.

The tales of Arnold and Garfield we read in the court records were not, of course, their own stories. Although boys and the men with whom they had sex supplied the plot lines, their stories were written by others. As the chief constable of St Catharines explained in police court

11I want to underscore that in arguing that sexual danger and desire were rooted in boys' street culture and working-class life, I am not suggesting that sex between boys and men was somehow unique to working-class existence. My concentration on working-class male youth stems from my own interest in working-class history and from the nature of my sources (working-class and immigrant boys turn up in the court records more often than middle-class boys because the former were subject to greater police and legal surveillance). Middle-class boys also had sex with men, but the social organization of their sexual relations was different. For instance, rather than on the street, middle-class boys developed sexual relations with men in private boarding schools. On romantic friendships and sexual dangers in boys' boarding schools, see, for example, Jean Barman, *Growing Up British in British Columbia: Boys in Private School* (Vancouver 1984), and James Fitzgerald, *Old Boys: The Powerful Legacy of Upper Canada College* (Toronto 1994). See also E. Anthony Rotundo, 'Romantic Friendship: Male Intimacy and Middle-Class Youth in the Northern United States, 1800–1900,' *Journal of Social History* 23 (fall 1989): 1–25.

with reference to a man arrested in 1931 on a charge of buggery with three young boys, 'after his arrest I had a conversation with him at the police office ... [the] Deft. made a statement and Sergt. Brown reduced it to writing and then it was read over to the Deft. twice and signed by the Deft.' Once in court, the testimony of boys and men was recorded by professional court stenographers who produced what they liked to call 'a true and faithful transcription of my shorthand notes taken' during the trial.¹² Having their stories transcribed and reduced to writing were only two of the ways boys' sexual relations were taken up and transformed by the legal process. Before turning to the homosexual underworld of boys and men, it will be useful, first, to look in some detail at how the law shaped the way boys' sexual relations were represented in court and, subsequently, in the court records. Such a discussion is also made necessary by the on-going intellectual debates over the nature and status of historical evidence.¹³

the judge and the historian

In his contribution to a forum on the nature of evidence, Carlo Ginzburg has pointed to the long tradition of association between the judge and the historian, between legal method and historical practice.¹⁴ In one of its most frequent invocations, this tradition places the historian in the role of judge sifting through and checking the evidence. Rarely is the metaphor of historian as judge so apt as when the historian is working with court records. Court records have and continue to be a primary source employed by historians of sexuality, including historians of the gay past. It is almost impossible to imagine the writing of gay history without court records. But court records pose formidable interpretive challenges.

In discussing the nature of court records as evidence, historians often employ metaphors of visibility – in particular, the court record as a 'window' through which the historian may glimpse some aspect of the past. Most historians are also fully aware that the view provided by court records is rarely clear and therefore must be wiped clean, a

12ao, Crown Attorney Prosecution Case Files, Lincoln County, 1931, case 199, and Carleton County, 1925, case 155

13See, for example, James Chandler, Arnold I. Davidson, and Harry Harootunian, eds., *Questions of Evidence: Proof, Practice, and Persuasion across the Disciplines* (Chicago 1994), and the special issue of *PMLA* on 'The Status of Evidence,' *PMLA* 111 (Jan. 1996).

14Carlo Ginzburg, 'Checking the Evidence: The Judge and the Historian,' *Critical Inquiry* 18 (autumn 1991): 79–92

method often referred to as 'reading against the grain.' But the ontological and epistemological assumptions underlying this interpretive strategy are rarely spelled out or interrogated. For instance, historians often presume that once the gender, class, and race 'biases' of the legal system and its records are accounted for, their subject – whether it be the homosexual or the heterosexual – will be there in the sources, already constituted, waiting to be revealed. But recent work in lesbian and gay studies, influenced by post-structuralist theories of the discursive construction of identities, cautions against using sources such as court records to make visible previously hidden identities and experiences. Focusing on the tropes of visibility frequently employed by historians in their narrative representations of historical experience, Joan Scott has questioned those who write 'histories that document the "hidden" world of homosexuality.' Rather than deploy court records as 'the evidence of homosexual experience,' Scott urges historians to analyse the discursive operations of historical texts to deconstruct how categories such as the 'homosexual' are produced in the first place.¹⁵ Analysing how historical texts help to construct the identity categories they appear merely to represent is an important analytical procedure,¹⁶ but it is only one of several possibilities in approaching court records and other forms of historical evidence as texts.

In a discussion of the usefulness of literary methods in analysing social and historical discourses, Mariana Valverde has noted the potential not only of deconstruction but also of narratology. Most often associated in historical circles with the work of Natalie Zemon Davis, narratology conceives of court records not as a collection of 'facts' but as a series of stories that the historian analyses for the metaphors and other literary devices people used to tell their tales, highlighting the constructed or 'fictional' character of the historical record. Criminal court records, Valverde suggests, are 'particularly fruitful sources with which to experiment with social narratology. Because there are lawyers on either side consciously organizing conflicting narratives out of what the judge and jury presume is somehow one story, the partial and artificial character of all narratives is easily demonstrated.' Opportunities for lawyers as well as the police to consciously organize the narratives of boys and men existed even before a case made its way into court.

¹⁵Joan W. Scott, 'The Evidence of Experience,' in Henry Abelove, Michele Aina Barale, and David M. Halperin, eds., *The Lesbian and Gay Studies Reader* (New York 1993), 400

¹⁶I trace how the discursive practices of one textual element of the legal case file – the psychiatric case history – helped to produce the category of the 'homosexual.' See my as yet unpublished paper, 'On the Case of the Case: The Emergence of the Homosexual as a Case History, Ontario, 1900–1935.'

That the police were routinely compelled to deny that they played

any part in extracting statements or admissions of guilt – as one constable put it, ‘there was no promise or inducement held out to the Deft., no threat made’ – suggests that it was a possibility. Certainly lawyers defending accused men believed it was possible. As one defence lawyer asked a police constable testifying against his client, ‘Did you tell the accused that it would be better for himself if he admitted what he did?’ About the statement he made to the police, one boy was asked, ‘Did anybody suggest what you should put in the statement?’ About his testimony in court, the same boy was asked, ‘Did anybody else ever discuss with you the evidence you were to give?’ Sometimes it is not difficult to detect in a boy’s testimony that he was coached by a lawyer. As fourteen-year-old Melvin testified in court, the ‘actions [of the accused] had an effect upon me – I could not learn at school – my capacity to learn was affected.’ Melvin’s twin brother, Lorne, testifying against the same man, said his actions ‘had an effect upon me – I began to notice I could not learn.’ In addition to the fact they told their stories in almost exactly the same terms, the testimony of the two brothers was anomalous in its formal and contemplative language; most boys did not offer that sex with a man ‘had an effect on their capacity to learn.’ On a few occasions, lawyers defending accused men went so far as to suggest that the police bribed boys to testify against their clients. As one boy was asked under cross-examination, ‘Did you tell anyone ... that the reason you made statements against [the accused] was because you ... were getting the money from the detectives?’¹⁷

Although narratology usefully draws our attention to the way the law shaped the stories of boys’ experience, it will have to be used with some modification, for while I agree with Valverde that ‘a great deal of the “raw material” used by historians ... comes to us in the form of a narrative,’ this is not always true of all court records.¹⁸ As anyone who has researched in court records will know, they are often frustratingly

17a0, Criminal Assize Indictments, Lincoln County, 1931, case 199; Crown Attorney Prosecution Case Files, Carleton County, 1923, case 148; 1925, case 155; 1914, case 119; 1929, case 171

18Mariana Valverde, ‘As If Subjects Existed: Analysing Social Discourses,’ *Canadian Review of Sociology and Anthropology* 28 (1991): 180–1. See Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth Century France* (Stanford 1987), and Joan Sangster, ‘“Pardon Tales” from Magistrate’s Court: Women, Crime, and the Court in Peterborough County, 1920–50,’ *Canadian Historical Review* 74 (June 1993): 161–97. The literature on narratology written by critical legal theorists, literary critics, and historians is vast. For one overview of court records as historical evidence that includes some discussion of narratology, see Edward Muir and Guido Ruggiero, eds., *History from Crime: Selections from ‘Quaderni Storici’* (Baltimore 1994).

short on narratives. The case files of sexual relations between boys and men sometimes did not include a boy’s narrative for the simple

reason that the court was uninterested in a boy's story. Consider this case from 1926 involving an eighteen-year-old labourer charged with committing buggery with a boy. The crown attorney called Dr Fred M. as a witness:

Q.All right doctor what do you know about this case? You examined the boy in this case did you?

A.On June the 4th at 11 pm, the detectives brought in this boy Elmer D. I asked the boy what happened and he said ...

Q.You examined his rectum, did you?

A.I asked the boy first what happened.

Q.Never mind what he said. You examined his rectum, did you?

We never learn what happened to the boy because the doctor was not allowed the opportunity to relate his story. Since the boy did not testify, neither do we hear his version of what happened. The boy's narrative was suppressed in favour of the 'hard evidence' – particularly the physical evidence of sexual activity offered by medical expert witnesses – that would secure conviction.¹⁹

Even when we discover in the case files the record of a boy's story in a police statement or a trial transcript, it does not necessarily take the form of a narrative. Trial transcripts, 'delimited by the (nonnarrative) logic of the legal contest,' are rarely true narratives; they bear little resemblance to the pardon tales or journalistic accounts of trials that are most often analysed by historians employing narratology.²⁰ Part of the problem has been historians' failure to differentiate between the many documents that often make up a legal case file, many of which had different textual forms, generating both narratives and non-narratives. In her analysis of the court records of seventeenth-century rape trials, Miranda Chaytor usefully distinguishes among the statement of the plaintiff, the examination of the defendant, and the depositions of witnesses. As she suggests, the statement of the plaintiff represents the story of a crime as presented by the person who came before the law seeking justice. Although these stories were mediated by some form of recording and, no doubt, the listener asked questions, the statements often took the form of a full narrative. Using plaintiffs' statements,

19ao, Crown Attorney Prosecution Case Files, York County, 1926, case 111

20Ed Cohen, *Talk on the Wilde Side: Toward a Genealogy of a Discourse on Male Sexualities* (New York 1993), 129

Chaytor goes on to analyse the metaphors women employed to tell their stories of rape. The examination of the defendant, however, was not really a defendant telling his or her side of the story; rather, it was a highly structured series of questions and answers – an interrogation – in which the questions were determined by the police and/or the court and largely confined to issues legally relevant to the case. As Chaytor suggests, 'these examinations are interesting, but they are not spontaneous narratives.'²¹

This differentiation of court records between types of texts and their corresponding narrative and non-narrative forms is especially important when dealing with cases of 'homosexual crimes.' Sometimes boys themselves laid charges against men and, in such cases, boys, not unlike the women studied by Chaytor, voluntarily told their stories to the police. However, in most cases of sexual relations between boys and men, legal action was initiated by someone other than the boy, most often by the police, sometimes by a boy's parents, a truancy officer, or a passer-by. This meant, among other things, that if a man and a boy having sex were discovered by the police, both the man and the boy (depending on his age) could be charged with an offence. In Ottawa in 1915, for example, fourteen-year-old Rene L. was caught by a police constable who spied him in a backyard 'in the act of working [a man's] privates with his hand.' Despite Rene's claim of innocence, the constable arrested Rene, who ended up in court charged along with the man. In cases such as these, both parties were placed in the role of the accused and their 'stories' were extracted through police interrogation and courtroom examination. Even in cases in which the boy was not charged with an offence himself, he still most often appeared in court not as a complainant but as a witness – very often a reluctant witness – in the prosecution's case against a man. In this scenario, the boy's story was also obtained through questioning by police and lawyers.²²

