

“Pity must give way to justice”: A Case Study of Cordélia Viau, Emotions, and Capital
Punishment in Quebec, 1899

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Abstract

“Pity must give way to justice”: A Case Study of Cordélia Viau, Emotions, and Capital Punishment in Quebec, 1899.

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This thesis focuses on the emotional impact capital punishment had on families and communities in Québec during the late nineteenth century by examining the case of Cordélia Viau. On March 10, 1899, in the small town of Sainte-Scholastique, Cordélia Viau was executed alongside her accomplice, Samuel Parslow, for the homicide of her husband, Isidore Poirier, in their house in Saint-Canut. In the month preceding her execution, the Viau family – her parents, three of her sisters, and a brother-in-law – set out to campaign for mercy on behalf of Cordélia. Their efforts were a strategic appeal to the wife of the Governor General, Lady Minto, documented in the archival capital case file. This unusual strategy of appealing to the wife of the Queen’s representative rather than the Governor General demonstrates an understanding of the power of the emotions shared between the women, as mothers, daughters, sisters, and wives.

Unfortunately for Cordélia, the emotions they hoped to provoke, such as sympathy, pity, and piety, were not compelling enough to save her life. At the same time, the press covered the case with sensational details. Newspapers such as *La Presse*, *La Patrie*, *The Montreal Daily Star*, and *The Gazette* sought to provoke emotions in their readers by using stereotypes about women and violent crime, highlighting the shame of murder and hangings, and dissecting the actions of the crowd that gathered to witness the execution. Alongside the private and public emotions raised by the case, early abolition sentiment appeared in articles describing the execution.

Acknowledgments

It took a village to create this work and there are many people who I want to thank, without them this project would not have manifested. I owe a great deal of gratitude to my supervisor and long-time mentor, Dr. Eric Reiter, who always believed in me and encouraged me to write about the things I am passionate about. Thank you for agreeing to join me on this journey, through the many ups and downs, and on a very bumpy and winding road. I am honoured to have been able to pick your brain on many topics, not only this project. My deepest thanks go to Dr. Peter Gossage who also supported and believed in my visions, as strange as they were sometimes. Your repeated advice to not give up kept me on the path to success. As well, to Dr. Gavin Taylor who gave space to listen to me whenever I was struggling. I would also like to give a special thanks to Dr. Mary Anne Poutanen who taught my very first undergrad history course: a social history of Quebec, which planted the seed that grew into this thesis. You believed in me when I was at my most uncertain, as a newly admitted undergraduate student. You were then, and continue to be, my inspiration. To Dr. Sophie Doucet, whose presentation about her work provided me with the sorely need lightbulb moment when I realized the thread that weaved this topic together is the history of emotions. Thank you for your time and guidance.

Furthermore, I owe a debt of gratitude to Dr. Jacqueline Briggs for helping me conclude that this thesis should be completely about Cordélia Viau and for taking the time to talk to me about her case. Thanks to Elisa Peters for all the translation help and support, I am forever grateful for your input. I want to give very special thanks to Donna Whitaker for your deep empathy for me when my father died during this project; it is people like you that truly amaze me by how deeply you can care for others. Lastly, to Alycia Manning, thank you for your friendship and always welcoming me into your office over the years.

Thank you to Library and Archives Canada and the staff that took time to try and get me files last minute at times.

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A Note About Sources

I have taken the liberty of transcribing and translating all the French primary sources into English. I placed the English translation in the text and the original French in the footnotes. As well, I have silently corrected any obvious errors in the original sources, such as correcting minor typos and spelling mistakes, adding missing punctuation, etc. Furthermore, information about specific people, such as the Viau family members, comes from genealogical sources on Ancestry.ca and nosorigines.qc.ca. Specifically, information was gathered through the Canadian Censuses, 1825-1931 collection and the Drouin Collection, 1621-1968 on Ancestry.ca.

Abbreviations

BAnQ	Bibliothèque et Archives nationales du Québec
DCB	Dictionary of Canadian Biography
DOJ	Department of Justice
GGIC	Governor General in Council
LAC	Library and Archives Canada
MOJ	Minister of Justice
ODNB	Oxford Dictionary of National Biography
OGG	Office of the Governor General
OIC	Order in Council

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Introduction: Riot at a Prison

On Friday, March 10, 1899, in the small town of Sainte-Scholastique, Québec, located in the district of Deux-Montages, approximately fifty kilometers northwest of Montréal, a riot broke out on the grounds of the local jail. In Montréal, *The Montreal Daily Star* and *The Evening Star* reported the particulars of the riot with sensational headlines: “SHAMEFUL SCENES: The Mob at Ste. Scholastique Attack the Gallows After To-days’s Execution. A Disgraceful Exhibition of Human Depravity and Morbid Curiosity” and “Riot at an Execution: Mob Storms the Gate of the Jail to See the Hanging of Cordelia Viau. Crowd Raids the Gallows. And Even Tear Off the Black Cloth to Procure Mementos—Pair of Murderers Hanged.”¹ French newspapers, like *La Minerve*, offered similar sentiments: “Sainte-Scholastique invaded by a huge crowd. THEY RAN EVERYWHERE...”² The reports go on to detail the people who travelled by train and gathered at the gate, in the morning hours, to witness what Donald Fyson has termed the “spectacle of state violence.”³ Indeed, it was a spectacle: the accused, Cordélia Viau and Samuel Parslow, were hanged back-to-back with a curtain between them (so they could not see each other), the first simultaneous hanging in Québec since Confederation (see figure 1).⁴

Both French and English newspapers reported similar events: large crowds had gathered the night before, trains packed full of spectators arrived late into the night, hotels had no vacancies, and those who could not find accommodations wandered the streets until early morning.⁵ Some reports expressed a certain revelry in the crowd while others described the scene as people with “...a morbid curiosity”.⁶

¹ “Shameful Scenes,” *Montreal Daily Star*, March 10, 1899, 7; “Riot at an Execution,” *Evening Star*, (Montréal), March 10, 1899, 1. There are numerous reports of crowds from other papers including *The Gazette* (Montréal), *Ottawa Citizen*, *La Patrie*, *La Minerve*, *La Presse*, and *L’Avenir du Nord*.

² “Avant De Mourir,” *La Minerve*, (Montréal), March 10, 1899, 4. “Ste-Scholastique envahie par une foule immense. ON ACCOURT DE PARTOUT...”

³ Donald Fyson, “The Spectacle of State Violence: Executions in Québec, 1759-1872,” in *Violence, Order, and Unrest: A History of British North America, 1749-1876*, ed. Elizabeth Mancke et al. (Toronto: University of Toronto Press, 2019) 383.

⁴ Reports from *La Patrie* state that the curtain was to obscure Cordélia and Samuel from each other. “La Justice Est Satisfaite!” *La Patrie*, (Montréal) March 10, 1899, 1; There was another simultaneous hanging of a man, Jean Baptiste Desforges, and a woman, Marie Anne Crispin, in Montreal on June 25, 1858. See: Manuel Truffly, “La Couverture journalistique des exécutions au Québec entre 1854 et 1932” (Master’s Thesis, Université du Québec à Montréal, 2018).

⁵ Details of the execution are based on reports from *La Presse*, *La Patrie*, *L’Avenir du Nord*, *The Gazette* (Montréal), and *The Montreal Daily Star*.

⁶ “To Die Today,” *Gazette* (Montréal), 10 March 1899, 1.



Figure 1. Joseph Hamelin, *Cordélia Viau*, March 10, 1899, photograph, Fonds La Presse, Bibliothèque et Archives nationales du Québec. <https://numerique.banq.qc.ca/patrimoine/details/52327/4041870>.

On the day of the execution, the crowd of observers branched off into two groups, those with permission to enter the prison yard (a limited number of people could apply for tickets) and those who were excluded (see figure 2).⁷ Those without permission to view the execution searched for vantage points where they could see from an elevated place around the prison walls. However, some particularly opportunistic people tried to push their way past police and prison guards by trying to break down the door to the prison until police fired shots into the air to try to calm the crowd. It appears that after some persuasion of the people by the police the crowd finally calmed down.

Meanwhile, the smaller crowd witnessing the execution, inside the prison yard, were also described as somewhat rowdy and energetic. Newspapers reported them laughing, singing, and generally enjoying themselves.⁸ By eight o'clock in the morning, the prisoners were escorted to the gallows, Samuel was led first, and then Cordélia.⁹ John Radclive, Canada's executioner at the

⁷ The following paragraph cites information from "Riot at an Execution," *Evening Star*, 1; Ken Leyton-Brown, *The Practice of Execution in Canada* (Vancouver: UBC Press, 2010), 99.

⁸ "La Justice est satisfaite," *La Patrie*, 1.

⁹ I refer to members of the Viau family and Samuel Parslow by their first names throughout this thesis for a couple reasons. First, it helps to clarify which member of the Viau family I am referring. Second, I wanted to humanize Cordélia and Samuel as much as possible.

time, secured the prisoners' hands, put black hoods over their heads, made sure the knot of the noose was in the correct position just below the left ear, and opened the trapdoor, successfully ending their lives.¹⁰



Figure 2. *La Carte d'admission à la prison de Sainte-Scholastique*, March 9, 1899, illustration, *La Presse*. Bibliothèque et Archives nationales du Québec.

Although executions were sometimes botched and were far from the humane death the state argued them to be, Cordélia and Samuel's death was as hoped—their necks broke, lessening the suffering they would have felt if they had simply strangled to death. However, even in ideal circumstances death was seldom instantaneous and it could still take several minutes for the heart to stop beating. This was true for both Cordélia and Samuel. It is reported in most of the papers that Cordélia died after six minutes and Samuel after twelve minutes.¹¹ Ultimately, their bodies were behind a black cloth that wrapped around the base of the scaffold, preventing the viewers from seeing the condemned hang. It appears the state had gone to considerable lengths to conceal

¹⁰ Leyton-Brown, *The Practice of Execution in Canada*, 93.

¹¹ "La Justice est satisfaite," *La Patrie*, 1; "La Justice divine," *La Presse* (Montréal), March 10, 1899, 1.

the uglier aspects of an execution. As Ken Leyton-Brown explains, these curtains were there not just to hide the act of the killing, but also to conceal potential botched hangings as well as the possibly shoddy construction of the often hastily built gallows.¹² Furthermore, officials sometimes had to excavate the ground to make sure the condemned did not touch it with their feet. In the case of Cordélia and Samuel, it appears there was indeed earth dug out below the scaffold in order to give them the height needed for the fall to break their necks; an unpleasant necessity hidden from the viewers.¹³

This group of spectators, it appears, wanted to experience the sight of Cordélia and Samuel hanging lifeless. As soon as the trap was dropped, they rushed the gallows, tore the cloth at the base of the scaffold down, and even ripped pieces of it off as keepsakes. It was probably inaccurate to have labelled this gathering of people a riot because the goal of this group of people was not to rebel against the state, as with many other occurrences of collective violence. It was simply to have a chance to witness first-hand a double execution.¹⁴ However, all the newspapers that reported on the execution, described these acts as deeply shameful. Shame, as we will see, is one among several key emotions needed to understand how emotions can shape and influence societies especially when it comes to inflicting punishment on its people.

Every detail down to the materials used to build the scaffold, to the people involved in the process, and the reporting of the news provide an emotional landscape worthy of historical study. In this thesis, I will explore the emotions that developed throughout Cordélia's imprisonment, trial, and execution. By focusing on Cordélia (and not Samuel) I hope to shed light on women who were executed and how gender within capital punishment was experienced. Hangings, and Cordélia's hanging in particular, raised both private and public emotions. These emotions overlapped but also contrasted as will be demonstrated. Furthermore, I will show the ways in which emotions were brought out in the public through news reports and more importantly how the public's emotional response and the Viau family's private response highlight how executions affected people differently. Situating an execution in the emotional past is a complicated task, as we will see. Emotions are often difficult to determine as people's

¹² Leyton-Brown, *The Practice of Execution in Canada*, 83, 90, 132.

¹³ *Ibid.*, 90.

¹⁴ Donald Fyson, "The Judicial Prosecution of Crime in the Longue Durée: Quebec, 1712-1965," in *La régulation sociale entre l'acteur et l'institution: pour une problématique historique de l'interaction / Agency and Institutions in Social Regulation: Toward an Historical Understanding of Their Interaction*, ed. Jean-Marie Fecteau and Janice Harvey (Montreal: Les Presses de l'Université du Québec, 2005), 162.

emotions vastly differed under different regimes of power.¹⁵ Moreover, the changing dynamics of capital punishment show how people were affected by state violence, thus creating uncertainty for those whose lives were tangled within it.

With respect to Cordélia, there was more to her case than merely another husband-killer meeting her ultimate justice, with no sympathy felt from anyone. As we will see, letters filed in her capital case file show that broad assessments of women condemned to death only tell us so much about the impact the death sentence had on communities and more specifically on family members. Thus, this thesis explores and explains how capital punishment affected Cordélia's relatives, and how those emotions helped to form a clemency campaign. Moreover, it will demonstrate that despite the guilty conviction, a significant number of close relatives to Cordélia cared about her well-being, though it is debatable whether it was to preserve her as their daughter, sister, mother, or to ensure their own well-being and reputation. As I will argue, however, Cordélia's clemency campaign was strategic, gendered, and emotional. It relied on the women in the family, their roles as mothers, sisters, and daughters, and more importantly their ability to emote in ways that were acceptable in society, in order to form a strong unit deserving of forgiveness.

Thus, it is the combination of culture, class, and gender that allowed for what Barbara Rosenwein has termed an "emotional community" to be created, while at the same time providing, especially, a framework through which to view the Viau family the individuals who wrote letters or petitioned the community.¹⁶ Some of the emotions that are evident in this case are sympathy, shame, pity, family honour, fear, and love, and as we will see, these emotions reveal the deep connections the Viaus had with Cordélia. While some emotions were naturally formed from family bonds, others were strategic and emphasized the strongest possible claim for clemency. From there, I contrast these private emotions with the public emotions obscured through newspaper reports, showing how the media provoked similar emotions in the public, including sympathy, pity, shame, and fear. These reports demonstrated the ways in which different newspapers used capital punishment as emotional discourse to the communities they served. Furthermore, I will also show how sensational reporting helped perpetuate the narrative that the death penalty was a positive method of punishment and was beneficial to society—a

¹⁵ William M. Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge: Cambridge University Press, 2001), 121.

¹⁶ Barbara Rosenwein, "Problems and Methods in the History of Emotions," *Passions in Context* 1 (2010): 11.

viewpoint that capital punishment supporters presented, but that critics were beginning to challenge.

Cordélia and Samuel's execution, as it was conducted, came after a long period of penal reforms. As Donald Fyson explains, by virtue of the 1869 statute *An Act respecting Procedure in Criminal Cases, and other matters relating to Criminal Law* made the decision to move executions from public squares to behind prison walls.¹⁷ Legislators were motivated, in part, by England's changes to the bloody code, the name given to the many English crimes which were punishable by death.¹⁸ In 1868, England abolished public executions after many years of debates focused on concerns for the criminal and for those who witnessed executions.¹⁹ Indeed, the emotions of crowds at executions may have heavily factored into this choice.²⁰ A year later, Canada followed in their footsteps, limiting the number of people who could witness an execution, in theory, and also reducing the emotional impact on the public.²¹ Significant changes were also made in the 1892 *Criminal Code*. Murder, like other offences, was redefined as culpable homicide and its meaning was clarified.²²

This penal reform came out of a long history of debate which questioned whether the witnessing of an execution promoted social order and deterred criminal activity, or just rendered the observer desensitized to violence and ultimately left them with disdain for the elites and sympathy for the criminalized.²³ For burgeoning countries like Canada, any action that could encourage rebellious thoughts was to be avoided. In Canada, "The main thrust of the Canadian act of 1869 had been to end, or at least to curtail, the direct involvement of the public in executions."²⁴ This effort was for the most part successful. As Fyson writes, the number of people witnessing executions went from thousands to hundreds from the mid to the late

¹⁷ Leyton-Brown, *The Practice of Execution in Canada*, 9.

¹⁸ V.A.C. Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868* (Oxford: Oxford University Press, 1994), 10.

¹⁹ *Ibid.*, 590-591.

²⁰ *Ibid.*

²¹ Cyril Greenland, "The Last Public Execution in Canada: Eight Skeletons in the Closet of the Canadian Justice System," *Criminal Law Quarterly* 29, no. 4 (1986-87): 415-416, 420.

²² For more about the codification of the criminal code, see Alan W. Mewett, "The Canadian Criminal Code, 1892-1992," *Canadian Bar Review* 72, no. 1 (March 1993): 1-27.

²³ Jürgen Martschukat, "A Horrifying Experience? Public Executions and the Emotional Spectator in the New Republic," in *Emotions in American History: An International Assessment*, ed. Jessica Geinow-Hecht (New York: Bergahn Books, 2010), 188.

²⁴ Leyton-Brown, *The Practice of Execution in Canada*, 10.

nineteenth century. This was still a significant number of people, and in the case of Cordélia, it was enough people to form of a chaotic scene that was widely reported in the press.²⁵

How did political actors then decide who could attend an execution and did the decision to move executions behind prison walls remove any uncertainty about who could handle seeing an execution? The answer to these questions is simply that the changes to the laws created an expectation that only a certain gender and class (male elites) could be trusted to watch an execution. Penal reformers believed that upper-class men had more emotional control than lower-class men, women, and children, an assessment very much in line with Victorian sensibilities. The roles of men, women, and children were based on the public and private spheres and depended greatly on the notions of appropriate emotional affects.²⁶ At Canadian executions, the public would mostly be represented by various state and religious officials who would then provide information about the execution to the masses.²⁷ Therefore, understanding the emotions of the people around the criminalized, like family, friends, the people attending an execution, and even the clergy can help us understand the larger implications punishments had on society and not just on the criminalized. As a result, executions were the culmination of a longer and broader process which highlighted the emotional toll various communities struggled with throughout the process.

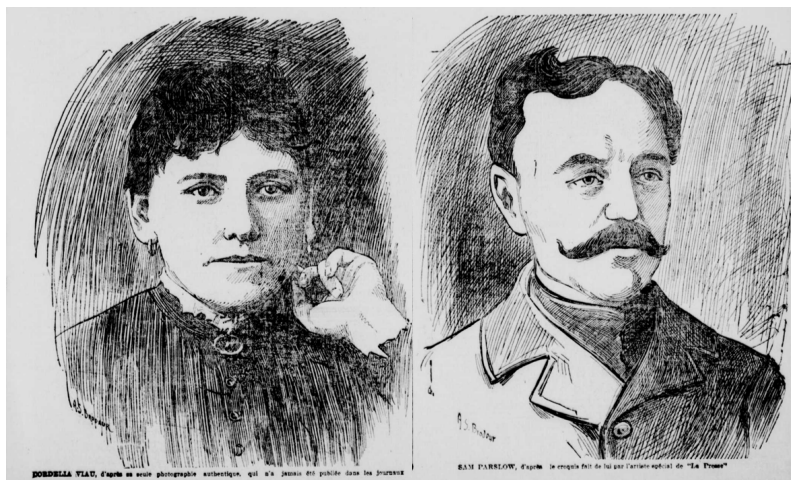


Figure 3. [Left:] *Cordélia Viau* and [Right:] *Sam Parslow*, September 24, 1898, illustration, *La Presse*, Bibliothèque et Archives nationales du Québec.

²⁵ “La Justice divine,” *La Presse*, 1.

²⁶ Cynthia R. Comacchio, *The Infinite Bonds of Family: Domesticity in Canada, 1850-1940* (Toronto: University of Toronto Press, 1999), 23-25.

²⁷ Leyton-Brown, *The Practice of Execution in Canada*, 10.

The Crime

Cordélia and Samuel found themselves in the worst circumstance: they were accused of murdering Cordélia's husband, Isidore Poirier, in the late autumn of 1897 (see figure 3). Subsequently, they were found guilty of capital murder, sentenced to death, and executed in a violent display of state power.²⁸ The murder, as evidenced in court, was the culmination of a several-year affair between Cordélia and Samuel, this was alleged to be the main motive for Cordélia and Samuel who sought to rid themselves of Isidore in order to be together.

Based on witness testimony, Justice Henri-Thomas Taschereau, who presided at the trials and later published a booklet about the case, estimated that around 1895 Cordélia and Samuel began a romantic relationship.²⁹ Samuel lived in Saint-Canut and worked for Isidore, who was a carpenter, on occasion. Testimony at trial from neighbors, family members of Samuel, and acquaintances of Cordélia and her husband reflected that the two shared an intimate relationship with each other. They were often seen together in public enjoying each other's company. Most damning was their behaviour at a party (where they were most likely under the influence of alcohol). Several people, including the host of the party, saw Samuel sitting on Cordélia's lap. Additionally, in 1895 Isidore had travelled for an extended period to California. It is not exactly known why Isidore was in California, however, Cordélia had an older brother, Napoléon Viau, who lived in Fresno and owned a vineyard there, giving a plausible reason for the long trip.³⁰ It was at this point that Samuel's family began to make a series of complaints to the parish priest about the conduct between Cordélia and Samuel. In response, the priest sent a letter to Isidore advising him to come back to Saint-Canut or have Cordélia join him in California. Isidore replied that he implicitly trusted Cordélia and the affair continued until the murder.

Consequently, the crown presented the murder as premeditated and masterminded by Cordélia, which the jury and judge accepted. They also presented Samuel as a fool smitten by Cordélia but nonetheless a very willing participant in the murder. Although there was not sufficient evidence to prove that Cordélia was at the crime scene, conversations she had in jail, and a woman's bloody shoe print at the scene pointed to her being there. It was also fairly

²⁸ *Capital Cases Cordelia Viau and Samuel Parslow*, Order in Council, March 5, 1899, LAC, R.G. 2, Privy Council Office, Series A-1-a. For Order in Council see volume 1899-0409, Reel C-3769.

²⁹ The following paragraph cites information from *Capital Cases Cordelia Viau and Samuel Parslow* [...], Order in Council, LAC, 2-5.

³⁰ Information about family members comes from genealogical sources on Ancestry.ca and nosorigines.qc.

pointed out that the crime scene was not closed off, and several neighbors and people in the community had gathered to witness Isidore's body before the coroner arrived.³¹ However, it was not proper for a woman to witness such a scene, which allows for the reasonable assumption that it must have been Cordélia's shoe print.

On the day of the murder, November 21, 1897, Cordélia went to her father's house to spend the night there. It was believed that while Isidore napped that afternoon, Samuel entered the house with a knife he had taken (and sharpened) from the house earlier and stabbed Isidore repeatedly in the upper body (see figure 4). Isidore was awakened and tried to fight back, as evidenced by the disarray of the room and defensive wounds to his hands. Despite his attempt to stop the attack, Isidore was severely injured. It was then that he most likely collapsed on his back on the bed where he died and where his body lay until it was discovered. Isidore died at the age of forty-one years old; he suffered five serious wounds to his neck, chest and hand: the most



Figure 4. *La Scène du Meurtre*, illustration, in Sir Henri-Thomas Taschereau, *Histoire d'un Crime Horrible [microforme]*[...], 1899. Archive.org. https://archive.org/details/cihm_06762.

³¹ *Capital Cases Cordelia Viau and Samuel Parslow*, Order in Council, LAC, 15.

serious was to his throat, which severed his neck to the vertebrae, nearly decapitating him.³² It is believed that the wound to his neck was administered after Isidore collapsed to ensure he was, in fact, dead. Also, it appears, from the judge's summary, that the attacker may have underestimated their victim's strength and overestimated how easy it was to kill someone. Therefore, it was admitted into evidence, at her trial, that Cordélia told Samuel it would just take one good stab to kill Isidore. The violence Isidore suffered was heinous, by all accounts, leading newspapers to call it the worst crime in the history of Canada.³³ After two trials, presided over by Henri-Thomas Taschereau and two juries deliberating for ninety minutes each, Cordelia was ultimately found guilty.³⁴ Additionally, the nature of the crime and the overkill to Isidore's body led the judge and jury to not recommend mercy.

Public Execution Reform

The removal of executions from the public square did not deter or prevent the general public from watching, hearing, or learning about them first-hand. Although the goal was to limit emotions within the public sphere, and emotions drove the decision to hold executions in a controlled space, barring most spectators did not prevent the public from experiencing a wide range of emotions.³⁵ As documented in the news reports of the riot at Cordélia and Samuel's execution and other sources, people found ways, through force or by climbing telephone poles and standing on rooftops, to view an execution (See figure 5). As contemporary photographs show, prison walls barely hid gallows. The long drop method of hanging required that these structures be built up high enough to allow for sufficient distance for a person to fall in order for their neck to break instantly.³⁶ Furthermore, hanging was believed to be the most humane way to execute a person, a belief that remained consistent for the entirety of capital punishment in Canada from Confederation to its abolition in 1976, despite the evidence of a substantial number of botched executions.³⁷

³² Clément Fortin, *L'Affaire Cordélia Viau: la vraie histoire* (Montréal: Wilson and Lafleur, 2013), 395-396. Evidence from Cordélia's trial is transcribed in this novel.

³³ "They Die Together," *Gazette*, 2. Reporters wrote, "Isidore Poirier...was murdered in a manner as atrocious as ever marked the criminal annals of any civilized country..."

³⁴ "Elle sera pendu," *La Presse*, December 16, 1898, 1. Cordelia was given a second trial after the Québec Court of Appeal ruled in her favor.

³⁵ Martschukat, "A Horrifying Experience?" 188.

³⁶ Leyton-Brown, *The Practice of Execution in Canada*, 82; See also, Lorna Poplak, *Drop Dead: A Horrible History of Hanging in Canada* (Toronto: Dundurn, 2017) 79-80.

³⁷ Leyton-Brown, *The Practice of Execution in Canada*, 94.

For those who could not attend the executions as a “representative,” or get a view from outside of the prison, newspapers provided gritty details sure to satisfy any curious reader.³⁸ By and large, executions were newsworthy. By the late 1890s, *La Patrie* was providing full page coverage of murder cases that went into explicit details. Additionally, most newspapers by this time were reporting crimes (especially murders) with a mix of English and American journalistic influences.³⁹ Using *La Patrie* and *La Presse*'s coverage of the execution as an example we can see that some French newspapers also looked to their English and American counterparts for inspiration. Although not all newspapers researched for this project reported at

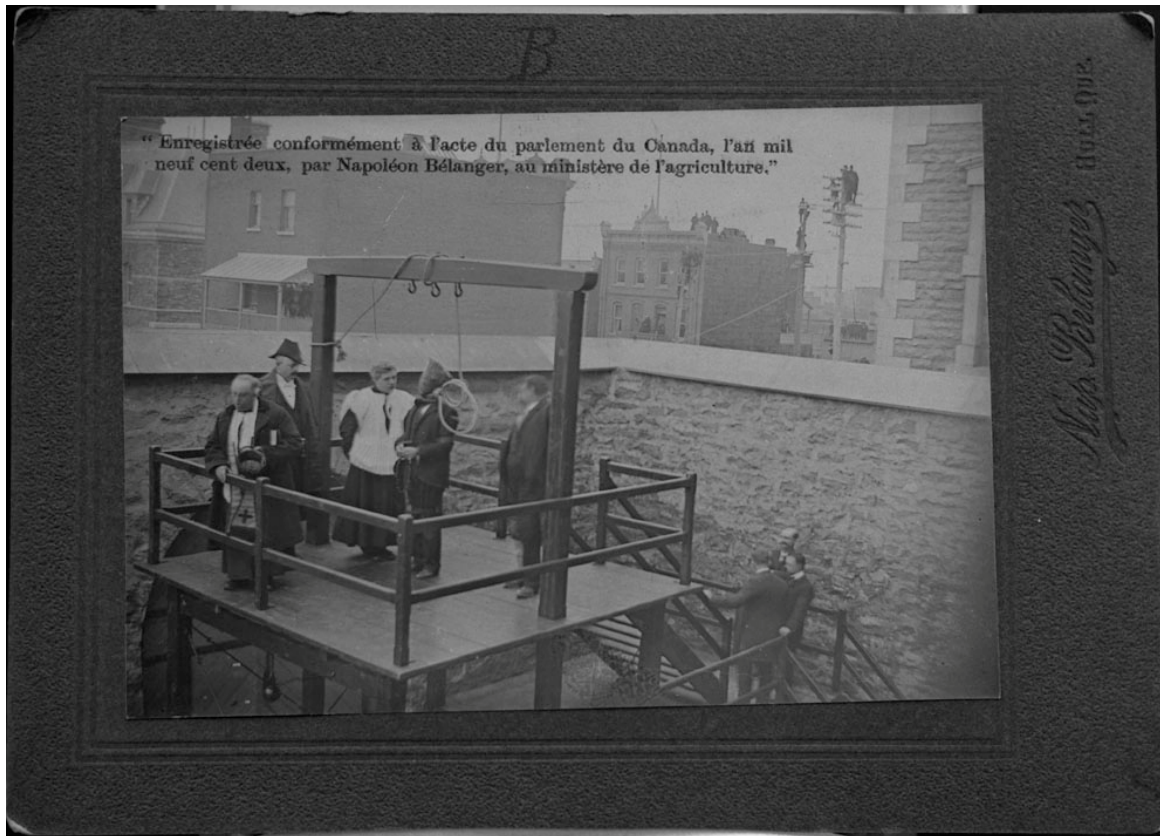


Figure 5. Napoléon Bélanger, *Hanging of Stanislas Lacroix*, photograph, March 21, 1901. LAC, Duncan Cameron fonds. <http://central.bac-lac.gc.ca/.redirect?app=fonandcol&id=4162204&lang=eng>

length, most did subscribe to sensational language. What they lacked in substance, they made up for with sensationalism. At this time, typical newspaper coverage of an execution tended to emphasize the moral justification of the hanging and even the need for the spectacle. Often, there

³⁸ Ibid, 10-11; “Shameful Scenes,” *Montreal Daily Star*, 7.

³⁹ Judith Knelman, “Transatlantic Influences on the Reporting of Crime: England vs. America vs. Canada,” *American Periodicals* 3 (1993): 2.

were lessons to be imparted to the reader, which they would have been privy to through the spectacle, had they been in the audience. For example, *La Presse* imparts to the reader, “‘Thou shalt not kill.’ The Justice of men did its duty and at the time of writing these lines, God probed the minds and the hearts of the two unfortunates. What a lesson! What a teaching!”⁴⁰

A comparison of another sensational murder case in Québec, often referred to by the press as the “Rawdon Drama,” in which Thomas Nulty was tried, convicted, and executed for the murder of his four younger siblings with an axe the previous year (the crime taking place just over two weeks before Isidore’s murder) provides further insight into the trends of crime reporting at the time of Cordélia’s case.⁴¹ In the Rawdon case, the blame was quickly placed on Nulty due to a clear motive for the murders (his father had refused his request to marry a woman and live in the family home, as the house did not have sufficient room for them). The press did not have the readers questioning who could have done it or why, as the motive became evident early on in the investigation. However, it seems that the number of victims, their young age, and the violence they sustained during the attack provided plenty of opportunity for sensationalistic journalism.

Although page layouts differed slightly from paper to paper, the reports on both Thomas Nulty and Cordélia Viau often began on the front page and continued to other pages as well, complete with in-depth details about the murders, the trials, and the executions. Some newspapers used engravings to add sensational images of the people involved in the case, the prisons, the scaffolds, and other details about the crimes. The decision to publish news on the front page was somewhat unusual, as the norm up to that time had been to use the front page for advertising.⁴² Perhaps they were providing reporting that was ahead of their time, regardless, their editorial decision is of note. Overall, newspapers capitalized on the popular interest in violent crimes and especially murders to sell papers at a time when the market was saturated with them, and they used as much sensationalism as possible to do so.

⁴⁰ “La Justice est satisfaite!” *La Patrie*, 1. “‘Tu ne tueras pas.’ La justice des hommes a fait son devoir et à l’heure où nous écrivons ces lignes. Dieu a sondé les reins et les cœurs des deux malheureux. Quelle leçon! quel enseignement!”

⁴¹ “Il est pendu !” *La Patrie*, May 20, 1898, 1.

⁴² Newspaper production in Québec, at the turn of the century, was at its height with the improvement of print technology allowing for faster printing. Québécois certainly had their choice of newspaper. For more about the press in Québec, see Jean de Bonville, *La Presse québécois de 1884 à 1914: genèse d’une media de masse* (Quebec City: Presses de l’Université Laval, 1988: reprint 1995), 44.

Genesis of the Project

It is at this intersection of emotions and penal reform that my interest in the subject was piqued. Many questions surround the ways in which people felt about life in a small community, especially while having to endure a terrible event such as an execution. How did this execution impact the community at large and the individuals within it? Such questions led to a journey into the capital case files at Library and Archives Canada (LAC) to get a better sense of the kinds of emotional artifacts preserved through the meticulous collecting of trial evidence, summaries, reports, crime scene photographs, correspondence, and various other documents the department of justice deemed of importance to their decision of whether or not to grant mercy to a convicted murderer.

The Capital Cases

Among the fifty-eight cases of women convicted of the capital offence of murder, I was interested in finding cases with a rich emotional presence and a diverse source base, as history of emotions requires close reading and careful attention to details. Through a process of elimination, I found eight cases that contained a selection of women who were sentenced to death and were given mercy. Two of those, Marie-Anne Houde and Angelina Napolitano, had their convictions turned into imprisonment at Kingston Penitentiary because they were pregnant. They are well known cases that have extensive scholarship and research done on them.⁴³ Through the collecting of newspaper reports, I began to see traces of sympathy, or in some cases, a complete lack of sympathy towards the women sentenced to death. How could this be? Almost all of the condemned women were spared the gallows and given a range of sentences, from a few years to life; many of them eventually were deemed rehabilitated and released back into society.⁴⁴ Surely this was a sign that women greatly benefited from the emotional pleas of the public and the feminist organizations who worked on their behalf to procure clemency for them. The famous case of Angelina Napolitano studied by Karen Dubinsky and Franca Iacovetta is a

⁴³ Peter Gossage, "La Marâtre: Marie Anne Houde and the Myth of the Wicked Stepmother," *Canadian Historical Review* 76, no. 4 (1995): 553-597; Karen Dubinsky and Franca Iacovetta, "Murder, Womanly Virtue, and Motherhood: The Case of Angelina Napolitano, 1911-1922," *Canadian Historical Review* 72, no. 4 (1991): 505-531.