Given that the legal-textual representation of boys' sexual relations with men most often took the question and answer form of an interrogation rather than a more-or-less freely given narrative, it might be more profitable to analyse the case files for their repetitive rhetorical strategies than their narrative forms. As Tina Loo suggests in her discussion of the state prosecution of Native people and potlatching in British Columbia, the nature of the law's power and how it works can be viewed 'as a system of rhetoric or a way of arguing.' As she indi-

21Miranda Chaytor, 'Husband(ry): Narratives of Rape in the Seventeenth Century,' *Gender & History* 7 (Nov. 1995): 380

22ao, Crown Attorney Prosecution Case Files, Carleton County, 1915, case 123

cates, lawyers' arguments or rhetorical strategies 'must address the issues raised by the laws that govern the actions in question.'²³ In the case of sexual relations between boys and men, many cases boiled down to the rhetorical struggle between defence and prosecution lawyers over what the law termed an 'accomplice.' A boy might be an accomplice if he was fourteen years of age or older. In 1928 the lawyer representing Harley E. during his appeal of a prior conviction for attempted buggery with a thirteen-year-old boy argued that the conviction should be set aside because the boy was an accomplice. But as the county crown attorney who originally prosecuted Harley E. wrote to the crown lawyer involved in the appeal case, 'the offence took place when the boy was thirteen, therefore according to legal authorities ... he cannot be such.' 'As to the question of accomplice,' the appeal lawyer replied, 'I doubt very much the court was influenced by [the] argument. I stressed the fact that the boy was thirteen.' Despite the lawyer's assurances, the court evidently was influenced by the defence; the conviction was quashed. Suggesting that a boy was an accomplice was not exactly to argue that the boy consented to sex. Consent was not available as a defence; during this period all homosexual relations were illegal regardless of the age of the parties involved. As one of the appeal court judges correctly indicated in his written judgment, 'It was argued that the evidence was consistent with consent on the part of the boy ... but consent or non-consent makes no difference.'²⁴ The intent behind arguing a boy was an accomplice was to influence the court to view the boy not so much as a consenting sexual partner but as a partner in sexual crime. If a boy was deemed to be an accomplice, his testimony was regarded with suspicion and the law usually required that the evidence of sexual activity be corroborated by a third party.²⁵

23Tina Loo, 'Dan Cranmer's Potlatch: Law as Coercion, Symbol, and Rhetoric in British Columbia, 1884-1951,' *Canadian Historical Review* 73 (June 1992): 133, 135

24ao, Crown Attorney Prosecution Case Files, Ontario County, 1928, case 197; *The Ontario Weekly Notes* 33 (10 Feb. 1928): 337-41

25I say that corroboration in cases involving boys fourteen and older was 'usually' necessary because legal opinion on this matter differed. In a case from 1914, a judge found Charles W. guilty of gross indecency with a fourteen-year-old boy. The man's lawyer requested that the case be reserved for the opinion of the Supreme Court of Ontario because he believed that the boy was an accomplice, that corroboration was therefore necessary, and that because there was no corroboration of the evidence his client should have been found not guilty. A chief justice of Ontario agreed that the boy was an accomplice, but ruled that corroboration was not essential to the validity of the conviction. The conviction was affirmed and the judge sentenced Charles to four years in the Kingston Penitentiary. Crown Attorney Prosecution Case Files, Carleton County, 1914, case 119. Charles W.'s trial went on

Horrible Temptations 203

Without corroborating evidence, judges and juries were frequently reluctant to convict a man solely on the story of a boy often considered to be equally culpable. For lawyers prosecuting accused men, this reluctance meant that cases involving accomplices were difficult to prove. At the same time, the law's arbitrary designation of an accomplice as a boy fourteen or older opened up strategic possibilities; arguing that a boy was an accomplice was one of the most common strategies employed by lawyers defending men charged with an offence.

Arguments about accomplices structured many cases, and not always in ways that relied strictly on a boy's age. As Loo suggests, legal arguments were based not only on the terms set by the law but also on what lawyers believed would make sense to judges and juries – by what would be convincing. One of the most frequent rhetorical strategies lawyers used to portray boys as accomplices – often regardless of their age – was to establish that a boy accepted money or gifts from a man. Another was to indicate that a boy did not resist sexual relations. Often all three arguments – a boy's age, the fact that he accepted something in return for sex, and that he did not resist – were used by lawyers. In 1909, William P. was charged with committing buggery on Alleine W. The crown attorney presented Alleine in court as the victim of an attack. Answering the prosecution's questions, Alleine testified, the accused 'put his arms around me and took my pants down and tried to get his privates into my behind ... He held me and I could not get away.' But during cross-examination, William's lawyer asked the boy whether he tried calling for help. 'I did not yell,' Alleine replied, admitting that 'people might have heard me if I had yelled.' Alleine further admitted that although he did not receive anything from William, it was true that 'he offered me money.' Alleine was thirteen when the offence was alleged to have occurred in mid-February, but the defence lawyer concluded his cross-examination by drawing out from Alleine the fact that he 'was 14 on 26 February.' As the newspaper account of the trial recorded, the prosecution 'failed to convince Judge Denton of the prisoner's guilt, and he was discharged.'²⁶ But can the historian be as certain as Judge Denton? Was Alleine attacked or did he willingly engage in sex with William, thinking that he might get some money after the dirty deed was done?

to become a part of Ontario's reported case law. See *R v. Williams* (1914), 23 CCC 339 (Ont. CA). Its entry in the reported case law, however, does not include the depositions and other case details to be found in the crown attorney's case files. 26a0, Crown Attorney Prosecution Case Files, York County, 1909, case 92.

'Evidence Not Sufficient,' *Toronto Evening Telegram*, 10 Sept. 1909, 19

The representation of boys' sexual relations in the court records

was the product of police interrogations as well as lawyers' coaching and rhetorical strategies, all of which come to us only after they have been translated by police constables and court stenographers. It is tempting to conclude that it is next to impossible, based on court records, to say anything with any certainty about the history of boys' sexual relations with men. I admit that thinking about court records as constructed and partial narratives rather than simply as the 'facts' has occasioned more than one period of what feminist labour historian Kathleen Canning has aptly termed 'epistemological crisis.'²⁷ Still, I believe it is possible to use court records to write gay history, so long as we are clear about our methodological procedures and our theoretical positions. For instance, given the way a boy might be represented in the courtroom simultaneously as a victim of an assault and as a willing accomplice, I have avoided the historian's usual practice of designating and counting up cases of consent versus cases of coercion. Nevertheless, in what follows I will often quote the testimony of individual boys to illustrate the elements of danger and desire in their sexual relations with men. I do so, however, not by claiming to have discovered the 'truth' of individual cases but by suggesting that, taken as a whole, the case files – indeed, often even a single case file – contain narrative fragments of both coercion and consent. It is on this basis that I believe it is possible to argue that sexual relations between boys and men in early twentieth-century Ontario were a contradictory mix of the two. This view is also reflected in the way I have chosen to organize the material. Rather than divide my discussion of the cases into two separate sections, one dealing with consent, the other with coercion, I have chosen instead to identify the social and spatial settings of sexual relations, highlighting the various ways that different settings gave rise to both sexual possibilities and dangers.

A second important issue, one that is at the heart of the current debates over historical evidence, involves the relationship between textual representations and material reality. Did boys, for example, really trade sex with men in return for money and gifts, or was this simply a convenient legal argument? We have to allow that some boys testified they received cash and gifts because they thought it helped to explain their sexual involvement with a man. Generally, however, it was not in a boy's interest to admit he received money or gifts. To do so, a boy risked being labelled a prostitute. Boys did not volunteer evidence

²⁷Kathleen Canning, 'Feminist History after the Linguistic Turn: Historicizing Discourse and Experience,' *Signs* 19 (winter 1994): 370

of economic exchange; it was drawn out by lawyers. My own position is that the recurring presence of cash and gifts in the court records was more than a legal fiction; they were the traces of what Judith Walkowitz terms 'the material context of discursive struggle.' I believe it is possible in view of what Mary Poovey describes as 'the interdependence of material conditions and representations' to read in texts of historical evidence for elements of the material.²⁸ Cash and gifts were among the evidentiary clues in the court records to the material context of boys' sexual relations with men.

bowles lunch and burlesque

Some of the boys who appeared before Ontario courts involved in sexual relations with men were among those who lived on the street. As sixteen-year-old Henry explained to the Ottawa police court magistrate in 1922, 'I do not know where my father is and my mother is dead six years ago ... I have no home.' Other boys moved back and forth between the street and various institutional homes. In Toronto and vicinity, boys moved in and out of the Newsboys' Lodging and Industrial Home, the Working Boys' Home, St Nicholas Home (the Roman Catholic newsboys' home), the Victoria Industrial School for Boys, and a number of training schools. The police statements of two boys involved in a case from 1911 indicated they were 'with the Salvation Army.' Key to survival was the distinctive culture boys developed in the streets. As Susan Houston has demonstrated, poor and working-class boys in late-Victorian urban Ontario forged their own 'street culture.' Boys 'who worked the streets,' Houston has written, 'lived in an identifiable society of their own, frequenting the municipal baths and, more often, the pool halls and cheap theatricals.' Less well known is the fact that sites within boys' street culture often overlapped with those in urban homosexual subcultures. In devising their survival strategies, boys gave more than one meaning to 'working the street.'²⁹

²⁸Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (Chicago 1992), 9, and Mary Poovey, *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England* (Chicago 1988), 17. For more on 'the relationship between representation and material life,' see Regina Kunzel, 'Pulp Fictions and Problem Girls: Reading and Rewriting Single Pregnancy in the Postwar United States,' *American Historical Review* 100 (Dec. 1995): 1465–87.

²⁹ao, Crown Attorney Prosecution Case Files, Carleton County, 1922, case 147; York County, 1911, case 8. Susan E. Houston, 'The "Waifs and Strays" of a Late Victorian City: Juvenile Delinquents in Toronto,' in J. Parr, ed., *Childhood and Family in Canadian History* (Toronto 1982), 139

Boys drew on the resources of street and homosexual subcultures for food and shelter. In October 1929, seventeen-year-old John M. left the Bowmanville Training School for Boys just outside Toronto. He travelled to Ottawa 'to see what it was like.' John arrived in the city at two o'clock in the morning with no place to sleep. He headed for one of the few places open at such a late hour, the Bowles Lunch Counter. Cheap, all-night cafeterias and lunch counters were important social centres within homosexual subcultures. The Bowles chain of lunch counters turned up numerous times in the case files from Ottawa and Toronto. In Ottawa, the principal Bowles Lunch was located on Rideau Street near the railway station. In Toronto, Bowles Lunch counters were scattered throughout the downtown, but the spot most well known among homosexually active men was on the corner of Queen and Bay Streets. It was in this Bowles Lunch that Arnold and Thomas had dinner before heading across the street to the Hippodrome. It is unclear whether John knew in advance that Bowles was a popular homosexual haunt, but it was not long before he met someone. As John explained, 'I went into Bowles Lunch near the Station on Rideau Street.' There he met Moise B., a single, twenty-nine-year-old labourer. Sitting next to each other in their booth at Bowles, they talked until six o'clock in the morning and then left for Moise's room 'above his father's shoemaking shop.' It was, according to John, 'an ordinary room' with 'a bed in one corner.' 'We got undressed and went to bed ... we were laying there a while and after a while' they had sex. It was to be the beginning of a brief relationship. John moved in with Moise. According to John, they slept with each other every night and for the next month or so they had sex 'about four times a week.' John got a job at the Rideau Bowling Alley. Eventually, however, the police caught up with John, who apparently had left Bowmanville without permission and was sent back to the training school.³⁰

Gossip about men circulated in the subaltern world of boys. As John said about Moise having sex with boys, 'all the kids in the bowling alley were telling me about it.' Or, as C.S. Clark noted about Toronto, 'men and their acts of indecency are the talk of boys all over the city.' For boys who were interested, such talk alerted them to the existence of men who had sex with boys and where those men could be found. When James M., a seventeen-year-old immigrant apprentice from

30ao, Crown Attorney Prosecution Case Files, Carleton County, 1929, case 171. I discuss Bowles Lunch and other late-night diners as homosexual sites in more detail elsewhere in my dissertation. The importance of these spaces was first drawn out by Chauncey in *Gay New York*, 163-77.

England who resided in an Ottawa home for boys, went out for the evening, he set out for Bowles Lunch. There he met Moise, who had recently been separated from John following his abrupt return to Bowmanville. In exchange for sex, Moise took James 'for supper and after that took me to the Show.'³¹

As the stories of Arnold and John suggest, boys were crazy for 'the Show.' Rapidly expanding commercial amusement scenes in early twentieth-century Ontario cities were a magnet for boys. Carolyn Strange notes in her study of Toronto's working girls who sought out the pleasures of the city that, the number of 'places of amusement' soared from 9 in 1900 to 112 by 1915. Much like working girls who sometimes traded sexual favours with men to gain access to the city's amusements, boys with little or no money used sex as their ticket into the theatre. Sometimes boys were treated to the theatre after having sex with a man; other times sex took place in the theatre. On 25 December 1914 in Ottawa, fourteen-year-old Lorne B. met Charles W. at his Bank Street photography studio, since Charles had promised 'he would take me to the Russell Theatre on Christmas afternoon.' Given the way theatres attracted boys and men, and because they were one of the few public spaces that offered a degree of privacy, the dark recesses of galleries and balconies providing the necessary cover to have sex, theatres became important meeting places for homosexual encounters. Sex, the Toronto court records suggest, could be found in just about any of the city's theatres. It was at the elegant Winter Garden Theatre that one boy met Stephen C., a single, forty-three-year-old banker. As the boy explained, the man 'sat next to me ... I had my arm on the chair and he pushed it off and his arm dropped until it was on my leg ... He opened two buttons of my pants and put his two fingers on my privates.' Rather than leave or change places, the boy remained in his seat and the banker 'kept them [his fingers] for quite a time,' until 'the end of the show.' Also very popular were the many vaudeville and burlesque theatres centred around Queen and Bay streets, one of Toronto's principal working-class entertainment districts. Here one found Shea's Hippodrome, one of the city's largest vaudeville and moving-picture-show theatres, and the site of one of Arnold and Thomas's dates. One of the more notorious burlesque houses was the Star Theatre, located – ironically enough – on Temperance Street. It was here that Arnold first met Thomas. Arnold was only one of many boys to frequent the Star.

31Clark, *Of Toronto the Good*, 90. ao, Crown Attorney Prosecution Case Files, Carleton County, 1929, case 171. On immigrant apprentices, see Joy Parr, *Labouring Children: British Immigrant Apprentices to Canada, 1869–1924* (Montreal 1980).

One afternoon in March 1921, fourteen-year-old Reginald S. went into the Star Theatre. 'I was in the gallery.' There Reginald had sex with thirty-three-year-old Ernest O., the man who, as Reginald explained, 'takes tickets in the gallery at intermission.' Asked to tell the court why he had done so, Reginald stated plainly: 'I got in free.'³²

Not all encounters between boys and men were furtive sexual acts that took place in the public world of boys' street culture. Boys often went on to form elaborate, long-lasting relationships with the men they met. It was in 1924, at a friend's house, when fifteen-year-old Thomas H. first met Edward B., an Ottawa doctor. Details of their relationship – they were together for over a year – came out during the trial that followed charges laid against the doctor by police. As in other cases in which boys were forced to testify against the men with whom they had sex or shared a relationship, Thomas was reluctant to incriminate his friend. As the exasperated prosecuting lawyer said to Thomas, 'come on, please tell us, I have got your statement made before me – you know what had gone on between you and this man – please tell us how it started and what it was and get through with it – no use of boggling at it – come on or we will keep you all day if you don't.' During their time together, Thomas and Edward often used the doctor's motor car to go on excursions in the countryside. They went on fishing trips, one of their favourite destinations being just outside Woodlawn, where they stayed at a friend's cottage. Referring to one of their first fishing weekends, the lawyer asked Thomas: 'How did you come to get to bed with him?' As Thomas explained, 'There was the one bed and I went to bed with him [and] he brought me a discharge.' 'How often did this sort of thing occur?' the lawyer inquired. 'Every time we went on the trip there,' was the response. Thomas went on to testify that on some trips, 'we went out later in the car at night, and parked, and the same thing would happen.' Thomas also explained that they shared a bed and had sex on other trips they took together; for example, 'in the Hotel – in the Revere House at Brockville.' Questioned about their life in the city, Thomas divulged the details of the couple's various routines. Sometimes Thomas picked up the car at the garage and, recalling the doctor's instructions – 'prime the pump six or eight times if any trouble in starting, don't run down battery [and] look out for skids' – he would 'take it to the Blue Bird Cafe and meet him [Edward] for supper.' Edward sometimes gave Thomas money. While

³²Carolyn Strange, *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880–1930* (Toronto 1995), 117. *ao*, Crown Attorney Prosecution Case Files, Carleton County, 1914, case 119; York County, 1916, case 18; 1921, case 107

Horrible Temptations 209

the court suspected the money was payment for sexual services, Thomas countered that it was 'just a present like, to spend.' Even after an extensive interrogation, Thomas still resisted the court's attempt to make him understand his experience as wrong.

Q. Did you know he was doing something he should not be doing?

A. I did not know at the time.

Q. You knew afterwards?

A. Well, I knew, but ...

Q. Did you ever try to stop him?

A. No.

Thomas and Edward's relationship bears a close resemblance to a common pattern of homosexual relationship in the early twentieth century, in which working-class boys were kept by wealthier men in the context of often long-lasting, mutually rewarding partnerships.³³

prostitutes and perverts

Boys traded sex with men for food, shelter, and admission to the theatre, but most often, in what is best described as a form of casual prostitution, boys exchanged sex for money. David K.'s experience was typical. In 1914, David met a man on Yonge Street outside Simpson's Hall who asked him to go to the theatre. David claimed that the man, Edward W., a single, twenty-eight-year-old driver, said 'it would be easy money for me to make 25 cents.' David and Edward went to the theatre where, according to David, 'I pulled his dickie up and down in the theatre ... it was dark ... he had his coat on and my hand worked under it.' Further detail about how such exchanges were negotiated is provided by a case from 1918 in which Francis D. and Henry M. arranged their encounter by writing notes back and forth on a small piece of paper. Entered as evidence during their trial, the scrap of paper was preserved in the case file. It is not clear where this note passing took place, but it appears to have begun with Henry asking, 'Do you want a

³³ao, Crown Attorney Prosecution Case Files, Carleton County, 1925, case 155. On the pattern of homosexual relationships in the early twentieth century in which working-class male youths were kept by wealthier men, see Kevin Porter and Jeffrey Weeks, eds., *Between the Acts: Lives of Homosexual Men, 1885-1967* (London 1991). See also the wonderful photographic evidence of the long relationship between architect Montague Glover and Ralph Hall, his young, working-class chauffeur and lover, in James Gardiner, *A Class Apart: The Private Pictures of Montague Glover* (London 1992).

dirty matter with me?' To which Francis replied, 'I will go with you on pleasure.' Before proceeding, however, there were evidently a number of details to consider, including age, penis size, and the price. Henry indicated that he was '15 years old,' to which Francis responded, 'I do like young boys.' Henry scribbled, 'My penis is about 5 in. long,' while Francis indicated his was '7 1/2 inches long' and asked whether 'you will accept \$1.00?' The price must have been right, as the note concluded, 'Where will we go?' 'Any place will do.'³⁴

Given their importance as homosexual meeting places, theatres and their surrounding streets and lanes, especially those centred in the commercial amusement district around Queen and Bay, were a central site of prostitution in Toronto. Boys hung out in and around movie houses looking for men. About 8:30 pm on a summer evening in 1922, Morris approached a man 'outside the Reo Picture Show on Queen Street West near McCaul.' 'Let's go up the lane and do some dirty work,' Morris suggested, 'I want to make some money to go to the show.' About the man with whom he had sex, Frank F. stated, 'I seen him at the Star Theatre. He asked me to go to his room ... I went into his room. I took down my pants, he put his penis between my legs - he gave me 50 cents.' Some time later, when Frank needed another 50 cents, he knew where he might find the man: 'I met him at the Star the second time and I went to his room.'³⁵

Boys who worked at hotels were particularly well placed to capitalize on their occupations. Sixteen-year-old William, a bellboy employed at the Vendome Hotel in Sarnia, supplemented his wages by having sex with men staying at the hotel. William described one such encounter for the court: 'He led me to the room and closed the door ... [He] took his pants off and proceeded to open up his b.v.d.'s ... He laid me on the bed and then laid on top of me.' Asked by the court why he had done so, William explained that the man 'asked me if I had any money and I told him no. He said I will give you some and also a job in the morning driving a truck ... He handed me a dollar when he was finished and said to take it and keep quiet.' William, however, did not keep quiet; he reported the man to the police, who was then charged and found guilty of an indecent assault. It is not clear why William turned the man in; it may have been that although he was paid his one dollar - it was entered into the trial as an exhibit - he did not get a job driving a truck the morning after sex.³⁶

34ao, Crown Attorney Prosecution Case Files, York County, 1914, case 14; 1918, case 36

35Ibid., 1922, case 109; 1921, case 107

36ao, Criminal Assize Indictments, Lambton County, 1925, case 192

Horrible Temptations 211

Cases such as William's in which charges against men were laid by boys, not by the police, parents, or others, pose the question of why a boy would report to the police that he had been involved sexually with a man. Interestingly, almost all such cases involve scenarios in which boys were promised or expected something in return for sex, but the men failed to deliver. In 1922 James D. of Ottawa was coming out of a Rideau Street theatre when he was propositioned by a man. The man said 'he would give me \$2 and it would take only five minutes.' They walked along and, as they passed by the Rideau Street Public School, 'he took me around at the back of the school - it's very dark there.' James took down his pants and the man 'put me against the wall and put something between my legs.' Afterwards, the man 'told me I had not stayed long enough with him and he gave me 5 cents.' Five cents was a far cry from two dollars, and James promptly left the school, found a constable on the street, and had the man arrested. Such cases raise the possibility that boys used the legal sanctions against homosexual relations to get back at men who reneged on their promises. Because such cases were relatively rare - most boys did not report their men to the police - it is difficult to get a firm grasp on the nature and extent of extortion. C.S. Clark believed it was a widespread practice among boys. Clark wrote that 'a youth of eighteen once informed me that he had blackmailed one of Canada's esteemed judiciary out of a modest sum of money, by catching him in the act of indecently assaulting one of the bell boys connected with a hotel ... This is one case only, but they are countless ... Some of Canada's leading citizens could be implicated just as Oscar Wilde was implicated, if some of these bell boys chose to make public what they knew.' But just as the case files give the lie to Clark's contention that sex between boys and men was primarily an aristocratic vice involving lords and leading citizens, it is also impossible to locate Clark's 'countless' cases of 'blackmail' in the court records. During a 1909 trial, the prosecution questioned Carlo C. about whether he had faced similar charges in the past, to which Carlo responded that, yes, 'there was some blackmail.' Referring to the present charges against Carlo, the crown attorney quipped, 'I suppose this is blackmail too?' In all the cases I examined, this one was the most explicit reference made to 'blackmail.' We might speculate that, given the risks involved, particularly the possibility of being charged with offences themselves, many boys did not turn in their sexual partners, even those who failed to deliver promised goods.³⁷

37ao, Crown Attorney Prosecution Case Files, Carleton County, 1922, case 142.