⁴⁴ F. Murray Greenwood and Beverley Boissery, *Uncertain Justice: Canadian Women and Capital Punishment, 1754-1953* (Toronto: Dundurn Press, 2000), 19; Alison Jacques, "Evelyn Dick, Soap Star: Newspaper Coverage of the Torso Murder Case, 1946-1947," in *Communicating in Canada's Past: Essays in Media History* ed. Gene Allen and Daniel Robinson (Toronto: University of Toronto Press, 2009), 140-167.

good example of the work organizations and interest groups provided to obtain clemency.⁴⁵ However, other women (eleven in total) did not benefit from these appeals for mercy and were killed, to the disgust of many who found it particularly horrifying to execute a woman.⁴⁶

Thus, a trip to Ottawa was planned with ideas about sympathy for these women in mind. The hypothesis was that emotions, such as sympathy, would be far more complex than what was in the existing scholarship. Of particular interest was the case of Marguerite Pitre, the last woman to hang in Canada. She was executed for the mass murder of twenty-three people aboard a passenger airplane, on which she had placed a time-delayed dynamite bomb, in the first instance of aviation terrorism in North America. I suspected due to the high casualty rate and the newspaper reports, that sympathy would not be felt towards her. Since numerous people were killed in an extremely violent manner, I questioned that most people not have seen her life as worth saving. Indeed, what was preserved in her case file was mostly in support of that summation. Yet, there was a trace of sympathy in a single letter, written by a war veteran, who was upset by the thought of a woman hanging. He could not understand how he had fought for a country that would then kill, in a such a brutal manner, one of the people he had been sent to Europe to protect from its enemies.⁴⁷

It was then that I was propelled to find evidence of sympathy in the files. Indeed, I was emboldened by this idea after reading *Uncertain Justice: Canadian Women and Capital Punishment* by F. Murray Greenwood and Beverly Boissery, who state, “there was very little sympathy for husband-killers.”⁴⁸ This statement directed me to examine the capital case file of Cordélia Viau, where I found—among the stuffed-full box of legal documents, telegrams, and books of evidence—handwritten letters.⁴⁹ Unbeknownst to me at the time, these letters were a treasure trove of emotions.

The letters in Cordélia’s file captured my attention. They stood out from the other files I had photographed. For example, in comparison to Pitre’s file, which contained just one letter, this file had several that were pages long. It was only when I examined them more closely that I realized this was a collection of related letters, all with the same intention: mercy for Cordélia.

⁴⁵ Dubinsky and Iacovetta, “Murder, Womanly Virtue, and Motherhood,” 505-531.

⁴⁶ Carolyn Strange, “The Lottery of Death: Capital Punishment, 1867-1976,” *Manitoba Law Journal* 23 (1995): 608.

⁴⁷ *Letter from Petty Officer, A. R. B. to Governor General*, letter, January 9, 1953, Margarite Pitre, Capital Case File, LAC, R.G. 13, Volume 1695, File part 2.1.

⁴⁸ Greenwood and Boissery, *Uncertain Justice*, 219.

⁴⁹ Cordélia Viau and Samuel Parslow, Capital Case File, LAC, R.G. 13, Volume 1436, File 304 A.

History of Emotions

Accordingly, the history of emotions guides my analysis for this project. As a methodology that has increased greatly in popularity in recent years, numerous works have been published that provide helpful theoretical frameworks to approach any subject. Furthermore, as scholars are carving out niches in their fields, we get well defined frameworks to work with. For example, Alecia Simmonds and Eric H. Reiter have explored in their chapter, “Legal History of Emotions,” the legal history of emotions and regard it as a new field which has also developed in popularity recently.⁵⁰ This work contributes to this new field as well. Similarly to their methodology, I approach the Viau family through techniques developed by historians of emotions, notably like Barbara Rosenwein, Monique Sheer, William Reddy, and Rob Boddice, whose theoretical frameworks help to identify and pin down emotions. This is a difficult and at times an arduous task, as emotions are fleeting in nature and their affects often are masked.

Historians of emotions often point out the difficulties to identify emotions in the past accurately. Since emotions regulate human life and the past landscapes of emotions can look familiar to those of today, we must remember that “the past is a foreign country” and this is especially true when writing about particular emotions in the past.⁵¹ Therefore, I am careful not to project contemporary ideas about emotions onto my historical actors. However, there is a balance that must be kept between the historian’s world and the histories that are told. As Jill Lepore emphasizes, “it is necessary to balance intimacy with distance while at the same time being inquisitive to the point of invasiveness. Getting too close to your subject is a major danger but not getting to know her well enough is just as likely.”⁵² This kind of meticulous research can make the historian feel like a detective.⁵³ As Mary Bosworth warns, it can also reveal methodological issues, if one is not careful to properly (and emotionally) situate women, who were subjected to the penal system, within a wider context of crime and punishment in a

⁵⁰ Alecia Simmonds and Eric H. Reiter, “Legal History of Emotions,” in *The Routledge History of Emotions in the Modern World*, ed. Katie Barclay, and Peter N. Stearns (London: Routledge, 2023), 423–439.

⁵¹ L. P. Hartley, *The Go Between* (London: Hamish Hamilton, 1953), 1.

⁵² Jill Lepore, “Historians Who Love Too Much: Reflections on Microhistory and Biography,” *Journal of American History* 88, no. 1 (2001): 129.

⁵³ Shannon McSheffrey, “Detective Fiction in the Archives: Court Records and the Uses of Law in Late Medieval England,” *History Workshop Journal* 65, no. 1 (2008): 65–78.

particular society.⁵⁴ I endeavor to follow Bosworth's advice and highlight voices who are often left silent.⁵⁵

Likewise, according to Barbara H. Rosenwein, methodological issues can arise from studying emotions as history requires a certain amount of acceptance about the links between the brain and emotions.⁵⁶ These scientific findings tend to assume that the brain and how it processes emotions have remained unchanged since "stone age times."⁵⁷ Conversely, more recent studies show that emotional affects are not universally conceived of; they tend to be temporally and culturally constructed.⁵⁸ Rosenwein suggests, "These observations give ballast to the idea that emotions may change over time and that a history of the emotions is not only possible but essential to understanding the human condition."⁵⁹ Despite these difficulties in understanding whether emotions are culturally or biologically derived, the words we assigned emotions are most likely culturally constructed.⁶⁰ In her dissertation, Sophie Doucet asserts, "The historian's approach to emotions is, essentially, therefore, a lexical approach. It is based on words, which are among the most important traces left by people from the past living in literate societies."⁶¹ This is not only true for studying biographies and diaries, but also letters.

Thus, Rosenwein's suggestion is to study historical subjects through "emotional communities."⁶² She explains that "emotional communities are largely the same as social communities—families, neighborhoods, syndicates, academic institutions...but the researcher looking at them seeks above all to uncover systems of feelings..."⁶³ As I have suggested with this particular case, there are several communities that were emotionally impacted: the community of Saint-Canut (a neighbor of Sainte-Scholastique), where Cordélia and her family lived; Sainte-Scholastique, which held the courthouse and the prison; and notably the Viau

⁵⁴ Mary Bosworth, "The Past as a Foreign Country? Some Methodological Implications of Doing Historical Criminology," *British Journal of Criminology* 41, no 3 (2001): 434-435.

⁵⁵ *Ibid.*, 439.

⁵⁶ Barbara Rosenwein, "Problems and Methods in the History of Emotions," 3.

⁵⁷ *Ibid.*, 5.

⁵⁸ *Ibid.*, 6-7.

⁵⁹ *Ibid.*, 8.

⁶⁰ Sophie Doucet, "Toujours je sens mon âme se balancer entre les joies et les peines," *Le paysage émotionnel de Marie Louise Globensky (1849–1919)* (Ph.D. dissertation, Université du Québec à Montréal, 2019), 31-32, 34-35.

⁶¹ Doucet, "Toujours je sens mon âme se balancer entre les joies et les peines," 36. "L'approche historique des émotions, est essentiellement, donc, une approche lexicale. Elle prend appui sur les mots, qui sont parmi les traces les plus importantes qu'ont pu laisser les gens du passé vivant dans des sociétés lettrées."

⁶² Rosenwein, "Problems and Methods in the History of Emotions," 11.

⁶³ *Ibid.*

family and the people who read about this murder through media, such as newspapers, or ephemera (see figure 6). In this way, Rosenwein’s framework for studying past emotions is useful for capital cases and takes into account communities of a “textual” nature. In other words, we view these communities from the same “lexical” approach Doucet uses.⁶⁴ Rosenwein explains that these “textual” communities “may be the nucleus of an ‘emotional community.’”⁶⁵ She continues to explain, “usually... Emotional communities are almost by definition... An aspect of every social group in which people have a stake and interest,” and they “maybe small or large.”⁶⁶ This broad view of emotional communities allows for historians to apply them to a wide range of historical subjects



Figure 6. *La Carte géographique indiquant la position de Sainte-Scholastique et de Saint-Canut*, March 9, 1899, illustration, *La Presse*. Bibliothèque et Archives nationales du Québec.

Additionally, William Reddy’s book, *Navigation of Feelings: A Framework for the History of Emotions*, offers a useful theoretical framework that broadly defines what he calls

⁶⁴ Doucet, “Toujours je sens mon âme se balancer entre les joies et les peines,” 36.

⁶⁵ Rosenwein, “Problems and Methods in the History of Emotions,” 11.

⁶⁶ *Ibid.*, 11-12.

“emotional regimes” as the complex combination of emotional thoughts, their corresponding affects, and how they are viewed within the culture in which they are expressed.⁶⁷ Furthermore, Reddy limits his geographical area to Western cultures, which narrows down our understanding of emotions within the culturally constructed society that is the focus of my project.⁶⁸ Of particular usefulness is Reddy’s categorization of what he calls “emotives” into groupings based on whose emotions are being claimed.⁶⁹ He divides them up between first person, second person, and third person.⁷⁰ This is a useful approach for this topic as it aims to identify emotional claims of the letter-writers, but also of other people as the letter-writer describes them.

Based on these groupings, we will see that emotional claims are expressed by different people on behalf of others, and that these groups fall into Reddy’s theory, while also forming emotional communities. Furthermore, Reddy expresses concern about the sincerity of emotional claims by others and he warns us to be mindful of these claims as they could lead the historian of emotions astray. With this in mind, I acknowledge the possibility of insincere claims of feelings. However, since the letters are rhetorical in nature and they do attempt at provoke emotions, their sincerity is for the most part irrelevant for understanding their role in the mercy process. Indeed, it may not be possible to know what the reader felt without further evidence. Moreover, as I will delve into further on, letters of this nature often were played up, so the question therefore is not whether these emotions are sincere but whether it is possible that both the exaggerated emotion that the letters required and their true expression existed together in unison.

Furthermore, Monique Scheer’s work, “Are Emotions a Kind of Practice (and is That What Makes Them Have a History)? A Bordieuian Approach to Understanding Emotion,”⁷¹ aids our understanding of the connections between the mind and the body. To Sheer, historians hesitate to historicize emotions in the body of their subjects, both physically and mentally. Thus, her article strives to help the historian place emotions firmly in the body but her work also incorporates and builds on Reddy’s work. She reassures the historian that including the body in our understanding of emotions is necessary if we aim to have a complete view of the people we

⁶⁷ Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge: Cambridge University Press, 2001), 94.

⁶⁸ *Ibid.*, 92-94.

⁶⁹ *Ibid.*, 104.

⁷⁰ *Ibid.*, 100-107.

⁷¹ Monique Scheer, “Are Emotions a Kind of Practice (And is This What Makes Them Have a History)? A Bordieuian Approach to Understanding Emotion,” *History and Theory* 51, no 2 (2012): 193-220.

study. She writes, “in my view, what needs to be emphasized is the mutual embeddedness of minds, bodies, and social relations in order to historicize the body and its contributions to the learned experience of emotion.”⁷² As we will see in the primary sources, this is an important distinction to make since a lot of the letters include emotions that are spoken about in a physical manner. Furthermore, emotions are often expressed in a specific way that is culturally constructed. As Scheer explains, “these practices are neither ‘natural’ nor random; they adhere to a learned repertoire that positions a person in a social field and constitutes participation in that field’s ‘game’.”⁷³ In this way, we can see the practice of emotions as being both preformed and occurring authentically in a specific social context.

Scheer, like other historians mentioned in this methodological survey, argues that emotions also have a history, and that the time period being studied very much dictates how we view the emotions felt in those times. Her words serve as a useful reminder that in the West “we learn to keep our thoughts and feelings to ourselves (or not), to listen to our hearts (or our heads), to be true to ourselves and know what we want...[thus] self-reflexivity, distinct faculties of feeling and thinking—have been intensely cultivated at certain times in specific social and cultural constellations.”⁷⁴ Indeed, the emotions identified in this thesis follow this idea. The feelings represented have a history, which can be traced to broader ideas and influences that are culturally distinguishable as stemming from Western ideals.

In his recent book, *A History of Feelings*, Rob Boddice provides a workbook of sorts, and a continuation of his previous work, *The History of Emotions*, as a way to show historians, by example, how to use his methodology.⁷⁵ I focus mainly on Boddice’s work in *A History of Feelings* and on his ideas of experience within it. He writes, “It may be more useful to incorporate the history of emotions, as a subset, into a broader category of scholarly research: experience.”⁷⁶ In other words, he argues that historians should try to analyze emotions as experiential to view them in full context and to find extraordinary subjects who felt sensations, thoughts, and expressions beyond our comprehension. While that may be a tall order; however, it

⁷² Ibid., 199.

⁷³ Scheer, “Are Emotions a Kind of Practice,” 202.

⁷⁴ Ibid., 200.

⁷⁵ Rob Boddice, *A History of Feelings* (Chicago: University of Chicago Press, 2018); Boddice, *The History of Emotions* (Manchester: Manchester University Press, 2016).

⁷⁶ Boddice, *A History of Feelings*, 188-189.

does encourage historians to try, as best as possible, to find the moments within emotional regimes where subtle changes over time occurred.

For this project (as Boddice suggests), a useful way to apply Boddice's theory is to understand emotions as stemming from human experiences, but also to uncover how emotions are experienced as well. In other words, we should ask our historical subjects, "How did people feel about what they were doing, or what was being done unto them?"⁷⁷ For Cordélia's case, many people were witness to the series of events that ultimately led to the riot at the prison during the execution—an event many people experienced together, as a community, and within a powerful emotional regime. Therefore, Boddice's approach to discussing experiences can offer a more complete idea of the experience of emotions felt that day.⁷⁸

Moreover, Boddice writes about language and the power that words hold. This is where my analysis of the language used in the primary sources will implement Boddice's advice for historians of emotions. Emotional language, he argues, is political and holds weight within emotional regimes.⁷⁹ Boddice contextualizes different emotions, which is advantageous to this work as many of the emotions he describes overlap with ones explored here. In fact, Boddice's work gives examples "...of people and societies who were powerless to bring about change in the affective regime that bound them, but who nonetheless knew they were so bound."⁸⁰ Indeed, the Viau family's unsuccessful attempt at persuading, through emotions, follows closely to Boddice's ideas about how people throughout time were helpless to effect change in their lives. We will return to this point.

It is at this point that it becomes prudent to suggest that these authors' ideas, are offered each as an independent way of viewing emotions. There is scope here for contrast and contradiction as example, Rosenwein's emotional communities, Boddice's experiences, and Reddy's emotional regimes. I propose that we move away from looking at historical objects in binary ways (if it is not this: i.e. emotional community, than it is that: i.e. experiences), since they can be and often are both. Thus, people from the same emotional communities are influenced by the same emotional regimes and can also have their uniquely felt experience of the same event at the same time. In this thesis, I will demonstrate these nuances of emotional and

⁷⁷ Ibid., 190.

⁷⁸ Ibid., 15.

⁷⁹ Ibid., 19.

⁸⁰ Ibid.

communal experience through the letters sent on behalf of Cordélia by her family and through the public's opinion as documented in newspapers. It will become evident that through their purpose lies a broad range of feelings that are constructed but also natural considering the gravity of the situation they are produced in. They are reflections of the mercy process, but they also reflect the great uncertainty that this family was facing.

Clemency Letters as Sources

Some of the documents preserved in this case file include handwritten letters, which is notable. Not all capital case files had personal letters and letters from family members were indeed unusual. Further increasing the rarity of these letters is that they were directed to the wife of the Governor General. Among the documents is an internal note from LAC requesting that the file requires preservation as many of the pages of paper are so brittle they disintegrate when touched. However, it does not appear that the archive has taken measures to keep the file safe from further damage. This will impact future scholars' ability to assess and analyze the file for themselves. At worst, there are pages of the court case, petitions, and other correspondence that are badly damaged, torn, and missing words. In comparison, the letters have remained in very good condition. They have yellowed and faded somewhat but the ink is still visible.

Naturally, letters are fascinating historical sources for historians. Their private nature discloses information that is often fruitful for historians.⁸¹ Letters can offer insights into the author through their personal touches, in that they reflect both the environment in which they were created and the thoughts, feelings, and desires of the author. Letters can also be works of art; the choice of paper and ink, the artist's swirls in the cursive writing contribute to their unique beauty. These personal additions to letters help add to our collective understandings of the people we study and make the stories we tell richer.

In particular, these letters in Cordélia's file show careful attention was paid to how they were crafted. As these letters were requesting clemency, it was imperative that the language and content they used be appropriate to the situation. Emotional language was very much part of that equation. Thus, as a measure of strategy, the letter writers combined emotions that most likely came to them naturally, but were also constructed emotions in order to provoke the desired

⁸¹ For more about letters as evidence of emotions see, Mark Seymour, *Emotional Arenas: Life, Love, and Death in 1870s Italy* (Oxford: Oxford University Press, 2020), 79-110, especially 89, 99 for photographs of love letters; Doucet, "'Toujours je sens mon âme se balancer entre les joies et les peines,'" 53-54.

reaction from the reader. In other words, the letter writers used specific language to try to manipulate the reader, and while they each constructed their letter for that purpose, nevertheless the emotions they bring forward are real.

Most of the letters are small, rectangular, almost postcard size, and on white paper that has slightly yellowed. One of the letters I examined is on paper with faint lines, somewhat similar to present-day loose-leaf paper. The other letters are not lined and appear to be written on common, lightweight writing paper. As well, the ink has remained dark and clear—the cursive writing is legible. All the letters are in blue ink, except one is written in black ink. Furthermore, all the letters have formal stamps with dates from the Office of the Governor General (OGG) and the Department of Justice (DOJ). The stamps have faded somewhat as well. The stamps, with the dates of the reception of the letters at the OGG and the DOJ, give us a good idea of the time between the dates when the letters were written and when government officials meticulously organized all the documents relating to the case in order for them to be reviewed, documented, and organized into a case file ultimately for the Governor General to use to base his decision for clemency on.⁸²

The file contains eight letters, by Cordélia, her sisters, Rose, Mélina, and Josephine, and Josephine's husband, Modeste Hébert (Modeste and Cordélia sent two letters each). It appears that Cordélia, Rose, and Mélina's letters are similar in size and description as above.⁸³ The paper used to write Cordélia's letter is slightly different, it is not lined and has some frayed and ragged edges, which none of the other letters have. (see figures 6.1, 6.2, 6.3) In contrast to Cordélia, Rose, and Mélina's letters are similar to those of Josephine and Modeste's letters. Their letters are larger, and Modeste's letters have withstood the test of time and show very little age or damage. Conversely, Josephine's letter is faded, frayed, and in a delicate state. The smaller letters vary from three to four pages each. Modeste wrote the least: only a couple of sentences; in contrast, Mélina's letter is the longest at four pages long. Cordélia and Mélina's letters are dated the same day: February 13, 1899. Rose wrote three pages on February 15. However, Modeste and Josephine (she wrote three pages as well) begin and end the campaign with their letters dated

⁸² For more about the organization of capital case files, see Carolyn Strange, "Stories of Their Lives: The Historian and the Capital Case File," in *On the Case: Explorations in Social History*, ed. Franca Iacovetta and Wendy Mitchinson (Toronto: University of Toronto Press, 1998), 25-48.

⁸³ The following paragraph references multiple letters written by Cordélia Viau, Rose Tougas, and Mélina Power in Viau, Volume 1436, File 304 A, LAC.

February 10 and 20 respectively. Lastly, there is a letter from a woman in Red Lake Falls, Minnesota. News of Cordélia reached different communities, and there were news reports about Cordélia in *Echo de l'Ouest*, a French newspaper serving the French speaking community in Minnesota.⁸⁴

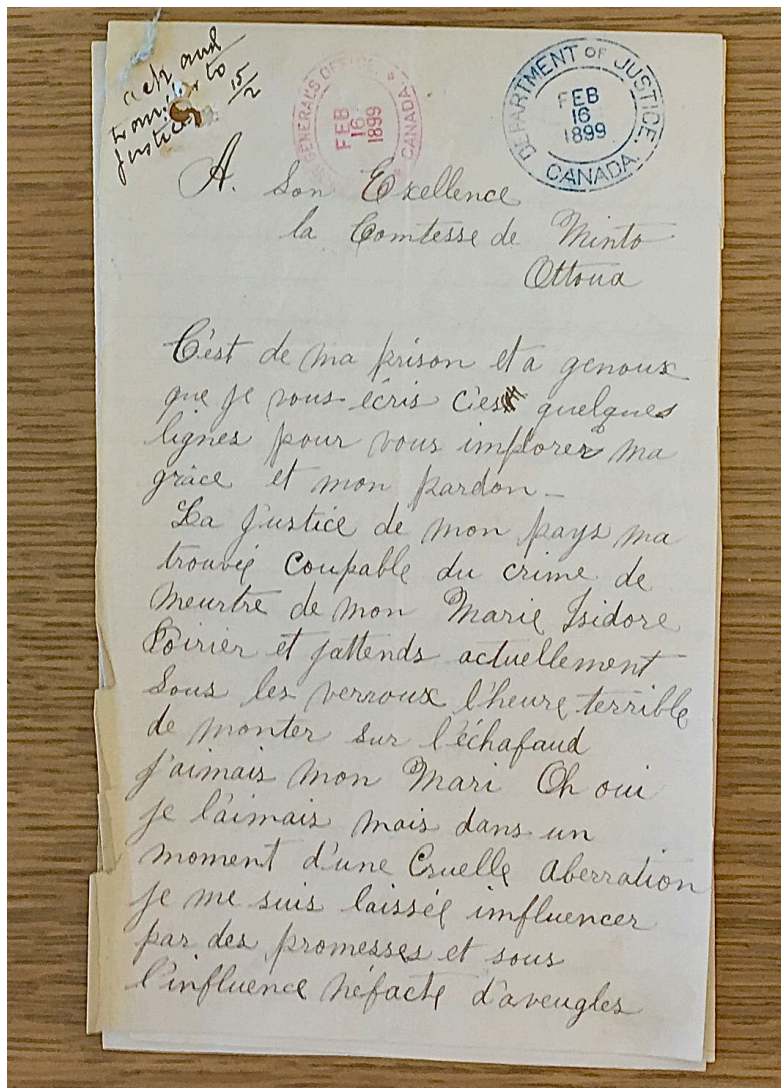


Figure 7.1. Photograph taken by the author with permission from LAC. *Letter from Cordélia Viau to Lady Minto* [first page], February 13, 1899, letter. Viau capital case file, LAC, R.G. 13, Volume 1436, File 304 A.

⁸⁴ Letter from Red Lake Falls, Minnesota, letter, March 6, 1899, Viau, Volume 1436, File 304 A, LAC; “Cordelia Viau,” *Echo de l'Ouest* (Minneapolis), March 10, 1899, 1. For more about French immigration to Minnesota, see Virgil Benoit, “Gentilly: A French-Canadian Community in the Minnesota Red River Valley,” *Minnesota History* 44, no 8 (1975): 278-289.

passion j'ai laissé commettre l'horrible
tragedie, que Dieu seul je le
sais peut me pardonner
je demande a Votre Excellence
la grace non de mon horrible
faute, mais Votre extreme
indulgence; et l'immense faveur
d'aller pleurer toute ma vie dans
les Cachots d'un penitencier

Vous êtes femme et c'est a
votre coeur de femme et de bonne
Mere que je m'adresse, He grace
Excellence epargnez moi l'horible
Supplice de l'echafaud

je ne merite pas je le sais
grande Compassion ni peut être
la plus legere Sympathie

Mais au moins ne pourriez vous
pas trouver dans un coin de
votre bon Coeur une petite

Figure 7.2. Photograph taken by the author with permission from LAC, Letter from Cordelia Viau to Lady Minto [second page], February 13, 1899, letter.

parcelle de pitié pour la
plus malheureuse des femmes
permettez moi d'espérer votre
Excellence que le règne de la plus
Excellente femme du meilleur des
Gouverneurs signale son arrivée
dans ce pays par un acte d'une
incommémorable Charité; je suis certain
de votre puissante influence auprès
de son Excellence le Comte, et ayant
foi en votre efficace intercession; je
vous prie de croire ma contribution la
plus parfaite et à mon respect le
plus entier

Je suis de votre Excellence la
plus dévoué quoique la plus
indigne de vos servantes

Cordélia Viau
Scholastique le 13 Février 1899

Figure 7.3. Photograph taken by the author with permission from LAC, Letter from Cordélia Viau to Lady Minto [third page], February 13, 1899, letter.

Organization

This thesis is organized thematically into three chapters. Chapter one will explore the historical context of capital punishment in Canada and will focus on the many actors and their roles in the political decision-making that occurred when a death sentence was declared. Ultimately, it will demonstrate who held the power to grant or refuse mercy or not. Chapter two will explore the private emotions of the Viau family and their reactions to Cordélia's death sentence. The emotions analyzed will show how the Viau family operated within the emotional regime prescribed by the state. As well, this chapter will touch on the long-term consequences the execution had on the family. Lastly, chapter three will show the public emotions revealed in the extensive media reporting about the case and how journalists, tasked with representing the public, provoked reader's emotions through sensational language.

Chapter One: Judgment

Cordélia's jury trial, in the Superior Court at Sainte-Scholastique began two months after the murder, on January 17, 1898, and the all male jury. The proceedings were presided over by Justice Henri Thomas Taschereau who had been appointed to Québec's Superior Court and twenty years earlier in 1978.¹ At the trial, the court heard testimony from family, friends, neighbors, and acquaintances from the communities to which Cordélia and Samuel belonged. News reports summed up the allegations made on both sides of the case. The prosecution presented Cordélia and Samuel as engaged in a romantic affair beginning some two years prior to the murder. Much of the testimony the jury heard was to corroborate that theory. In fact, there was an overwhelming amount of evidence in support of this argument. Additionally, the crown presented Cordélia as the mastermind of the crime who carried the majority of the blame for causing her husband's death.² On the other side, the defense tried to plant the seed of doubt by presenting the possibility that Isidore had committed suicide. When that strategy failed, they relied on the appeal process citing judicial error in the admitting of evidence.

After hearing the evidence against Cordélia, the court wrapped up with final arguments on February 2, 1898. The crown's final argument requested the jury not to succumb to "sentiment" because Cordélia was a woman.³ They stated that since men who were accused of crimes were not afforded the same emotional consideration it was only fair to use the same standard for Cordélia.⁴ At the same time, they noted the lack of emotion displayed by Cordélia and presented her stoicism as evidence that she was not behaving in a manner that showed she was a devoted wife suffering from the loss of her husband.⁵ It is interesting to note this dichotomy of expecting emotional display and also demanding its repression. As Simmonds and Reiter argue, the law was and still is purported to be rational and objective; however, emotions

¹ Yves Hébert, "Taschereau, Sir Henri-Thomas," in *DCB*, vol. 13, University of Toronto/Université Laval, 2003.

² The crown's acknowledgement of Cordélia as a woman capable of pre-meditated murder strays from the common Victorian notion of female criminality as stemming from a diseased mind. For more about women, violent crime, and insanity, see: Jill Newton. "'Some Mysterious Agency': Women, Violent Crime, and the Insanity Acquittal in the Victorian Courtroom," *Canadian Journal of History* 35 (2000): 40.

³ "Asking For Justice," *Montreal Daily Star*, February 2, 1898, 4; Laura Kounine, "Emotions, Mind, and Body on Trial: A Cross-Cultural Perspective," *Journal of Social History* 51, no. 2 (2017): 225–226.

⁴ For more about emotions in the courtroom, see Seymour, *Emotional Arenas*, 156; R. Blake Brown, *A Trying Question: The Jury in Nineteenth-Century Canada* (Toronto: Osgoode Society / University of Toronto Press, 2009), 193-196.

⁵ "Asking For Justice," *Montreal Daily Star*, 4.

still presented themselves and even were expected from certain people in the process.⁶ It was also expected that judges and juries should abstain from feelings.⁷ While this example is just a snippet from the emotions surrounding this case, it shows that from early on in the process, Cordélia was not living up to the emotional norms expected of her, and the process begins to showcase “the institutions of power that make emotional prescriptions.”⁸

Furthermore, Justice Taschereau advised the jury not to allow their feelings about the death penalty to interfere with their duty to convict or acquit. In his instructions to the jury, Justice Taschereau addressed the potential issue jurors might have convicting a woman of a capital offence and redirected them to their responsibility to find the facts in the case. He reminded them that sentencing was his responsibility and said, “You are not the executioners; that is an office with which you have nothing to do, and if a man failed to do his duty for fear of consequences it seems to me that he would be, when remorse overtook him, the unhappiest of men.”⁹ The burden of capital punishment on jurors’ consciences was well known and judges did their best to remove that burden by “shifting the responsibility for the death penalty to the sentencing phase...”¹⁰ Justice Taschereau understood that the jury may have had reservations, especially considering that Cordélia was a woman. His efforts may not have been in vain, since the jury returned with a guilty verdict after deliberating for an hour and half.¹¹ Indeed, *La Presse* reported that some on the jury found the evidence against Cordélia overwhelming while others were convinced through the judge’s summary of the evidence.¹² However, the defense for Cordélia was already working on an appeal, thus the judge stayed the sentence and reserved the case to be heard on appeal later that spring.

On June 17, the Court of Queen’s Bench, Appeal Side, quashed the verdict due to improperly admitted evidence. It ordered a second trial, and limited certain evidence that had been allowed in the first trial. The second trial, which began on December 5th of the same year, was also presided over by Justice Taschereau. It might seem unusual to have the same judge hear a case twice, however, at the time it was considered acceptable. After all, it was the jury who

⁶ Simmonds and Reiter, *The Legal History of Emotions*, 429–430.

⁷ Brown, *A Trying Question*, 33-34.

⁸ Boddice, *A History of Feelings*, 190.

⁹ “Cordelia Viau Found Guilty,” *Montreal Daily Star*, February 3, 1898, 1.

¹⁰ Leyton-Brown, *The Practice of Execution*, 24.

¹¹ “Cordelia Viau Found Guilty,” *Montreal Daily Star*, 1.

¹² “Le Commencement de la fin!,” *La Presse* (Montréal), February 3, 1898, 1.

ultimately decided the verdict and not the judge, whose role was purely as the administrator of the court. Before the second trial, Cordélia appealed the Court of Queen’s Bench, Appeal Side decision to the Supreme Court of Canada, which made its decision on October 13.¹³ The court ruled that it would not consider the case since the Court of Appeal had ordered a second trial in order to remedy the errors in law originally made by Justice Taschereau and that this trial had not commenced yet. Essentially, the ruling was that it was premature to decide on the case before the second trial was held as it may have resulted in a different outcome. Unfortunately for Cordélia, at the second trial the prosecution presented a compelling argument and despite the new limits on evidence that was allowed to be entered, on December 16, the second jury found Cordélia guilty of capital murder, after again deliberating for one hour and a half.¹⁴

Consequently, Cordélia was sentenced the same day. Justice Taschereau made a lengthy statement describing his thoughts on the crime, which was published in *La Presse*. He made no attempts to hide his contempt for Cordélia and placed the majority of the blame on her, describing her as the mastermind of the murder. Furthermore, Justice Taschereau summed up the effects of this case on the community: “Your crime is one of the most despicable and repugnant in the annals of crime. It has created, throughout our province, and even abroad, an enormous scandal, and future generations will watch, with terror and disgust, the horrible details of the drama of Saint-Canut.”¹⁵ Taschereau would repeat this conclusion—that the murder was the worst in the history of murder—in his summary to the governor general and in the murder trial pamphlet he published in 1899.¹⁶ Moral judgments like this helped secure admiration for Taschereau. Indeed, he was liked for his intellect and rose to success throughout his career.¹⁷ As a result, his opinion held weight in Québec society as a prominent jurist and former politician.

The Taschereaus

It is important to recognize the elevated place in society Justice Taschereau was born into. Henri-Thomas Taschereau was a member of one of Québec’s most powerful and influential families.

¹³ *Viau v. The Queen* (1898), 29 S.C.R. 90.

¹⁴ “Elle sera pendu,” *La Presse*, 1.