Clark, Of Toronto the Good, 90. Toronto Evening Telegram, 5 Aug. 1909, 13. It may also be

How boys regarded their sexual relations with men – how, if it all, it shaped their self-perceptions – is an intriguing question. It would appear that for some boys, sex with men was an outgrowth of or gave rise to a sense of sexual difference or identity. Seventeen-year-old William C., for example, had sex with men for money. William's, however, was more than the occasional act of prostitution; he regularly provided sexual services to men in a male brothel on Toronto's Yonge Street. William presented himself in court as a 'self-confessed pervert.' Many other boys resisted the identity of prostitute and pervert. Sam B.'s straightforward exchange with William H., a forty-nine-year-old clerical worker in Toronto in 1916, was typical. As Sam testified, William H. said 'he would give me a quarter to come up the lane. I did and he took out my cock and sucked it.' But as Sam insisted in court, 'it was not the way I supported myself.' Both prosecution and defence lawyers asked boys probing questions about prostitution, evidence that the court was aware of the existence or possibility of homosexual prostitution. Seventeen-year-old Wilfred T. insisted during cross-examination by the defence that 'I was not paid any money by the accused ... It was not the way I supported myself.' While refusing to admit involvement in homosexual prostitution is not surprising in the context of a court examination, such a denial must have been at times simply an indication that many boys who occasionally traded sex for money did not regard themselves as perverts or prostitutes.³⁸

bootblacks and boarders

In addition to street boys, occasional prostitutes, and confirmed perverts, many boys were the sons of working-class families and their sexual relations were embedded in the conditions of working-class life. As labour and social historians have demonstrated, working-class boys were expected to contribute to the family economy, including by going out to work. Many boys went to work in the street trades, where they found jobs as newsboys, messenger boys, and shoeshine boys. Going out to work was one way in which a boy might become involved in sexual relations with men. In 1917, Romeo, a fifteen-year-old French-Canadian lad employed by Hewitt's Messenger Service, found himself entangled in a sexual scenario after delivering a parcel to the apartment

that 'blackmail' did not turn up in the cases I examined because it was processed under other, non-sexual criminal code offences.

38ao, Crown Attorney Prosecution Case Files, York County, 1917, case 23; 1916, case 99; Carleton County, 1921, case 135

house of Charles F., an Ottawa civil servant. 'Do you want to see some nice pictures,' Charles asked Romeo? As Romeo said in court, 'he showed me the four photographs ... [and] after I had looked at them he said that will make you horny.' Work in the street trades was unstable and poorly paid, so boys devised ways - from 'scrounging' to stealing - to supplement their modest wages. Some boys discovered that providing sexual favours to men was a way to earn pocket money. Alan, a ten-year-old newsboy from Sault Ste Marie, told the court that, in the summer of 1918, 'I was going to get my Sault Star to sell. This man was standing at the corner of Albert & Elgin Streets and asked me if I wanted to earn a nickel ... He took me to Hiawatha Hotel where he took me to a room, and he took down his pants, then he took my hand and made me rub his [thing] and he gave me 7c. In about a couple of months I saw him again and he did the same thing again in a barn behind the St. Charles Hotel and he gave me 10c... I used to go to Hiawatha Hotel about every other day and I used to talk to this man and sold him papers.' The workplace could also be a site of sexual danger. Eleven-year-old Leo went to work as a shoeshine boy in June after school closed for the year. As Leo's father testified in court: 'The boy Leo asked me if he could work in shoe shine place of accused - I said "yes." At night when Leo came home I asked him how he was getting along at shoe shine place but he told me he would not work there for accused was a bad man and wanted him to do bad things.'³⁹

Many working-class families supplemented the household economy by taking in boarders and, perhaps not surprisingly, sex between a boy and a male lodger was a common scenario. Consider the case of thirteen-year-old Sidney. In 1927, Sidney shared a bed with Joseph B., who had boarded in his family's household for about a year. During that time, as Sidney explained, 'he always fooled with my privates.' Displaying little knowledge of working-class life, the lawyer asked, 'Why did you go back to sleep with him on occasions after the first time this happened - you knew what he was doing to you - why didn't you go to sleep some place else?' 'I could not,' replied Sidney, 'all the beds were

39a0, Crown Attorney Prosecution Case Files, Carleton County, 1917, case 128; Criminal Assize Indictments, Algoma District, 1919, case 207; Crown Attorney Prosecution Case Files, Algoma District, 1922, case 204. John Bullen, 'Hidden Workers: Child Labour and the Family Economy in Late Nineteenth-Century Urban Ontario,' *Labour/Le Travail* 18 (fall 1986): 163-87; Neil Sutherland, "'We Always Had Things to Do": The Paid and Unpaid Work of Anglophone Children between the 1920s and the 1960s,' *Labour/Le Travail* 25 (spring 1990): 105-41; Bettina Bradbury, *Working Families: Age, Gender and Daily Survival in Industrializing Montreal* (Toronto 1993)

occupied in the house – there was only that bed.’ In often crowded households, people had to double up. Significantly, the charge against the lodger was laid not by Sidney’s parents but by a truancy officer who had made it his business to investigate Sidney’s sleeping arrangements. Whether Sidney’s parents were aware of his sexual liaisons with the lodger is unclear. They did know that they slept in the same bed. As Sidney’s father told the court, ‘Yes, they both occupied the same room with the one bed.’ When Sidney was asked whether he ever told anyone about having sex with the lodger, he replied, ‘I did not say anything about it.’ ‘Why not?’ asked the cross-examining lawyer. ‘He used to give me things – cigarettes and things.’⁴⁰

Boys could get from lodgers things they could not afford to buy themselves, but their relationships with boarders had other uses as well. In Toronto in May of 1916, Alice H. laid charges against George M., a thirty-three-year-old tailor who had boarded at her house for two years, for having had sexual relations with her ten-year-old son Robert. What is particularly interesting about this case, in addition to the glimpse it provides of the street-level, neighbourhood regulation of sexual relations between boys and men, is that by the time Alice pressed charges, George no longer boarded at her house. Alice’s actions had as much to do with her son as they did with George. One evening, Robert ran away from home and headed to George’s room above the University Café. George took him in. As Robert described it, George’s room had ‘a bed and bureau and table and stove.’ Robert stayed for several days, had sex with George, and George gave him money to buy his meals in the café. Meanwhile, as Alice testified in court, Robert ‘had run away from home ... the boy had been away from home for three days and I was looking for the boy.’ Alice learned from a neighbourhood boy where Robert was staying and how he was getting by. She promptly headed in the direction of George’s room and encountered him on University Avenue in front of his place: as Alice told the court, ‘I said “I have heard what you have been doing with my boy, and I am going to have you arrested.”’ About this same time, Alice’s husband William, a printer on the *Toronto Evening Star*, arrived on the scene. As he told the court, ‘I said “Have you used that boy?” and he said “Yes, let me off this time please... Please don’t hit me.”’ Robert,

40ao, Crown Attorney Prosecution Case Files, Carleton County, 1927, case 164. On boarding as a working-class survival strategy, see Bettina Bradbury, ‘Pigs, Cows, and Boarders: Non-Wage Forms of Survival among Montreal Families, 1861–1891,’ *Labour/Le Travail* 14 (1984): 9–46.

Horrible Temptations 215

incidentally, was nowhere to be found. Alice and William left George standing on the street and proceeded to the police station, where Alice laid the charges. The next day, Alice went out again in search of her son and found Robert on Front Street. She told him, 'I have heard where you have been getting your money to get your meals,' and escorted him to the police station. During the trial, Robert freely admitted that something had happened between him and George, but to the court's extreme displeasure Robert would not provide the details.

Q.How often were you in there with him?

A.About ten times.

Q.What happened?

(no answer)

Q.What time of day was it?

A.Evening.

Q.What was it that occurred?

(no answer)

Q.What took place in that room ... We can't have nonsense like this all day.
Come, out with it?

(no answer)

The Court: If you don't answer you will be punished.

Q.Come, tell us something or other? What did you do?

(no answer)

Robert's father was called to the stand and the judge asked him about the boy: 'Is he ill? He refuses to answer questions about this man ... You don't know why he should refuse?' 'No, I don't,' William replied. But George's lawyer had a few ideas about why Robert might not be interested in incriminating his friend. As the defence lawyer asked Robert's father, 'You had a great deal of trouble with this boy?' 'Yes, staying away from home,' William admitted. The defence lawyer turned to Alice to get at the reason why Robert stayed away from home so often:

Q.You had to beat him very much?

A.I beat him the same as any other child who has to be corrected.

Q.How often would you beat him?