¹⁵ *Ibid.*

¹⁶ *Histoire d’un crime horrible: récit complet et inédit des amours criminelles des Cordélia Viau et Sam Parslow* [...], G.A. Benoit 1899, 37. Archive.org. https://archive.org/details/cihm_06762/page/n5/mode/2up. For more about trial pamphlets, see Lyndsay Campbell, Ted McCoy, and Méthot Mélanie, eds, *Canada’s Legal Pasts: Looking Forward, Looking Back* (Calgary: University of Calgary Press, 2020), 48.

¹⁷ Yves Hébert, “Taschereau, Sir Henri-Thomas,” *DCB*.

The Taschereaus were an elite family in Québec and held (and would go on to hold) numerous, powerful positions in law, politics, and in the Catholic church, as Brian Young has detailed.¹⁸ As it was very common for Taschereau men to become lawyers, judges, and politicians, it is not surprising that Cordélia's court cases were tried by a Taschereau. As a member of an elite family, his birth into this family of jurists and politicians paved a path for Henri-Thomas which found him a lot of success as judge and later a politician like his predecessors.

Moreover, throughout Cordélia's trials, appeals, and time in prison there were three Taschereaus in powerful positions who affected her. As mentioned, her trial was presided over by Henri-Thomas Taschereau. At the time of her appeals, the judge's father's cousin, Henri-Elzéar Taschereau, had replaced Henri-Thomas's father on the Supreme Court of Canada after the latter retired in 1878.¹⁹ As well, Henri-Thomas's uncle, Elzéar-Alexandre Taschereau, was archbishop of Québec from 1871 to 1898. While Archbishop Taschereau's influence was not as direct as Henri-Thomas Taschereau's, he certainly would have had some influence on French Canadian Catholics like Cordélia, who was an active parishioner at her local church. Archbishop Taschereau was credited with improving access to catholic education and its curriculum in Québec, which eventually gained him attention from Rome.²⁰ The influence the Taschereaus held in Québec society demonstrates the discrepancies between the social classes of the criminalized and the people who held power over them.

Although judges were often conservative in their rulings, they understood the importance of being objective. However, for Cordélia it seemed that ideas about gender norms factored into Justice Taschereau's sentencing comments. As we will see in the newspapers as well, Cordélia (as most women) was viewed, and judged, through the lens of gender. This is particularly evident in the sentencing comments made by Justice Taschereau. For example, he declared to the court, "Cordélia Viau, if you have failed in all your duties as a woman and as a wife to the point of murdering your husband, that is a trait of your character that I would like to recognize."²¹ To Justice Taschereau, Cordélia betrayed her role as woman and wife and that betrayal was, in part,

¹⁸ Brian Young, *Patrician Families and the Making of Quebec: The Taschereaus and the McCords*. (Montreal and Kingston: McGill-Queens University Press, 2014), 382n50.

¹⁹ Christine Veilleux, "Taschereau, Jean-Thomas (1814-93)," *DCB*, vol. 12, University of Toronto/Université Laval, 2003; David Howes, "Taschereau, Sir Henri-Elzéar," *DCB*, vol. 14, University of Toronto/Université Laval, 2003.

²⁰ *Ibid*.

²¹ "Elle sera pendu," *La Presse*, 3. "Cordélia Viau, si vous avez failli à tous vos devoirs de femme et d'épouse au point d'assassiner votre mari il est un trait de votre caractère que je me plais à reconnaître."

what made him classify her crime as the worst he had seen.²² As Karen Roggenkamp asserts, “True women selflessly committed themselves to their fathers, husbands, and sons...”²³ To use Thomas Nulty’s case again as a quick comparison—a murder in which the four victims, all children, had sustained devastating injuries including decapitation—Nulty was not treated by the trial judge with the same contempt that Cordélia experienced.²⁴ In fact, the judge, Charles Chamilly de Lorimier, refrained from passing comments. He was reported as saying, “This is neither the time nor the place to allow me to make any reflection on the case. The facts of this trial are too obvious to the mind for me to be permitted to comment.”²⁵ The treatment of Cordélia and Thomas Nulty by their respective judges shows the obvious gender disparities women faced in the courtroom.

The Mercy Process

Capital punishment in Canada is a well versed and explored area of study and there is a large body of literature that has been published about it.²⁶ Notably, Carolyn Strange has contributed works on the nature of mercy which provide this project important perspectives that situate Cordélia’s case in a broader context. Recently, Strange has focused on what she refers to as “sex murder,” that is capital case murders which involved some type of accusation of rape, sexual assault, and “sexual perverts”. Although the time period she explores is mostly in the twentieth century, she provides an excellent contextual description of capital case files and their political nature. Her work provides this project with critical insights into how capital case files were processed.²⁷ Furthermore, Strange’s work contributes to our greater understanding of the seemingly random nature of mercy in Canada.²⁸ Indeed, the “lottery” effect of clemency meant

²² Joanne Bernier and Cellard André, “Le Syndrome De La Femme Fatale: ‘Matricide’ et représentation féminine au Québec, 1898–1940,” *Criminologie* 29, no. 2 (1996): 30, 34.

²³ Karen Roggenkamp, *Narrating the News: New Journalism and Literary Genre in Late Nineteenth-Century American Newspapers and Fiction* (Kent, Ohio: Kent State University Press, 2005), 84.

²⁴ “Tom Nulty sera pendu,” *La Patrie*, February 5, 1898, 7.

²⁵ *Ibid.*, “Ce n’est ni le temps, ni l’endroit pour me permettre de faire aucune réflexion sur la cause. Les faits de ce procès sont trop présents à votre [sic] esprit pour qu’il me soit permis de faire quelques commentaires.”

²⁶ Important works include, Fyson, “The Spectacle of State Violence,” 383-407; Leyton-Brown, *The Practice of Execution in Canada*; Greenwood and Boissery, *Uncertain Justice*; Carolyn Strange, *The Death Penalty and Sex Murder in Canadian History* (Toronto: Osgoode Society/University of Toronto Press, 2020); Carolyn Strange, ed. *Qualities of Mercy: Justice, Punishment, and Discretion* (Vancouver B.C.: UBC Press, 1996).

²⁷ Carolyn Strange, *The Death Penalty and Sex Murder in Canadian History*, 6.

²⁸ Strange, “The Lottery of Death: Capital Punishment 1867-1976,” *Manitoba Law Journal* 23 (1995): 594-619.

that mercy was inconsistently applied to many clemency campaigns.²⁹ However, it would seem that Cordélia's campaign, despite its well strategized plan, probably did not fall victim to the lottery effect because of the severity of the crime. The premeditated and cruel nature of the crime certainly doomed Cordélia.³⁰

Capital case files are the record of the mercy process. As Carolyn Strange explains, they were a political device implemented as a last recourse for the condemned (if the public felt strongly enough, which in Cordélia's case they did), for the condemned, and were compiled by the DOJ on behalf of the Governor General. Broadly speaking, these carefully curated and preserved files contain any correspondence from the public, such as letters and petitions, which were dutifully included alongside the recommendations from the trial judge, jury, and the minister of justice.

To better understand how clemency, for those convicted of a capital offence, was obtained, a description of the process and the individuals involved is needed. As was the tradition in absolute monarchies, like in France, the sovereign had absolute power over their subjects and could decide their fate, especially in regards to punishment for criminal acts. In constitutional monarchies, like Britain after the seventeenth century and its colonial dependencies, including Canada, vestiges of direct royal power remain in the form of royal prerogatives, which are unique powers and privileges of the crown and recognized by common law.³¹ Understandably, to those who do not study Canadian history or constitutional monarchies, royal prerogatives may seem like an outdated use of the crown's power over its former colony, yet they continue to occupy an important role in Canada's constitution. While they are mostly ceremonial and unwritten, certain prerogatives, like the royal prerogative of mercy, serve a more practical purpose. Arguably, there is a strong emphasis on the word "privilege," as the monarchy, in a free and democratic nation, no longer holds any real authority over its people.³² For the most part, it is now the crown's representatives (the Governor General), the prime minister, and the cabinet that exercise royal prerogatives, instead of the King or Queen directly. Essentially, royal prerogatives are exercised by the Governor General in Council (GGIC), instead of the monarch. Ultimately, this change occurred with the enactment of the *British North America Act, 1867*

²⁹ Ibid.

³⁰ Bernier and Cellard, "Le Syndrome de la femme fatale," 35.

³¹ Peter W. Hogg, *Constitutional Law of Canada*, 5th ed supplemented, (Toronto: Carswell, 2006), 25.

³² Ibid., 1-18.

(*BNA Act, 1867*), making the federal government, and the cabinet more specifically, the formal reviewer of royal prerogatives.³³ Thus, defining where power and decisions are made becomes blurred between the federal government and the monarch's representative, the Governor General. The royal prerogative of mercy is also an example of a prerogative that the Governor General in council (GGIC) is responsible for along with the prime minister and cabinet. With the abolition of the death penalty, this prerogative of mercy now applies mainly to pardons, which can still be sought for most criminal convictions.

As mentioned above, the powers the government holds are far greater than the monarchy, despite these powers residing mostly in "custom and convention."³⁴ Consequently, the monarch and their representative are symbolic positions only. This is an important distinction to make as we will see in the capital case files, but how people approached the question of mercy is both informed by a long history of requesting mercy and by the decision-making process. With Confederation, the power to give mercy shifted from the monarchy to politicians.³⁵ Over time, the decision-making process changed from seeking mercy from the King or Queen to a bureaucratic decision made by a representative of the monarch, elected government officials, and even governmental clerks. Indeed, Strange sums up that the decision of mercy was left to "mere commoners...[who] gathered around a large table, puffing tobacco and shuffling through papers as they considered capital cases amidst their other agenda items."³⁶ In essence, the treatment of life and death decisions was mixed in with other bureaucratic tasks by mortal and flawed men.

Another important question that has been contemplated throughout the research of this topic is which political actor(s), in fact, made the decision to allow an execution to take place or to commute the death sentence? The answer to this question requires a closer examination of the political framework of Canada at Confederation as set out in the constitution. With the enactment of the *BNA Act, 1867*, a committee composed principally of the Prime Minister and Cabinet was formed.³⁷ This committee is referred to as the Privy Council of Canada.³⁸ As such, its role is to provide counsel to the Governor General and through his position as representative of the crown

³³ Strange, *The Death Penalty and Sex Murder in Canadian History*, 7.

³⁴ Hogg, *Constitutional Law of Canada*, 29.

³⁵ Ibid.

³⁶ Strange, *The Death Penalty and Sex Murder in Canadian History*, 9.

³⁷ Hogg, *Constitutional Law of Canada*, 29.

³⁸ Government of Canada, "Orders in Council," *Government of Canada*, last modified March 24, 2023, <https://www.canada.ca/en/privy-council/services/orders-in-council.html>.

make decisions on behalf of the monarch. Although it is made up of numerous members (as membership is for life), realistically only those currently represented in cabinet give counsel (although former cabinet members can weigh in as well) to the Governor General. The body is also referred to as GGIC.³⁹ Consequently, the Privy Council forms a body, with the authority of common law, that can assemble to decide on prerogatives without any influence from the rest of Parliament.⁴⁰ Therefore, it is ultimately the prime minister and members of cabinet who wield power and authority, not the crown or the Governor General.⁴¹ This is not to say the Governor General does not exercise any influence; however, he is not the only one influencing the decision.⁴²

Moreover, royal prerogatives require the Governor General to be advised by the cabinet or privy council. This advisement occurs in private, thus the discussion among the Governor General and Cabinet is not recorded.⁴³ However, once the Governor General is in council, an Order in Council (OIC) is created and signed by the members of Cabinet and the Governor General.⁴⁴ According to the Government of Canada, an OIC is a “legal instrument...made on the recommendation of...the Crown...”⁴⁵ To historians, an OIC is a document rich with information, but it also leaves many questions unanswered, particularly, how exactly was the decision made? To use the royal prerogative of mercy as an example, there is one of two choices: Cabinet can intervene in the course of justice and give mercy to the offender, or remain in the (supposedly) neutral space the government occupies in our penal system and let the execution move forward. As mentioned before, there are many reasons for an OIC, royal prerogatives are one of those reasons.⁴⁶ As Peter Hogg explains, an OIC (a legal instrument) is a written document that acts as a mechanism, which upon the signature of the Governor General, immediately becomes legal.⁴⁷ Essentially, an OIC is created with the executive powers of the crown, and is decided by the prime minister and cabinet, but is not introduced into parliament for debate nor does it proceed

³⁹ Ibid.

⁴⁰ Hogg, *Constitutional Law of Canada*, 25.

⁴¹ Ibid., 29.

⁴² Strange, *The Death Penalty and Sex Murder in Canadian History*, 32.

⁴³ Kimberley White, *Negotiating Responsibility: Law, Murder, and States of Mind* (Vancouver: UBC Press, 2008), 20.

⁴⁴ Hogg, *Constitutional Law of Canada*, 25.

⁴⁵ Government of Canada, “Orders in Council.”

⁴⁶ Hogg, *Constitutional Law of Canada*, 25.

⁴⁷ Ibid.

through the usual steps a bill proposal does in the House of Commons and Senate.⁴⁸ In other words, it is an executive order, rather than a legislative enactment. Hence, numerous OICs are created and signed, allowing for what the government deems more pressing issues to be heard in the House of Commons.⁴⁹ For legal historians studying capital case files, OICs are important documents that reflect the politicization of life and death, and their existence in the files further highlights the removal of any emotions from the officially produced, written record.

The nature of colonial law in Canada and the couching of criminal law in the tradition of British common law, throughout all the provinces and territories, including Québec (which otherwise practices civil law), allows the unique opportunity for elites in high political positions to influence the penal system as representatives of the British monarch. It is through the royal prerogative of mercy that the Privy Council and the members of Cabinet received counsel regarding the fate of persons sentenced to death. This counsel was given to the Governor General for every death sentence in Canada, the majority of those occurring in British Columbia, Ontario, and Québec.⁵⁰ The royal prerogative of mercy, which took place entirely in closed rooms, involved determining whether the condemned person deserved, on the merits of their case, to have their death sentence commuted, usually to a life sentence. If the determination was found not to be in favour of the convicted person, “law [should] be allowed to take its course.”⁵¹ This was the final recourse available to convicted murderers and an extremely important display of royal power over the Dominion of Canada.⁵² Again, this power became largely symbolic after Confederation and was a formality on the part of the government, but was a fragile glimmer of hope for those desperately pleading for their lives.⁵³

This brings us to a question: who exactly held the positions of Governor General, cabinet minister, and the DOJ legal clerk when Cordélia’s death sentence was handed down? The Governor General, Lord Minto, was born into nobility as Gilbert John Elliot Murray Kynynmound, the fourth Earl of Minto, a title he inherited from his grandfather.⁵⁴ His early life

⁴⁸ Government of Canada, “Orders in Council.”

⁴⁹ Ibid.

⁵⁰ Strange, *Qualities of Mercy*, 115.

⁵¹ Telegram to the Joint Sheriff of the District of Terrebonne, March 6, 1899, Viau, Volume 1436, File 304 A

⁵² Jonathan Swainger, *The Canadian Department of Justice and the Completion of Confederation 1867–78* (Vancouver: UBC Press, 2000), 57.

⁵³ Strange, ed., *Qualities of Mercy*, 115.

⁵⁴ Carman Miller, “Elliot, Gilbert John Murray-Kynynmound, Viscount Melgund and 4th Earl of Minto,” *DCB*, vol. 14, University of Toronto/Université Laval, 2003.

was fairly unremarkable; as a child he was home schooled by his mother, then eventually he attended Eton College, where he had a preference for playing sports. In particular, according to biographer and historian Carman Miller, he enjoyed racing, hunting, and rowing and was passionate about them.⁵⁵ His marriage to Mary Caroline Grey, daughter of the private secretary to Queen Victoria, was a good match for Minto as he benefitted greatly from his wife's connections to the court.⁵⁶ Ultimately, it was her relationships with members of Queen Victoria's family that helped Minto secure his position as Governor General of Canada in the fall of 1898.

Indeed, Lady Minto was a driven and successful woman who was well-educated. Her father's position allowed for Lady Minto to grow up in the court of Queen Victoria and she profoundly benefitted from the connections she made there.⁵⁷ This close relationship spanned over the course of her life as she remained friends with the daughters of Queen Victoria and became a lady-in-waiting for one of the princesses towards the end of her life.⁵⁸ Based on her proximity to Queen Victoria, Lady Minto was most likely raised Protestant in the Church of England. However, with her marriage to Lord Minto, she most likely switched to Presbyterian in the Church of Scotland.⁵⁹

The Mintos had five children and appeared to have been caring parents.⁶⁰ *The Montreal Daily Star* reported that on their journey from England to Montréal one of their sons was ill and the family postponed their arrival until he was feeling better.⁶¹ Although they would have had immense support and caregivers for their children due to their high social status and wealth, Lord and Lady Minto were described as involved parents, especially in sports. As an example, Lady Minto was "eager to join in her young family's love for outdoor sports and adventures..."⁶² As

⁵⁵ Ibid. For more about Lord and Lady Minto, see John Buchan, *Lord Minto: A Memoir* (London: T. Nelson and Sons, 1924); Gilbert John Murray Kynynmond Elliot Minto, Paul Douglas Stevens, and John T Saywell, *Lord Minto's Canadian Papers: A Selection of the Public and Private Papers of the Fourth Earl of Minto 1898-1904*, Publications of the Champlain Society (Toronto: Champlain Society, 1981), 51, 53.

⁵⁶ Carman Miller, "Grey, Mary Caroline (Elliot, Viscountess Melgund and Countess of Minto)," *DCB*, vol. 16, University of Toronto/Université Laval, 2003.

⁵⁷ Ibid.

⁵⁸ Martha Groppo, "Kynynmound [née Grey], Mary Caroline Elliot-Murray-, countess of Minto," *ODNB*, December 12, 2019.

⁵⁹ Carman Miller, "Grey, Mary Caroline," *DCB*; Buchan, *Lord Minto*, 112.

⁶⁰ The news reports of their family life reflect ideas about tender parenting in Joanne Bailey, *Parenting in England, 1760-1830: Emotion, Identity, and Generation* (Oxford: Oxford University Press, 2012), 34.

⁶¹ "Arrival Of Lord Minto," *Montreal Daily Star*, November 14, 1898, 4.

⁶² Carman Miller, "Elliot, Gilbert John Murray-Kynynmound," *DCB*.

well, Lady Minto was active in health care and provided aid to nurses, hospitals, and other “charitable institutions” as part of her role as viscountess.⁶³

Moving on to the Cabinet, Sir Wilfrid Laurier headed the Cabinet as Prime Minister. He was born into a French-Canadian family that had been living in Québec since the seventeenth century.⁶⁴ As a child, Laurier was schooled in English and was surrounded by British and Scottish culture. Later on, he studied law at McGill College and had a passion for politics. After a long career in law and politics, Laurier, a Liberal, became Prime Minister in 1896.

Another important figure in this case was David Mills, Minister of Justice, who was born in Upper Canada and attended school in Kent County, eventually becoming a teacher.⁶⁵ He traded his career in teaching for one in law after attending law school in Ontario and from there became interested in politics. As a member of the Liberal party, he was appointed to the position of Minister of Justice from 1897 and served until 1902. Out of all the members of Cabinet, the Prime Minister and Minister of Justice were most concerned with their recommendations for the prerogative of mercy.⁶⁶

Finally in the group of advisors—and perhaps most importantly—was the legal clerk working in the Department of Justice. Notably, Augustus Power was chief clerk from 1879-1911, a position he obtained through his brother-in-law, Georges Duval, who was appointed to the position by the Justice Minister, Antoine-Aimé Dorion.⁶⁷ Power first joined the Department of Justice in 1874 and quickly rose to chief clerk a mere five years later.⁶⁸ Correspondingly, his initials and his marks in blue and red pen are throughout Cordélia’s case file, indicating Power’s role in gathering the file. He was also responsible for summarizing the material before it was sent to cabinet to be discussed and voted on. Once the cabinet had reviewed the file, the Prime Minister and MOJ would usually accept the recommendation before it was finally sent to the Governor General.⁶⁹ As a result of the clerk’s central role, Strange holds a microscope to

⁶³ Martha Groppo, “Kynynmound [née Grey], Mary Caroline Elliot-Murray,” *ODNB*.

⁶⁴ This paragraph is informed by Réal Bélanger, “Laurier, Sir Wilfrid (baptized Henry-Charles-Wilfrid),” *DCB*, vol. 14, University of Toronto/Université Laval, 2003, accessed February 9, 2023.

⁶⁵ This paragraph is informed by Robert C. Vipond, “Mills, David,” *DCB*, vol. 13, University of Toronto/Université Laval, 2003.

⁶⁶ Robert J. Sharpe, *The Lazier Murder: Prince Edward County, 1884* (Toronto: University of Toronto Press, 2011), 117.

⁶⁷ Department of Justice, *The Long Road to Recognition: The First Civilians at the Department of Justice (1867-1952)*, last modified February 2, 2023, <https://www.justice.gc.ca/eng/rp-pr/other-autre/civil/lr1.html>.

⁶⁸ *Ibid.*

⁶⁹ White, *Negotiating Responsibility*, 20.

Power's involvement in the creation of the capital punishment files.⁷⁰ Power held the highest position as chief clerk and had discretionary power in capital cases, often maintaining the status quo by agreeing with the trial judge's summary.⁷¹ The discretionary power that chief clerks held meant life and death decisions were weighed by the clerk through the documents he collected from the summary reports that he ordered.⁷²

At the same time the government was collecting and reviewing the case file, the public was able to weigh in on the question of mercy. In Cordélia's case, the common thread that ran through the majority of the letters that the family submitted is the act of intercession. Letters of intercession have a long history in capital punishment cases. Indeed, as Natalie Zemon Davis demonstrates, already in early-modern France requesting intercession was a formulaic part of the process of remission and was usually written by legal representative, lawyer, or notary (or someone literate and knowledgeable of the law and the courts).⁷³ A similar formula appears to hold true in the letters in the Viau file as well. In all but two of the letters, intercession was requested. Although this is not exceptional, in the capital cases, it is interesting to see the continuation of the centuries-old mercy process by appealing to the wife of the monarch (or in this case, its representative), in the late nineteenth-century Québec.⁷⁴ Furthermore, the letter-writers were accessing a powerful form of intercession, originally by a queen, to her husband—the king. As Lisa Benz St. John demonstrates, medieval queens could intercede in a variety of ways: “medieval queens could act as intercessors... through securing a privilege such as a pardon, grant, or appointment, from the king at the behest of someone else.”⁷⁵ Furthermore, she argues that it was exactly the queen's intimate contact with the king that granted her this influence over him. It is easy to see the parallels in relation to this power between medieval queens and kings,

⁷⁰ Strange, *The Death Penalty and Sex Murder in Canadian History*, 7, 54-55.

⁷¹ *Ibid.*, 7.

⁷² Parallels to chief clerks and Indian agents show how mercy recommendations were made by bureaucrats in the Department of Indian Affairs as explored in Jacqueline Briggs, “Exemplary Punishment: T.R.L. MacInnes, the Department of Indian Affairs, and Indigenous Executions, 1936-52,” *Canadian Historical Review* 100 (2019): 398-438; White, *Negotiating Responsibility*, 21. See also: Jonathan Swainger, “A Distant Edge of Authority: Capital Punishment and the Prerogative of Mercy in British Columbia, 1872-1880,” in *Essays in the History of Canadian Law*, Volume VI: British Columbia and the Yukon, ed. Hamar Foster and John McLaren (Toronto: Osgoode Society/University of Toronto Press, 1995), 209.

⁷³ Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Cambridge: Polity, 1988), 16, 41.

⁷⁴ Catherine Oakes, *Ora Pro Nobis: The Virgin as Intercessor in Medieval Art and Devotion*. (London: Harvey Miller, 2008), 24-25.

⁷⁵ Lisa Benz St. John, *Three Medieval Queens: Queenship and the Crown in Fourteenth-Century England* (version 1st ed.). 1st ed. Queenship and Power. (New York: Palgrave Macmillan, 2012), 34.

Lady Minto's role as wife to a lord, and her lifelong connection to Queen Victoria's court that, effectively, secured Lord Minto's political career and his appointment as Governor General of Canada. However, to pinpoint how a fairly typical rural, French Canadian family would have understood these deeply rooted connections to medieval history is less clear. We know that it would not have been unusual for Catholics to seek forgiveness, redemption, and mercy from female saints and especially the Virgin Mary, and that it would have been communicated frequently, through these religious channels, that begging for forgiveness through the Virgin Mary or other female saints, was normalized and a frequent occurrence.

Lady Minto as Intercessor

Although in medieval Europe the act of intercession was often successful after several stages (beginning with a letter requesting intercession and ending with an entry into the chancery), the records in the chancery sometimes made it appear that the queen had minimal influence in the process. However, as St. John argues, most of the influencing of the king was done by the queen, in private.⁷⁶ This is likely to be true of Lady Minto also. Unfortunately, it is impossible to know whether she spoke at all to Lord Minto about Cordélia or to what extent, or if, she internalized the emotional appeals sent to her. What is important to note is that the letter writers thought it was important to appeal to her. Certainly, with the history of intercession, she would have been a logical choice to write letters to in any event. The news of the Minto's arrival the previous autumn, their reputation as close-knit family, and Lady Minto's connection to Queen Victoria's court would have helped influenced the Viaus' decision to write directly to her.⁷⁷ In an effort to see if Lord and Lady Minto discussed Viau's case, in private letters, I searched the collection at LAC for traces of this case, but to no avail. Thus, this lends weight to the argument made by St. John, that most likely these discussions would have taken place in private and in intimate moments, if they happened at all. St John posits, "...these acts of intercession most likely took place in private settings through verbal communication...having close physical proximity to, as well as an intimate relationship with the King was advantageous."⁷⁸ Despite no written evidence

⁷⁶ Ibid., 34-35.

⁷⁷ "Reception à Lord Minto," *La Presse*, November 14, 1898, 1.

⁷⁸ St. John, *Three Medieval Queens*, 35.

of their conversations, the Mintos would have had the intimacy to discuss matters of the heart in each other's presence.

In further support of the argument that Lady Minto was a natural choice for the Viaus to write to, St John explains that it would not have been strange for women to seek intercession from the queen as they would have felt a similar connection towards each other through their gender.⁷⁹ In the medieval context, the small number of successful intercessions does not suggest these women were more likely to be helped by the queen.⁸⁰ Yet, it does offer a viewpoint that medieval women would have felt more comfortable to appeal to the queen, as “female networking did exist.”⁸¹ As we will see when we look more closely at the letters, the Viaus certainly tried to connect their lives as women and mothers to that of Lady Minto.

It is possible, using Rosenwein's theory of emotional communities, which itself comes from the context of medieval history, that women in a “network” could also have shared similar feelings and emotions. While there was not much overlap between Lady Minto and the Viaus, the areas they did share was gender and motherhood. Whether Lady Minto shared these feelings or not is uncertain, nevertheless, the Viaus thought she probably did share them. It is possible to see the family, and particularly the women in the family, having similar feelings about Cordélia's conviction and death sentence. It is these reverberations, over time, dating back to medieval times and their tradition of intercession, that make Cordélia's clemency campaign historically interesting.

The Viau Family

According to archival sources found on Ancestry.ca and nosorigines.qc.ca, Cordélia's parents, Noël Viau and Emélie Viau, were married in the district of Deux-Montagnes, in Sainte-Scholastique, at the approximate age of twenty years old in 1840. I catch up with the couple in the 1861 Canadian census. Noël, a farmer, and Emélie were in their forties with children ranging in age from twenty-one to two years old. They had seven boys (Octave, Napoléon, Cornelius, Selaus, Luke, Rems and Laurien) and three girls (Zepherine, Rose, and Emelie).⁸² In the following decade, the family unit had changed somewhat according to the census. Noël and

⁷⁹ Ibid, 48.

⁸⁰ Ibid, 49.

⁸¹ Ibid, 50.

⁸² Ibid.

Emélie continued to head the household, while it appears that Octave, Zepherine, Cornelius were not included as they likely had started their own families or were residing elsewhere. While it is possible that one of the children had died, but it is also possible names may have been recorded differently. In 1871, the children listed in the house were Napoléon, Rose, Stanislaus, Lucas, Edmund, Mélina, Josephine, and Cordélia (the youngest children were not yet born in the previous census). Based on ages, Selaus is likely Stanislaus, Luke is most likely Lucas, Rems is no longer listed but a boy of the same age shows as Edmund, and Emelie is the correct age for Mélina.⁸³

Unfortunately, the 1871 census has less information than the 1861 census which is more detailed and has categories for absent family members and deaths. The 1871 census only records names, ages, country of origin, ancestry, occupation, whether in school, if they can read and write, and if there are any “infirmities”.⁸⁴ Thus, understanding the family unit in 1871 and onward is complicated. For the purposes of this project, these censuses give a sense of which family members were educated and able to actively campaign for Cordélia, as well as communicate their feelings about hardships Isidore’s murder had on them.

⁸³ Ibid.

⁸⁴ Ibid.

Chapter Two: Letters For Mercy

The letters Cordélia's family wrote provide an interesting snapshot into their emotions during this stressful period of their lives. During the month of February 1899, about a month before Cordélia's execution date, the Viau family sat down to write to Lady Minto and Minister of Justice David Mills. In total, they sent five letters to Minto and one to Mills. These letters demonstrate the emotional state the Viau family was experiencing as a result of Cordélia's death sentence. The letters also point to the emotional regimes the Viau family had to operate within, which will be explored in this chapter at length. However, it is important to point out the extraordinary archival record they left, as most clemency campaigns focused on the public's opinion through letters from unrelated individuals, special interest groups, and organizations.¹ Most mercy campaigns left out the more private and personal thoughts from family members directly impacted by their loved one's impending death. This was especially the case for Angelina Napolitano in 1911, who benefitted from an extensive mercy campaign that got the attention of numerous groups and organizations, but nothing from her family as they were living in Italy.² Among the hundreds of letters sent on her behalf, it is possible her friends may have written, although it seems the majority of letters were from men who were not acquainted with her.³ On the other end of the spectrum, Marguerite Pitre's campaign in 1953 was almost non-existent (with the exception of one letter from an unrelated person), as almost no one in the public was willing to request mercy on her behalf.⁴ Other case files vary in the number of letters or have other features, but out of the files surveyed for this project, no other case contains letters to the wife of the Governor General. These letters in Cordélia's file are a rich source as each letter brings a unique personal and private viewpoint (while also touching on common themes) of a family member and gives us a small window into their thoughts and feelings on the issue. This is one of the reasons why this case file is so compelling and what makes it of particular value for scholars in the history of emotions.

Outside of the case files, in the fond of Lord Minto's personal letters, additional letters were found from Mills concerning Cordélia's case file which included a petition on her behalf

¹ Dubinsky and Iacovetta, "Murder, Womanly Virtue, and Motherhood," 505-506; Strange, "Stories of Their Lives," 26.

² Dubinsky and Iacovetta, "Murder, Womanly Virtue, and Motherhood," 506.

³ Angelina Napolitano, Capital Case File, LAC, R.G. 13, Volume 2698 (1, 2, 3, 4, 5), File 446A/CC22.

⁴ Pitre, Capital Case File, LAC, R.G. 13, Volume 1695 (1.1, 1.2, 2.1), File CC719.

that circulated in the community of Saint-Benoit (located just a little bit south of Saint-Canut).⁵ The petition, preserved in the case file, demonstrates another way in which the Viaus attempted to secure mercy for Cordélia. Newspaper reports point to Cordélia's mother as the collector of signatures. For example, *The Montreal Daily Star* wrote that Emilie Viau canvassed the community for signatures and she specifically gathered the signatures of women.⁶ So, while the petition can be described as an outside influence on the campaign, it was conducted by Emilie and it used the same gendered strategy that the letters attempted: women appealing to women. The petition was also sent to Lady Minto for her consideration.⁷

Additionally, another letter was sent to Lord Minto from David Mills concerning Cordélia's case and the petition.⁸ On February 17, 1899 David Mills sent confirmation of receipt of Cordélia's petition, but wrote to the Governor General that he had yet to review the case.⁹ This letter included news clippings reporting on Lady Minto's involvement in the case and the petition, stating that Emilie had collected signatures on Cordélia behalf.¹⁰ The clippings were from *La Patrie* and *The Ottawa Journal* dated from February 18, 1899. According to *La Patrie*, Cordélia's lawyer, J. D. Leduc, provided an interview that mentioned the work the Viaus were doing to help her campaign for mercy.¹¹ Thus, the public was aware that letters were being sent to Lady Minto. Although news reports are analysed in the next chapter, the news clippings sent with Mills's letters offer further insights into the gendered nature of the mercy campaign. The gathering of the petition by Cordélia's mother and the letters that were mostly written by the female members of the family demonstrate that the mercy campaign was gendered and that, strategically, it was considered preferable for women to be at the center of the mercy campaign. That strategy of course placed the burden on the women in the family, which highlights how women bore the brunt of emotional labour.¹² Furthermore, the inclusion of the petition in the case file and the mention of it in the media give the sense that care was taken to make sure that

⁵ "Suprême appel à la clémence," *La Patrie*, February 18, 1899, 16.

⁶ "Asking Clemency For Viau," *Montreal Daily Star*, February 18, 1899, 21.

⁷ Modeste Hébert, *Letter to Lady Minto*, February 10, 1899, Viau, Volume 1436, File 304 A, LAC.

⁸ David Mills, *Letter and Newspaper clippings to Lord Minto*, letter, February 20, 1899, LAC, Gilbert John Elliot-Murray-Kynynmound, 4th Earl of Minto fonds, MG27 II B 1 40.

⁹ *Petition*, February 10, 1899, Viau, Volume 1436, File 304 A, LAC.

¹⁰ *Ibid.*

¹¹ "Suprême appel à la clémence," *La Patrie*, 16; "Appealed To Lady Minto," *Ottawa Journal*, February 18, 1899, 1.

¹² Peter Gossage, *Families in Transition: Industry and Population in Nineteenth-Century Saint-Hyacinthe*, (Montreal and Kingston: McGill-Queen's University Press, 1999), 109, 193.

both Mills and the Mintos were aware that the family and the community supported Cordélia's mission to preserve her life.

Turning to the Viau letters now we see the campaign began with letters by Cordélia's brother-in-law, Modeste Hébert. His letters were the first to be written based on the dates on the letters. He wrote to Mills on February 10, 1899, "in the name of my unfortunate sister-in-law," petitioning for clemency and requesting that Cordélia's sentence be commuted.¹³ His use of the word "unfortunate" (*malheureuse*) is repeated in a separate letter written to Lady Minto.¹⁴ Its use was deliberate and attempted to create an image of Cordélia as ill-fated and a victim of circumstance. Also, it echoed the defense that she was duped into having an affair with Sam Parslow and that she was simply foolish to fall in love with him. This is a significant contrast to the prosecution's opposing narrative that Cordélia had devised a premeditated murder, in cold blood, and it attempted to diminish her role in the murder.¹⁵

Furthermore, in his letter to Lady Minto, Hébert continued: "She throws herself at your knees and begs you to ask on her behalf for the exercise of the royal clemency."¹⁶ This differed from the women's letters, in that it is was not Hébert who throws himself to Lady Minto's knees, but Cordélia. Perhaps the wording without any context would not be notable, but it is interesting that the importance of women appealing to the Lady, and not the Lord, suggests that the Viaus believed their emotions would have been received better if their expression was from the women in the family rather than the men. At the time, emotional expressions by both genders were accepted and encouraged. Sentimentalism purposely stirred up emotions through popular culture, media, and especially in books.¹⁷ Men, when they read particularly sad novels, could cry openly about them. However, it appears that there were limits to this open vulnerability. The Viaus' campaign strategy suggests that it was more impactful to have women express deep and complicated emotions to another woman, and that the bonds of womanhood were powerful. Therefore, Hébert's emotional distance in his letter reinforces that the emotional expressions needed to be between the Viau women and Lady Minto. Consequently, these two letters are the

¹³ Modeste Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "...au nom de ma malheureuse belle-sœur."

¹⁴ Ibid.

¹⁵ Strange argues chivalry in the law is the concept of defending women from criminal charges by showing the court they have no agency while committing the criminal act. See Strange, "Wounded Womanhood," 150.

¹⁶ Modeste Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "Elle se jette à vos genoux et vous elle supplie de demander pour elle l'exercice de la clémence royale."

¹⁷ Thomas Dixon, *Weeping Britannia: Portrait of a Nation in Tears* (Oxford: Oxford University Press, 2015), 96.

only letters out of the eight in the file written by a man. Their simplicity, as direct and (mostly) unemotional pleas for clemency, is contrasted by the emotional pleas from Cordélia's sisters.

As mentioned earlier, the Viau family appears to have made the conscious but unusual decision, as a family, to write to Lady Minto rather than Lord Minto, even though it was the Governor General who ultimately had to sign the OIC, and more importantly, even though the mercy decision would be made by the prime minister and the cabinet. Hébert's letters open the metaphorical door to the sisters' and Cordélia's letters that were written and mailed over the week following the letters from Hébert. Although the focus of this project is to highlight the emotional affects of Cordélia's family—through their campaign for clemency—and of the public, it would be remiss if it did not also include the letter Cordélia herself wrote to Lady Minto during her family's campaign for mercy. Cordélia's letter was written and sent in both French and English versions. Essentially, these were two copies of the same letter, both dated February 13, 1899, the same day as her sister Mélina's letter, which might lead an overactive imagination to picture the two women writing their letters together. While it may be a bridge too far that the sisters sat together to write their letters, as they would have had limited contact with Cordélia, the similarity in the language they used suggests there was a mutual understanding about what to include in the letters.¹⁸ Naturally, a letter in both languages would ensure Lady Minto was able to read Cordélia's personal pleas for mercy. The strategy of addressing letters to Lady Minto was possibly to draw on her connection to the monarchy. The family may have thought she would have more power to intercede due to her close relationship with Queen Victoria. It was not unusual for a mercy campaign to try to bypass the Governor General and write directly to the monarch or the royal family. For example, some individuals wrote to Alexandra, Queen Mother, on behalf of Angelina Napolitano, and Margarite Pitre's lawyer wrote directly to Queen Elizabeth II requesting mercy.¹⁹ However, appeals to the spouse of the Governor General were rare.

Furthermore, the sisters begged Minto to view them as a woman, a mother, and a wife in order to potentially access any political sway she may have with her husband. As mentioned in Chapter One, these letters have similarities to the long tradition of mercy letters. Specifically, Natalie Zemon Davis' work on pardon letters clearly demonstrates how people in early modern

¹⁸ Visitations at the jail, for death sentences, were restricted mainly to penal and religious authorities. Leyton-Brown, *The Practice of Execution in Canada*, 156n21.

¹⁹ Irenee Simard, *Letter to Queen Elizabeth II*, Pitre, Volume 1695 (2.1), File CC719, LAC.

France appealed to their king or queen.²⁰ While there is certainly no evidence to suggest the Vias were aware that their letters followed closely the early-modern letters that Davis writes about, they probably were made aware (by Cordélia's legal counsel most likely) that using a certain formula, based on previous letters, would provide the best chances of succeeding. There was a caveat though: being too formulaic was less likely to succeed, thus personal touches were important as well. As I delve into each letter, the similarities to the letters Davis writes about are apparent; however, these commonalities do not diminish the emotional impact of writing or reading them, as emotions were critical to the mercy process.

The letters from the three sisters have several commonalities. To a large extent, they all express similar ideas about social class, unfortunate circumstances, and forgiveness. None of these themes are out of the ordinary with what we would expect in a mercy campaign. While these letters are rhetorical (as is to be expected), especially with tones of religion and penitence, they are also unique in many ways, as we will see in detail in this chapter. Individually, the letters express the impact that Cordélia's sentence and impending execution had on the family and on each letter writer. Perhaps, taken individually, they do not make a strong emotional plea for clemency, but combined into a cohesive appeal, with purpose and strategy, they make for a unique family clemency campaign not typically seen in the capital case files.

The preservation of these letters and the petition in the case file offers an opportunity to analyze the emotions presented in them, while also providing a glimpse into whose voices were ultimately represented on behalf of Cordélia and who was in support of her commutation. By early February 1899, Cordélia's family began their united campaign to appeal to Lady Minto for clemency. It appears that the family was certain their chances of provoking sympathy were best served through her rather than directly to the governor general. I argue it is possible they sought to appeal to her gender role as wife and mother, and, in turn, she would have some sway over her husband as representative of the monarch.

It is highly possible that Cordélia's lawyer and family would have had the general knowledge needed to write letters requesting clemency from having read reporting in newspapers about previous capital cases. Certainly, newspapers reported scheduled executions and their clemency campaigns. For example, to use the example of Thomas Nulty again, in 1898, *La*

²⁰ Davis, *Fiction in the Archives*, 10.

Patrie covered his execution.²¹ Although it might be difficult for us to imagine, executions were far from uncommon.²² According to Gadoury and Lechasseur, from 1867-1898 more than three hundred people were convicted of a capital crime in Québec. There were sixteen cases in total in 1898 (the year before Cordélia's execution)—higher than the average number recorded over a year.²³ The average number of people convicted of capital punishment annually in the 1890s was eight. Only the years 1890, 1898 and 1899 had numbers in the double digits. It is not surprising that the last two years of the 1890s were high as capital punishment figures ramped up significantly throughout the twentieth century. All this is to say, people would have heard news of hangings at least a couple of times a year, year after year, especially in Québec and Ontario, with the majority of Canada's population. As such, the process of capital punishment would not have been a relatively familiar experience to Canadians. Additionally, executions in other countries made the news. For example, *La Patrie* reported the execution of a murderer by guillotine, in France, in early 1899.²⁴ Naturally, clemency campaigns were also reported on and readers would have been aware to some extent of the mercy process.

Obviously, newspapers directly benefitted from an increase in literacy rate towards the end of the century. Like many children in rural and urban communities, Cordélia benefitted from an education. Based on the time period (more working class families were able to send their children to school by the late nineteenth century) and according to the censuses, the Viau children attended school and could read and write.²⁵ As a result, Cordélia's family would have been exposed to news reports of trials, and at a certain point, whether from the newspapers or from Cordélia's legal representatives, would have had some knowledge of clemency campaigns and their final outcomes.

²¹ "Il est pendu," *La Patrie*, 1.

²² Fyson, "The Spectacle of State Violence," 385-386.

²³ Indexed is a total of 320 cases in Québec from Confederation to abolition. 43 were between the years 1867-1898. In all of Canada only three other years between 1867-1898 surpass the number of cases in 1898: 1872 with seventeen, 1876 with sixteen, and 1885 with twenty cases respectively in Lorraine Gadoury and Antoinio Lechasseur, *Persons Sentenced to Death in Canada, 1867-1976: An Inventory of the Case Files in the Fonds of the Department of Justice* (Ottawa: National Archives of Canada, 1994), 7-12.

²⁴ "A la guillotine," *La Patrie*, January 2, 1899.

²⁵ Roderick MacLeod and Mary Anne Poutanen, *A Meeting of the People: School Boards and Protestant Communities in Quebec, 1801-1998*. Studies on the History of Quebec, 15. *Canada Commons* (Montreal and Kingston: McGill-Queen's University Press, 2004), 21-22; Paul Rutherford, *A Victorian Authority: The Daily Press in Late Nineteenth-Century Canada* (Toronto: University of Toronto Press, 1982), 31-33; Information about family members comes from genealogical sources on Ancestry.ca and nosorigines.qc.ca.

Moreover, the Viau family, like many Québécois, would have been informed through newspaper reports of the recent arrival of Lord and Lady Minto to Montréal aboard a vessel called *The Scotsman*. Their arrival was greeted with much fanfare and was reported on the front page of *La Patrie* on November 12, 1899, with their images along with the previous governors general of Canada.²⁶ Furthermore, two days later, details about the celebration of their arrival to Montréal were reported, in particular that thousands crowded the jetties and the docks to greet the Minto family.²⁷ Judging from the full-page spread on November 12, 1899, and the front page report the following days, news of Lord and Lady Minto would have been shared and spoken of throughout Québec.

Now that we have utilized the general framework of the campaign, let us turn to a closer look at the letters themselves.

Religious Emotions

Considering that nineteenth-century Québec was predominately a Christian society (along with the Western World) and indeed a Catholic society, it is no surprise that many of the emotions in the letters have religious tones to them. Indeed, humans have understood their emotions into the nineteenth century largely through a religious context.²⁸ Scholars describe religious emotion as having the potential to be any emotion, especially if there is an emphasis on religion within society.²⁹ In fact, understanding emotions as secular is a relatively recent association, as historically all emotions were understood to be spiritual.³⁰ Therefore, not only does religion then contribute to collective emotions, but it also uses symbols to encourage these emotions.³¹ As we saw with Hébert's letter, he tells Lady Minto that Cordélia "throws herself to your [Lady Minto's] knees and begs you to ask on her behalf for the royal clemency."³² This kind of religious emotion takes on a symbolic form that any Christian can identify with. Most Christians, and Catholics especially, pray on their knees asking God for forgiveness. Consequently, this

²⁶ "Les Gouverneurs du Canada," *La Patrie*, November 12, 1898, 1.

²⁷ "Lord Minto, arrivé à Montréal," *La Patrie*, November 14, 1898, 1.

²⁸ Jan Plamper, *The History of Emotions: An Introduction*, trans. by Keith Tribe, first ed, Emotions in History (Oxford: Oxford University Press, 2015), 10.

²⁹ Ole Riis and Linda Woodhead, *A Sociology of Religious Emotion*, (Oxford: Oxford University Press, 2010), 54.

³⁰ Thomas Dixon, *From Passions to Emotions: The Creation of a Secular Psychological Category* (Cambridge: Cambridge University Press, 2003), 200-201.

³¹ Riis and Woodhead, *A Sociology of Religious Emotion*, 54.

³² Modeste Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "Elle se jette à vos genoux et vous supplie de demander pour elle l'exercice de la clémence royale."

posture has associations with repentance. Throwing oneself at the knees of another implies lowering oneself significantly. Rose also echoes this sentiment with similar words, but in her case it was she who was taking the action and using her body to ask forgiveness. Rose writes, “I throw myself at your knees asking you for mercy for my sister so she will not be hanged...”³³ Méлина repeats this message as well. She writes to Lady Minto, “For I come to throw myself at your feet to wish you to use your powerful intercession...”³⁴ Méлина’s substitution of Lady Minto’s feet perhaps suggests that she felt knees did not lower her enough for the intensity of the emotions she felt. Instead, by throwing herself at her feet she is showing Lady Minto, through symbolism, the depths she will go to ask for forgiveness. It is through these religious emotions that both Rose and Méлина attempt to connect themselves to Lady Minto.

Less dramatically, Josephine tells Lady Minto that she is, “On my knees in front of you...,” an image she emphasizes again further down the first page of her letter.³⁵ Also, Cordélia begins her letter by writing, “This is from my cell and on my knees...”³⁶ In total, all the letters sent to Lady Minto include allusions to this particular religious imagery of repentance. There is power in the collective symbols Christianity uses and these symbols show how the Viau family was trying to effect change through this emotional regime. Scholars have explored this link between religious symbols and the power they hold, arguing that the expression and viewing of such symbols produce instances through which power is held by the members of the religion.³⁷ Furthermore, symbols and the religious emotions they produce, such as awe, wonder, and peace, to name a few, help also to produce feelings of piety and are an important trait in most religions, and especially in Christianity, as displaying symbols shows to the collective how devoted someone is to their religion.³⁸ Thus, Josephine included in her letter to Lady Minto that Cordélia “... was a pious, thrifty worker.” She then further assured Lady Minto that her assessment of her sister was accurate, as “There is no other person who knows her better than me...”³⁹ This is an

³³ Rose Tougas, *Letter to Lady Minto*, February 15, 1899, Viau, Volume 1436, File 304 A, LAC. “Je me jette à vos genoux en vous demandant une grâce pour ma soeur pour ne pas qu’elle soit pendue.”

³⁴ Méлина Power, *Letter to Lady Minto*, February 13, 1899, Viau, Volume 1436, File 304 A, LAC. “Car je viens me jeter à vos pieds pour vous solliciter d’user de votre puissante intercession...”

³⁵ Josephine Hébert, *Letter to Lady Minto*, February 20, 1899, Viau, Volume 1436, File 304 A, LAC.

³⁶ Cordélia Viau, *Letter to Lady Minto*, February 13, 1899, Viau, Volume 1436, File 304 A, LAC. “C’est de ma prison et a genoux.”

³⁷ Riis and Woodhead, *A Sociology of Religious Emotion*, 154.

³⁸ *Ibid.*, 57, 99-100.

³⁹ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “...elle était pieuse, travaillante, économe. Il n’y a personne qui la connaisse mieux que moi...”

important foundation that Josephine laid out for Lady Minto as it helped demonstrate Cordélia's devotion to her faith and in turn the sincerity of her and her family's pleas for mercy.

Much of the religious emotional regime of Christianity and especially Catholicism incorporates feelings of regret, remorse, and forgiveness (or in religious terms, penitence and repentance) in the face of sin which is central to their beliefs. This incorporation provides for what scholars call emotional "patterning" and "scale," which essentially are guidelines for individuals within Christian society.⁴⁰ Therefore, the Viau family letters follow closely to this tradition of confessing and repenting one's sins and show that they tried to influence change through the symbols of the appropriate emotional regime in which they were immersed. Furthermore, the idea of repentance has a long history in the West dating back to early Christianity and the celebration of the Eucharist.⁴¹ Accordingly, this religious tradition of atonement was integrated into secular ideas of justice and punishment.⁴² The letters reflect this idea with the repeated pleas for Cordélia's forgiveness. Mélima expressed to Lady Minto how Cordélia was penitent. She explained to Lady Minto that she (and God) cannot "reject the prayers of a penitent heart. Oh, no! He who promised reconciliation to the most afflicted cannot reject these prayers."⁴³ To an extent, there is an expectation that forgiveness is possible if it follows the code set out by Christianity: that God forgives all sins, and that reconciliation and penance are central to these teachings.⁴⁴ In other words, as Christians, the Viau family were responding through their Christian teachings to wrongs that were done and although the mercy process operates somewhat differently than religious atonement, Mélima's words tended to conflate religion and the political process of clemency.

Moreover, the family invoked religious emotion in another way: they asked Lady Minto to give them charity, another Christian tenet of reconciliation.⁴⁵ Charity, going back to early

⁴⁰ Riis and Woodhead, *A Sociology of Religious Emotion*, 73, 75.

⁴¹ John Berkman, "Being Reconciled: Penitence, Punishment, and Worship," in *The Blackwell Companion to Christian Ethics*, Blackwell Companions to Religion, ed. Stanley Hauerwas and Samuel Wells. (Malden, MA: Blackwell, 2004), 95.

⁴² *Ibid.*, 97.

⁴³ Mélima Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "Je vous prie et je prie en même temps le Dieu du Ciel de ne pas rejeter les prières d'un coeur pénitent. Oh! non. Celui qui a promis réconciliation au plus affligé ne peut rejeter-ces prières."

⁴⁴ Berkman, "Being Reconciled: Penitence, Punishment, and Worship," 97.

⁴⁵ Daniel M. Bell, Jr., "Deliberating: Justice and Liberation," in *The Blackwell Companion to Christian Ethics*, Blackwell Companions to Religion, ed. Stanley Hauerwas and Samuel Wells. (Malden, MA: Blackwell Pub, 2004), 95.

Christianity, was a critical part of justice and the final stage in forgiveness.⁴⁶ It is also the act of compassion and is intertwined with atonement.⁴⁷ Indeed, some religious-leaning people believe atonement can only be found through charity.⁴⁸ Thus, it is interesting to see in the letters requests for charity from Lady Minto. For example, Mélima writes, “Oh no, this [Cordélia’s execution] will not happen when there is a person on earth who has the power to save her for us, and who by doing so would signal their arrival in this country by an act of immemorial charity.”⁴⁹ This request placed Lady Minto (by proxy to Lord Minto) in a unique position of power to forgive, similar to the power God has. Moreover, Josephine states to Lady Minto, “...I think and even believe you will mark your arrival in this country with an act of indelible charity.”⁵⁰ Rose also echoes this sentiment by stating to Lady Minto, “Permit me to hope that the reign of the most excellent wife of the kindest of Governors will be inaugurated in this country by an act of charity which will never be forgotten.”⁵¹ By asking Lady Minto to give charity, the family was able to reinforce their understanding of her high standing in society and perhaps even equate her to a holy figure capable of such power. As religious scholars suggest, “true justice is formed by charity” which “is finally not a human accomplishment but a divine gift that is given in Christ.”⁵² Although this sounds like humans are not able to give charity, there are ways in which Christianity allows humans to be connected to Christ; examples of this include baptism and participating in other sacraments.⁵³

As mentioned, charity is the final act in the process of forgiving. Atonement being another step in the process necessary for forgiveness, it begs the question, what atonement had Cordélia done to earn charity from Lady Minto? While no one in the family was outright saying it explicitly, Cordélia implied that her atonement would be achieved through her life spent

⁴⁶ Ibid., 188.

⁴⁷ Peter Randall, *The Psychology of Feeling Sorry: The Weight of the Soul* (London: Routledge, 2013), 163.

⁴⁸ Ibid.

⁴⁹ Mélima Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Oh non sa [sic] ne se fera pas, quand il y a sur la terre une personne qui a le pouvoir de nous la conserver, et qui en agissant ainsi signalerait son arrivé en ce pays par une acte de charité immémorable.” It is difficult to say whether Mélima was saying that Lady Minto had power to exercise mercy to her husband since “son” is ambiguous here and could mean either “his” or “her.”

⁵⁰ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “...je pense et même je crois que vous marquerez votre arrivée dans ce pays par un acte d’ineffaçable charité.”

⁵¹ Rose Tougas, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Permettez-moi d’espérer votre Excellence que le règne de la plus excellente des femmes du meilleur des gouverneur signalera son arrivé dans ce pays un acte d’une immémoriale charité.”

⁵² Bell, “Deliberating: Justice and Liberation,” 191-192.

⁵³ Ibid., 192.

incarcerated. In Cordélia's words, she suggested to Lady Minto, "...allow me the favour of spending in tears, in the dungeons of a penitentiary, the rest of my life."⁵⁴ As Ted McCoy notes, penitentiaries (evident in the etymology of the word) were religiously and morally sanctioned places in which penitence could be obtained.⁵⁵ Cordélia's request for charity is word for word the same as Rose's request, which gives another strong indication that, not only was this mercy campaign coordinated by the family, it was done in chorus with Cordélia.

Finally, Josephine implores Lady Minto to forgive as well. She writes, "Madam Countess, on my knees I am sending this message, and I believe well that you will work at my request, we must all forgive each other on earth and leave things to God alone, he who is the great judge, he will know how to judge this."⁵⁶ Josephine, symbolically on her knees again, reminds Lady Minto that forgiveness is a vital element in Christianity. Her insistence that Lady Minto must forgive points to the Christian belief surrounding humans as fundamentally flawed people and requiring forgiveness. Furthermore, some religious philosophers believed that forgiving others was crucial in order to have one's personal sins forgiven.⁵⁷ In other words, from the Christian perspective, we must forgive others so we can also be forgiven by them and most importantly by God, an idea that comes from the Lord's Prayer (*Pater Noster*).⁵⁸ Unfortunately for Cordélia and her family, political decisions like this did not need to consider Christian ethics (although they may have been formed by them). While the Governor General may have been judged in the afterlife for signing off on her death warrant, he was not held to any consequences in this life.

Distress

The sisters' letters point to a few emotions that overlap with each other like distress, humility, and fear. Understandably, fear, and particularly the fear of death, is generally front and center in

⁵⁴ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

⁵⁵ Ted McCoy, *Hard Time: Reforming the Penitentiary in Nineteenth-Century Canada* (Edmonton: AU Press, 2012), 21. For more about incarcerated women, see Ted McCoy, *Four Unruly Women: Stories of Incarceration and Resistance from Canada's Most Notorious Prison* (Vancouver: UBC Press, 2011); Kelly Hannah-Moffat, *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada* (Toronto: University of Toronto Press, 2001).

⁵⁶ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "Madame la Comtesse, à genoux je fais parvenir ce message, et je crois bien que vous travaillerez à ma demande, il faut tous se pardonner sur la terre et laissez les choses à Dieu seul, lui qui est le grand Juge, il saura comment juger cela."

⁵⁷ Bell, "Deliberating: Justice and Liberation," 191-192; David J Downs, *Alms: Charity, Reward, and Atonement in Early Christianity*, (Waco: Baylor University Press, 2016), 193-194.

⁵⁸ Lk. 11:2-4 RSV

capital punishment cases.⁵⁹ As much as the punishment and the ordeal are meted out to the convicted, the process of the state inflicting death has the larger goal of instilling fear as a deterrent in the people witnessing the execution, which included the family of the condemned. This fear lurks in the letters in the form of mentions of distress, lamentations for other family members not yet represented, and anticipatory grief. Some people (sometimes without really knowing it) will experience symptoms of grief before a loved one has died if they know that person is going to die in the near future. While it is not explicitly stated that the family grieved, it would be a natural consequence of Cordélia's execution date drawing near. Perhaps it would be more historically accurate to call it anxiety, since anticipatory grief is somewhat of a contemporary understanding of grief.⁶⁰ Anxiety looms as well, creating feelings of uneasiness and doubt. Of course, these emotions are only natural considering the situation, despite such difficult feelings, the sisters were grounded by their faith, their belief in a just world, and their love of their family.

Each sister expressed to Lady Minto the distress they were in. Distress is a word that encapsulates several emotions, like pain, sorrow, and anxiety—extensions of grief and fear. Our understanding of fear (like many emotions) and the fear of death is complicated by cultural and temporal factors, as well as by different schools of thought. There is little consensus by scholars on whether the fear of death is universal or cultural.⁶¹ In order to try and narrow our understanding of fear in this project, looking at it from a Western perspective is helpful, although it is also pointed out by Joanna Bourke that even in Western societies, we find people who fear death less or not at all. Indeed, the example of first responders willing to throw themselves into dangerous situations to save others comes to mind, although one could argue that bravery does not always mean a lack of fear, just a willingness to overcome it.⁶² Thus, it is through this Western lens that I propose we explore Cordélia's and her sisters' fear.

The topic of death is well explored in history and by historians of emotions.⁶³ These scholars have approached the topic from a Western experience, but they also situate this

⁵⁹ Leyton-Brown, *The Practice of Execution in Canada*, 81.

⁶⁰ Paul J. Moon, "Anticipatory Grief: A Mere Concept?" *American Journal of Hospice and Palliative Medicine* 33, no. 5 (2016): 417.

⁶¹ Calvin Conzelus Moore and John B. Williamson, "The Universal Fear of Death and the Cultural Response," in *Handbook of Death and Dying*, ed. Clifton D. Bryant (Thousand Oaks: Sage Publications, 2003), 3-4, 11.

⁶² Joanna Bourke, *Fear: A Cultural History*, (London: Viargo, 2005), 3.

⁶³ For more about historical perspectives on death and fear, see Peter N. Stearns, *Revolutions in Sorrow: The American Experience of Death in Global Perspective*, (Bolder: Paradigm, 2007); Joanna Bourke, *Fear: A Cultural*

experience in a greater context and from a global (but mostly western) viewpoint. This work is helpful to understand the changes that were happening over the nineteenth century and the changes that were also adopted in Canada and Québec. Changing attitudes towards death and capital punishment are well documented. Fortunately, most scholars who focus their work on death include capital punishment in their research, therefore helping to provide useful information about the intersections of punishment, death, and fear. Peter Stearns reports the cause of the change of sentiment as a repulsion towards death. He states, “Death now seemed too horrible to inflict for most types of [crime]...the death penalty when administered might be withdrawn from public view; death was too dreadful, its implications too barbaric, to inflict on a civilized population.”⁶⁴ The cruel nature of capital punishment is a common theme among most scholars. As such, it is with these works in mind that a selection of emotions can be identified in relation to death.⁶⁵

Fear is expressed by the Viau women through the role they have in the family and the impact that executing Cordélia would have on them. They explain the ripple effect Cordélia’s sentence had on various members of the family, those who were not represented through an individual letter. Although we can easily look at each letter on its own, collectively they create an impression of a supportive, caring family, one deeply concerned for the long-term wellbeing of everyone who was related to Cordélia. This concern speaks to their roles as women, sisters, mothers, and caregivers.

Additionally, the fear of death, in the nineteenth century, was abstracted from ideas of what a “good death” looked like. To further understand exactly how difficult it was for the sisters to cope with the execution of Cordélia, exploring how people were exposed to death during this period is insightful especially concerning younger people. Certainly, death was more present in people’s lives in the late nineteenth century than in the twentieth century. Infant mortality rates were still quite high in Québec by 1899 and only really showed marked improvement during the twentieth century.⁶⁶ Sadly, Québécois, like most in North America, feared an untimely death as

History; Philippe Ariès, *The Hour of Our Death: The Classic History of Western Attitudes Toward Death Over the Last One Thousand Years*, trans. Helen Weaver, 2d ed. (New York: Vintage Books, 2008); Boddice, *A History of Feelings*.

⁶⁴ Stearns, *Revolutions in Sorrow*, 60.

⁶⁵ *Ibid.*, 4.

⁶⁶ Elisabeth Badinter, *Mother Love, Myth and Reality: Motherhood in Modern History* (New York: Macmillan, 1981), 58-59. See also: Colin Heywood, *A History of Childhood: Children and Childhood in the West from Medieval to Modern Times*, 2d ed. (Cambridge: Polity Press, 2018), 68.

opposed to people in the twentieth century who were worried about how long they would have to live prolonged lives. This is an important distinction historians make about the rapid changes in attitudes towards death throughout the nineteenth and twentieth centuries.⁶⁷

As Stearns relates, “Fear was prominent, and the ubiquity of death was inescapable, but good deaths, as judged both by the dying and by those around him, might occur.”⁶⁸ Thus, the possibility of coping with the death of a loved one could be eased through this idea. Stearns gives the example of “the very young and the fairly old” as two groups whose death could be reflected as a good death.⁶⁹ To be sure, Cordélia’s execution would not have been regarded in this way and Mélina was very aware of the impact her sister’s unnatural death would have on her family. For example, Mélina writes to Lady Minto about Cordélia’s punishment, “...believe me the ordeal is great,” suggesting what Mélina was experiencing was significant and burdensome.⁷⁰

Out of the three sisters, Mélina was the only one (other than Cordélia) who was a widow and as such her perspective on Cordélia’s execution has an added dimension of widowhood. Mélina was married to Matthew Power in Sainte-Scholastique in 1874.⁷¹ According to the 1891 census the Powers were farmers with five living children until the death of Matthew Power in 1895.⁷² By the 1901 census, Mélina was the head of the household and the family continued to live as farmers. Furthermore, it appears that a child recorded in the 1891 census was dead by 1901 as they are missing from the 1901 census.⁷³ This information corresponds to a death record matching the census. The child’s baptismal record shows she was named Marie Anne Mélina Power and she would have been approximately ten years old in 1901.⁷⁴ This information shows that Mélina, as a widow with young children, was experiencing a lot of hardships between 1895-1901.

The loss of four loved ones (including Cordélia’s husband) in the span of six years must have been a heavy loss. Indeed, Mélina writes to Lady Minto explaining, “I am a widow and I

⁶⁷ Stearns, *Revolutions in Sorrow*, 19.

⁶⁸ *Ibid.* 22.

⁶⁹ *Ibid.*

⁷⁰ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “croyez moi l’épreuve est bien grande.”

⁷¹ Information about family members comes from genealogical sources on Ancestry.ca and nosorigines.qc.ca.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

am alone with my five small children...”⁷⁵ This information was divulged in relation to how her family was suffering. With death comes sorrow and sorrow was (and is) a difficult emotion to cope with. According to Stearns, sorrow was often all-encompassing and affected the entire family, but more often grief was displayed by women rather than men. Furthermore, women’s visible affects could be diverse.⁷⁶ The high infant mortality rates meant that Victorian culture emphasized intense feelings of grief and sorrow as a way to assuage fear.⁷⁷ Although Mélina did not explicitly say that she was suffering, she did tell Lady Minto that her sister (Cordélia) and their parents suffer. She wrote, “I do not know how my poor sister suffered a fate so terrible and her poor parents, believe me their trials are very great.”⁷⁸ It is possible that Mélina found it easier to report emotions her family was experiencing than to write about her own feelings.

Consequently, Mélina’s status as a widow and the difficulties of having children to care for on her own compounded her fears. The difficulties endured by widows in Québec and specifically in Montréal are well documented by Québec historian Bettina Bradbury. As Bradbury demonstrates, widowhood affected many women in all the aspects of their lives regardless of their class, race, or religion.⁷⁹ Although these socio-economic categories dictated the many ways widows navigated their worlds in a patriarchal society, the fact remained that the Viaus had all suffered a loss and were grieving.⁸⁰

Even though the purpose of the letter to Lady Minto was to appeal to her through emotions, it does not lessen the fact that the death of a loved one was and still is something that all humans face and have to cope with. Indeed, Mélina expressed her status as both widow and mother to small children in the same sentence, making these identities of wife and mother inextricably intertwined. Furthermore, Mélina expressed distress on behalf of her parents. She wrote, “I ask you this favour with respect to her dear parents who are so elderly and so distressed in this world ever since this fate struck them.”⁸¹ Again, it seems like it was easier for Mélina to

⁷⁵ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Je suis veuve et je reste seule avec mes cinq petits enfants...”

⁷⁶ Stearns, *Revolutions in Sorrow*, 33.

⁷⁷ *Ibid.*

⁷⁸ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Je ne sais comment ma pauvre sœur a souffert un sort si terrible et ses pauvres parents croyez-moi l’épreuve est bien grande.”

⁷⁹ Bettina Bradbury, *Wife to Widow: Lives, Laws, and Politics in Nineteenth-Century Montreal* (Vancouver: UBC Press, 2011), 206.

⁸⁰ *Ibid.*, 232.

⁸¹ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Je vous demande cette faveur en vue de ses chers parents qui sont si âgés et si désolés en ce monde depuis que ce sort les a frappés.”

state how others in her family were feeling than relating her own feelings, yet it provides a clue to how she felt similarly. Her message to Lady Minto is reinforced further in her letter when she states, “I am sending you this humble message that will make you see how distressed we are, and will also make you see the great trust we put in you.”⁸² Mélina reiterated the collective distress she and her family were experiencing and then put the responsibility on Lady Minto to alleviate this distress for her.

Likewise, Cordélia expresses her fear by provoking an image of her walking up the stairs of the scaffold to her death. She writes to Lady Minto, “The justice of my countrymen has found me guilty of the crime of having murdered my husband, Isidore Poirier, and I am now awaiting behind prison bars the terrible hour when I shall ascend the gallows.”⁸³ Cordélia explained the situation she was experiencing and conjures the terror of the gallows in the same sentence. She also reiterates this terror further on in her letter when she exclaims, “Your Excellency, do spare me the horrible death on the gallows!”⁸⁴ While hanging was considered the most humane method of administering death, sadly most deaths are not without some suffering.⁸⁵ It is this knowledge that death may cause bodily pain that can contribute to the fear of death. Scholars have noted that the fear of death can be from different aspects of death and dying, and fear of the dying process is one of those aspects.⁸⁶ The “horrible death” Cordélia writes of probably also refers to the shameful nature of an execution. Shame, as an emotion, is explored further on in this chapter. The terror of the scaffold overshadows the possibility of a peaceful death. In many circumstances, natural death, despite fears to the contrary, comes with minimal suffering and is usually not associated with shame.⁸⁷ Conversely, an execution deprived a person of the chance to die naturally without suffering or shame. Hangings were often less humane than purported, and death was not instant, even when the neck of the condemned broke as designed.⁸⁸

Luckily, there is a significant amount of research that has been conducted on capital punishment cases that shows, even over centuries, that the purpose of the death penalty was to

⁸² Ibid., “. . . je vous envoie cet humble message qui vous fera voir comment nous sommes peiné et vous fera voir aussi la grande confiance que nous avons en vous.