A.Well, if he deserved it he would get it.⁴¹

ravines and railway yards

Boys, especially young boys, encountered men looking for sex in the spaces boys carved out of the city in which to play, including on the streets of their own neighbourhoods. Brothers Fred and Wilbert B., age seven and eleven, who lived at 28 Bain Avenue, Toronto, along with their twelve-year-old friend Allan R., who lived just down the street at 22 Bain, all got caught up in a sexual scenario when a watchman pulled them into a shed not far from their street. Parks and ravines were another place boys could be found playing. Twelve-year-old Ben B. testified that 'I was coming from Riverdale Park ...[The accused] asked me to go with him. He asked me to take my pants down and ... and he put his private in my backside. He was moving up and down. He gave me a one dollar bill after he had done it.' As a suspicious police constable testified, 'I saw [the accused] on Winchester Street near Riverdale Park. I followed the prisoner and the boy up the Ravine. I saw the man getting off the boy who had his pants down.' Other sexual encounters took place in school yards, vacant lots, fields, and on the Don River Flats. Boys who ventured away from their neighbourhoods to go exploring might also encounter a man. Alleine W. met a man when he 'was down near the docks.' Henry B. encountered a labourer who 'works on the railway' when he was playing 'near the Gas Works.' According to Henry, 'he dragged me into a box car and did some dirty things.'⁴²

Because most of these boys did not seek out their sexual encounters but were discovered by men while at play, men had to devise ways to interest boys in sex. Ice cream and candy were two popular treats. As Sidney L. said about the man with whom he had sex, 'he treated me to Ice Cream.' With the fourteen cents he received from a man, eight-year-old Albert M. 'bought two cones, I gave one cone to my brother and bought candy with the remaining four cents.' Napoleon R. was reluctant at first to go with a man down to the Grand Trunk railway yard, but agreed to go when the man promised, 'I shall give you a knife.' Once with a boy, some men turned conversation towards sex by asking the boy about girls. 'He asked me if I had ever gone or had to do with girls,' thirteen-year-old Arthur N. told the court. 'He asked me dirty things about the body ... He asked if I was old enough to do certain things ... if I was old enough to have an emission.'⁴³

⁴²Ibid., 1913, case 96; 1920, case 106; 1909, case 92; 1916, case 22

⁴³Ibid., 1909, case 93; Carleton County, 1921, case 136; 1914, case 115; 1914, case

When men's various methods to entice boys failed or once a boy began to resist, men could resort to physical coercion. As one young boy put it, 'he got me in the house. He hurt me down there. It is still sore.' The doctor who examined Tom backed up his story: 'I found the anus dilated and very red.' Twelve-year-old David T., on his way to meet his mother, encountered a man who 'asked me if I wanted a ride ... I got in with him ... then he grabbed me under the arms put me down on the ground, put his face against mine and laid on top of me making an up and down motion. He stayed on me for 10 or 15 minutes. I was trying to get away and when he got off me I ran.' Ten-year-old Harry C. was in a factory shop when a man asked him, 'Do you want to shake my thing?' When Harry said no, the man 'locked the door ... he unbuttoned his pants ... I did something dirty with him [and] as I was going home he said if I told he would have me pinched.' Twelve-year-old Edward B. said that when a man asked him to rub his thing, 'I said no I won't but he locked the door on me and made me.' Finally, Norman C. met a man on Front Street who asked him to help carry a parcel. The man took him into the bushes 'and he took down my pants and opened his. He laid me on my stomach and put it into me. I tried to stop him and he forced me. He did it more than once.' As the doctor testified, 'I examined the boy and found marks of violence.'⁴⁴

boys scouts and big brothers

In 1923, Charles F., 'an active worker in the Catholic Big Brother Movement,' faced 'more than one charge of a disgusting nature' involving boys in his charge. Reform work, or 'boys' work' as it was often called, provided another social setting for sexual relations between boys and men. As historians have demonstrated, reform groups such as the Boys' Brigade, the ymca, and the Boy Scouts, springing out of middle-class fears about the physical degeneration of the male working class and the effeminizing influence on boys of the domestic sphere, sought to restore boys to a proper state of manliness. In October 1923, Toronto boys gathered for a social at the Broadview ymca, where they listened to speeches on 'the services a young man can render to his companions [which] emphasized the necessity of boys indulging in clean, wholesome recreation and companionship in order that they should be prepared for the duties of manhood.' Speeches were followed 'by

⁴⁴Ibid., 1918, case 104; Algoma District, 1926, case 203; Carleton County, 1923, case 148; Algoma District, 1926, case 204; York County, 1907, case 90

activities in the gymnasium.' The objective of the east Toronto branch of the ymca, known as the 'Railroad Branch – a home for Railwaymen away from home,' was 'to make better men and boys ... to create and develop a more wholesome atmosphere in which men and boys may spend their leisure time.' The Railroad Y pointed to its outdoor, physical program, which included 'all seasonable sports and has been of great assistance in developing better manhood' among boys.⁴⁵ Placing boys in the 'more wholesome atmosphere' of all-male groups nourished homosocial relations between boys and men. Those who worked with 'destitute boys' at the Toronto Boys' Home in 1915, for example, believed that boys needed to be 'taken in hand by a real friend – well dressed, loved, sent to school and watched over.'⁴⁶

The homosocial existed in uneasy tension with the homoerotic. As Seth Koven has argued with reference to the British settlement house movement, some of the men who went to work with east-end London's 'rough lads' at the turn of the century did so because it allowed them to infuse their 'public' social reform efforts with their 'private' homoerotic desires. David J., an Ontario church minister, 'engaged in Mission work' and, as one of his defenders claimed, 'his strong point has been work among boys and few men have his ability along these lines and he has always enjoyed the esteem and confidence of parents who ever felt sure their boys were safe when under [his] fatherly care.' But the homosocial sometimes spilled over into the homosexual. In 1925, David was in court on gross indecency charges.⁴⁷

The case of Boy Scoutmaster Frederick T. provides more detail on the tensions between the homosocial and homoerotic within boys' groups. Born in Scotland, Frederick was a single, thirty-seven-year-old chartered accountant. Referring to Frederick's life in Scotland, his brother stated that 'he was always greatly interested in Church and Missions, and Boys Brigade Work, and when the Boy Scouts Movement became prominent he was one of the first to give the matter great impetus. He succeeded in doing a very large share of Mission Work among the Slaughter House men in Fountainbridge District.' When Frederick immigrated to Canada in 1911, he came to Toronto, took up

45'A Big Brother' and 'Social at Broadview "Y,"' Toronto Evening Telegram, 24 Oct. 1923, 9 and 16. ao, Papers of the National Council of the ymca, F814, Local Association Files, Series a, Toronto, box 37

46ao, Papers of the Toronto Boys' Home, mu 4932, Annual Report, Series c, 1 Oct. 1915 to 30 Sept. 1916, 12

47Seth Koven, 'From Rough Lads to Hooligans: Boy Life, National Culture and Social Reform,' in Andrew Parker et al., eds., *Nationalisms & Sexualities* (New York 1992), 365–91. ao, Crown Attorney Prosecution Case Files, York County, 1925, case 73

residence at the Toronto Amateur Athletic Club, and resumed his work with the Boy Scouts. By 1916, Fred faced 'serious charges preferred against him by boys under his command.' Those who spoke in Frederick's defence did so by pointing out that Frederick was well liked by the boys with whom he worked: 'I have several times seen him amongst the boys in camp; and one boy, a particularly clean, well set up sort of chap (now with the Artillery in England) admired him a good deal.' Drawing on the rhetoric of masculinity promulgated by boys' groups, and no doubt attempting to distance Frederick from popular cultural understandings of men who had sex with boys and other men as 'sissies' and 'fairies,' his defenders underscored that 'boys who were in constant intimacy with [Frederick] have turned out a very manly sort of boy.'⁴⁸

Rather than physical force, men who worked in reform groups relied on other forms of power to extract sexual compliance from boys. In 1932, Harvey B. was a single, thirty-year-old curate and Sunday school teacher at a Toronto church. The local chapter of the Boy Scouts met at Harvey's church and, as one boy explained, 'Mr. [B.] was around with the scouts a great deal.' His usual routine involved offering boys rides in his automobile after Sunday School or a Scouts meeting. As Lloyd C. told police, 'He took me to his garage. He took off my clothes, loosened down my underwear and he started feeling my privates.' Another time, 'He asked me who my body belonged to. I said: "God, My Mother and Father." He said: "Is it none of mine?" I said nothing, then he kissed me and asked me if I loved him. I said: "Yes sir."' Harvey managed to maintain the boys' silence for as long as he did by playing on his position of authority, both his position as assistant to the parish priest and as a scoutmaster. As thirteen-year-old Jack H. explained, after skipping Sunday school one week, Mr B. said, 'if I did not tell on him, he would not tell on me for not going to church.' Mr B. pursued a slightly different tack with Lloyd: he 'asked me to promise on my scout's honour not to say anything about it.'⁴⁹

Sex rooted in men's institutional power over boys was highlighted in a scandal that rocked the city of Oshawa beginning in April 1927 and lasted for almost a year. It all began in early April when the assistant commissioner of the Ontario Provincial Police instructed one of his inspectors to investigate allegations that Mr Harley E., the superintendent of the Oshawa Children's Aid Society, had been involved sexually

48ao, Crown Attorney Prosecution Case Files, York County, 1916, case 100.

Toronto Evening Telegram, 29 May 1916, 15

49ao, Crown Attorney Prosecution Case Files, York County, 1932, case 113

with boys who stayed at the cas shelter. The Toronto-based opp inspector travelled to Oshawa and he interviewed the chief constable of the Oshawa Police, who gave him the names of the boys said to have been involved. Some of the alleged incidents stretched back a number of years, so that by 1927 many of the boys were no longer at the shelter but scattered around the province. For the next several weeks, the inspector travelled around interviewing boys about their time at the Oshawa shelter. He found seventeen-year-old Edward P. working on a local farm. Edward told the inspector that in 1922 'on several occasions Mr. E. had him come up to his house when Mrs. E. was away and on those occasions had committed buggery on him.' Next the inspector went to the St John's Training School, where he interviewed three boys who had stayed at the shelter and 'all of whom stated that Mr. E. had on different occasions opened their pants and played with their privates.' The inspector's next stop was the Victoria Industrial School in Mimico, where he questioned 'about a dozen boys from Ontario County.' Here he heard similar stories, including from Reginald J., who claimed that not only had Mr E. meddled with him and his brother but that 'Harold W. had also been treated the same way by Mr E.; and that Harold got so bad that he had to be sent to the Ontario Hospital [for the Insane] at Orillia.' Fifteen-year-old Nick S. told the inspector that when he 'was at the Shelter ... Mr. E. came in and lifted up his night shirt and worked with his privates.' Following further investigations, charges were laid against Mr. E., he was arrested, brought before the Whitby Police Court magistrate, and remanded to jail to await trial. In court by the end of November, Mr E. elected trial by judge alone and pleaded not guilty. The case was prosecuted by the Ontario County crown attorney, and Mr E. was found guilty of one of the charges against him. He was sentenced to Kingston Penitentiary for three years.

Less than two weeks after his trial, Mr E. and his lawyer served notice of their intention to appeal the conviction. The crown attorney wrote to the attorney general seeking advice about whether to proceed with several outstanding charges against the superintendent. The attorney general advised him to prosecute his best cases, but to wait for the results of the appeal case before proceeding. While waiting for the appeal, the crown attorney continued to put his cases together, writing to boys to inform them they would be subpoenaed to testify against Mr E. after his appeal. Edward P., who by this time had moved to Toronto, did not want to leave the city to testify and wrote to the crown attorney explaining his situation in a way that underscored the centrality of work in the lives of many of these boys: 'Dear Sir: I am in Toronto working now or at least I start Monday morning. Would you kindly write and let me know for certain whether it is possible for me to stay here and work as I may lose my job. I am a delivery boy for a butcher shop

and would not like to ask for the day off being that I just start Monday. Write as soon as possible.'

During the last week of January 1928, Mr E.'s appeal was held in Toronto. In court, the matron of the shelter and a ymca worker both admitted that one boy had told them about his encounter with Mr E., but they had done nothing about it. Despite such evidence, Mr E.'s lawyer argued that the conviction should be overturned because some of the boys involved were accomplices and, in other cases, too much time had elapsed between the alleged incidents and complaints being made. With the appeal in progress, the crown attorney wrote from Oshawa to the deputy attorney general, 'I do certainly hope that you will be successful in this appeal, as the public opinion in this City and locality is very much riled, and very strong against Mr E.' The crown attorney's hopes were not enough; the appeal court quashed Mr E.'s conviction. News of Mr E.'s successful appeal mobilized people in this city of auto workers. The crown attorney immediately wrote to the attorney general requesting a meeting, informing him that 'the situation in Oshawa has become so intense that some drastic action will have to be taken.'