⁸³ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

⁸⁴ Ibid.

⁸⁵ Clifton D. Bryant, *Handbook of Death & Dying* (Thousand Oaks, Calif.: Sage, 2003), 6.

⁸⁶ Ibid., 3.

⁸⁷ Ariès, *The Hour of Our Death*, 409-410.

⁸⁸ Leyton-Brown, *The Practice of Execution in Canada*, 82.

punish and to instill fear not only into the condemned person but also the observers as well.⁸⁹ As a result, this fear was culturally constructed.⁹⁰ Of course, reactions to this extreme form of punishment varied depending on factors such as religiosity and masculinity to name a few. To some, witnessing death was as fear-inducing as it was to experience it. According to Boddice, scientists may have proven that after a certain period of time when a person is unconscious, the brain is unable to produce the sensation or experience of fear in the body.⁹¹ Thus, it is those witnessing death and dying who experience the most fear, whether people showed its affect or not.

Although Mélina does not express this in her letter, it stands to reason that she also was fearful about how to tell her children about their aunt. This can be concluded by her mentioning her “small children.”⁹² Talking to children about death (and worse, an execution) would also have been difficult. The children in question certainly would have been exposed to death, as their father had died some years earlier, not to mention the murder of their uncle Isidore Poirier. We do not know how much the family would have sheltered them from these deaths. Certainly, some of the younger children would have been too young to fully understand either death. But still, their aunt’s impending execution and death potentially would have been cause for fear, and exposure to another violent death, in their family, would have added to their toll.

Expressions of sorrow are also found within the letters. Most likely the sisters were experiencing anticipatory grief as suggested before. Either way, sorrow is certainly an emotion to be expected from the family. Judging from the clemency campaign, they certainly did not want Cordélia to die. Mélina writes, “I kindly ask in pity of a poor mother who sees her child on the Scaffold, Oh! how sad!”⁹³ It certainly was (and still is) sad, and Mélina hopes that by tapping into Lady Minto’s sympathy she would also felt sad. In order to reiterate the sorrow she feels she repeats, “...I beg you from the bottom of my soul for the pardon of my poor sister Cordélia Viau who is now in prison and condemned to such a sad sentence.”⁹⁴ The anticipation and fear of grief is not unexpected. Reporters from *La Presse* wrote that the sisters of Cordélia and Samuel

⁸⁹ Ibid., 120.

⁹⁰ Strange, *Qualities of Mercy*, 113-114; Bourke, *Fear*, 3; Leyton-Brown, *The Practice of Execution in Canada*, 47, 62.

⁹¹ Boddice, *A History of Feelings*, 39-40.

⁹² Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

⁹³ Ibid. “je vous pris en pitié d’une pauvre mère qui voit son enfant à l’échafaud, Oh ! que c’est triste !”

⁹⁴ Ibid. “...je vous prie du profond de mon âme, pour le pardon de ma pauvre sœur Cordélia.”

entered the church in Sainte-Scholastique on the day of the execution and were observed crying and in an emotional state. They wrote, “An emotional crowd, composed almost exclusively of women, filled the nave. Among the audience, the unfortunate sisters of Cordélia Viau and Parslow stood out. Their sobs communicated a very understandable emotion, which none of the faithful could hide.”⁹⁵ In that moment, there was collective grief for Cordélia’s family that even the reporters conceded was appropriate.

Furthermore, Rose also hoped to provoke sorrow in Lady Minto. She writes to her, “you can think that for me who has children, grown sons and grown daughters, that it is very sad for us all...”⁹⁶ Rose tried to convey to Lady Minto that the toll that this sentence had was felt by multiple generations in Cordélia’s family. Finally, Cordélia herself asks Lady Minto to allow her to live in order to spend her life feeling sad. She implored, “I beg Your Excellency not to forgive my horrible offence, but to extend to me your great indulgence and allow me the favour of spending in tears, in the dungeons of a penitentiary, the rest of my life.”⁹⁷ Of course this did not happen, and as a result the fear and sorrow transferred from Cordélia to her family at her death.

Shame

Shame is described by historians as the “social emotion,” and it leaves its impression in countless stories.⁹⁸ Shame is also a complicated emotion that factors heavily in law and punishment.⁹⁹ The reason for this is that feelings of shame help curb unwanted or deviant behaviours by stigmatizing the offender.¹⁰⁰ In particular, punishments seek to maximize shame by incorporating acts that attempt to dehumanize the offender. From a historical perspective, executions are the perfect example of this kind of shame-centered punishment. However other forms of corporal punishment, like whipping, also existed and were widely used means for

⁹⁵ “La Justice divine,” *La Presse*, March 10, 1899, “Une foule émue, composé presque exclusivement de femmes, remplissait la nef. Parmi l’assistance, se remarquaient les malheureuses soeurs de Cordelia Viau et de Parslow. Leurs sanglots communiquaient une émotion fort compréhensible, qu’aucun fidèle ne put cacher davantage.”

⁹⁶ Rose Tougas, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A. “Je me jette à vos genoux en vous demandant une grâce pour ma sœur pour ne pas qu’elle soit pendue, vous pouvez penser moi qui a des enfants des grands garçons et des grandes filles que c’est bien triste pour tout nous autres.”

⁹⁷ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A.

⁹⁸ David Nash and Anne-Marie Kilday, *Cultures of Shame: Exploring Crime and Morality in Britain 1600-1900*, (Houndmills: Palgrave Macmillan, 2010), 3.

⁹⁹ Nussbaum, *Hiding from Humanity*, 2.

¹⁰⁰ *Ibid.*

controlling prison populations.¹⁰¹ With this in mind, it is no wonder that shame holds such an important place in our society. Felt from early childhood, it operates as a powerful tool to uphold norms and dictates everyday human behaviour. As Toni M. Massaro explains, shame is often closely linked to emotions of “rejection, guilt, shyness, and embarrassment...”¹⁰² These emotions, associated with unpleasant sensations and felt in the body, act as effective deterrents.

Furthermore, shame, according to Martha C. Nussbaum, is universal to humans (its appearance can appear, or be branded, on the face and body), and is also cultural.¹⁰³ More specifically, what shames people in a society is constructed as the natural consequence of defining normality within that particular society. What a society categorizes as normal behaviour, in turn, creates a category of deviance.¹⁰⁴ “Thus shame has been throughout history a pervasive part of punishments.”¹⁰⁵ Leyton-Brown explains the linking of shame to hangings as “calling to mind the death of Judas, after his betrayal of Jesus.”¹⁰⁶ This holy connection, to Catholics, would have been a particularly difficult association and, for the state, it is a message to the public that it is the state that has been betrayed as Jesus was betrayed by Judas. This betrayal was so great that the shame of the execution becomes integral to the punishment. By extension, from a societal and religious perspective, the Viaus, although not deviant, were pulled into the shadow of Cordélia’s deviance simply for being in her social and family circle and thus they were subjected to the shame of the scaffold as well.

The letter of Josephine, Cordélia’s second eldest sister, is especially emotional as she brings into the campaign for mercy her son, whom Cordélia had raised. To Lady Minto, she writes, “if you intercede for her, do it for me and my dear little boy whom she raised...”¹⁰⁷ In the OIC, the evidence Justice Taschereau submitted to the MOJ included a reference to Cordélia travelling to Saint-Jerôme with a four-year-old boy she was in charge of. The details of how Cordélia was placed as a caregiver to this child are unclear, however Josephine’s letter answers,

¹⁰¹ McCoy, *Hard Times*, 225.

¹⁰² Toni M Massaro, “Show (Some) Emotions,” in *The Passions of the Law* ed. by Susan A. Bandes, (New York: New York University Press, 1999), 87.

¹⁰³ Nussbaum, *Hiding from Humanity*, 173.

¹⁰⁴ Andrée Lévesque, *Making and Breaking the Rules: Women in Quebec, 1919-1939*, trans. Yvonne M. Klein (1994; Toronto: University of Toronto Press, 2010), 12.

¹⁰⁵ Nussbaum, *Hiding from Humanity*, 174.

¹⁰⁶ Leyton-Brown, *The Practice of Execution in Canada*, 81. Although it is not further explained by Leyton-Brown, Judas hangs himself as a sign of remorse. For more about Judas and his betrayal of Jesus, see Simon Gathercole, *The Gospel of Judas: Rewriting Early Christianity* (Oxford: Oxford University Press, 2007).

¹⁰⁷ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “...si vous intercédez pour elle, faites-le pour moi et mon cher petit garçon qu’elle élevait...”

although vaguely, that it is her son to whom Cordélia has become a mother. Census and birth records indicate Josephine had three boys by the time of the crime. The eldest, Joseph-Edouard Hébert, was born on February 21, 1892 out of wedlock. Josephine and Modeste married later that year on December 22. It is very possible the child was given to Cordélia to avoid the shame of having a child born outside of marriage. For Cordélia, taking on her sister's child, due to various social and economic strains on families at the time, was probably not that uncommon.¹⁰⁸ The second child, Joseph-Phillipe Hébert born on July 16, 1894, most likely was not the child that lived with Cordélia based on his age.

Indeed, Josephine presents her child to Lady Minto as a means to appeal to her emotions. For example, Josephine writes, "I ask you for mercy, let a little boy say, Oh! No, my momma is not dead, I am going to see her, some day, to give her a nice caress and bring her some oranges like we do here."¹⁰⁹ The child's innocence and removal from the only mother he knew intensify the emotional outpouring from Josephine. Josephine refers to the child as a little boy, and at the time of the letter he would have been approximately seven years old. Motherhood (as will be elaborated further on) was an identity placed on most women due to their biological abilities. Identifying Cordélia as a caregiver, as Justice Taschereau did (but as newspapers did not), shows the moral importance that role had in society. It was too shameful that Cordélia committed murder as a mother, which deviates from the norm that mothers give life and do not take it. In the 1901 and 1911 censuses, all the children were back living with Josephine and Modeste.¹¹⁰ It appears that Joseph Phillippe, the younger of the two, enlisted in the army in 1915. After 1915, the boys leave few clear archival traces. There are certainly records but since they both had common names and lived in Montréal, where the names produce many possibilities, it is difficult to know what happened to them and what struggles, if any, they had in the aftermath of the murder and execution.

While the shame of the scaffold, at the time of the letter-writing, was anticipatory (as well as a means to appeal to Lady Minto via the children and relatives of the Viau sisters), it is rightfully evoked. Josephine was particularly concerned about the shame that would befall them.

¹⁰⁸ Peter Gossage, "Tangled Webs: Remarriage and Family Conflict in Nineteenth-Century Quebec" in Lori Chambers & Edgar-André Montigny, eds., *Family Matters: Papers in Post-Confederation Canadian Family History*, ed. Lori Chambers and Edgar-André Montigny (Toronto: Canadian Scholars' Press, 1998), 356.

¹⁰⁹ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. "Ah! non, maman n'est pas morte, je vais aller la voir, à tel jour, pour lui faire une bonne caresse, et lui porter des oranges, comme il fait ici."

¹¹⁰ Information about family members comes from genealogical sources on Ancestry.ca and nosorigines.qc.ca.

Josephine begs Lady Minto to think of the child Cordélia raised. She implores Lady Minto, “If at least, you make sure that my dear sister does not deserve it. I believe well that you will manage for my little boy.”¹¹¹ She continues, “Please, I beg you do not engrave on this little heart, he who calls her ‘dear mamma,’ that he does not know the terrible shame of the scaffold.”¹¹² As with many families of convicted murderers, their death sentence “marked” the lives of generations of descendants as a metaphorical branding.¹¹³ Nussbaum finds that, “The urge to brand the face keeps on recurring in the history of this topic...Romans were particularly keen on shame penalties that tattooed the name of the offence, or of its punishment, on the forehead of the offender.”¹¹⁴ Additionally, many other societies used branding or tattoos to physically mark deviants permanently.¹¹⁵ In nineteenth-century Canadian society, the execution replaces the branding that Nussbaum refers to. Indeed, the spectacle of the scaffold stigmatized individuals through imagery, pain, suffering, and ultimately death brands the convicted, while stigma brands the family.

In this context, the scaffold replaced the branding of the face as a spectacle for the public to view and feel its affects. According to Nussbaum, the definition of shame is the feeling that is provoked when someone deviates from what is deemed normal, and thus, towards what is abnormal, “whose allure is undeniably strong in all modern democratic societies.”¹¹⁶ In other words, shame occurs as the result of deviant behaviours that are recognized as abnormal. As mentioned before, shame can be wielded as a moral and political tool to force the majority of a population to conform to the will of the elite. In Québec, the Catholic church held extensive power; it is in this way, Nussbaum argues, that shame can be constructive. Thus, “constructive shame,” as Nussbaum qualifies, is behaviors that compel people to better themselves individually and collectively. Its role, in this context, connects people communally.

Unfortunately, “constructive shame” in this case failed to achieve the desired effect. Attempts were made by the community of Saint-Canut to shame Cordélia for her affair with Samuel by getting her husband involved. The tactic of informing Isidore of the adultery fell on

¹¹¹ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A LAC. “Si du moins, vous veuillez que ma chère sœur ne le mérite pas, je crois bien que vous le ferez pour mon cher petit garçon.”

¹¹² *Ibid.*, “Veuillez, je vous en supplie ne pas graver dans ce petit coeur qui l’appelle sa chère maman, qu’il ne connaisse pas la honte terrible de l’échafaud.”

¹¹³ Nussbaum, *Hiding from Humanity*, 174.

¹¹⁴ *Ibid.*, 221.

¹¹⁵ *Ibid.*, 217.

¹¹⁶ *Ibid.*, 173.

deaf ears. Instead, Isidore rejected the news from the parish priest and expressed his trust in Cordélia back to the community. Sadly, constructive shame could not prevent the murder of Isidore, and in its place capital punishment, a shame-centered punishment, was prescribed.¹¹⁷ With the breakdown of emotional and social control in their community, is it not surprising to see that the Viaus speak of shame in their letters. However, for the Viau family, pointing out shame to Lady Minto might not have been the best strategy since shame is the goal of the punishment and Lady Minto may not have been receptive to this kind of argument.

Furthermore, shame was also related to ideas of family honour at the time. The family name and its reputation meant that shame could affect many members of the same family through the actions of one of its members. Family honour could be degraded by an individual's shameful acts. Certainly, Josephine was concerned that the shame of being related to a condemned person would "engrave" on them an image of shame: the scaffold. Well into the 1920s in Québec, family honour was protected at great lengths.¹¹⁸ In opposition to the Viau's family honour, a popular Montréal wax museum, the Eden Musée, recreated the crime scene at Cordélia's house as the basis of one of its exhibits (see figure 8). Titled "The St. Canute Murder/ Le Crime de St. Canut," the exhibit depicts Cordélia and Samuel holding down Isidore's mortally wounded body on the bed. Cordélia holds down his arm, taking an active role in the murder (contrary to the evidence that she was not there at his death).¹¹⁹

It is unknown whether anyone in Cordélia's family was aware that the museum created an exhibit depicting the murder of Isidore, based on the popularity of the museum, it would have been likely that the Viaus were aware of the wax depiction of Cordélia.¹²⁰ As a result, her exhibit could be viewed into the 1940s.¹²¹ Indeed, "the shame of the scaffold" translates the emotion from Cordélia to the rest of her family upon her death.¹²²

¹¹⁷ Nussbaum, *Hiding from Humanity*, 175.

¹¹⁸ Eric Reiter, *Wounded Feelings* (Toronto: Osgoode Society/University of Toronto Press, 2019), 107–108.

¹¹⁹ *Eden Musée, Montréal, Galeries historiques, Catalogue, 5 cents, Illustré, Catalogue*, ([Montreal], 1909), 34. <https://collections.banq.qc.ca/ark:/52327/1988616>. The museum's catalog includes an engraving of the scene.

¹²⁰ Charles Musser, "The Eden Musee in 1898: The Exhibitor as Creator," *Film & History*, 11 (1981): 74.

¹²¹ Conrad Poirier, *Feature. Eden Musee*, Photograph, April 4, 1940, <https://numerique.banq.qc.ca/patrimoine/archives/52327/2849001>.

¹²² Leyton-Brown, *The Practice of Execution in Canada*, 107



Figure 8. Eden Musée, *Eden Musée Montreal, Canada [The St. Canute Murder/ Le Crime de St. Canut]*, Postcard, Collection Michel Bazinet, 11-74-c. Accessed April 20, 2021. <https://collections.banq.qc.ca/ark:/52327/4227>.

In effect, community has the ability “to invite another adult to feel such shame,” which, in turn, helps to improve conditions within that community, turning shame into a tool for self-improvement.¹²³ This leads to the question, for this project, of whether an execution is an invitation to feel shame? Of course, we cannot forget that an execution is a display of the state’s ultimate power over its people.¹²⁴ Yet, this display is reserved for specific deviant people, like Cordélia and Samuel. Therefore, theoretically, the only person who should be punished is the one found guilty of committing a crime and thus, at an execution, the person being executed is the only one who should feel shame. Unfortunately, the impact of an execution was felt by many. The collateral effects on the family were unavoidable, and their shame was an inevitable part of the execution. The audience, another group on whom executions had a collateral effect was witness to the shame. In order to maintain power, shame needs to continue in the collective memory. Specifically, how does the shame of the scaffold perpetuate after the execution, when the body (or bodies) were removed, and the crowds dispersed? The answer lies in the lasting

¹²³ Nussbaum, *Hiding from Humanity*, 213-214.

¹²⁴ Michel Foucault, *Discipline and Punish: The Birth of Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 49.

sensationalism of the crime. In this case, it transferred to the wax museum and was written by the owners of the wax museum. Collective memory ensured the shame surrounding this case was carried on even decades after the execution as the museum continued to remind its patrons into the 1940s and suggesting that “The St. Canut Murder” continued to mean something to Québécois.

Moreover, shame has a long history as Boddice demonstrates with his close reading of *The Iliad*, showing that “Athenians are neighborly and avoid those injurious expressions that cause offence. They are respectful of laws, the breaking of which is a source of shame, dishonour or disgrace.”¹²⁵ Boddice and Nussbaum both see shame as intrinsically linked to the deviation from a set of moral norms. It is helpful then to look at ideas about deviance in the Québec context. As has been discussed before, penal reform in the nineteenth century shaped the ways in which people were exposed to the social control of the ruling class. This was true for Québec as for English Canada, both with roots deep in Christianity, which emphasized living a pure life, free from vices like alcohol, drugs, and gambling.¹²⁶ As Mariana Valverde points out, although many people who advocated for this lifestyle were not rich and powerful, they upheld common notions that the ruling class was purer and more fit to hold power.¹²⁷ In Québec, much like in the rest of Canada, the elite class formed norms based on gender and class.¹²⁸ However, this was not the only divide in the late nineteenth century. As we have seen in this particular case, religion, location, and language also divided many Catholic, French speaking, rural Québécois from the minority of urban, upper-class elites.

Thus, shame shaped laws and punishment, and it carved out categories of deviance and normality. Cordélia’s deviation from devoted wife to adulterer and then to murderess was and still is considered to be a drastic deviation from the norm. As Andrée Lévesque writes, “If moral dictates are to be effective, they must be public...but transgressions, shameful and reprehensible as they were, were hidden...”¹²⁹ Indeed, for deviance to be detected, others must know the signs of deviation, although they may be well hidden. For example, Josephine writes, “Countess let me tell you that I do not understand why my sister had such a moment of waywardness...There is no

¹²⁵ Boddice, *A History of Feelings*, 39.

¹²⁶ Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: University of Toronto Press, 2008), 23, 32.

¹²⁷ Ibid.

¹²⁸ Lévesque, *Making and Breaking the Rules*, 11.

¹²⁹ Ibid., 17.

other person that knows her better than me...”¹³⁰ Cordélia was able to conceal her transgressions from the people who knew her best, and this undermined the community of Saint-Canut, the authorities (for a time), and duped her family into believing her best intentions. In this case, shame’s application as a preventive measure failed to keep Cordélia acting in accordance with the social and moral norms of the time. It was only after the discovery of her intentions and motives that shame took a central role in her punishment as a deterrent.

Cordélia’s family, after her death, was left to bear the shame and dishonour of her crimes placed upon them.¹³¹ They had to continue their lives, while the notoriety and sensational nature of the case continued to create feelings of shame as the turn of the century carried Cordélia’s infamy forward with a display in wax for curious visitors to the Musée Eden to gaze upon. The collective memory of the event endured through this depiction and through other popularly consumed media such as novels, movies, and plays. Notably, Justice Taschereau’s pamphlet was published in 1899. However, there also was renewed interest in Cordélia, in 1979, beginning with a novel by Pauline Cadieux which was adapted the same year as a film and was directed by Jean Beaudin.¹³² Finally, Cadieux’s novel was also adapted to plays; Collège Lionel-Groulx puts on small theatre productions that have presented the play, *Cordélia*, as recently as 2022.¹³³ These iterations of Cordélia’s story have contributed to her lasting presence in Québec’s popular culture.

Maternalism

Maternalism is referenced in almost all the letters. This is probably because the sisters consciously or unconsciously recognized their roles as mothers and matriarchs as being particularly important to the concept of mercy. Appealing to maternalism operated as a reason

¹³⁰ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Comtesse laissez-moi vous dire que je ne comprends pas pourquoi ma chère sœur a eu un tel moment d’égarement... Il n’y a personne qui la connaisse mieux que moi...”

¹³¹ Arlette Farge and Michel Foucault, *Disorderly Families: Infamous Letters from the Bastille Archives*, ed. Nancy Luxon, trans. Thomas Scott-Railton (Minneapolis: University of Minnesota Press, 2016), 132.

¹³² Jean Beaudin, *Cordélia*, l’Office National du Film du Canada, Digital, <https://www.nfb.ca/film/cordelia-en/> (accessed September 21, 2022); Pauline Cadieux, *Cordelia, ou, la Lampe dans la Fenêtre* (Montréal: Libre expression, 1979).

¹³³ Collège Lionel Groulx presented *Cordélia* as a musical: “Cordélia: spectacle des cohortes finissantes en Interprétation théâtrale et en Production scénique,” Collège Lionel Groulx, accessed June 30, 2023. <https://clg.qc.ca/evenements/cordelia-spectacle-des-cohortes-finissantes-en-interpretation-theatrale-et-en-production-scenique-2/>.

both to be merciful and to be deserving of mercy. Furthermore, maternalism grounded the sisters together in their feminine roles and provided another important commonality that linked them to Lady Minto. As well, this gendered role demonstrated how certain emotions were associated with womanhood. Western ideas about gender placed emotions firmly with women and thus allowed for their emotional expressions.¹³⁴ Approaching punishment from a maternal perspective also followed closely with nineteenth-century ideas about reforming women through “maternalistic forms of governance,” which placed woman in charge of female deviants.¹³⁵ This form of reformation also placed emotions, like sympathy and charity, squarely in the realm of womanhood.¹³⁶ From this perspective, women’s role as emotional caregivers was critical to the reformation of young women and thus placed a certain amount of power within the maternal sphere to help reduce criminality.¹³⁷ Of course, this reformatory role was one that Lady Minto did not exactly occupy, but this did not prevent the Vias from including this approach in their letters.

At the time, women’s roles in Québec society were very much based on their reproductive roles and focused on the moral good that came from motherhood and maternalism. In general, women, mothers, or even the childless were supposed to guide the morally bankrupt back to social acceptability. While some historians now question how universal maternal instinct was, nineteenth-century society painted women with broad brush strokes as capable caregivers.¹³⁸ Elisabeth Badinter explains, “In the common view, every woman fulfills her destiny once she becomes a mother, finding within herself all the required responses, as if they were automatic and inevitable...”¹³⁹ Certainly, this view did not take into account the alarmingly common crime of infanticide, for which women were typically treated leniently in the justice and penal system. While motherhood was synonymous with morality, there is plenty of evidence that shows a different reality.¹⁴⁰ Interestingly, the mentions of motherhood in the letters are

¹³⁴ Reddy, *The Navigation of Feeling*, 40-41.

¹³⁵ Alana Barton, “A Woman’s Place: Uncovering Maternalistic Forms of Governance in the 19th Century Reformatory,” *Family & Community History* 14, no 2 (2011): 91.

¹³⁶ *Ibid.*, 91-92.

¹³⁷ *Ibid.*, 92.

¹³⁸ Badinter, *Mother Love, Myth and Reality*, 58-59.

¹³⁹ *Ibid.*, xx.

¹⁴⁰ For more on infanticide, see Constance Backhouse, “Desperate Women and Compassionate Courts: Infanticide in Nineteenth-Century Canada,” *University of Toronto Law Journal* 34 (1984): 447-78.

intertwined with emotions from the heart. Emotions, as we will see, were often spoken of as stemming from the heart.

The Heart as the Seat of Emotion

Mélina, Josephine, and Rose write about having a good heart as a woman, as a wife, and as a mother; they also expressed feelings from their hearts. But what does it mean to have a good heart and why were emotions spoken of as coming from the heart? Emotions, in the West, were often attributed to sensations felt in the heart. Notably, these sensations were attributed to feelings such as love, anger, sadness, and grief. In fact, this approach to identifying emotion's origins in the body was culturally and temporally specific, though its origins can be traced back to the classical period and Galenic ideals.¹⁴¹ While debates over the centuries about where emotions stemmed from (the brain, for example), produced only theories, the Victorian era saw a renewed interest in placing emotions back in the heart.¹⁴² As Reddy states, studies conducted by scientists attempted to link increased heart rate with emotions. While some emotions, like anger, showed clear connections to increased heart rate, other emotions like love and shame were not so clear.¹⁴³ Indeed, "Traditionally, emotion...was associated with nonlinear thinking and with psychological arousal... These two types of phenomena were linked in that they both departed from a vision of conscious, rational, voluntary action that was believed to be the hallmark of human intelligence."¹⁴⁴ By the nineteenth century, renewed interest in expressing emotions through language that focused on the heart as the center of emotions was especially widespread in popular culture.¹⁴⁵ Some examples include feeling "lighthearted" when experiencing happiness or "heavy-hearted" for sorrow, and women were sometimes described as "kind-hearted."¹⁴⁶ These turns of phrase have endured in the English and French languages to the present time. Furthermore, as Yvonne Knibiehler argues, "the heart was central to female

¹⁴¹ Fay Bound Alberti, *Matters of the Heart: History, Medicine, and Emotion* (Oxford: Oxford University Press, 2010), 3-4.

¹⁴² *Ibid.*, 133.

¹⁴³ Reddy, *The Navigation of Feelings*, 12.

¹⁴⁴ *Ibid.*, 31.

¹⁴⁵ Alberti, *Matters of the Heart*, 134

¹⁴⁶ *Ibid.*

identity.”¹⁴⁷ The use of this kind of language in the letters suggests the sisters incorporated ideas about emotions and the heart into their identity.

For example, Mélina mentioned her heart several times. The first time was discussed earlier in the section about penitence, when Mélina states she had a penitent heart.¹⁴⁸ She also explains to Lady Minto that “my heart would speak in good faith...” as a way to confirm her trustworthiness to the countess.¹⁴⁹ The next instance of heart used in the letter is when Lady Minto’s heart was referred to. Mélina writes, “only God knows.... I am speaking to your maternal heart...”¹⁵⁰ Again, this was Mélina’s attempt to relate to Lady Minto. Maternal hearts, like good hearts, or kind hearts, were traits mainly associated with women and they had a moral aspect to them.¹⁵¹ “Speaking to your maternal heart” also implied that Lady Minto’s maternal nature was needed for its ability to provide care. In other words, the tenet of maternalism is largely the caregiving role that women were held to. Thus, maternalism was thought to have the capacity to preserve life rather than take it, or allow it to be taken.

In addition, Rose also used hearts to try to establish a link between herself and the countess. She begins by stating, “You are a woman and it is to your good heart as a woman and a good mother that I ask you for mercy.”¹⁵² As a woman, Rose saw Lady Minto as naturally having a good heart and it allowed her to be a good mother as well, one capable of granting mercy. If Lady Minto granted this to Rose, she admits that “an eternal gratitude is the payment that my heart will owe you.”¹⁵³ It is interesting to see this kind of language and it exemplifies what Fay Bound Alberti describes as the use of the heart in Victorian language.¹⁵⁴ Had Lady Minto been able to grant Rose’s request through the emotional channels of the heart, Rose would have had to repay the favour through her heart as well. Indeed, this transaction portrays Rose’s sentiments as genuinely heartfelt. Furthermore, Rose, like Josephine, was concerned for her children, however, unlike Josephine, they were not young. Rose qualified their age as grown

¹⁴⁷ Yvonne Knibiehler, “Bodies and Hearts” in *A History of Women in the West IV Emerging Feminism from Revolution to World War*, ed. Genevève Fraisse and Michelle Perrot (Cambridge, Mass.: The Belknap Press of Harvard University Press, 1993), 325.

¹⁴⁸ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

¹⁴⁹ Ibid. “mon coeur vous parlerait de bonne foi...”

¹⁵⁰ Ibid. “Dieu seul le sait...je m’adresse à votre coeur maternelle.”

¹⁵¹ Alberti, *Matters of the Heart*, 133.

¹⁵² Rose Tougas, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Vous êtes femme et c’est à votre bon coeur de femme et de bonne mère que je m’address de grâce à vous de femme.”

¹⁵³ Ibid. “une reconnaissance éternelle est-elle tribut que mon coeur vous devra.”

¹⁵⁴ Alberti, *Matters of the Heart*, 133-134.

children. She told Lady Minto, “You can think that for me who has children, grown sons and grown daughters, that it is very sad for all of us.”¹⁵⁵ Their age did not diminish Rose’s concern for them and how the death of Cordélia would impact them.

Josephine writes about her heart as well. She began by explaining to Lady Minto that “my heart as a woman wholly opens.”¹⁵⁶ In essence, she assured Lady Minto that her heart is moral as it represents her gender and therefore, was trustworthy. Josephine also identifies Lady Minto as having good moral character because of her gender. She wrote, “Ah no! by your good heart of a woman and of a mother.”¹⁵⁷ It is clear by these examples that the Viau sisters saw the importance of qualifying their moral characters, their maternal femininity, and their emotions as stemming from their hearts. Consequently, these integral associations with womanhood allowed the Viaus to assert common ground with Lady Minto as an attempt to achieve mercy for Cordélia.

Pity

Moving on to pity, Cordélia signaled to pity throughout her letter to Lady Minto. Defining pity is not simple. Its origins in Western literature, like many emotions explored in this work, date back to ancient Greece and Aristotle.¹⁵⁸ Although its meaning changed over time, it was comprised of similar elements. Boddice points out the close relations between sympathy and pity in the English language. He explains that, “it was once well-known that pity was a correlate, though not a direct a synonym, of sympathy...”¹⁵⁹ Thus, pity can be described as something one feels for someone else (although one can feel self-pity), and as a feeling adjacent to other emotions, such as fear.¹⁶⁰ Linguistically, pity is rooted in the Latin word *pietas* and is closely related to *pietà* in Italian.¹⁶¹ Indeed, in this example, pity and piety are derived from religious emotions surrounding the Virgin Mary holding Jesus’ body after his crucifixion.¹⁶² This scene, commonly

¹⁵⁵ Rose Tougas, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “vous pouvez penser moi qui a des enfants des grand garçon et des grandes filles que c’est bien triste pour tous

¹⁵⁶ Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “mon coeur de femme s’ouvre tout entire.”

¹⁵⁷ Ibid. “Ah ! non, par votre bon coeur de femme et de mère”

¹⁵⁸ David Punter, *The Literature of Pity* (Edinburgh: Edinburgh University Press, 2017), 12; Boddice, *A History of Feelings*, 46.

¹⁵⁹ Boddice, *A History of Feelings*, 85.

¹⁶⁰ Ibid., 3.

¹⁶¹ Punter, *The Literature of Pity*, 24.

¹⁶² Ibid.; Boddice, *A History of Feelings*, 85.

depicted in religious artwork, holds us as witnesses to the ultimate sacrifice Jesus made and the pain it brought his mother who had to experience the tragedy of grieving the death of her child. Pity can also include an element of imbalance, in that pity is often directed at those who are perceived as lower than oneself, as is the case with the relative positions of Lady Minto and Cordélia. With all this in mind, a more simplified definition that encompasses the various but important aspects of pity is as follows: it is the complex feeling of knowing about someone else's suffering, of sympathizing with them to the extent that one can relate to them, of fear about its proximity to one's own fate (that it could happen to them), and of the twinge of pleasure (or relief) that it did not happen to them.¹⁶³

Consequently, Cordélia's letter serves as an excellent example of pity and how it was a central feature of the family's campaign. Hence, pity for Cordélia was the motivation for her letter. This is evident when Cordélia expresses to Lady Minto that she wrote the letter from her prison cell. She tells Lady Minto, "This is from my cell and on my knees that I am writing these few lines to implore your mercy and pardon."¹⁶⁴ Her opening sentence to Lady Minto shows the scene she wants to set for her, to evoke feelings of pity from the countess. This is a simple but effective start to the letter, and in terms of producing feelings of pity it is excellent, because as Boddice states, we do "not pity the strong, only the weak."¹⁶⁵ Cordélia, whether consciously or not, understands she must show herself as weak and therefore deserving of pity. Pity, from Lady Minto's perspective, also highlights the power imbalances at play. As Boddice points out, "Pity—akin to mercy or clemency—is an aspect of strength and power."¹⁶⁶ Cordélia (and her family) recognized the power Lady Minto held and that this power could be tapped into through their pleas for pity as it was underpinned by mercy. Cordélia, by stating her physical surroundings as a cell and that she is on her knees, lowers herself on several metaphoric levels. Her living conditions, her status as a convicted criminal, and her need for mercy are in total opposition to Lady Minto's position. Indeed, this clash between the weak and strong, the pitiful and the one who pities is likened to the kinds of power elites hold. For example, Boddice writes, "A ruler who pities therefore exercises the symbolic violence of obliquely referring to his power to be

¹⁶³ Punter, *The Literature of Pity*, 7; Boddice, *A History of Feelings* 141.