The crown attorney wanted to proceed quickly with the remaining charges, but these had to be further postponed; the county court judge refused to hear another case, admitting to the crown attorney he could not be impartial as he too believed Mr E. was guilty. The judge's refusal gave the crown attorney an idea for a strategy. In mid-February, the crown attorney wrote to the attorney general urging him to use his prerogative to order that the upcoming case be heard before a judge and jury. He gave the attorney general his opinion that 'these cases are too important to be trifled with,' and reminded him that 'the public in Oshawa and vicinity is considerably worked up about this matter.' The attorney general intervened and issued a fiat ordering the case to be heard before a Supreme Court judge and jury. As the crown attorney confided to the opp inspector, since Mr. E.'s lawyer was notified about the attorney general's actions, 'he has become wild.' Meanwhile, further charges were laid against the superintendent. The crown wanted both the old and the new charges to be tried before the Supreme Court, but, as the crown attorney noted, Mr E.'s lawyer was 'afraid to have the indictment presented to the Grand Jury involving so many charges as he seems to think this would be fatal to his client.' On 28 February, Mr E. was in court again for a preliminary hearing on the new charges. During this appearance, Mr E.'s lawyer agreed to have the new charges tried along with the old at the Supreme Court. Mr E.'s lawyer applied for bail, which was granted at \$10,000.

That the next Supreme Court Assize was not until the spring gave the crown attorney more time to prepare. 'No stone will be left unturned to put this man where he rightfully belongs,' he declared.

He wrote to the acting director of the Oshawa cas to inform him that he wanted to see all the organization's archival records. He and the opp inspector poured over the various cases, determined this time not to be caught up on the issue of accomplices. The crown attorney noted that in one case 'the boy is fifteen years of age and he would therefore leave himself open as an accomplice.' He expressed reservations about some of the other cases, noting that 'the court may hold that the boys are accomplices and in that regard we would have to have corroboration and we may be met with a difficult situation.' They were well aware that many of the boys might be depicted by Mr E.'s lawyer as accomplices based not only on their age but also on their histories as 'juvenile delinquents' with questionable sexual habits. As the opp inspector assured about one industrial school boy, he was 'one of the best behaved boys there, and they have never known him to practise masturbation.' The crown attorney was in constant contact with the Attorney General's Office, urging that a top-notch lawyer be appointed to prosecute the case. As he wrote to the deputy attorney general, 'we should have our prosecutor picked out for the Assizes so that myself and Inspector B. can co-operate with him in every way because we must get a conviction in these cases.'

Mr E. appeared before the Supreme Court in Whitby, Ontario County, on 10 April 1928. He spared no expense in his defence. For his Supreme Court appearance he hired a prominent Kingston lawyer, W.F. Nickle, chair of Queen's University Board of Trustees and a former Ontario mpp and attorney general. The superintendent faced two charges of buggery and twelve counts of gross indecency involving a total of twelve different boys. The case of Aubrey J. was typical. At the time of the trial, Aubrey was fifteen years old. 'I went to the Childrens Aid Home in Oshawa in July 1924. My brother Reginald was already at the home... The first night I was in the home my brother told me that [Mr E.] had been playing with his cock several times and warned me not to let [him] do it to me. I asked my brother what he meant, he then showed me by taking out his cock for a few seconds to let me know how he did it, and strictly warned me not to let him get a hold of my cock.' Despite the brother's efforts to warn and protect Aubrey, the next day Aubrey was summoned to the office of the superintendent. 'When I got to his office [Mr E.] was there alone. He locked the office door and went to a drawer of a desk and took out some news paper and put it on a chair. He then said he wanted to see my cock. He opened my pants ... He then took out his cock and told me to do it to him ... I played with his cock for a few minutes until some white stuff came out and dropped on the news paper which he had placed on the chair. [Mr E.] then took out some cards from a drawer and put down my name and told me I could go back to the home.' For Aubrey, this was only the first of many visits to the office. The superintendent did not hesitate to use

his power to strike fear into the boys. Asked why he did not tell anyone other than his brother, Aubrey said, 'I was afraid to tell after [Mr E.] warned me not to.' Asked why he did not refuse Mr E.'s advances, Aubrey replied, 'I was afraid to refuse ... because he made threats that he would get me in trouble.' Many of the boys came to the shelter from the province's industrial schools and Mr E. played on the boys' fears of having to return to the schools to guarantee their silence. In reference to one boy, Mr E. 'warned him if anything were said or done he would have him sent back to the Industrial School.'

Nickle's defence strategy rested primarily on discrediting the boys' testimony, depicting them as untrustworthy and far from sexually innocent. Nickle grilled the boys about their sexual practices, getting them to admit that they masturbated. As the court reporter noted about Aubrey, Nickle 'drew from the boy in cross-examination that ... he had been guilty himself of improper habits.' Nickle had Mr E. take the stand and deny all charges, and in his closing statement Nickle made what the court reporter described as a 'a passionate appeal' on behalf of his client before the jury. The strategy paid off: the grand jurors returned a verdict of not guilty.

In none of Mr E.'s three trials did the structure of power within the cas come under scrutiny. On one occasion between the appeal case and the final trial the county crown attorney wrote to the attorney general that '[Mr E.'s] position must be considered. He was the Ward in charge of these boys who were taken from their homes and placed under his care, and their whole lives were ruined by his actions.' But the superintendent's position was never seriously considered by the court. Instead, the judge and jury's focus was narrowed down to a set of legal issues through the defence lawyer's skilful rhetorical use of the concept of accomplice and technicalities such as the length of time permitted to elapse between an incident and when it was first reported. As Tina Loo suggests, 'the rules of legal rhetoric ... result in removing actions from their social context.' What Loo writes about potlatch prosecutions might equally be said of many cases of sexual relations between boys and men: broader social 'meaning was lost in the course of the trials, pared away by a system of argument that resolved disputes by reducing them to a set of technical questions.' In Mr E.'s case, as in other cases involving state and voluntary boys' organizations, the issues of sexual coercion and the unequal relations of power between boys and men within institutional settings went unchallenged.⁵⁰

Not all sexual relations between boys and men within organizational settings were of a coercive character. In 1922, Harold was fourteen years old. He lived in Pickering with his foster parents. Harold had a long relationship with Edward, a forty-year-old scoutmaster. Edward lived in nearby Oshawa. They saw each other frequently, Edward making trips to Harold's home and becoming

friends with Harold's foster family. Letters between Harold and Edward reveal an intense emotional and caring relationship. Rooted perhaps in their Boy Scouts connection, they shared an interest in nature. On 6 July 1922, Edward wrote to Harold on a small postcard-size piece of birch bark: 'I went to Newmarket & it rained all Saturday morning, but we went to Sutton & caught 82 fish... The ground hog is very tame. I saw one white rabbit, a nice large one. I may be down Sunday ... This piece of bark came from Mr. Lewis's bush.' Letters from Harold to Edward focused on Harold's home life and the things the two planned to do together: 'I have just had my dinner ... We are getting along fine on the farm ... I need a blotter, the other is all used up so please send me one ... Oh say, I forgot to tell you I got the Exhibition ticket so I think it will be alright ... I will close for now. from yours very truly.' Edward often signed off his letters by encouraging Harold to help out around the

50Ibid., Ontario County, 1928, and Criminal Assize Indictments, Ontario County, 1928, case 197. Toronto Evening Telegram, 13 April 1928, 28. Loo, 'Dan Cranmer's Potlatch,' 135, 158. Not all was lost in this case. During his time with the opp and the county crown attorney, Aubrey explained that his brother Reginald had been in the Victoria Industrial School for more than four years and that he had been confined there by Mr E., without there ever having been a charge against him. The county crown attorney wrote to the government official responsible for the cas, demanding an explanation: Reginald J. 'was sent to Victoria Industrial School by Mr. W.H. E. and apparently there is no charge against him ... [we] cannot find any information concerning why this boy is confined to the Institution. My own opinion is that Mr. E. had him confined there to suit his own convenience ... Let me hear from you why this boy is being confined as his is.' Indeed, there was no charge against Reginald and, perhaps to avoid any further bad publicity, the government official intervened personally in Reginald's case and promised his release. As J.J. Kelso wrote to the crown attorney: '[I] took this matter up with the Industrial School people and they have promised to give this boy special consideration next month. I believe they have an application for the boy from someone in the vicinity of Whitby.'

house and to apply himself to religion and learning: 'Harold you must be good to Mr. & Mrs. Barlow, do all you can ... behave & go to God in prayer before you go to bed, try & read good Book ... Be good & learn all you can. Lots of love.'

It is unclear from the case file how the sexual component of their relationship was discovered, but Edward was charged with several offences against Harold. Their letters, as well as Edward's 'Warrant of Appointment' issued by the Canadian General Council of the Boy Scouts Association, were entered as exhibits during the trial and used by the prosecution as evidence against Edward. Although Edward was found not guilty by a jury of the Supreme Court of Ontario, the letters suggest that even before the trial it became more difficult to sustain their relationship. This is from one of Edward's last letters to Harold: 'How grieved I was when I found you had gone and didn't say goodbye to me my boy. My heart is broken. You don't know how I feel tonight. It was hard to leave you, yes very hard. Perhaps you can get on without me but I would rather be dead than alone ... Our lives have been anything but what I longed for and oh how I trust we may live together and be happy.' It is not clear where Harold went or why Edward had to leave him; perhaps Harold was moved to another foster home. We might also speculate in view of Edward's broken heart and that Harold neglected to say goodbye that the emotional energies of the one Edward longed for were, over the course of a year and as Harold turned fifteen, gradually drawn in some other direction.⁵¹

moral reformers and mothers

As the angry response of people in Oshawa to the outcome of the trials of the cas superintendent suggests, a substantial gulf could exist between how sexual relations involving boys and men were handled in courts of law and how they were viewed by those outside the courtroom. The case of Mr E., however, was an exception. Mr E. escaped punishment through the efforts of a skilful lawyer, not because the courts tended to be lenient in such cases. More often, the courts took a harsh view of men who had sex with boys. As the police court columnist wrote about the 1906 trial of William T., 'his conduct with small boys

⁵¹ao, Criminal Assize Indictments, Ontario County, 1922, case 196. A similar phenomenon is discussed by Martha Vicinus in her fine essay on 'crushes' and 'raves' between adolescent girls and women. A woman brought under the sway of a younger girl might discover 'the young girl's power over her' as the girl shifted her affections elsewhere or left school. Vicinus, 'Distance and Desire: English Boarding School Friendships, 1870-1920,' in *Hidden from History*, 223

was spoken of in very scathing terms by his Honor.' Convicted of buggery with a fifteen-year-old boy and sentenced to the Kingston Penitentiary for four years, Judge Winchester described William's actions as 'a most detestable and debasing crime... I'm sorry I haven't the power to order a whipping in this case.'⁵² Neither did most cases of sexual relations between boys and men mobilize whole communities. In contrast to the condemnation of the law, as well as of police and moral reformers, stood a working-class moral economy that nourished a wider range of understandings and responses to sex between boys and men. This range of understandings can be glimpsed by looking in more detail at how boys' sexual relations with men gave rise to a variety of regulatory responses.

Much of the impetus to regulate sexual relations between boys and men was rooted in the more general middle-class apprehension about the working-class boy. This is what Toronto Chief of Police H.J. Grasset meant when he referred in 1891 to 'the boy question in Toronto' or, as he sometimes called it, the 'boy nuisance.' At the heart of the boy nuisance was the widely shared belief that working-class boys were responsible for a good deal of crime and vice in the city. Not surprisingly, much of the boy question was discussed with reference to the most visible boys – street boys – particularly the ever-present newsboy.⁵³ Testifying before the 1889 Royal Commission on the Relations of Labor and Capital, former Toronto mayor and moral reformer W.H. Howland related his conversations with 'respectable working people' who 'told me that their boys were all right until they began to sell newspapers on the street at eleven and twelve o'clock at night, but then they got demoralized ... I am satisfied that in every city a large portion of the petty crime is done by these boys.' For Howland, one of the chief sites of boys' demoralization was the street. In 1891, testifying this time before the Ontario Commission on Prisons and Reformatories investigating 'all matters appertaining to juvenile criminality and vice,' he warned that 'the streets are full of temptation to children ... There are hundreds of things in street life that attract children.' Howland was responsible for a number of solutions to the boy nuisance. He

⁵²Toronto Evening Telegram, 19 Dec. 1906, 18

⁵³Report of the Commissioners Appointed to Enquire into the Prison and Reformatory System of Ontario, 1891 (Toronto 1891), 700. Toronto Police Department, 'Annual Report of the Chief Constable, 1890,' Toronto City Council, Minutes, 1891, app. c, 27. For more on the turn-of-the-century 'boy problem,' see Neil Sutherland, *Children in English Canadian Society: Framing the Twentieth Century Consensus* (Toronto 1976), and Harry Hendrick, *Images of Youth: Age, Class, and the Male Youth Problem, 1880–1920* (London 1990).

was the principal force behind the establishment in 1887 of the Victoria Industrial School for Boys. In the previous year, during his term as mayor, Howland appointed David Archibald staff inspector of the newly established Morality Department of the Toronto police force.⁵⁴

Like Howland, Archibald viewed the streets as one of the main threats to boys. Testifying before the Prison Commission, Archibald asserted that boys' criminal propensities were 'developed through the associations that they form in the streets ... The learn gambling, tossing coppers, and they get into all sorts of vice.' Much of the regulation of street boys emanated from the Morality Department. Archibald's wide mandate included the supervision of Toronto's 'decency and morality, newsboys and boot-blacks.' Much has been written about how the Morality Department implemented the 1890 city bylaw that forced newsboys and other street vendors under the age of sixteen to obtain licences, licences that were given if boys agreed to stay off the streets by attending school and taking up residence in suitable lodging homes. Beginning in 1893, constables from the Morality Department were appointed as truancy officers, and we have already seen the role they could play in regulating boys' sleeping arrangements. But Archibald also zeroed in more directly on boys' sexual relations with men. As early as 1886, Archibald noted in a report of his activities 'several cases' of sexual relations between boys and men. 'One case in particular,' he explained, involved 'a man, well up in years, doing business on Yonge Street, [who] was in the habit of enticing boys (in fact, children) into his store for the purpose of corrupting and debauching them. This had been going on for some time, and practised to a considerable extent. The case was so abominable and disgusting that the Police Magistrate sentenced him to 12 months in the central prison.'⁵⁵ A similar situation prevailed in Ottawa; many of the constables who appeared in court identified themselves as officers with the Morality Department of the Ottawa Police.

Working alongside the police, sometimes prodding them into action, were moral reformers active in the social purity movement. While most

⁵⁴Howland's testimony before the Royal Commission on the Relations of Labor and Capital, cited in Michael Cross, ed., *The Workingman in the Nineteenth Century* (Toronto 1974), 106-7. Report of the Commissioners Appointed to Enquire into the Prison and Reformatory System in Ontario, 1891, 689

⁵⁵Report of the Commissioners Appointed to Enquire into the Prison and Reformatory System in Ontario, 1891, 701-2. 'Mayor's Message on the Morality Department,' Toronto City Council, Minutes, 1892, app. c, no. 11, 91. 'Report of Staff Inspector David Archibald to Chief Constable Grasett,' 13 Dec. 1886, Toronto City Council, Minutes, 1887, app., item 1061, 1030

social purity activists focused their energies on women, prostitution, and the 'white slave trade,' sex between men and boys did not go unnoticed. W.L. Clark, hired by the Methodist Church's Department of Temperance and Moral Reform in 1910 to give lectures to boys on sex hygiene and the 'secret vice,' repeated the story of a boy who said he was taught to masturbate by 'a man in my home town.' Clark warned that boys were often 'taught that act by an older companion.' In his 'Private Talk to Young Men,' B.G. Jeffries noted that 'in many cases the degrading habit ['the destructive sin of self-abuse'] has been taught by others, e.g., by elder boys at school ...whilst in other cases fallen and depraved men have not hesitated to debauch the minds of mere children by teaching them this debasing practice.' A committee of the Church of England considering the 'problems of marriage and sexual morality' in Canada in 1920 was 'compelled to notice the prevalence in some quarters of unnatural vice ... to which they [boys] are often exposed from elders of their own sex.' The committee recommended that 'the aid of men of good and disciplined character is needed for the help of boys and young men ... in combatting horrible temptations.'⁵⁶

The Toronto Vigilance Committee, formed in 1911, included in its work 'efforts to aid in preventing boys being led astray by moral perverts.' Reflecting the middle-class distrust of working-class children, the committee pinned responsibility for being led astray as much on boys as on 'moral perverts.' The Vigilance Committee encouraged its members to report all 'frivolous young girls and boys likely to be easily enticed into wrong doing.' Located at the corner of Bay and Richmond streets, only a few blocks south of the city's main working-class amusement district, the committee was well positioned to undertake its work. Coming to and from the Vigilance Committee's office, members would have been unable to miss the many boys hanging out in and around the nearby theatres. In fact, theatres became one of the committee's favourite targets. The committee reminded the attorney general that while minors were prohibited from entering 'nickel-shows' and 'moving pictures' unless accompanied by an adult, 'these same minors can freely gain access to a theatre where a burlesque company is giving a risqué performance and there, in a smoke-beclouded atmosphere, both hear and see things extremely detrimental.' During one visit to

56W.L. Clark, *Our Sons* (Ontario 1914), 96–106, and B.G. Jeffries, *Search Lights on Health, Light on Dark Corners: A Complete Sexual Science and a Guide to Purity and Physical Manhood* (Toronto 1894), 437. *Bulletin of the Council for Social Service of the Church of England in Canada*, 51 (Oct. 1921): 12, found in National Archives of Canada, Papers of the Montreal Council of Women, mg 28, i 164, vol. 12. Thanks to Robert Champagne for bringing this source to my attention.

that 'training-school for immorality,' the Star Burlesque Theatre, the Vigilance Committee noted that 'young boys of 8, 10, 12, and 15 years of age were in the gallery, unaccompanied by parents or guardians.' Whether or not they were card-carrying members of the Vigilance Committee or other moral reform organization, individual private citizens did report boys and men to the police. Harold S., a Jewish man, explained how he was caught in a laneway having sex with an immigrant boy: 'a man came running out of the Methodist Book Room and caught hold of me and held me till the Detective came.'⁵⁷

In addition to the Morality Department and moral reformers, working-class parents, especially mothers, played a key role in regulating sexual relations between their sons and men. Boys' sexual relations with men sometimes came to mothers' attention not because their sons told them about the encounter but because mothers discovered something amiss in the course of child care. In 1915, nine-year-old William had been doing 'dirty tricks' with a man in the neighbourhood. 'I have been there often,' William testified; 'he gave me money to do dirty tricks ... He told me not to tell my mother, that's why I did not.' Mrs H. explained to the court that while bathing William, she noticed 'his person was swollen ... when I examined him it was sore.' Other times, boys told their mothers what happened and some mothers then went to the police. In 1915, Henry explained to the Ottawa court: 'The night before last I went to Matthew's butcher shop' on Rideau Street. 'I waited at the door for my mother.' While Henry was waiting, a man came along and asked him if he wanted to go to the picture show and said 'that they would come back from the show and go to bed together.' As Bertha, Henry's mother, told the court, 'on the night of the 19th I was working over Matthew's butcher shop.' Bertha was a cleaning woman. 'My boy told me what the man said to him. I told a policeman.'⁵⁸

Not all mothers went to the police. As feminist historians have demonstrated, while working-class women made use of the police and other social services when needed, at other times they resented the intrusion of police constables, truancy officers, rent collectors, and moral reformers into their neighbourhoods, preferring to supervise

57ao, Records of the Attorney General, rg 4, Criminal and Civil Files, Series 32, file 583 (1912). ao, Records of the Ontario Provincial Police, rg 23, Criminal Investigations and Reports, 1912, Series e-18, box 1, file 19. ao, Crown Attorney Prosecution Case Files, York County, 1922, case 109

58ao, Crown Attorney Prosecution Case Files, Ontario County, 1915, case 195; Carleton County, 1915, case 121

their own streets.⁵⁹ Rather than go to the police, some mothers confronted men themselves. When Josephine learned that her eight-year-old son Albert had a sexual encounter with one of her lodgers, she said, 'I sent for Adelard. I asked him what sort of evil thing do you show my children?' Other mothers simply urged their sons to stay away from such men. When in 1916 Oscar told his mother that a man once sucked his penis and gave him twenty-five cents, 'she told me not go near his place any more.' But as Oscar told the court, 'he has done this to me quite frequently for the past two years. He has always paid me 25 cents.'⁶⁰

Mothers' different responses reflected the fact that working-class mothers had a range of understandings of sexual relations between boys and men. Certainly some mothers believed a wrong, an 'evil thing,' had been done which required punishment. As Albert's mother said about Adelard: 'I told him I would have him punished for that.' Other parents, however, did not react with shock or alarm. Harold B. told his father that on his way to school he sometimes stopped at Randal S.'s second-hand furniture shop, where Randal 'took my pants down ... put his hands there [and] rubbed it lots of times ... He gave me three cents and five cents.' According to Harold, 'I told my father only once ... Father thought it was alright.' Harold's father admitted it was true that after his son told him, 'I did not go to see Randal S.,' nor did he report it to the police. Once, when a truancy officer or teacher reported to the father that Harold had been absent from school, Harold's father 'went to Randal S.'s and asked him if he had seen Harold. Randal S. turned his back and said no, I never keep Harold during school hours.' Again, as Harold's father admitted, 'I made no charge against him.' It was several months later, only after Harold was 'ill twice in his privates [that] I gave information to the police.'⁶¹

Mothers too could take a rather pragmatic approach to their sons' sexual relations with men. For two months in 1921, Dominick lived with an Ottawa man in his house on Wilbrod Street. As Dominick told the court, 'I was to mind his house and take the dogs out ... I took the dogs out in the morning 2 or 3 times.' Dominick's duties extended beyond domestic labour. 'I slept with him and three dogs in a bed in a room ... The first night I slept with him he started to touch my private

⁵⁹See Ellen Ross, *Love and Toil: Motherhood in Outcast London, 1870-1918* (New York 1993).