¹⁶⁴ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

¹⁶⁵ Boddice, *A History of Feelings*, 86.

¹⁶⁶ Boddice, *A History of Feelings*, 86.

pitiless.”¹⁶⁷ In the example of Cordélia and Lady Minto, though the latter does not hold any real power (just influence and proximity to the head of state), her ability to pity still reinforces the state’s power over the condemned.

Furthermore, Cordélia also identifies various emotions within herself as further evidence to show Lady Minto that she deserves pity. Cordélia does not ask for compassion, as she explains that she is unworthy of it. She writes, “I know I do not deserve much compassion, or even the slightest sympathy...”¹⁶⁸ Nor is it sympathy that Cordélia is hoping to evoke, though as I explained above pity has an element of sympathy within it. Rather, we can see that asking for pity requires evoking a much more complex set of emotions than simply sympathy. As Cordélia recognized the futility of trying to evoke compassion and sympathy, she asked for pity in the same sentence. Furthermore, Mélina possibly saw that asking for pity for Cordélia might not have the desired effect she wanted. Instead, Mélina asks, “I kindly ask in pity of a poor mother who sees her child on the scaffold.”¹⁶⁹ Cordélia continues, “But could you not at least discover in some remote part of your good heart a parcel of pity towards the most miserable of all women?”¹⁷⁰ Not only did Cordélia request a modicum of pity be felt for her, but she also exemplified her need for pity by expressing how sad she is. Additionally, she presented herself as “the most unhappy of all women,” and asked Lady Minto to save her from the gallows and allow her “the favor of spending in tears” her remaining days.¹⁷¹ In essence, she was letting Lady Minto know that she was a miserable, pitiful, and remorseful creature, thus ensuring her status as someone deserving of pity.

Moreover, Mélina, Rose, and Josephine echo this sentiment as well. Josephine’s request for pity is very similar to Cordélia’s plea. She wrote, “I know that you will find in your good heart of a woman a parcel of pity for my dear sister.”¹⁷² Again, this statement signals the importance the heart had in emotions and the natural morality that was attributed to women. It also suggests that there were emotions such as pity and others that were communally recognized as necessary to convey to Lady Minto. Indeed, Rose follows in a similar fashion, asking, “can

¹⁶⁷ Ibid.

¹⁶⁸ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

¹⁶⁹ Mélina Power, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A. “je vous pris en pitié d’une pauvre mère qui voit son enfant à l’échafaud.”

¹⁷⁰ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

¹⁷¹ Ibid.

¹⁷² Josephine Hébert, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “Je sais que vous trouverez dans votre bon cœur de mère une parcelle de pitié pour ma chère sœur.”

you not find in a corner of your good heart a bit of pity?”¹⁷³ Pity, like other emotions at the time, could be found in the heart and especially in the good hearts of women. Sympathy and pity were often expected from women as they were supposed to possess “kind hearts.”¹⁷⁴

Returning to Cordélia, she expressed the love that she had for her husband in hopes of finding pity for herself. Cordélia offers an explanation about her relationship with Isidore in hopes that it would come across as pitiful. She begins by saying, “I loved my husband. Oh, yes, I loved him...”¹⁷⁵ She repeats and reaffirms this feeling to Lady Minto in case there was doubt. She laments Isidore’s death and her role in it by expressing her deviation from her marriage, which allowed his death to occur: “...but in a moment of cruel aberration, I allowed myself to be influenced by promises, and giving way to the nefarious influence of blind passions, I allowed the awful tragedy to be committed.”¹⁷⁶ By arousing feelings like love and blind passions, Cordélia offered Lady Minto a glimpse into someone who pivoted from loving her husband to succumbing to the “nefarious influence of blind passions.” While it is impossible to know if this struck a chord with the countess, Cordélia’s reference to blind passions is broad enough to suggest to anyone reading this letter that deep emotional connections can lead certain people astray. Certainly, Lady Minto’s noble status could have meant that she may have felt immune to the passions of those in lower classes than her.¹⁷⁷ At least, this was the moral narrative that many ruling elites espoused as justification for retaining their power.

By and large, pity played a crucial role in the mercy process for those condemned to death. It is an emotion that is referred to throughout the letters in this campaign but also in the capital case literature, which reflects how important and powerful pity was for mercy. Indeed, scholars note the final words expressed by Florence Lassandro, an Alberta woman, convicted of murdering an Alberta Provincial Police officer during the 1920s. She was reported to have cried out for pity before her execution.¹⁷⁸ Furthermore, Lesley Erickson notes there was a lack of pity for Hilda Blake (who was the next woman to be executed after Cordélia on December 27, 1899)

¹⁷³ Rose Tougas, *Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC. “ne pourriez pas trouver dans un coin de votre bon cœur une parcelle de pitié.”

¹⁷⁴ Alberti, *Matters of the Heart*, 134.

¹⁷⁵ Cordélia Viau, *English Letter to Lady Minto*, Viau, Volume 1436, File 304 A, LAC.

¹⁷⁶ Ibid.

¹⁷⁷ Stephanie A. Shields, *Speaking from the Heart: Gender and the Social Meaning of Emotion* (Cambridge: Cambridge University Press, 2002), 179-180.

¹⁷⁸ Strange, “The Lottery of Death,” 610; Greenwood and Boissery, *Uncertain Justice*, 19; Lesley Erickson, “She Is to Be Pitied, Not Punished,” in *Westward Bound: Sex, Violence, the Law, and the Making of a Settler Society* (Vancouver: UBC Press, 2011), 201-228.

and Florence Lassandro.¹⁷⁹ Although these examples show how pity's factoring into clemency may have been less influential than once thought, it clearly was an emotion that could not be ignored by those suffering the weight of the death penalty.¹⁸⁰ It also was one of the only emotions that might lead to mercy, since pity and mercy are related.

¹⁷⁹ Ibid, 213.

¹⁸⁰ Strange, "The Lottery of Death," 610.

Chapter Three: Newspapers, the Public, and a Terrible Lesson

In contrast to the private emotions of the family members observed in the letters, the wider public also responded emotionally to the events that unfolded from the time of the murder in late November 1897, throughout 1898 with Cordélia's trials and finally at the execution on March 10, 1899. The emotions that newspapers reported helped to provoke emotions in the public as well creating a sort of emotional vicious circle that perpetuated interest in this case. These emotional reactions contributed to the newspapers' commitment to reporting on every small detail over the span of the case. This attention to minutiae not only upheld social norms and brought attention to deviation, but it also reinforced social order.¹ Reading about crime was (and still is) an exercise in recognizing and reacting to moral decay.²

Newspaper reports offer an interesting glimpse into the emotional community of readers and provides evidence of the emotions that reporters desired to evoke from their readers. By looking at specific dates around the events, like the initial incarceration, the trial, the clemency campaign, and most notably the execution, we can see how newspapers used emotions to provoke reactions from the public. Indeed, these newspaper reports offer a rich source of information, as reporters at the time were allowed to interview the accused and attend the execution. In this case, the journalists had considerable access to the prisoners compared to later in the twentieth century when they were usually barred from attending executions and relied on others' first-hand accounts or simply relied on tropes to fill the reader's minds.³ As well, newspapers reporting on crime helped solidify the public's opinion against crime and their support for the state's social control.⁴ As Leyton-Brown explains, newspapers had vast reach, providing their readers with not only information about the execution, but also background information about the condemned.⁵ This provided a fuller picture, something not always obtainable when viewing an execution. Ultimately, newspapers are a rich source for scholars of capital punishment.

¹ Richard V. Ericson, Patricia M. Baranek and Janet B.L. Chan, *Representing Order: Crime, Law, and Justice in the News Media* (Toronto: University of Toronto Press, 1991), 74.

² *Ibid.*

³ Leyton-Brown, *The Practice of Execution in Canada*, 100.

⁴ Peter King, "Newspaper Reporting and Attitudes to Crime and Justice in Late-Eighteenth- and Early-Nineteenth-Century London," *Continuity and Change* 22 (2007): 92-94. While King writes about England in an earlier time, the press he describes parallels the press of the late nineteenth century and the focus on reporting on crime is similar.

⁵ *Ibid.*, 11.

Other scholars have used the vast amounts of primary sources (newspapers, pamphlets, and broadsheets that were commonly published about executions) from England, as it had practiced hangings as an execution method for centuries longer than Canada.⁶ These numerous sources have allowed scholars like Randall McGowen, Thomas W. Laqueur, Peter Linebaugh, and V.A.C. Gatrell to piece together the changes over time from hangings from trees to private executions.⁷ Furthermore, these scholars provide useful theoretical insights into public reactions to executions. Their findings provide insight into the public, the criminal(s), and especially the emotional landscape that developed from these hangings. The evidence suggests commonalities among western nations that employ similar legal and penal traditions and acts as an anchor from which to base public behaviors and emotions.

While the British comparison does not fit perfectly with Québec, as a French speaking minority within a former British colony, it does offer particularly interesting explanations for public emotions. Concerned with keeping execution proceedings transparent, Laqueur warns, “As execution becomes ever more private and untheatrical it becomes ever more irrelevant. As it becomes public, if not on television then through the printed media, it becomes carnival...”⁸ Indeed, the media’s role became critical to retaining some of the pageantry of executions once they were relegated behind prison walls. Some newspapers reported on every little detail of the execution. These details exemplify the sensational and showcase the spectacle of the scaffold (as Laqueur worried it would). However, what they also contribute is an emotional artifact that aids in our understanding that (despite sometimes inappropriate behaviors) human emotion was present in its often messy display.

⁶ Leslie Shepard, *The History of Street Literature: The Story of Broadside Ballads, Chapbooks, Proclamations, News-Sheets, Elections Bills, Tracts, Pamphlets, Cocks, Catchpennies, and other Ephemera* (Detroit: Singing Tree Press, 1973), 13-36.

⁷ For more about English executions, see Thomas W. Laqueur, “Crowds, Carnival and the State in English Executions, 1604-1868” in *The First Modern Societies: Essays in English History in Honour of Lawrence Stone*, ed. A.L. Beier, et al. (Cambridge: Cambridge University Press, 1989); Gatrell, *The Hanging Tree*; Judith Knelman, *Twisting in the Wind: The Murderess and the English Press* (Toronto: University of Toronto Press, 1998); Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century*, 2d ed. (London: Verso, 2003); Lizzie Seal and Alexa Neale, “Racializing Mercy: Capital Punishment and Race in Twentieth-Century England and Wales,” *Law and History Review* 38, no. 4 (2020): 883-910; Simon Devereaux and Paul Griffiths, *Penal Practice and Culture, 1500-1900: Punishing the English* (Houndmills: Palgrave Macmillan, 2004).

⁸ Laqueur, “Crowds, Carnival and the State in English Executions, 1604-1868,” 355.

The dissemination of execution news was aided by technological advances in printing during the nineteenth century which allowed a “social transformation of print culture.”⁹ These advances greatly reduced the operating costs and in turn gave space to a wider range of subjects.¹⁰ Newspapers were now catering to the “urban, literate masses” whose interests varied from “politics, news, trivia, and columns of interest to women, sports fans, or workers.”¹¹ Furthermore, beginning in 1880, journalism shifted from subjective, opinion-based reporting to a more informative, objective style.¹² Crime reporting fit nicely into these categories as these types of articles helped sell newspapers.¹³ Improvements to printing technology also helped to convey emotions quickly and broadly as news was able to circulate faster and more efficiently to the readers. As Brenton J. Malin explains, “Emotions were not confined to individuals but were shared collectively across a whole network of connections—including technological ones.”¹⁴ This is especially true of newspapers that printed evening editions as they were able provide up-to-date news throughout the day, keeping the public informed.

As Québec is linguistically diverse, I draw on both the reporting done in English and French in order to provide viewpoints from both an anglophone and francophone viewpoints. In this case, news about the murder, murder trial, and execution spread rapidly through the small, French Canadian community, while interest in the small town spread through Québec, across Canada, and into the United States as well. The details of the murder were wired to all the major newspapers in Canada, as well as the popular anglophone newspapers in Montréal such as *The Gazette*, *The Montreal Daily Star*, and *The Herald*. For French reports, newspapers such as *La Presse*, *La Patrie*, *La Minerve*, and *L’Avenir du Nord* were popularly consumed in Montréal, Québec City, and the Laurentians. Equally so, the American press provided widespread coverage of the case. Articles about the trial and the execution from newspapers in almost every state can

⁹ Gilles Gallichan, “The Newspaper in Quebec: Partisan to Commercial,” in *History of the Book in Canada*, ed. Yvan Lamonde, et al. (Toronto: University of Toronto Press, 2005), 304.

¹⁰ *Ibid.*, 305.

¹¹ *Ibid.*

¹² Dominique Marquis, “The Catholic Press, A Challenge to the ‘Journalism of Information’ Paradigm,” in *Communicating in Canada’s Past: Essays in Media History*, ed. Gene Allen and Daniel J. Robinson (Toronto: University of Toronto Press, 2009), 27-29.

¹³ Judith Knelman, “Transatlantic Influences on the Reporting of Crime,” *American Periodicals* 3 (1993): 1.

¹⁴ Brenton J. Malin, “Media, Messages, and Emotions,” in *Doing Emotions History*, ed. Susan J. Matt and Peter N. Stearns (Champaign: University of Illinois Press, 2013), 187.

be found in the archives. French newspapers such as *L'Echo de l'Ouest* also informed French speaking readers, living outside of Québec, of the case.¹⁵

Newspaper coverage for women murderers was extensive and this was in part due to the relative rarity of female killers.¹⁶ As women were generally expected to be meek and motherly, those who deviated from their gender roles, especially through extreme violence, became oddities.¹⁷ This deviation was especially fascinating to the public, making women who murdered irresistible newspaper content. Furthermore, women who murdered were often reduced to their biological functions and were described as betraying their gender by deviating from the nurturing, maternal creatures that society regulated women to be. As discussed in Chapter Two, Justice Taschereau made similar comments to Cordélia in his sentencing comments. As newspapers reported on trials and executions, women's bodies were of particular interest.¹⁸ Their emotional affects especially were scrutinized and put under a microscope, to be judged by the public as they looked for clues to determine whether the person accused was innocent or guilty.¹⁹ Moreover, as we will see further in this chapter, women were often depicted in unflattering ways, with illustrations that made them “ugly, ‘masculine’, old looking, and, in general inhuman”²⁰ (see figure 9). Ultimately, the press reduced women to stereotypes as the media and the public grappled with trying to understand how someone seemingly normal could behave in such an abnormal way.²¹

Journalistic Conventions

Journalistic conventions in the nineteenth century varied from newspaper to newspaper. Technological improvements to printing and the lower costs during the early nineteenth century, meant that it was easier to set up a publication. Thus, numerous publications were created during

¹⁵ Benoit, “Gentilly: A French-Canadian Community in the Minnesota Red River Valley,” 281.

¹⁶ Knelman, *Twisting in the Wind*, 4.

¹⁷ *Ibid.*, 3.

¹⁸ Newspaper reports focused on Evelyn Dick's body during her murder trials in Alison Jacques, “Evelyn Dick, Soap Star: Newspaper Coverage of the Torso Murder Case, 1946-1947,” in *Communicating in Canada's Past: Essays in Media History*, ed. Gene Allen and Daniel J. Robinson (Toronto: University of Toronto Press, 2009), 145-150.

¹⁹ Laura Kounine, “Emotions, Mind, and Body on Trial: A Cross-Cultural Perspective,” *Journal of Social History* 5, no. 2 (2017): 224.

²⁰ Knelman, *Twisting in the Wind*, 20.

²¹ Jenny Coleman, “Incorrigible Offenders: Media Representations of Female Habitual Criminals in the Late Victorian and Edwardian Press,” *Journal of Media History* 22, no. 2 (2016): 154.



Figure 9. *Mrs. Poirier, femme de la victime*, November 25, 1897, illustration, *La Presse*, Bibliothèque et Archives nationales du Québec.

this time and they often were created with a political leaning.²² Notably, newspapers in Québec also served specific communities, either anglophone or francophone. Although the newspapers explored in this project were, in theory, secular, undercurrents of a religious nature factored into the ways in which news was reported. Generally, francophone newspaper reports were often written and read through a Catholic lens especially for capital punishment cases, in which religious morals were front and center of the issue. Catholic and Protestant religious values were widely reflected and internalized, in Québec society, and these values were often represented even in ostensibly secular newspapers. Furthermore, newspapers usually reflected this distinction in their tone of writing. Although Québec scholars, such as Peter DeLottinville, Brian Young, Bettina Bradbury and Tamara Meyers, dispute how deep the cultural, linguistic, and religious divide in Québec was, it appears that the articles this project uses were (at times) characterized by this dualism.²³ In the case of reporting on executions, religious language was front and center

²² de Bonville, *La Presse québécoise de 1884 à 1914*, 48.

²³ For more information about the cultural divide in Québec, see Peter DeLottinville, “Joe Beef of Montreal: Working-Class Culture and the Tavern, 1869-1889,” *Labour/Le Travail* 8-9 (1981): 9-40; Bettina Bradbury, Tamara Myers, and Montreal History Group, *Negotiating Identities in 19th and 20th Century Montreal* (Vancouver: UBC Press, 2005), 4; J. I. Little. *The Other Quebec: Microhistorical Essays on Nineteenth-Century Religion and Society* (Toronto: University of Toronto Press, 2006).

as the issues raised were moral and included discussion of the afterlife. Additionally, depending on the religion of the condemned person reports tended to reflect on the execution from those perspectives.

Ultimately, this cultural, linguistic, and religious viewpoint often explains the ways in which both communities justified their positions on capital punishment (usually siding with the state). As Leyton-Brown argues, journalists played an important role in an execution.²⁴ In order to keep executions “public” information needed to be presented (and presented in a specific way) to continue to justify the practice of capital punishment by artificially creating a crowd of viewers.²⁵ This argument is further developed by Donald Fyson, who notes that as executions were moved from public spaces (town squares, local gaols, etc.) to behind prison walls, news reports became more detailed.²⁶ For the public who read the newspaper reports, this allowed them to physically distance themselves from the execution, yet still have a sensory experience through the journalist’s presence.²⁷

Furthermore, at the execution, journalists capitalized on violent crime by describing in vivid imagery the scene of the crime, the court case, and the execution. This is a prime example of how crime reporting took on specific journalistic conventions. Specifically, journalists were the authority when it came to the retelling of criminal events. The ways that journalists chose to write their stories reinforced ideas about crime and deviance as well as punishment.²⁸ This construction of events helped the state enforce its social control over the population as it highlighted and stressed the moral regimes in place.²⁹ Especially in reports of executions, the press provided the lessons an execution demands.

The Arrest

The arrest of Cordélia and Samuel on November 25, 1897, prompted newspapers to write sensational but also emotional reports about them – ranged from a brief summary of events to extensive, illustrated coverage and even interviews conducted in the Sainte-Scholastique

²⁴ Leyton-Brown, *The Practice of Execution in Canada*, 11.

²⁵ Ibid.

²⁶ Fyson, “The Spectacle of State Violence,” 391-392.

²⁷ Ibid., 392.

²⁸ Richard V. Ericson, et al., *Representing Order: Crime, Law, and Justice in the News Media* (Toronto: University of Toronto Press, 1991), 16-17.

²⁹ Ibid., 285.

prison.³⁰ French reporters for *La Presse* and *La Patrie* had an advantage over other newspapers as they were able to gain access to Cordélia and Samuel (according to the 1881 and 1891 census, Samuel was French Canadian with Irish heritage) and conducted interviews, giving French readers compelling details that the other papers lacked. The emotions newspapers sought to evoke in these reports also varied. Overall, the tones conveyed reflect significant allusions to fear, pity, and disgust. Certainly, disgust is an interesting emotion to play out in the newspapers because of its proximity to shame. In fact, disgust is an emotion that is inextricably linked to crime and deviance, thus it is no surprise to see it in the newspapers as well.

Notably, several newspapers chose to begin their coverage with a reflection on a recent uptick of violent crime in small towns across Québec. Often newspapers reprinted stories from each other which, in most cases, accounts for the similarities in reports, but usually those reports are word for word. In this case, French newspapers seem to have avoided this reporting style and opted instead to feature their own reporters' words. Thus, it appears from the newspapers' inclusion of recent violent crime, that they all were shaken by the recent spate of murders that happened in a short period of time. Namely, they draw the readers' attention to two other high-profile murder that had occurred just weeks prior. The first murder was on October 30, 1897 in Saint-Liboire, near Saint-Hyacinthe, where a man was murdered during an apparent robbery. His nephew was accused of committing the murder for financial gain—all the more upsetting as the victim left behind eight young children and a wife. Then, on November 4, 1897, in Rawdon, northeast of Saint-Canut, another case of extreme violence within a family occurred when as previously noted, Thomas McNulty murdered his four younger siblings with an axe, supposedly in order to make room in his father's house for him and the woman he wished to wed. These two murders, although very different, combined with the Saint-Canut case to suggest a pattern of disturbing domestic violence, with victims who were seen as especially unsuspecting. Certainly, these crimes had an impact on the communities; a true crime account, titled *Les Trois crimes: Rawdon, St-Canut, St-Liboire: histoire complete des meurtres, détails horribles, la vindicte publique*, written by a French Canadian journalist, was published in English and French in 1898 about these cases.³¹ Under these circumstances it would have felt like murder was commonplace

³⁰ "La Drame sanglant de St-Canut," *La Patire*, November 26, 1897, 1.

³¹ Jean Badreaux, *Les Trois crimes: Rawdon, St-Canut, St-Liboire: histoire complètes des meurtres, détails horribles, la vindicte publique* (Montreal: Lephoron et Lephoron, 1898); André Gaudreault and Jean-Pierre Sirois-

in rural Québec, causing reporters to comment on the frequency of murder.³² For example, *L'Avenir du Nord*, a small, liberal-leaning and opinion-based weekly paper founded in Saint-Jérôme by Wilfrid Gascon writes, “The numerous and heartbreaking crimes that have been unfolding before our eyes, for several weeks, in the province of Québec, seem to be a veritable epidemic.”³³ Framing the unusual events as an epidemic surely would have struck readers with feelings of apprehension and fear that murder was commonplace and spreading. *L'Avenir du Nord* continued to emphasize how shocking the murder of Isidore Poirier was. They wrote, “After the bloody dramas of Saint-Liboire and Rawdon, we did not think that *l'Avenir du Nord* would have to record a terrible homicide committed at the gates of Saint-Jérôme.”³⁴ *L'Avenir du Nord* journalists were unnerved that a murder occurred so close to Saint-Jérôme. Crime statistics, for late nineteenth-century Québec, indicate that criminal complaints, arrests, and prosecutions all decreased from the 1870s to 1900.³⁵ The perception that there was an increase in violent crime was compounded by these murders which occurred in a cluster and created an intense uneasiness among journalists. Indeed, other towns in Québec mirrored similar sentiments, with *Le Journal de Waterloo* also reflecting on the apparent frequency of crimes and its impact on communities. The reporter stated, “Crime in all its forms seemed to multiply across Canada, and in our good province of Québec our population still remembers the bloody tragedies of Rawdon, Saint-Liboire and Saint-Canut.”³⁶

Consequently, the press focused its attention on the murder in Saint-Canut. The shocking nature of the Saint-Canut crime was complicated by the first reports that Isidore had committed suicide. The report in *L'Avenir du Nord* reflects on the dubious nature of those allegations, crediting the public with knowing the truth from the beginning. The reporter clarified, “At the

Trahan, *La Vie ou du moins ses apparences : émergence du cinéma dans la presse de la Belle Époque, 1894-1910* (Montréal: Cinémathèque québécoise, 2002), 33.

³² Victorian newspapers were perpetuating the myth of rising crime by reporting often on crime. The frequency of reports created a perception of increased crime rates and is explored in Christopher A. Casey, “Common Misperceptions: The Press and Victorian Views of Crime,” *Journal of Interdisciplinary History* 41 (2011): 375-377.

³³ “La Tragédie de St-Canut,” *L'Avenir du Nord*, November 26, 1897, 1. “Les crimes nombreux et navrants qui s’étalent sous nos yeux, depuis quelques semaines, dans la province de Québec, semblent être une véritable épidémie.”

³⁴ Ibid. “Après les drames sanglants de Saint-Liboire et de Rawdon, nous ne pensions pas que *l'Avenir du Nord* aurait à enregistrer un affreux homicide commis aux portes de Saint-Jérôme.”

³⁵ Fyson, “The Judicial Prosecution of Crime in the Longue Durée,” 92.

³⁶ “L’année qui s’en va et l’année qui arrive,” *Le Journal de Waterloo*, December 30, 1897, 2. “Le crime sous toutes formes a semblé se multiplier par tout le Canada, et dans notre bonne province de Québec notre population a encore été présentes à la mémoire les sanglantes tragédie de Rawdon, de St-Liboire et de St-Canut.”

announcement of this bloody discovery, public opinion was moved, here in the neighborhood and throughout the district of Terrebonne. Let us say at once that from the beginning, few believed in a suicide. Everyone, on the contrary, suspected it was a terrible murder.”³⁷

It should be noted that this rhetoric closely resembles a moral panic; clearly, there is an established link between the media, moral panics, and the construction of deviance in the literature.³⁸ Newspapers capitalized on crime reporting that perpetuated fear of criminal activity.³⁹ Journalists altered the perception of violent crime and played on readers’ anxieties.⁴⁰ As Bourke expressed, anxieties loomed over most people that “Fear could ascend for irrational reasons” and “that life was full of fear caused by uncertainty.”⁴¹ Furthermore, newspapers, through their coverage of crime, could create an atmosphere of fear and, in the case of murder, justify the need for extreme punishment in consequence. For example, on December 3, 1897 *L’Avenir du Nord* published an opinion piece on the recent rash of murders. Reporters lamented that the murders in Rawdon and Saint-Canut brought back memories of murders from previous years. The article reads, “This brings to mind the series of crimes which, two years ago, caused a stir in our province. [Roger] Demers, [Lionel] Gauthier, [Valentine] Shortis are names that make one shudder at the memory of the bloody events they recall.”⁴² Listing those names in connection with the two recent murders added to the sense that murder was ubiquitous. Reporters continued to impress on the reader the frequency of murder by stating, “This year, bloody scenes are still numerous: [Jean-Baptiste] Guillemain, [Thomas] Nulty, [Cordélia] Viau-[Samuel] Parslow, have just terrified us with the audacity and cruelty of their crimes.”⁴³ Moreover, they reinforce feelings of fear with inflammatory language. The report shows that,

The murder at Saint-Canut, which gripped us all with dread, was not shrouded in mystery for long. From the day of the sad discovery of the corpse, public opinion cried out the

³⁷ “La Tragedie de St-Canut,” *L’Avenir du Nord*, 1. “A l’annonce de cette sanglante découverte, l’opinion publique s’est émue, ici aux environs et dans tout le district de Terrebonne. Disons de suite que dès le début, ils furent rares ceux qui crurent à un suicide. Toute le monde, au contraire, soupçonnait là un terrible meurtre.”

³⁸ For more about moral panics in the media, see Siân Nicholas and Tom O’Malley, *Moral Panics, Social Fears, and the Media: Historical Perspectives* (New York: Routledge, 2013); Erich Goode, and Nachman Ben-Yehuda, *Moral Panics: The Social Construction of Deviance*, 2d ed. (Chichester: Wiley-Blackwell, 2009); Sarah Wright Monod, *Making Sense of Moral Panics: A Framework for Research* (Cham, Switzerland: Palgrave Macmillan, 2017).

³⁹ Nicholas and O’Malley, *Moral Panics, Social Fears, and the Media*, 39.

⁴⁰ Goode and Ben-Yehuda, *Moral Panics*, 90.

⁴¹ Bourke, *Fear*, 4.

⁴² “Que justice se fasse !” *L’Avenir du Nord*, December 3, 1897, 4. “Cela remet à la mémoire la série de crimes qui, il y a deux ans, jetait l’émotion dans notre province. Demers, Gauthier, Shortis sont des noms qui font frémir au souvenir des faits sanglants qu’ils rappellent.”

⁴³ Ibid. “Cette année, les scènes sanglantes se comptent encore nombreuses : Guillemain, Nulty, Viau-Parslow, viennent de nous épouvanter par l’audace et la cruauté de leurs crimes.”

names of the assassins through hundreds of mouths. Soon contradictions in certain testimonies at the inquest and crystal clear revelations dispersed even the shadow of a doubt: Isidore Poirier had been cowardly and ignominiously slaughtered by his wife, Cordélia Viau, helped by her lover Sam Parslow.⁴⁴

The journalist was telling their readers that they were right to fear that the death of Isidore was a murder, despite the original reports to the contrary. While newspapers engaged in moral panics for various reasons, such as maximizing sales, they also were able to incorporate “moral tones with cautionary tales about the consequences of not conforming to accepted social behaviours.”⁴⁵ In this case, the consequence of deviance was capital punishment. As the headline “Let justice be done!” suggests, *L’Avenir du Nord* demanded justice. The journalist wrote, “Their fate is therefore no more doubtful than their guilt: they will have to climb the scaffold. The law of our country and the safety of society require it.”⁴⁶ They end the article with the same demand and declare, “Pity must give way to justice. Sam Parslow and Cordélia Viau are vile criminals. They themselves proclaimed it. Let them be punished.”⁴⁷ Not only does this exemplify how newspapers attempted to create moral panics but it also demonstrates how the ways in which they provoked emotion prescribed emotions as well. For instance, the quote above proclaims that not only should pity be felt but that it was the appropriate emotion to feel as well.

Fear can be traced to Cordélia and Samuel in these reports as well. Cordélia was interviewed by reporters from *La Patrie* who pointed to moments when Cordélia expressed fear for her situation. *La Patrie*, in a full-page spread, described Cordélia’s expression upon learning of her arrest from Detective McCaskill who was investigating the crime: “... the widow of the unfortunate carpenter became deathly pale. Her features twitched and her eyes took on an expression of excessive fear.”⁴⁸ To the reader these are words meant to cause an impact. Not only was Cordélia struck with emotional affect she could not control, thus the twitching of her

⁴⁴ Ibid. “L’assassinat de Saint-Canut qui nous a tous saisis d’effroi n’a pas été longtemps enveloppé dans le mystère. L’opinion publique a crié par ses cent bouches, dès le jour de la triste découverte du cadavre, les noms des assassins. Bientôt les contradictions dans certains témoignages à l’enquête, et les révélations les plus claires vinrent disperser l’ombre même d’un doute : Isidore Poirier a été lâchement et ignominieusement égorgé par sa femme, Cordélia Viau aidée de son amant Sam Parslow.”

⁴⁵ Wright Monod, *Making Sense of Moral Panics*, 87; Nicholas and O’Malley, *Moral Panics, Social Fears, and the Media*, 39.

⁴⁶ “Que justice se fasse!” *L’Avenir du Nord*, 4. “Leur sort n’est donc pas plus douteux que leur culpabilité : ils devront monter à l’échafaud. La loi de notre pays et la sécurité de la société l’exigent.”

⁴⁷ Ibid. “La pitié doit faire place à la justice. Sam Parslow et Cordélia Viau sont de vils criminels. Ils l’ont eux-mêmes proclamé. Qu’ils soient punis.”

⁴⁸ “La Drame sanglant de St-Canut,” *La Patire*, November 26, 1897, 1. “... la veuve de l’infortuné menuisier devint d’une pâleur mortelle. Ses traits se contractèrent et ses yeux prirent une expression de frayeur excessive.”

facial features, but her expression then turned not just to fear but “excessive fear,” telling the reader that the situation in which she suddenly found herself was extraordinary.⁴⁹ Although this report, like many others, is sensational, there are certain details which provide some semblance of reality, like Cordélia’s being apprehended by a detective, who was experienced in investigating murders, which certainly sounds frightening. Moreover, Cordélia’s power over her life was halted and seemingly in the hands of the detective. Indeed, her freedom had been taken from her, which to any law-abiding citizen would sound anxiety provoking.

Additionally, fear continues to show up in the news reports examined for in this project. Cordélia expressed her experience of being in prison in an interview to a *La Patrie* journalist. When asked about her time in prison, she responded, “Oh sir, how hard life in prison is. I have not slept all night... I asked Mr. Gratton to have a lamp placed in the corridor, which he granted me, otherwise I think I would have been scared to death.”⁵⁰ To the reader, this fear probably seems justified as the journalist described her prison cell as a dungeon. Indeed, her living conditions were described as, “This cell, or rather this dungeon, is furnished like all dungeons, that is to say, it contains a simple bed of planks covered with a mattress, a small wooden table and a chair. The daylight only penetrates through the grating of the door.”⁵¹

While this analysis of reports is mainly about the emotions the newspapers were trying to evoke in the readers, it stands to reason the feelings of Cordélia and Samuel, identified by journalists, are meant to resonate with the readers. I suggest that the inclusion of those feelings not only makes for good storytelling but also serves to emotionally invest the readers early on in the case, thus insuring they continue to follow the news for updates. Capitalism was a major driving force for how newspapers wrote about violent crime, but moral factors also came into play, especially for newspapers who published opinion-based articles. Nonetheless, the emotion that is echoed in the reader is not fear, but pity.

⁴⁹ Ibid.

⁵⁰ “Entrevue du reporter de la ‘Patrie’ avec les meurtriers,” *La Patrie*, November 26, 1897, “Oh monsieur que c’est dur la vie de prison. Je n’ai pas dormi de la nuit. Mon lit était très dur et je n’avais pas d’oreillers hier soir. J’ai demandé à M. Gratton de faire placer une lampe dans le corridor, ce qu’il m’accorda, sans cela je crois que je serais morte de peur.”

⁵¹ Ibid. “Cette cellule ou plutôt ce cachot est meublé comme tous les cachots, c’est-à-dire qu’il contient un simple lit de planches recouvertes d’un matelas, d’une petite table en bois et d’une chaise. Le jour n’y pénètre que par le grillage de la porte.”

Pity

If we return to the emotion of pity, discussed in the previous chapter, newspapers also employed ideas about pity in relation to Cordélia. I suggest the reporters chose to write the story in specific ways, and used Cordélia and Samuel as a way to evoke pity from their readers. As well, the way the press reported on this case let the readers in on the fears of Cordélia and Samuel.

Some newspapers mentioned an interesting reversal of emotional roles between Cordélia and Samuel. During the coroner's inquest, Cordélia was reported as being stoic while Samuel was reported as agitated.⁵² For example, *La Minerve* writes that Cordélia "hardly showed any emotion when she was shown the objects that were used to kill her husband."⁵³ Reporting this lack of emotional affect implied the gender-based expectation that she would have had some sort of moment when she showed some emotions when confronted with the knife used to kill her husband (see figure 10). In essence, she was met by the violence of the situation and, yet, remained emotionless. This implies that she was emotionally abnormal. In this stage of the investigation, Cordélia was not a suspect, and the media pointed to her widowhood to evoke pity. Furthermore, during the coroner's inquest, *The Montreal Daily Star* described Cordélia as "cool, calm and collected as anyone present."⁵⁴ These reports implied that there was an expectation of how a newly widowed woman would react in the wake of their husband's sudden death. As Bettina Bradbury points out, widowed women were suddenly faced with the responsibilities that came with a loved one dying, such as organizing their funeral and wake, procuring appropriate clothing for mourning, and the financial burdens all that entailed, making it difficult to judge how they reacted.⁵⁵ However, it was clear to journalists observing Cordélia that she was not adhering to the prescribed emotional regime in place at the time.

La Presse, at times, took a softer approach to Cordélia, and presented her as slightly more emotional. It was reported that Cordélia cried while giving her testimony at the coroner's inquest. They reported her testimony: "I thought I would go there myself... I saw my husband lying on the bed and covered in blood..."

⁵² "L'Affaire de St-Canut," *La Minerve*, November 26, 1897, 2.

⁵³ Ibid. "...mais elle n'a guère manifesté d'émotion quand on lui a montré les objets qui ont servi à tuer son mari."

⁵⁴ "Parslow Killed Isidore Poirier." *Montreal Daily Star*, November 26, 1897, 5.

⁵⁵ Bradbury, *Wife to Widow*, 206.

Here Mrs. Poirier wiped away a few tears.”⁵⁶ At this point, it was not clear who was culpable in Isidore’s death and this report of Cordélia’s reaction to discovering her dead husband would have played on readers’ heartstrings.

In contrast, Samuel “was constantly seen standing near the house where the coroner’s jury was meeting. Some claim to have seen him withdraw to one side to cry. Certainly his



conduct was that of a man who has something to reproach himself for.”⁵⁷ Tears, in this case, were tantamount to an admission of guilt for the press and Samuel was providing a pitiful display for the press to latch onto. On the one hand, journalists were critical of Cordélia for not showing emotion, or at least for not showing enough emotion for a grieving widow. On the other hand, they were suspicious of Samuel for crying at all.

The rapid changes during the nineteenth century to all areas of life also meant that ideas about gender were changing as well. Jeffrey Vacante shows how the uprooting of French Canadian lives from agrarian and rural to urban from around 1880-1914 helped shape what he terms a “national manhood” thanks to the industrial revolution and capitalism.⁵⁸

Moreover, many elite men, such as politicians, clergymen, and even journalists helped to bolster this new and more modern idea of masculinity.⁵⁹ Emotional

Figure 10. *Le Couteau*, November 25, 1897, illustration, *La Presse*, Bibliothèque et Archives nationales du Québec.

⁵⁶ “La Boucherie de Saint-Canut,” *La Presse*, November 25, 1897, 1. “J’avais pensé d’y aller moi-même... Je vis mon mari étendu sur le lit et tout couvert de sang... Ici Mme Poirier essuya quelques larmes.”

⁵⁷ Ibid. “On l’a vu sans cesse se tenir près de la maison où était réuni le jury du coroner. D’aucuns prétendent l’avoir vu se retirer à l’écart pour pleurer. Il est sûr que sa conduite a été celle d’un homme qui a quelque chose à se reprocher.”

⁵⁸ Jeffrey Vacante, *National Manhood and the Creation of Modern Quebec* (Vancouver, University of British Columbia Press, 2017), 3-4.

⁵⁹ Ibid., 4. For more information about the history of masculinity, see Peter Gossage and Robert Allen Rutherford, eds., *Making Men, Making History: Canadian Masculinities Across Time and Place* (Vancouver: UBC Press, 2018); Vacante, *National Manhood and the Creation of Modern Quebec*; Sonya O. Rose, *What Is Gender History? What Is History?* Cambridge, UK: Polity, 2010; Mark C. Carnes, and Clyde Griffen, *Meanings for Manhood: Constructions of Masculinity in Victorian America*, (Chicago: University of Chicago Press, 1990); Jean-Marie Fecteau, “La dynamique sociale du catholicisme québécois au XIXe siècle: Éléments pour une réflexion sur les frontières et les conditions historiques de possibilité du ‘social’,” *Social History* 35 (2002): 497-515.

expression, at this time, was also in flux and men were pushing back on the idea of a rural, stoic masculinity.⁶⁰

By the time of the coroner's inquest, Samuel's tears were perceived as suspicious. According to Thomas Dixon, writing about Victorian England, "moral weeping" was a common and often popular way of showing emotions, especially for upper class men.⁶¹ However, by 1899, Victorian feminization of strong emotions had taken over and murder trials served as a way to study this kind of sentimentalism. As Dixon points out, "The courtroom and the scaffold had long provided opportunities for tears to be shed by prisoners, advocates, judges, juries, and onlookers."⁶² Tears, or the lack of them, could signal to observers an accused's innocence or guilt.⁶³ Journalists were trained to report on displays of emotions such as these.⁶⁴ For Samuel, his tears were interpreted as the emotions of a guilty man.⁶⁵

On the day of the arrests, Samuel was reported as crying again. Reports of the scene at the home of Samuel and his mother were heartbreaking. Both were reduced to tears and journalists used the forced separation as a way to tug on readers' heartstrings. The article reads,

Big tears began to flow down his cheeks. He turned his gaze to the old furniture in the bedroom, which must have brought back to him a whole world of memories, then approaching his old mother who was sobbing, he said to her in a barely perceptible voice: "Mother, do not cry, I'll be back soon, because I am not guilty, I trust that justice will be done to me."⁶⁶

In this way, pity was evoked through a tender moment shared between mother and son that showcased the love they had for each other.

Tears were at the center of how newspapers evoked pity. Either the presence of tears or the lack of them was problematic to reporters. *La Minerve* took exception to the lack of emotional affect displayed by Cordélia, whereas *La Presse* focused on the tears she cried while testifying in the coroner's inquest. Conversely, Samuel's tears, of which there were plenty, were viewed as suspicious and were dissected by the media as well, especially when the tears were

⁶⁰ Vacante, *National Manhood and the Creation of Modern Quebec*, 20.

⁶¹ Dixon, *Weeping Britannia: Portrait of a Nation in Tears* (Oxford: Oxford University Press, 2015), 96.

⁶² *Ibid.*, 103.

⁶³ *Ibid.*, 172.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ "La Drame sanglant de St-Canut," *La Patire*, 1. "De grosses larmes commencèrent à couler sur ses joues. Il reporta son regard sur les vieux meubles de la chambre qui devait lui rappeler tout un monde de souvenirs, puis se rapprochant de sa vieille mère qui sanglotait, il lui dit d'une voix à peine perceptible : "Mère, ne pleure pas, je reviendrai bientôt, car je ne suis pas coupable, j'ai confiance que justice me sera rendu."

streaming down his face while talking to his mother at his arrest. It is a moving scene between mother and son and the media focused on their painful separation. Certainly, these significant moments were designed to provoke readers to feel pity for Cordélia and Samuel. The circumstances were extraordinary and something most people would not want to happen to them. As well, up until the murders, Cordélia and Samuel had been regular people living regular lives making them relatable. Furthermore, their situation exemplified that violent crime could occur in small towns as well.

Disgust

From fear and pity, we move to a discussion of disgust, an emotion that prevails largely in human lives and is no exception in the newspapers, which clearly provoked it in several reports. To begin, a concise and simple definition of this complex emotion would be the physical and mental revulsion towards something that is considered to be a contaminate. Nussbaum argues that this repulsion is instilled in humans at an early age, but most likely has an evolutionary component to it to protect us from danger, like preventing the consumption of rotten food to prevent illness.⁶⁷ Disgust is also an emotion that often presents itself in matters of the law, so it is no surprise it is an emotion journalists use to provoke their readers when reporting on crime. Indeed, laws are often created in response to the disgust certain actions provoke and those laws exist to lessen the disgust people feel. As Nussbaum explains, disgust is very much intertwined with our ideas about ourselves, our bodies, and our behaviours.⁶⁸ Moreover, it regulates our behaviours and ensures social norms are maintained. However, here we will mostly focus on moral disgust, which branches off from physical disgust (the revulsion we feel to dirt, disease, disfiguration, etc.). This is an emotion dating back to classical times (like pity), and which was explored by Greek writers, such as Sophocles, most notably in his play, *Philoctetes*.⁶⁹ It should be noted however that in the case of Isidore's murder there was also a component of physical disgust towards Isidore's bloody and mutilated body as well as Cordélia and Samuel's bodies at the execution which will be elaborated on.

⁶⁷ Nussbaum, *Hiding from Humanity*, 2.

⁶⁸ *Ibid.*, 74.

⁶⁹ Donald Lateiner and Dimos Spatharas, *The Ancient Emotion of Disgust* (New York, NY: Oxford University Press, 2017), 69.

Readers certainly would have had reason to feel disgust about the events that were unfolding. Indeed, according to Donald Lateiner and Dimos Spatharas, for disgust (within the confines of the law) to be present, it requires examining and quantifying the heinousness of a crime.⁷⁰ The idea of murder, any murder, produces feelings of disgust.⁷¹ Nussbaum's exploration of physical disgust shows that, "Bloodiness and goriness are the usual elicitors of disgust," which this case certainly demonstrates, particularly as the categorization of the murder of Isidore as one of the most heinous to date suggests to readers that there is ample reason for disgust.⁷² *The Montreal Daily Star* claimed it was, "one of the MOST AWFUL MURDERS ever committed in this or any other country."⁷³ As statistics show, murder was not a common occurrence (despite what the newspapers were arguing), but among women who killed, the murder of a husband was not out of the ordinary. Thus, for contemporaries, the heinous nature of this case lay not in its rarity but in the manner it was premeditated and especially in the way Isidore's body was so badly wounded—to the point of mutilation. Therefore the gruesome nature of the crime gestures to the reader that both physical and moral disgust are warranted in response to the reports. This is especially evident when the press detailed the injuries Isidore sustained. *The Montreal Star* explains, "The man [Samuel] then went quickly over... got the knife and struck Poirier in the throat. This the murderer says, was all he remembers, for 'everything after that was all blood, blood."⁷⁴ They continue to describe the murder and the difficulties Samuel had ending Isidore's life. The article goes on to say,

It is thought that the first stroke of the knife woke the poor fellow up, and that Parslow struck again at him with the murderous weapon; that Poirier grabbed the knife by the blade and gained his feet. Then came stroke after stroke and finally he was overcome, the throat severed, and the man deprived of life.⁷⁵

This is a sensational line considering the axe murders in Rawdon which had occurred earlier that month. Declaring this case as one of if not the most heinous crime committed naturally implies a certain amount of moral disgust was felt, or, through such a declaration, that the newspapers were trying to provoke such disgust. The nature of this type of murder (multiple deep stab wounds) and the reported details disrupted readers' ideas about the integrity of the human body.

⁷⁰ Ibid., 3.

⁷¹ Nussbaum, *Hiding from Humanity*, 164-165.

⁷² Ibid., 165.

⁷³ "Parslow Killed Isidore Poirier." *Montreal Daily Star*, 5.

⁷⁴ Ibid.

⁷⁵ Ibid.

Readers of *La Presse* were also subjected to the grisly details of the murder. A reporter from *La Presse* viewed Poirier's body in the house and wrote,

Poirier was stretched out on his bed, his legs dangling... His shirt was covered in clotted blood and the pillows, quilt, carpet were soaked in blood. He had the most horrible wound on his neck. His throat was cut open, and he bore two fairly deep wounds in his face.⁷⁶

The description of his wounds as horrible and deep further suggested that his disfiguration and blood loss were extreme. Furthermore, *La Presse* compared the killing to the murders in Rawdon earlier that month. They exclaimed,

It was AN ATROCIOUS BUTCHERY that was committed and the poor victims of Rawdon, killed with an ax and almost decapitated, did not present such a terrible aspect as Poirier with his throat gaping, his neck almost completely cut, his face slashed, lying in a pool of blood.⁷⁷

Allusions to decapitation, gaping wounds, and dismemberment all helped to contribute to feelings of both moral and physical disgust. The violence not only appeased curiosity and sold papers, it provided a moral lesson about the gruesome nature of the killing. As well, it seems clear that Isidore had lost considerable amount of blood, yet *La Presse* speculated on the exact amount of lost blood in volume to further emphasize disgust. For example, "Doctors estimate the amount of blood lost from the victim on the floor, carpet and outside the bed at around a pint and the amount lost in the bed at around a quart. There is, moreover, a certain amount soaked into the victim's clothes."⁷⁸ Simply put, the details of Isidore's injuries are disgusting. As Nussbaum explains, "The disgusting has to be seen as alien: one's own bodily products are not viewed as disgusting so long as they are inside one's own body."⁷⁹ This same disgust can apply to others as well. For example, *The Montreal Daily Star* reported that Cordélia was brought back to the house where Isidore's body still lay five days later and was forced to view the crime scene as

⁷⁶ "Une crime mystérieux," *La Presse*, November 23, 1897, 1. "Poirier était étendu sur son lit, les jambes pendantes... Sa chemise était couverte de sang coagulé et les oreillers, le couvre-pied, le tapis étaient imbibés de sang. Il avait au cou la plus horrible des blessures. Il avait la gorge ouverte, et portait à la figure deux blessures assez profondes."

⁷⁷ Ibid., "C'est UNE ATROCE BOUCHERIE qui a été faite et les pauvres victimes de Rawdon, tuées à coupe de hache et presque décapitées ne présentaient pas un aspect aussi affreux que Poirier avec la gorge béante, le cou presque entièrement tranché, la figure coupée, étendu dans une mare de sang."

⁷⁸ "La Boucherie de Saint-Canut," *La Presse*, 8. "Les médecins évaluent la quantité de sang perdu par la victime sur le plancher, sur le tapis et en dehors du lit, à environ une chopine et la quantité perdue dans le lit à environ une pinte. Il y en a, de plus, une certaine quantité imbibée dans les vêtements de la victime."

⁷⁹ Nussbaum, *Hiding from Humanity*, 88.

part of her interrogation.⁸⁰ Reporters state that Cordélia's reaction to seeing her husband's body was disturbing. Journalists wrote, "The ghastly sight before the woman was evidently too much for her iron nerves, and she began to show the first symptoms."⁸¹ This information acts as reinforcement to the readers that the bloody scene justifies any feelings of disgust to such a degree that even the offender is overcome with the feeling upon witnessing it.

Furthermore, newspapers signaled moral disgust in different ways. One of the ways was by reminding the readers that when Isidore's body was found originally, before a coroner's inquest was convened, the cause of death was thought to have been from suicide. The newspapers reported it was Cordélia and Samuel who presented the idea of the death as a suicide and that they intended to set up this conclusion by leaving the knife beside the body. For example, *La Presse* reported Cordélia's testimony as saying Isidore spoke about feeling suicidal early on in their marriage. The report reads: "After six months of marriage – and she has been married for eight years – her husband told her of his intention TO COMMIT SUICIDE because his business was going badly. Later, when he returned from California with two bills to pay and no money, he became discouraged and talked again about killing himself."⁸² Although the judge's summary discusses the fact that it was originally suspected that Isidore may have taken his own life, this deception was not elaborated on, nor determined to have been plotted by Cordélia as a way to conceal the murder. However, the newspapers pointed to this outcome and presented Cordélia's scheming in a way that evoked disgust. While there certainly was a component of shame when discussing suicide, disgust, in this situation, was more accurate because of the element of deceit being portrayed in the reports. The community for a time was deceived into believing that Isidore had killed himself. Interestingly, it may have been the newspapers' hasty reporting of the death that led to this belief, but now they were using the new information as an invitation to the public to feel moral disgust. Again, *The Montreal Daily Star* firmly placed the idea of suicide at Cordélia and Samuel's feet. The press wrote, "...these two murderers conceived THE IDEA OF SUICIDE. These people's scheme was to kill poor Poirier in such a manner that suicide would be the natural theory and no suspicion would be attracted to

⁸⁰ "Parslow Killed Isidore Poirier." *Montreal Daily Star*, 5.

⁸¹ *Ibid.*

⁸² "La Boucherie De Saint-Canut," *La Presse*, 1. "Après six mois de mariage – et elle est mariée depuis huit ans – son mari lui a parlé de son intention DE SE SUICIDER, parce que ses affaires allaient mal. Plus tard à son retour de Californie, ayant deux billets à rencontrer et n'ayant pas d'argent, il s'est découragé et a encore parlé de se suicide."

them.”⁸³ Cordélia and Samuel’s “scheming” a suicide was disgusting to their readers for a couple of reasons resulting from the views on suicide at the time.

First, due to religious reasons, suicide was taboo. In the Christian faith and especially in Catholicism, committing suicide is a mortal sin and is linked to the story of Judas. Suicide, like hanging, is rooted in the idea of the betrayal of Jesus by Judas. The common belief was that Judas was so overcome by his guilt that he hanged himself.⁸⁴ Secondly, the church was eager to decrease the number of people killing themselves because of a rising belief that there were more and more people committing suicide since the Middle Ages. So they taught their parishioners to fear the eternal damnation they would endure if they chose to die in this manner.⁸⁵ It is possible that readers who thought that Isidore had killed himself may have felt distress over the idea of his soul burning in hell for eternity and then disgust to learn it was, in fact, a lie devised to conceal a murder. The fact that the deception pointed to such a taboo act added to the moral revulsion people may have felt. Not only was suicide morally reprehensible but it was also illegal. Section 238 of the 1892 Criminal Code of Canada states, “Everyone who attempts to commit suicide is guilty of an indictable offence and liable to two years’ imprisonment.”⁸⁶ As Nussbaum argues, the disgust provoked by suicide is such that authorities often correlate it to hurting someone else.⁸⁷ Disgust is effective in this case, as Nussbaum acknowledges, “disgust and shame are powerful motives...”⁸⁸ Consequently, both the belief there was a suicide and the deception about the suicide would have added two-fold to feelings of disgust.

According to *L’Avenir du Nord*, their community in Saint-Jerôme were skeptical that Isidore had committed suicide, perhaps because he was known to the community, and it might have seemed very much out of character for him. They first learned about the supposed suicide earlier in the week, when the newspaper reminded readers with the following description:

Last Monday, we learned that a man named Poirier, carpenter, from Saint-Canut, well known in Saint-Jérôme... had committed suicide in his house where his wife,

⁸³ “Parslow Killed Isidore Poirier.” *Montreal Daily Star*, 5.

⁸⁴ Marzio Barbagli, *Farewell to the World: A History of Suicide*, rev. ed. (Cambridge: Polity, 2015), 208-209.

⁸⁵ *Ibid.*, 111-112, 115-116.

⁸⁶ Canada. *Criminal Code, 1892, 55-56 Victoria, Chap. 29 together with an Act to Amend the Canada Temperance Amendment Act, 1888* (Ottawa; Printed by S.E. Dawson, 1892), 95.

⁸⁷ Nussbaum, *Hiding from Humanity*, 338

⁸⁸ *Ibid.*, 339.

absent the day before, had found him in the morning, bathed in his blood, his neck sliced by a hideous knife left by his side.⁸⁹

By describing his body in this way—covered in blood and mortally wounded by a knife—and reporting it as a suicide, the paper strived to provoke readers' disgust by reminding them that a grave sin had been committed and in a particularly vile manner in which his bodily fluids flowed out of him. Furthermore, learning that it was actually a murder served to reinforce this disgust and transferred the disgust for Isidore to Cordélia and Samuel. *La Presse* reported,

The murderer thought it would look like A SUICIDE, and that is without a doubt why he placed his weapon next to his victim, within easy reach of his hand. However, it is unlikely that the deceased himself placed the knife on the pillow, as he was holding a handkerchief in his left hand, and it was on this side that the knife was found. It has also been pointed out that Poirier was not left-handed, and that if he had killed himself, he would have held his weapon in his right hand.⁹⁰

Their skepticism was validated by logical reasoning that the scene of the death was indeed staged to cover up a heinous murder and the disgust felt in light of this revelation was an appropriate reaction to such a discovery of facts. In this moment, disgust offered readers an important direction to channel the wrongs they perceived.⁹¹

Riot and Execution

On the morning of March 10th, 1899, Cordélia Viau and Samuel Parslow were scheduled to die together. The newspapers reported on their final hours and hanging in dramatic detail. The tones of the reports stirred up emotions of both sympathy and compassion, as well as fear and hatred. According to newspaper reports, they were hanged back-to-back with a curtain between them in the Saint-Scholastique prison yard. This description matches the murder trial pamphlet drawings published the following year (see figure 11).⁹² Details of Cordélia and Samuel's final hours,

⁸⁹ "La Tragedie de St-Canut," *L'Avenir du Nord*, 1. "Lundi dernier, nous apprenions qu'un nommé Poirier, menuisier, de Saint-Canut, bien connu à Saint-Jérôme... s'était suicidé dans sa maison où sa femme, absente la veille, l'avait trouvé le matin, baignant dans son sang, le cou tranché par un affreux couteau laissé à ses côtés."

⁹⁰ "Une crime mystérieux," *La Presse*, 1" L'assassin a pensé qu'on croirait à UN SUICIDE et c'est sans doute pour cela qu'il a déposé son arme à côté de sa victime, à portée de sa main. Mais il n'est pas vraisemblable que le défunt ait lui-même déposé le couteau sur l'oreiller, car il tenait de la main gauche un mouchoir, et c'est du côté gauche qu'a été trouvé le couteau. L'on a fait remarquer aussi que Poirier n'était pas gaucher et que s'il s'était tué lui-même, il aurait tenu son arme de la main droite..."

⁹¹ Nussbaum, *Hiding from Humanity*, 78-82.

⁹² Henri Thomas Taschereau and J. Charles Vermet, *Affaire Cordélia Viau (meurtre de St-Canut): résumé du juge Taschereau, pour les jurés, avant le verdict: le 2 février 1898, à St-Scholastique, P.Q.* (1898) <http://online.canadiana.ca/view/oocihm.25127>.

what they said, and what they ate as a last meal were published for the reader's gratification. For example, *La Patrie* wrote, "At 7 a.m. breakfast was offered to the two condemned, but THEY COULD NOT EAT. Cordélia Viau only had a cup of coffee and Parslow some coffee with brandy."⁹³ At times, the language used was certainly sensational and was organized in ways that would have made readers feel an abundance of feelings. Using the quote above as an example, "THEY COULD NOT EAT" shows how parts of sentences were often used to create dramatic subheadings within the text that caught the eye and, in this case, provoked perhaps sympathy or pity.⁹⁴

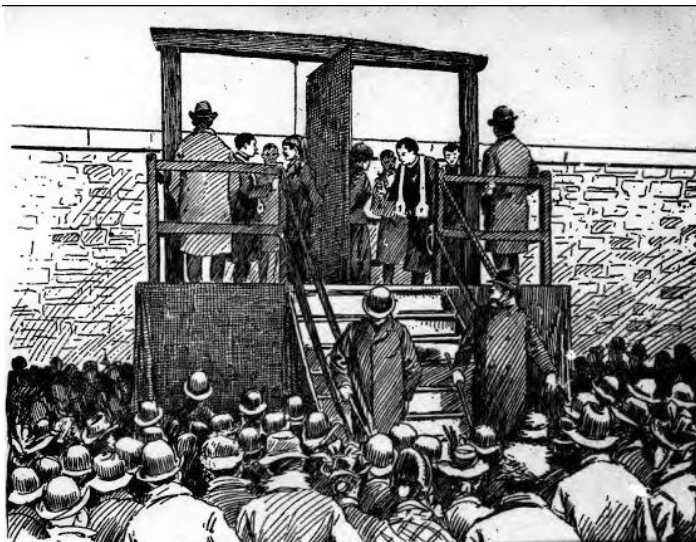


Figure 11. *La double pendaison de Sainte-Scholastique*, 1899, illustration, Henri-Thomas Taschereau, *Histoire d'un Crime Horrible [microforme][...]* (Georges A. Benoit, 1899) Archive.org. https://archive.org/details/cihm_06762.

Indeed, there are numerous examples to draw from as the double execution attracted many journalists and there was no lack of newspaper coverage. Certainly, the crowd and the riot made for good fodder. Similarly to the time of the arrest, when journalists had access to Cordélia and Samuel, it appears journalists were also let in, behind the scenes, to witness and report on the final hours of the prisoners' lives. Effectively, journalists took advantage of and reported on the final intimate moments Cordélia and Samuel had with the clergy and their family that

⁹³ "La Justice satisfaite !" *La Patrie*, 1. "A 7 heures on offrit à déjeuner aux deux condamnés, mais ILS NE PUREMENT MANGER. Cordélia Viau prit seulement une tasse de café et Parslow du café du brandy."

⁹⁴ *Ibid.*

demonstrated to readers that they were people who were loved and cared for. This highlighted the ripple effects capital punishment.

In general, there was a lot of sympathy for female offenders within the justice and penal systems. Of the women convicted of capital murder from Confederation to 1900, nine out of thirteen women were spared the gallows.⁹⁵ Six of the thirteen murders were of husbands and three of those six had their sentences commuted. Although several scholars assert that there was no sympathy for husband killers, this appears to have changed somewhat between Confederation and 1900.⁹⁶ Furthermore, between those same years, only four women in total were executed. At the time of Cordélia's execution, the New York *Sun* reminded its readers, she was only the third woman to hang since Confederation.⁹⁷ This leniency was also reflected in the total number of women hanged compared to men. All these numbers illustrate the trend of paternalism in post-Confederation Canada. As scholars like Greenwood and Boissery, and Strange suggest, concept of "sham chivalry" was a defense strategy that was often used by lawyers to generate sympathy for their female clients among judges, juries, and the public.⁹⁸ However, in the case of Cordélia and Samuel, her daily conduct in society and his naivety, made it difficult to pin all the blame on the failings of the men in Cordélia's life.

As a result of the execution preparations at the prison, the growing crowds, and the general interest in the execution journalists had a variety of topics they could focus on. Thus, headlines differed greatly, from reports of the people coming from out of town, to the final hours leading up to the execution, to descriptions of the riot in the prison yard. *La Patrie* released a full front page of the final day and execution of Cordélia and Samuel. This was an unusual presentation as newspapers at the time were organized differently than today's papers.⁹⁹ There seems to have been a sense that placing murder trials and executions on the front page would not only present the perceived moral decay in society, but it would help sell papers as well. For example, on the front page of *La Patrie*, the headline announced, "JUSTICE IS SATISFIED!" in

⁹⁵ Gadoury and Lechasseur, *Persons Sentenced to Death in Canada, 1867-1976*, 26.

⁹⁶ The term "sham chivalry" is found in Greenwood and Boissery, *Uncertain Justice*, 123-140; Joan Sangster, "Criminalizing the Colonized: Ontario Native Women Confront the Criminal Justice System, 1920-1960." *The Canadian Historical Review* 80, no. 1 (1999): 32-60; Carolyn Strange, "Wounded Womanhood and Dead Men.

⁹⁷ "Man and Woman Executed," *Sun* (New York), March 11, 1899, 2; Gadoury and Lechasseur, *Persons Sentenced to Death in Canada, 1867-1976*, 26.

⁹⁸ Greenwood and Boissery, *Uncertain Justice*, 123; Strange, "Wounded Womanhood and Dead Men," 151.

⁹⁹ de Bonville, *La Presse québécoise de 1884 à 1914*, 209-211.

bold letters.¹⁰⁰ Reporters assured their readers that “The horrible tragedy of St-Canut” had come to an end and that justice had been avenged. This reassurance was brief as they described the difficulties people had witnessing the execution.¹⁰¹ For example, journalists wrote of “hard lessons” being learned and the “anguish” of seeing death.¹⁰² Furthermore, the article recounted and quantified the effects that seeing a dead woman produced. For instance, “It is horrible to see a man die, a hundred times more agonizing to see a woman climb the steps of the scaffold.”¹⁰³ It was an unbearable toll to witness a woman be put to death.

Sympathy, as mentioned before, is an emotion that is often enmeshed in other emotions like pity and compassion. “Sympathy” has Latin and Greek origins and is etymologically related to the word for suffering. The connection of sympathy to suffering may not be straightforward, but Boddice described it as, “One suffered love as much as one suffered pain.”¹⁰⁴ Essentially, sympathy is an emotion we feel for someone else. More precisely, “Sympathy at its simplest offered a new way of knowing another person; it described a connection with other people based on feeling and concern.”¹⁰⁵ In other words, our knowledge of someone’s suffering and the emotions we think they feel is transferred onto us, if we choose to feel similarly to them, out of concern for them. In the context of capital punishment, as Randall McGowen argues, reformers sought to alter ideas about sympathy into “a source of morality and a force in shaping conduct.”¹⁰⁶ If successful, these reformers hoped, “It [sympathy] created a web that tied you to others, while binding them to you, even as everyone seemed knit together in something greater than the individual.”¹⁰⁷ While we see these ideas percolating in Britain earlier in the century, sympathy still played an important role for those advocating for reforms in Canada as we will see.

Although pity was evident in the news reports analyzed in this work, there were also components of sympathy. The ambiguities of innocence, guilt and capital punishment raise a

¹⁰⁰ “La Justice satisfaite !” *La Patrie*, 1.

¹⁰¹ *Ibid.*, “L’horrible tragédie de St-Canut...”

¹⁰² *Ibid.* “Quelle leçon! quel enseignement! “

¹⁰³ *Ibid.* “C’est horrible de voir mourir un homme, cent fois plus angoissant de voir une femme gravir les degrés de l’échafaud.”

¹⁰⁴ For more on sympathy, see Rob Boddice, *The Science of Sympathy: Morality, Evolution, and Victorian Civilization. History of Emotions*. (Urbana: University of Illinois Press, 2016), 3.

¹⁰⁵ Randall McGowen, “A Powerful Sympathy: Terror, the Prison, and Humanitarian Reform in Early Nineteenth-Century Britain,” *Journal of British Studies* 25, no. 3 (1986): 314.

¹⁰⁶ *Ibid.*, 322.

¹⁰⁷ *Ibid.*

particular kind of sympathy and is crucial to historians' understanding of capital punishment. Evidence of this nature is unusual because there was relatively little discussion, especially in any formal capacity, about the abolition of capital punishment until the early twentieth century. Exceptionally, *La Presse* offered its readers a chance to learn about an opposing (and consequently a sympathetic) opinion of capital punishment from a religious leader who claimed to have provided spiritual counsel at an execution in Winnipeg some twenty-four years earlier.¹⁰⁸ Father Georges Dugast told the *La Presse* reporter about his reservations with capital punishment and explained the emotional impact his involvement in the execution of Joseph Michaud, a young soldier, had on him. Indeed, an article in a weekly paper, *Le Métis*, identifies him as Michaud's "spiritual director".¹⁰⁹ Dugast, a Québec native and priest, moved to Manitoba to help serve the Métis population under the guidance of Archbishop Alexander-Antoine Taché.¹¹⁰ In the interview, Dugast was careful to make sure the reader was aware he understood the importance law has in society but that he was also aware that human law was occasionally subject to human error. He told the reporter, "Human justice is a very beautiful institution... But being human, it is sometimes, rarely thank God, marred by that imperfection which is the basis of man's nature."¹¹¹ This first sentence sets the tone of the article: capital punishment is an imperfect punishment and when it goes wrong, it can have devastating consequences on the condemned, the public, and society.

Moreover, Dugast provided details of the crime for which Michaud had been convicted of committing and of his final moments on earth. Dugast explains,

...the condemned man was a soldier named Michaud, a Québécois... A murder had been committed in Winnipeg. One night the body of an individual was found, pierced with thirty-six stab wounds. Near the corpse, Michaud was found with his hands bloody and in the pocket of his trousers the dagger, which had been used as the instrument of the crime, was found stained with blood.¹¹²

¹⁰⁸ "Une lugubre evocation," *La Presse*, March 9, 1899, 1. Father Dugast's name in the article is spelled "Dugas".

¹⁰⁹ "L'Expiation," *Le Métis* (Winnipeg), September 5, 1874, 3.