⁶⁰ao, Crown Attorney Prosecution Case Files, Carleton County, 1921, case 136; York County, 1916, case 101

⁶¹Ibid., Ontario County, 1915, case 195

parts. On another night he put my privates in his mouth and wanted me to put his privates in my mouth.' Asked by the court how such an arrangement had been arrived at, Dominick said that 'he went to where I lived to hire me. He spoke to my mother.' Asked if he ever told his mother about the sex, he replied that 'I did not tell my mother about it. My mother told me I had to work.' In another case from Ottawa, one mother told the court the accused came to her house and 'told me he had done wrong [with my son] and asked me to allow him to settle with me by giving me money.' Lizzie settled for \$50. Entered into the trial as a court exhibit was, as Lizzie explained, 'a receipt for \$5 stating the balance of \$45 was still due.'⁶²

Although it is relatively easy to document that working-class parents had a range of responses towards boys' sexual relations with men, it is less easy to explain what accounts for the mix. We might speculate that working-class boys and their parents had their own sense of what posed real dangers and threats. In contrast to moral reformers who singled out sex and the streets, boys were more likely to point to their work and workplaces. Before the 1889 Royal Commission on the Relations of Labor and Capital, John Gale, an employee of the Dominion Telegraph Office, told the commission that when he was between eleven and twelve he worked at an Ottawa mill where he lost his right arm taking blocks away from a circular saw. Joseph Lefebvre told a similar story: crushed against an axle, he lost both an arm and a leg working at a saw mill when he was twelve. The commission also noted in its final report the widespread and 'barbarous practices' of beating children employed in factories. It supplied ample evidence of the long hours endured and the low wages earned by many boys. One thirteen-year-old boy employed in an Ottawa match factory reported that he made forty-five cents per day, while a twelve-year-old boy who worked in a box factory testified that he earned 'twenty-five cents a day' working from 'six o'clock in the morning till six o'clock at night.' Even though child factory labour began to decline from the 1890s, many Ontario boys continued to work in dangerous and demanding jobs well into the early twentieth century. In view of the dangers and meagre remuneration of the workplace, it is perhaps not so hard to understand why some boys chose the streets and sex with men, in which a few minutes up a laneway or in a theatre might earn them as much as or more than a long day at a mill or factory. The actions of mothers who hired out their sons or who attempted to capitalize on the discovery of their sons' sexual relations were also rooted in the often harsh economic

⁶²Ibid., Carleton County, 1921, case 135; 1924, case 115

realities of working-class life. Certainly, some of the boys understood the situation in this way. Dominick's final response to the court's inability to understand his sexual relations with a man were the words, 'My mother is poor.'⁶³

london, ontario – then and now

When Garfield E. was nabbed and indecently assaulted by a man on the streets of London, Ontario, in 1904, he could hardly have known that ninety years later his hometown would be the site of a moral panic over sex between boys and men. In February 1994, two London men appeared in court on charges relating to sexual activity with boys. They were only two of dozens of men caught up in a police sweep that began in November of the previous year when London police announced they had uncovered a 'child pornography ring.' The London 'kiddie porn ring,' as it came to be known, had all the elements of a classic moral panic.⁶⁴ Given that the events in London unfolded while I was writing this article, it was perhaps inevitable that I found myself thinking about the relationship between past and present. By way of conclusion, a brief comparison of the trials of London with early twentieth-century urban Ontario brings into view both important continuities as well as significant divergences in the history of sexual relations between boys and men.

One of the principal mechanisms of a moral panic is the construction of a threat – in the case of London, the so-called child pornography ring. I say so-called because the vast majority of the more than 350 charges eventually laid by the London police against nearly fifty men and youths did not involve child pornography at all. Most of the charges were prostitution-related – although the age of consent for most sexual activities is fourteen, it is illegal to have sex with someone under the age of eighteen if payment of some form is involved. What the London police had discovered was a subculture in which 'boys' –

63On boys' testimony before the Royal Commission on the Relations of Labor and Capital, see Greg Kealey, ed., *Canada Investigates Industrialism* (Toronto 1973), 195, 197, 14, 199–200. On boys' labour in early twentieth-century Ontario, see Lorna F. Hurl, 'Overcoming the Inevitable: Restricting Child Factory Labour in Late Nineteenth-Century Ontario,' *Labour/Le Travail* 21 (spring 1988): 87–121, and Jane Synge, 'The Transition from School to Work: Growing Up Working-Class in Early 20th Century Hamilton, Ontario,' in K. Ishwaran, ed., *Childhood and Adolescence in Canada* (Toronto 1979), 249–69.

64On the mechanisms of moral panics, I am following Jeffrey Weeks, *Sexuality and Its Discontents: Meanings, Myths and Modern Sexualities* (London 1985), 45.

many of whom were street youth from London's poor east end – traded sex with men for money, cigarettes, drugs, and shelter. This knowledge, however, did not stop the London police nor the London Free Press and other media from running stories about the city's 'child pornography ring.' Indeed, as is typical of a moral panic, the police and media not only invented the existence of a pornography ring but claimed that sex between boys and men was growing at an alarming rate.⁶⁵ The first and perhaps most obvious 'lesson of history' is that far from being a recent phenomenon, Ontario boys have traded sex with men in exchange for money and gifts from at least the early twentieth century. In the face of the often harsh economic fundamentals of life for poor and working-class boys, boys devised a range of survival strategies. Just as they learned to sell their physical labour in exchange for wages, they also learned to sell their bodies in return for food, shelter, money, or a night on the town, perhaps dinner at Bowles and a show at the Hippodrome. In pursuing men, boys engaged in a range of relations, including many brief, casual encounters and, like Thomas and his doctor friend or Harold and his scoutmaster, longer-lasting, sustaining relationships.

In its construction of a threat, a moral panic also functions to obscure the real sources and locations of danger. In the early twentieth century, the primary locus of sexual danger was not a child pornography ring, nor was it in the street culture of older boys who were receptive to or sought out sex with men. Rather, sexual danger existed primarily for younger boys, and it might be encountered while playing in a park or working in a shoeshine shop. Sexual danger was rooted in men's power, power that rested on men's greater age and physical strength. Other times, the very places designed to shelter, protect, and assist boys – Sunday School, the Boy Scouts, Big Brothers – were the places where sexual danger was best concealed. Then as now, cases of sexual coercion within organizational settings occasionally came to public attention. But the law's limited gaze on an individual culprit and on legal technicalities such as the 'accomplice' obscured the broader

⁶⁵My account of the London panic is drawn from Gerald Hannon, 'The Kiddie-Porn Ring That Wasn't,' *Globe and Mail*, 11 March 1995; 'The Trials of London' and 'More Trials of London,' Ideas series, cbc radio; John Greyson, 'After the Bath,' cbc television documentary; and Gary Kinsman, *The Regulation of Desire: Homo and Hetero Sexualities*, 2nd rev. ed. (Montreal 1996), 356–8. Asked in an interview why the newspaper continued to run headlines on a 'child pornography ring' long after it became clear that no such thing existed, the editor of the London Free Press astonishingly admitted the reason was that, compared with teen prostitution, stories on child pornography rings sold more papers. See Greyson, 'After the Bath.'

context, particularly the way sexual coercion was rooted in institutional relations of unequal power between boys and men within such settings. A boy probably stood a better chance of escaping an unwanted sexual advance on the streets of his own neighbourhood, perhaps through the intervention of his mother, than he did in a Children's Aid Society shelter. Indeed, in some cases, rather than a form of danger or abuse itself, a boy's relationship with a man might be a way to escape physical abuse by parents in the home or by foremen in a factory.

Moral panics also draw their power by stereotyping the main characters involved in the drama. In the case of London, police and media insistently referred to the 'boys,' 'children,' and 'victims' and to the men who 'recruited,' 'exploited,' and 'abused' the children, despite the fact that most of the 'boys' were fourteen and older and that many refused the 'victim' label.⁶⁶ While the London panic undoubtedly uncovered some real cases of exploitation, its broader cultural implications and meanings had less to do with boys' exploitation and more with linking gay men to the sexual abuse of boys. Despite the frequency with which it has been hauled out over time, the homosexual as a molester of boys is in fact a relatively recent historical invention. As other historians have demonstrated, these links were forged, beginning in the 1930s, with the rising influence of psychiatry and the elaboration of what it termed the 'criminal sexual psychopath.' The link between homosexuality and child molestation became further entrenched in the culture during the postwar sex crime panics. As George Chauncey has written, the years following the Second World War witnessed the creation of 'a new, more ominous stereotype of the homosexual as a child molester, a dangerous psychopath likely to commit the most unspeakable offenses against children.' But, as Chauncey explains, in the years prior to the 1940s, homosexuals had 'been considered fairly harmless.'⁶⁷ What is striking about the history of sexual relations between boys and men in early twentieth-century Ontario is the absence of the homosexual psychopath. Police constables, moral reformers,

⁶⁶As one fifteen-year-old related his experience: 'The police say I'm a victim because I was forced. I wasn't forced. How can I be a victim? ... I always just did it for the money.' Quoted in Hannon, 'The Kiddie-Porn Ring.' Or, as another reporter indicated, 'Many [of the boys] don't see themselves as victims, and they're suspicious of the sudden interest in their welfare.' Henry Hess, 'How Child Porn Has Rocked a City,' *Globe and Mail*, 18 Feb. 1994

⁶⁷George Chauncey Jr, 'The Postwar Sex Crime Panic,' in William Graebner, ed., *True Stories from the American Past* (New York 1993), 172. See also Estelle B. Freedman, 'Uncontrolled Desires': The Response to the Sexual Psychopath, 1920-1960,' in Kathy Peiss and Christina Simmons, eds., *Passion & Power: Sexuality in History* (Philadelphia 1989), 199-225.

truancy officers, and sex advice givers made little attempt to construct the men with whom boys had sex as a particular sexual villain, nor did they describe their sexual relations as particularly dangerous. They regulated sexual relations between boys and men not to protect innocent victims from abuse and exploitation by homosexual psychopaths but to prevent 'frivolous boys' from being 'led astray' by 'fallen men.' The fear was not that men would recruit boys into homosexuality, but that boys might be all too willingly 'enticed' into a life of 'debauchery,' 'immorality,' and crime, in which homosexual relations were but one among many vices and 'horrible temptations' to be resisted.

In our own time, marked by widespread cultural anxieties over shifting gender and sexual relations spurred on by the feminist and lesbian/gay liberation movements, the complex and multiple meanings of sexual relations between boys and men are invariably constructed as cases of 'child abuse' involving only boy victims and adult homosexual predators.⁶⁸ In the early twentieth century, the moral economy of many working-class boys and their families sustained a more expansive, nuanced understanding of both the dangers and the possibilities of sexual relations between boys and men. Whole communities might rise up when boys suffered at the hands of a man who used his position of trust and authority to wield sexual power over boys. At the same time, some working-class boys and their families recognized that, in a variety of ways, boys' sexual relations with men might provide a temporary escape from or way to alleviate their impoverishment. All of this suggests that early twentieth-century understandings of sexual relations between boys and men were markedly different from our own, highlighting the ways sexual meanings are subject to historical pressures and change.

⁶⁸It scarcely needs pointing out that the historical shifts in the meaning of sexual relations between boys and men towards the currently hegemonic and homophobic understanding of such relations as the product of homosexual predation has done nothing to help those boys who have experienced sexual abuse at the hands of men. The identification of the sexual abuse of boys as a social problem is a very recent phenomenon. It has come about not through the efforts of those who obfuscate the issue of men's power by homosexualizing the abuse of boys but through the work of women and men, including lesbians and gay men, to confront child sexual abuse. See, for example, *Loving in Fear: Lesbian and Gay Survivors of Childhood Sexual Abuse* (Toronto 1992).

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