¹¹⁰ Raymond J.A. Huel, *Archbishop A.-A. Taché of St. Boniface: The "Good Fight" and the Illusive Vision*, The Missionary Oblates of Mary Immaculate in the Canadian North West, Canada Commons (Edmonton: University of Alberta Press, 2003), 163.

¹¹¹ "Une lugubre evocation," *La Presse*, 1. "La justice humaine est une bien belle institution... Mais étant humaine elle est parfois, rarement Dieu merci, entachée de cette imperfection qui fait le fond de la nature de l'homme."

¹¹² Ibid. "...le condamné était un soldat du nom Michaud, un Québécois... Un meurtre avait été commis à Winnipeg. On trouva, une nuit, le corps d'un individu percé de trente-six coups de poignard. Près du cadavre, Michaud fut trouvé les mains ensanglantées et dans la poche de ses pantalons le poignard qui avait servi d'instrument du crime, fut trouvé tout maculé de sang."

Michaud was under the influence of alcohol at the time of the murder and his guilt was apparently evident. According to Leyton-Brown, he provided a written confession at his execution.¹¹³ However, Dugast is reported as saying that Michaud protested his innocence during his procession to the gallows.¹¹⁴ Dugast recounts, “Never...will I forget the gripping spectacle that was offered to me in this circumstance so terrible for the unfortunate man. Until the last moment I heard him repeat these words of protest: I am innocent, I am innocent!”¹¹⁵ This was a pivotal moment for Dugast as he was simultaneously confronted with the horror of the spectacle and the last words of Michaud.

Unfortunately, the horror of the spectacle did not end there for Dugast. He continues, “He trembled with all his limbs as he crossed the shameful steps of the scaffold. I stood by his side, providing him parcels of hope all the more sincere and convincing because I myself felt invaded by a kind of terror that I could not control.”¹¹⁶ This admission of fear shows that even the most devoutly religious person could not escape the terror of the scaffold. Furthermore, in the presence of the death machine, fear overwhelmed Dugast and, in this fear, he felt sympathy for Michaud to the degree that he never forgot that moment and shared it with the reporter from *La Presse* on the eve of Cordélia and Samuel’s execution. Dugast recognized that the proximity to the scaffold produced the intense emotions he was feeling. He said, “It is necessary to have seen the scaffold up close, to have felt the frightening terror that the condemned man endures in front of the gallows, to have witnessed the final dreary preparations for the execution, to have an idea of the hideousness of the scene that accompanies the execution.”¹¹⁷ His experience with the scaffold solidified to him that to witness the scaffold was to have sympathy for the condemned. Consequently, those who did not or could not witness it in person had the opportunity to read his warning instead in *La Presse*.

¹¹³ Leyton-Brown, *The Practice of Execution in Canada*, 56.

¹¹⁴ “Une lugubre evocation,” *La Presse*, 1.

¹¹⁵ Ibid., “Jamais dit le narrateur, je n’oublierai le spectacle empoignant qui s’offrit à moi en cette circonstance si terrible pour le malheureux. Jusqu’au dernier moment je l’entendis répéter ces paroles de protestation : je suis innocent, je suis innocent!”

¹¹⁶ Ibid., “Il tremblait de tous ses membres en franchissant les marches infamantes de l’échafaud. Je me tenais à ses côtés, lui prodiguant des parcelles [sic] d’espoir d’autant plus sincères et plus convaincues que moi-même je me sentais envahi par une sorte de terreur que je ne pouvais maîtriser.”

¹¹⁷ Ibid., “Il faut avoir vu de près l’échafaud, avoir senti la terreur effrayante que le condamné prouve en face du gibet, assisté aux derniers et lugubres préparatifs de l’exécution pour avoir une idée de ce que peut avoir de hideux la scène qui accompagne l’exécution.”

Yet, the warning did not end there; Dugast revealed the truth about Michaud, that he was indeed innocent, and he recounted how he came to this conclusion:

However, a few years later, an individual whose name I do not know died in Winnipeg. I know however that he was of English origin. Before he died, this Englishman, a giant of a man, declared that Michaud was innocent and that he was the author of the murder. On the night of the crime, Michaud had become drunk; the culprit, wishing to remove all suspicion against him, took the dagger he had used and put it in the pocket of the pants of Michaud, who had fallen dead drunk nearby.”¹¹⁸

Dugast reported this as matter of fact and offered no more information. It is clear from his interview with *La Presse* that he believed Michaud had been wrongly executed. Upon further investigation, Dugast may have been told the truth; Leyton-Brown calls into question “dubious confessions” that were read after the condemned was killed, such as the one Michaud prepared, but was too afraid to read. After Michaud’s execution, a confession Michaud purportedly prepared was read to the public, since he was too afraid to read it. As Leyton-Brown shows, confessions like this were often questionable, and in Michaud’s case it conveniently tied up all loose ends for the state.¹¹⁹

Finally, Dugast wraps up his interview with this parting wisdom: “This dismal story from 25 years ago is unfortunately not the only one where it is proven that judicial errors are made at all times and all over the country.”¹²⁰ Whether Michaud was innocent or not remains unclear, however the point Dugast was making holds true. Given the finality of capital punishment, the stakes were high for the state to execute the correct person and when they erred in that task innocent people were killed. This was a point that death penalty abolitionists made (along with concerns about botched hangings) from their earliest attempts later in the first decades of the twentieth century.¹²¹ While Dugast did not explicitly call for the abolition of capital punishment, the point he made is clear: it was harmful. Furthermore, it is apparent that on the eve of Cordélia

¹¹⁸ Ibid. “Or, quelques années après mourrait à Winnipeg un individu dont j’ignore le nom. Je sais cependant qu’il était d’origine anglaise. Avant de mourir, cet Anglais, d’une taille de géant, déclara que Michaud était innocent et que c’était lui l’auteur du meurtre. “Dans la nuit du crime, Michaud s’était enivré ; le coupable voulant écarter tout soupçon contre lui, prit le poignard dont il s’était servi et le mit dans la poche des pantalons de Michaud, tombé ivre-mort tout près de là.”

¹¹⁹ Leyton-Brown, *The Practice of Execution in Canada*, 56.

¹²⁰ “Une lugubre évocation,” *La Presse*, 1. “Cette lugubre histoire, vieille de 25 ans, n’est malheureusement pas la seule où il est prouvé que des erreurs judiciaires sont commises en tout temps et dans tout le pays.”

¹²¹ Leyton-Brown, *The Practice of Execution in Canada*, 148-149; Michael Boudreau, “The disgust of the community against hanging’: The Execution of Bennie Swim and the Debate over Capital Punishment in New Brunswick,” *Acadiensis: Journal of the History of the Atlantic Region* 51, no. 1 (2022): 79.

and Samuel's execution, Dugast was haunted by the memory of Michaud's execution and his possible innocence. Notably, it is interesting that Dugast did not say Cordélia and Samuel were innocent, but his first-hand account demonstrates his opinion that capital punishment, in general, had risks that could not be remedied. The scaffold evoked vivid reminders that executions were full of awe, terror, disgust, and sympathy for the spectators.

In the same vein, *L'Avenir du Nord* published another interesting opinion piece on Cordélia's fate and more broadly on capital punishment in Canada. This article provides a somewhat unusual perspective, written by Wilfrid Gascon, who asked the reader to think about some difficult questions in the aftermath of the double execution. The first widely reported instance of formal abolitionist pressure in Canada is considered to be in 1914 when MP Robert Bickerdike introduced a private member's bill in Parliament.¹²² Thus, Gascon's contribution to abolition sentiment is an important addition to the larger discussion surrounding capital punishment. Furthermore, his writing adds to our understanding of how abolition was expressed and argued, as it predates what is usually seen as the beginning of abolition sentiment.

As mentioned earlier in this chapter, Wilfrid Gascon was the founder of *L'Avenir du Nord*. Gascon began by offering a sympathetic tone, the titling the article is "*De profundis*" (Out of the Depths), a religious reference found in the book of Psalms.¹²³ He writes, "Out of the depths of the unfathomable abysses where the hand of the executioner has precipitated the guilty but repenting souls of Cordélia Viau and Sam Parslow..."¹²⁴ He then asks, "what do they think, these tortured souls of the executed, about human justice, about this inexorable justice served reluctantly by those who administer it, and even more so by those who execute it?"¹²⁵ Gascon immediately introduces a rhetorical question, undoubtedly written to make the reader think about the emotional toll an execution has on various people in the penal system. In this way, Gascon was taking an approach similar to British capital punishment reformers.¹²⁶

Moreover, in various ways, he called on readers to feel sympathy for the condemned and contempt for the state that he claimed kills with impunity. To be exact, Gascon writes, "Do they

¹²² Strange, *The Death Penalty and Sex Murder in Canadian History*, 60.

¹²³ Ps. 130: 1 NRSV

¹²⁴ Wilfred Gascon, "De profundis..." *L'Avenir du Nord*, March 11, 1899, 1. "Du fond des abîmes insondables où la main du bourreau a précipité les âmes coupables mais repentantes de Cordélia Viau et de Sam Parslow..."

¹²⁵ Ibid. "que pensent-elles, ces âmes de suppliciés, de la justice humaine, de cette justice inexorable servie à contrecœur par ceux mêmes qui l'administrent, et plus encore par ceux qui l'exécutent ?

¹²⁶ Gatrell, *The Hanging Tree*, 227.

think, the poor souls of the executed, that it was necessary to redeem a life...”¹²⁷ In this statement “the poor souls” represent Cordélia and Samuel, but for Gascon it extends to all souls executed by the state, and by framing it as something that numerous people have had to endure, it helped readers sympathize with the condemned. It also gave the readers an understanding that what the condemned experienced was an ordeal akin to torture. He continued by depicting execution as “the double holocaust of their weak persons, languid, trembling, moaning the long pain of a fifteen-month agony.”¹²⁸ Not only were Cordélia and Samuel victims of torture, but they also represented a sacrifice to God, as he refers to their execution as a “double holocaust” (as the origin of the word holocaust most likely comes from the biblical concept of burnt offerings).¹²⁹

Gascon also showed the reader that sympathy could be accorded to Cordélia and Samuel in opposition to the state, which he claimed was acting in vengeance. This was in direct opposition to what most defenders of capital punishment maintained. Harsh punishments, like hanging, were not viewed by the state as vengeful acts; rather, they were the results of a supposedly calculated, rational, and emotionless legal process.¹³⁰ However, according to legal scholar Robert C. Solomon, punishments are very much expressions of emotions and the desire for vengeance is part of that expression.¹³¹ Gascon’s criticism of the state’s role in punishments is where we can see his argument against vengeance. He exclaims, “Oh! the heavy, terrible responsibility of the official vigilantes who kill to teach the wicked not to kill!”¹³² Indeed, according to Gascon vengeance should not hold space in society. He laments, “Who can affirm that societies have the absolute right to render an eye for an eye, a tooth for a tooth?”¹³³ Gascon’s understanding of vengeance was linked to a common idea that vengeance “is thought to be especially dangerous, and socially disruptive, [and] typically violent...”¹³⁴ It is not

¹²⁷ Gascon, “De profundis...,” *L’Avenir du Nord*, 1. “Pensent-elles, les pauvres âmes de suppliciés, qu’il était nécessaire au rachat d’une vie...”

¹²⁸ Ibid. “...le double holocauste de leurs personnes faibles alanguies, tremblantes, geignant la longue douleur d’une agonie de quinze mois...”

¹²⁹ *Oxford English Dictionary* (Oxford: Oxford University Press, 2000), s.v. “holocaust,” https://www-oed-com.lib-ezproxy.concordia.ca/search?searchType=dictionary&q=holocaust&_searchBtn=Search.

¹³⁰ Toni M. Massaro, “Show (Some) Emotions,” 102.

¹³¹ Robert C. Solomon, “Justice v. Vengeance: On Law and the Satisfaction of Emotion,” in *Passions in the Law*, ed. Susan A. Bandes (New York: New York University Press, 2001), 124.

¹³² Gascon, “De profundis...,” *L’Avenir du Nord*, 1. “Oh ! la lourde, l’effroyable responsabilité des justiciers officiels qui tuent pour apprendre aux méchants à ne pas tuer !”

¹³³ Ibid. “Qui est-ce qui peut affirmer que les sociétés ont le droit absolu de rendre œil pour œil, dent pour dent”

¹³⁴ Solomon, “Justice v Vengeance,” 129.

difficult, in the case of Cordélia and Samuel, to see how Gascon ended up at this conclusion. It must have felt like sympathy and vengeance were irreconcilable regarding capital punishment.

Furthermore, Gascon also reflected on the state's seemingly inconsistent logic regarding lesser punishments for lesser crimes. He asks, why should "human Justice, which does not apply the penalty of retaliation for aggression, simple assault and theft in all its forms, resort to it for homicide? Can you imagine a man accused of assault and battery condemned to receive, tied up, a punch in the face administered by the executioner?"¹³⁵ This scenario he argues is preposterous given society's preferred method of punishment, which was, mainly, the removal of the convicted criminal's freedom. Ultimately, Gascon concludes that capital punishment too closely resembles vengeance and that they both fall under "barbaric" behaviour.¹³⁶

Additionally, Gascon appeals to the reader's emotions by offering Cordélia's gender as a reason to feel sympathy for her. As explored already, most people throughout the history of capital punishment found it very difficult to justify the execution of women. Gascon was no exception, and he found the execution of Cordélia extremely distasteful. He compared her execution to acts of barbarism. Explicitly he wrote, "But applied to a woman, the death penalty, in my opinion at least, is an infamy that I would like my country to leave henceforth to the cannibals of Africa."¹³⁷ While his comparison is problematic and racist (as is the word "barbaric"), the underlying message was that the state should, under no circumstance, be reduced to taking the life of a woman. As many capital punishment scholars have pointed out, chivalry or ideas about the goodness of women provided successful defenses (or commutation if found guilty), and their execution of women was rare because of it.¹³⁸ In fact, Gascon felt that no matter how guilty a woman was, executing them was a violation of a natural right afforded to women by nature of their gender and sex. He commented, "It will therefore be said, throughout the universe, that in America, on the free land of Canada, women are still sent to the scaffold,

¹³⁵ Gascon, "De profundis...", *L'Avenir du Nord*, 1. "...et que la Justice humain, qui n'applique pas la peine du talion pour l'agression, l'assaut simple et le vol sous toutes ses formes, doit y recourir dans l'homicide ? Vous imaginez-vous un homme prévenu de coups et blessures condamné à recevoir, ligoté, un coup de poing en plein visage administré par le bourreau ?"

¹³⁶ Ibid. "Ce serait barbare..."

¹³⁷ Ibid. "Mais appliquée à une femme, la peine de mort, à mon sens du moins, est une infamie que je voudrais que mon pays laissât dorénavant aux cannibales de l'Afrique."

¹³⁸ Strange, "Wounded Womanhood and Dead Men"; Greenwood and Boissery, *Uncertain Justice*; Dubinsky and Iacovetta, "Murder, Womanly Virtue, and Motherhood"; Lynsey Black, "On the Other Hand, the Accused is a Woman: Women and the Death Penalty in Post-Independence Ireland." *Law and History Review* 36, no. 1 (2018): 151.

when everything, in our morals, in our feelings, everything commands us to be indulgent for the women, even if they are guilty.”¹³⁹ While his view on women in the justice and penal systems reflects similar views in other cases, this unconditional support for Cordélia is notable as she otherwise had limited sympathy in the media.

Lastly, Gascon ends his critique of capital punishment with condolences to the condemned and to their families. He wishes, “Peace to the poor victims who have made amends by months of moral torture and a violent death suffered in circumstances which increased tenfold the anguish of the unhappy hour of their lives!”¹⁴⁰ It is interesting to note that he considered Cordélia and Samuel, convicted murders, as victims and repeatedly referred to them as such throughout his analysis. He certainly took a side in the debate and was brutal in his assessment of the state’s cruelty towards them. Finally, he acknowledged family members who were affected by the execution. He ends with, “Peace to the brothers and sisters who mourn a lost sister and brother!”¹⁴¹ This was an uncommon sentiment in the media: while some sympathy was shown early on towards Samuel’s mother, very little was written about the family from an emotional perspective.

Unfortunately, Gascon’s scathing analysis of the execution may have come too late or fallen on deaf ears. According to Gatrell, authorities warned scaffold spectators to guard their emotions in an attempt to change the ways in which crowds behaved themselves at executions.¹⁴² Conversely, apathy towards violence was something that penal reformers in nineteenth century America were concerned with and they worried it was a consequence of repeated exposure to violence.¹⁴³ With regards to the crowd who gathered in the early morning hours to watch the double hanging, a different type of emotion was probably shared, and, it is safe to say, it was not apathy that drove this crowd to riot in the way it did.

¹³⁹ Gascon, “De profundis,” 1. “On dira donc, par tout l’univers, qu’en Amérique, sur la terre libre du Canada, on envoie encore les femmes à l’échafaud, alors que tout, dans nos mœurs, dans nos sentiments, tout nous commande d’être indulgent pour la femme, même coupable.”

¹⁴⁰ Ibid. “Paix aux pauvres suppliciés qui ont expié par des mois de tortures morales et une mort violente subie dans des circonstances qui en décuplaient l’angoisse de l’heure malheureuse de leur vie !”

¹⁴¹ Ibid. “Paix aux frères et aux sœurs qui pleurent une sœur et un frère perdus !”

¹⁴² Gatrell, *The Hanging Tree*, 240; Randall McGowen, “Revisiting the Hanging Tree: Gatrell on Emotion and History,” *British Journal of Criminology* 40 (2000): 9. McGowen’s only major criticism with Gatrell is that he lumps the middle class together whilst arguing for more nuanced and varied understanding of other groups of people. However, he notes Gatrell makes a strong argument for why people mainly watched executions with little reaction.

¹⁴³ Martschukat, “A Horrifying Experience?,” 188.

Conversely, Gatrell also argues that it was probably not blood-thirsty hunger that compelled people to witness such a spectacle, as so many news reports made it. Gatrell calls for more nuance, suggesting that numerous emotions expressed by execution witnesses could be due to different motivations like camaraderie, guilt, and even sexual gratification.¹⁴⁴ Indeed, Judith Knelman concedes that men might have experienced “a sexual thrill out of seeing a once aggressive woman subdued, quaking in terror and then submitting to the relentless, devastating force of the law.”¹⁴⁵ Or, perhaps the various reactions crowds had were, as Gatrell argues, “strategies of defense” because their reaction to an execution “relates to the ways in which witnesses evaded the pain threatened in an identification with the victim.”¹⁴⁶ In other words, different people had different responses to witnessing something traumatic. Often those expressions and behaviours would seem out of place, inappropriate, or socially unacceptable, but were expressed in order to protect the psyche. It is not too far-fetched to think that Cordélia and Samuel’s fairly ordinary life and social status (before the murder) may have allowed for sympathy in such a manner that the riot, the tearing at the curtains (to view the bodies) and the procuring of mementos (or “relics” as Gatrell calls them) were needed in order to “assimilate the aura of the crime and the punishment...”¹⁴⁷ These actions, while viewed by reporters and some of the people in charge of the execution as shameful, were possibly coping mechanisms used to protect spectators from what they were witnessing — a truly gruesome display of state violence.

The newspapers’ view of the actions of this crowd and the riot were very similar; they saw the actions that day as shameful. If Gatrell’s notion of the crowds’ “vicarious encounters” with an execution hold true, perhaps this official narrative that the news reports claimed, of the crowd’s behaviour as shameful, echoes the same shame of the scaffold that Cordélia’s sister, Josephine, wrote about in her letter to Lady Minto.¹⁴⁸ Notably, it appears then that the shame reserved for Cordélia and Samuel up until their deaths was then transferred (maybe even assimilated) onto the raucous crowd viewing their lifeless bodies, as we will see in several newspaper reports beginning with *La Patrie*.

¹⁴⁴ Gatrell, *The Hanging Tree*, 73-74.

¹⁴⁵ Knelman, *Twisting in the Wind*, 261.

¹⁴⁶ Gatrell, *The Hanging Tree*, 74.

¹⁴⁷ *Ibid.*, 73.

¹⁴⁸ Gatrell, *The Hanging Tree*, 73. On Josephine’s letter, see above, chapter 2.

However, before we look at the reports of the crowd, attention should be paid to how reporters introduced their readers to the execution. Indeed, *La Patrie*'s report spans the first full page and is filled with details readers would have probably appreciated knowing, as these details seem to be there for the benefit of the public. Such details – how Cordélia had some bourbon with her coffee that final morning and that she walked to the scaffold bravely – must have eased any potential uneasiness the reader may have felt reading about something so gruesome as an execution.¹⁴⁹ Interestingly, although *La Patrie* at times recognized the horrific nature of capital punishment, it took a pro-death penalty stance (as most newspapers did, but they contrast strikingly with *L'Avenir du Nord*'s editorial). The journalist began the report with the chilling sentiment that “As we stand in front of these two corpses that the scaffold throws us so brutally, let us bow before the supreme majesty of the law in its most terrible punishments.”¹⁵⁰ Unlike Gascon's negative opinion about hangings, they admit that the nature of an execution was unpleasant, but a necessary process of the justice system, and that justice must take its course: “For it is Justice that avenges honour...”¹⁵¹ This quote implies that honour had been restored to society, but in reality it was the state whose honour was violated and then restored. Indeed, the article spends several paragraphs reminding the reader of this necessity. The article goes on to say, “The justice of men has done its duty...at the time we write these lines.”¹⁵² The writer consoles the reader that this duty of justice holds important lessons. The lesson, of course, is, “Thou shalt not kill.”¹⁵³ At the same time, they recognize the weight such a lesson had when they exclaim, “What a lesson! what a teaching!... It reminds parents how carefully they must oversee their children's education.”¹⁵⁴ The reporters felt this lesson needed repeating, and they go further and write,

She [Justice] demonstrates to them the necessity, if they want to remain good and honest, of following the teachings and the direction of a devoted father and mother. She chastises to show that her powerful arm rests on the head of those who forget and outrage the holy traditions of honour and personal dignity, and who, not

¹⁴⁹ “La Justice satisfaite !” *La Patrie*, 1.

¹⁵⁰ Ibid. “En nous découvrant devant ces deux cadavres que l'échafaud nous jette aussi brutalement, inclinons-nous devant la majesté suprême de la loi dans ses châtements les plus terribles.”

¹⁵¹ Ibid. “Car, c'est le Justice qui venge l'honneur...”

¹⁵² Ibid. “La justice des hommes a fait son devoir et à l'heure où nous écrivons ces lignes.”

¹⁵³ Ibid. “Tu ne tueras pas.”

¹⁵⁴ Ibid. “Quelle leçon ! quel enseignement !... Elle rappelle aux parents combien ils doivent veiller avec soin à l'éducation de leurs enfants.”

knowing how to curb their passions, indulge in odious excesses and are a menace to society.¹⁵⁵

In this analogy, “justice” is a devoted father and mother whose job is to keep their children (the public) in line by “curbing their passions.” In other words, unchecked and excessive emotions were a “menace to society” to be feared, which could potentially lead to violent behaviour.

As well, part of the necessary process of an execution was that it be witnessed by the public. For example, the article goes on to say,

And this slowly tolling knell, this procession which unrolls with this majesty by which the law marks the execution of the condemned, this shaming gibbet and this black curtain which beats in the breeze, in this spring morning, to announce that the justice of the men is satisfied.¹⁵⁶

But the journalist confessed, “Under the weight of a painful impression, the crowd who witnessed the execution, like that which surrounded the walls of the prison of Sainte-Scholastique, like that which crowded in front of our offices, will gain a beneficial lesson from this lugubrious tragedy.”¹⁵⁷ Despite *La Patrie*’s measured approval for capital punishment, it still was considerably more difficult to witness a women put to death. Ultimately, the reporters conceded that, “The example is terrible, but it was necessary.”¹⁵⁸ Considering *La Patrie*’s roots as a newspaper founded by a radical Liberal who wanted to publish information free from any political party’s influence, it is noteworthy to see them replicate and uphold executions as a necessary evil that they were compelled to participate in for the sake of society, for without such spectacles people would be tempted to engage in shameful behaviours that were driven by uncontrolled emotions.¹⁵⁹

With a pro-death penalty tone being set, the crowd’s behaviour was in stark contrast to the solemn, quiet, self-reflective, and respectful attitudes expected from the witnesses to an

¹⁵⁵ Ibid. “Elle démontre à ces derniers la nécessité s’ils veulent rester bons et honnêtes, de suivre les enseignements et la direction d’un père et d’une mère dévoués. Elle châtie pour montrer que son bras puissant s’appesantit sur la tête de ceux qui oublient et outragent les saintes traditions de l’honneur, de la dignité personnelle, et qui ne sachant mettre un frein à leurs passions, se livrent à des excès odieux et sont une menace pour la société.”

¹⁵⁶ Ibid. “Et ce glas qui tinte lentement, ce cortège qui se déroule avec cette majesté dont la loi marque l’exécution des condamnés, ce gibet infamant et ce drapeau noir qui bat à la brise, dans ce matin de printemps, pour annoncer que la justice des hommes est satisfaite.”

¹⁵⁷ Ibid. “Sous le poids d’une douloureuse impression, la foule qui a assisté à l’exécution, comme celle qui entourait les murs de la prison de Ste-Scholastique, comme celle qui se pressait devant nos bureaux, remportera une leçon bienfaisante de cette lugubre tragédie.”

¹⁵⁸ Ibid. “L’exemple est terrible, mais il était nécessaire.”

¹⁵⁹ François Ricard, “Beaugrand, Honoré (baptized Marie-Louis-Honoré),” *Dictionary of Canadian Biography*, vol. 13, University of Toronto/Université Laval, 2003. http://www.biographi.ca/en/bio/beaugrand_honore_13E.html.

execution. This certainly would have promoted the reader's disgust towards the crowd, as their behaviour was characterized as shameful, as mentioned above. Several papers detailed the raucous behaviour from the crowd. *La Patrie* reported that the sound of the trap door being released triggered the crowd to rush towards the gallows and they either pushed aside or ripped away the curtain that had been installed around the structure to prevent the witnesses from seeing Cordélia and Samuel in their final moments. It was reported, "A movement arose in the audience, and more than two hundred men rushed to the foot of the scaffold to remove the black curtains that concealed the sight of the hanged man and woman."¹⁶⁰ The crowd's reaction prompted swift condemnation from the attending clergyman according to *La Patrie* and *The Gazette*. Both newspapers reported that Father Meloche scolded the crowd. *La Patrie* wrote that he yelled, "You should be ashamed of yourselves" and *The Gazette* wrote similarly that he said, "...shame, shame; for decency's sake. Have you no decency?"¹⁶¹ The *Montreal Daily Star* also summed up the crowd's actions as "A Shameful Spectacle."¹⁶² Reporters also tried to evoke feelings of disgust from the reader as they described the scene: "A disgusting feature of the execution was the conduct of those present at the execution who immediately after the drop fell rushed forward and tore the black cloth away which screened the bodies from view."¹⁶³

In those moments it was no longer Cordélia and Samuel who are the shamed—they were in the process of dying—nor is it even "the shame of the scaffold" as Cordélia's sister feared in her letter, as attempts had been made to reduce the shame the scaffold brought by concealing their bodies below the trap door. Rather, it was now the crowd that was shameful, and it is very interesting to see this shift or transfer of emotion and condemnation from the executed to the spectators. This follows, as I have alluded to earlier, Gartrell's argument of crowd behaviour. As Gartrell notes, "The vehemence [of the crowd] had an almost pornographic content to it, especially when it was fueled by a collective excitement..." He also notes that "Crowds were always most excited at the hangings of those who had committed outrages upon the murdered body..."¹⁶⁴ These ideas can be applied equally to Cordélia and Samuel, as the execution involved a woman and because they had essentially mutilated Isidore's body. Whether it was

¹⁶⁰ "La Justice satisfaite !" *La Patrie*, 1. "Un mouvement se fit dans l'assistance, et plus de deux cents hommes se précipitèrent au pied de l'échafaud pour soulever les draperies noires qui dérobaient la vue des suppliciés."

¹⁶¹ Ibid. "Vous devriez avoir honte..."; They Die Together," *Gazette*, 2.

¹⁶² "Murder Avenged!," *Montreal Daily Star*, March 10, 1899, 8.

¹⁶³ Ibid.

¹⁶⁴ Gartrell, *The Hanging Tree*, 70.

conscious or not, this crowd's behaviour could have been a kind of coping mechanism intended to protect them from the proximity to death that they faced.¹⁶⁵ Indeed, reports that they rushed to the gallows further exemplify this concept as they literally pulled back the curtain and faced death. It was as if they were challenging death in that moment. The crowd internalized the shame from Cordélia and Samuel and held it momentarily while being reproached by Father Meloche. As Gatrell so eloquently explained, for some, to show their disapproval in the authorities, to behave inappropriately, to mask their fear of death with bold acts, "to parade your own courage in fellowship, and to lead life onwards," was perhaps the only way most people could handle witnessing such an event.¹⁶⁶

¹⁶⁵ Ibid., 73-76.

¹⁶⁶ Ibid., 111.

Conclusion

For Cordélia and Samuel, their lives were cut short by a long rope, but their story lives on over one hundred years later in the archives at LAC and in this thesis. They served the state as an example of what could happen if emotions were allowed to go unchecked and a stark reminder of the power the state held as a colonial power with royal prerogatives. Their brutal deaths would have marked many other individuals as well. Indeed, the Viau family would have to carry that shame of the execution until their deaths. It is interesting to note that Cordélia's father, Noël, was the first to die, in 1902, at the age of eighty-three. Next to die was Rose, in 1904, at the age of fifty-seven. After Rose was her mother, Emilie, who lived until 1912, to the advanced age of ninety-three. Mélina died in 1936 at the age of seventy-eight. Finally, Josephine lived until the age of eighty years old in 1942. The ripple effect executions had on families and communities was significant. The shame and terror of the scaffold likely emotionally impacted many members of the Viau family and community.

Moving forward, this case can also serve as an excellent springboard for further exploration of early abolition sentiment in Canada. It would be very interesting to see the early debates and opinions of capital punishment abolition and how far back those conversations could be traced. Indeed, the work of Claude Désaulniers provides evidence of earlier mentions of abolition dating to the 1850s.¹ Finding earlier examples of abolition sentiment is critical to our understanding of how widely tolerated capital punishment was. Other voices like those of Father Dugast and Wilfrid Gascon are waiting to be discovered, whether in newspapers reports or elsewhere.

This work is a study of emotions and as such it can be tempting to idealize Cordélia as good daughter, mother, sister, and aunt. Yet, it must remain clear that her husband, Isidore, was killed in a brutal way and that she was convicted of this crime. He fought hard for his life and his death was a loss to the several communities in which he grew up, lived, and worked. Cordélia and Samuel's convictions are not in question, nor do I wish to silence Isidore as the victim of an atrocious act of violence. Rather, I have aimed to show how capital punishment reverberated through families, friends, neighbors, and communities. Sensationalized by journalists, obstructed by the public, and put on display in wax in Montréal: Cordélia's execution impacted her family

¹ Claude Desaulniers, "La peine de mort dans la législation criminelle de 1760 à 1892," *Revue générale de droit* 9 (1977): 157-158.

greatly. It is here however that I show my biases, in saying that the death penalty did more harm than it provided justice, at least in Cordélia's case. Of course, let us not forget those who loved and cared about Cordélia's accomplice, Samuel as well. He was surrounded by numerous loving family members. Although this project did not reflect on his family's journey for mercy, the capital case file contains evidence of a petition for his life. Thus, I wish to acknowledge here that Samuel's family likely suffered through the emotions as much as Cordélia's family did. Let us not forget above all, that Isidore's murder left a family—at least his mother—bereft with grief as journalists reported on her emotional state early in the investigation of his death. Their suffering is equally of historical value and deserving of a thorough examination.

Cordélia's execution occurred during a year, 1899, that featured a high number of executions. One more woman, Emily Hilda Blake would be executed later that year, on December 27, in Manitoba, for the murder of her employer. As the 1800s gave way to a new century, eight more women would be executed in Canada. Their stories, like Cordélia's are complex, and as other scholars on capital punishment continue to work on this subject, I hope more and more will include a history of emotions framework to analyse a wider selection of people affected by executions. Donald Fyson's work on Tommasina Teolis, an Italian immigrant in Montréal who was executed in the 1940s, will prove to be an important step forward in showcasing how gender, race, and class created an interplay of dynamics that, for the historian, is rich with emotion.² As well, the last woman, in Canada, to be executed was Marguerite Pitre at Montréal's Bordeaux Prison in 1953. Her story, as I have hinted at, is a remarkable one and deserves scholarly reflection in the history of capital punishment debates. These women have left a lasting mark on Québec history.

Furthermore, I hope future legal historians will continue to explore the difficult but important task of identifying the emotional states of people secondary to those convicted. Doing so will put our historical understanding of state violence into a wider context. With a long history of capital punishment in Canada, there are many avenues to explore. Work on empathy and grief is an excellent starting point. What happens to the families of the condemned after the execution? How about those who were with the person during their final hours, like the nuns who rode with Marguerite Pitre from Québec City to Montréal?³ Or, as *Maclean's* magazine reported, the priest

² Donald Fyson, "The Execution of Tommasina Teolis: Gender, Ethnicity and Capital Punishment," Paper Proposal July 2018 for "Women on Trial, Women in Law" (July 2018).

³ "Mrs. Pitre Brought Here," *Montreal Star*, January 7, 1953, 3.

who was with the last two men executed in 1962?⁴ *Macleans* wrote of his cries and his desire to allow his emotions to be felt—he allowed the tears to come and understood that he had a relationship to these two men, and he grieved for them.⁵ The possibilities are endless.

⁴ Alexander Ross, “The Final Hours of the Last Two Men Executed in Canada,” *Macleans*, September 18, 1965.

⁵ *Ibid.*

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