Same-sex Intersections of the Prairie Settlement Era: The 1895 Case of Regina’s “Oscar Wilde”

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A case involving three men charged with gross indecency in Regina in 1895 serves to illustrate aspects of male same-sex experience in Western Canada’s settlement era. This microhistory study situates the case within both local and wider political, legal, and social contexts, including the growing visibility of same-sex subcultures in Britain in the late nineteenth century. Men made up the majority of the population of frontier Regina, creating a male social environment that established a space within which same-sex encounters could occur and that evinced greater permissiveness than did the subsequent intolerant social environment that had emerged by the First World War. Despite the advent of evangelical moralism by the 1890s, the principal defendant was tried with leniency. At the same time, the demonization of the defendant in the press as Regina’s “Oscar Wilde” initiated a process of reification of same-sex experience and identities that subsequently became well entrenched in the twentieth century.

Une affaire impliquant trois hommes accusés de grossière indécence à Regina en 1895 sert à illustrer différents aspects de l’expérience homosexuelle à l’époque de la colonisation de l’Ouest canadien. Cette étude micro-historique situe le cas tant dans le contexte local que dans ceux, plus vastes, de la politique, du droit et de la société, y compris dans la perspective de la visibilité croissante des sous-cultures

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du même sexe dans la Grande-Bretagne de la fin du XIXe siècle. Les hommes représentant la majorité de la population de la ville frontière qu’était Regina, ce qui a créé un environnement social masculin propice à l’établissement d’un espace ouvert à la tenue de rencontres du même sexe et beaucoup plus permissif que le milieu social intolérant qui allait avoir vu le jour à la Première Guerre mondiale. Si la moralité évangélique avait fait son apparition dans les années 1890, c’est tout de même avec une certaine clémence qu’on jugea le principal accusé. À l’époque, la diabolisation du défendeur dans la presse, qui le qualifiait d’« Oscar Wilde », a enclenché un processus de réification de l’expérience et des identités homosexuelles qui s’est par la suite solidement enraciné au XXe siècle.

ON MAY 22, 1895, a headline appeared on the front page of the Weekly Herald at Calgary, North-West Territories: “ANOTHER OSCAR WILDE: Terrible Case of Unnatural Vices at Regina: A Most Deplorable Case – A Prominent Citizen and Two Boys Belonging to Respectable Families Implicated – Committed for Trial Without Bail.” A day later, the Medicine Hat Times covered the same case with its own front-page headline: “HORRIBLE CRIME AT REGINA: Arrest of Prominent Citizens in Connection with a Most Revolting Offence.”1 Adjacent to the main report on the case in the Calgary Herald, the editor ran an accompanying story entitled “Oscarism at Regina,” in which he referred to a “disgusting, unnatural offence, the details of which are unfit for publication.” The newspapers hinted at activities too shocking to be revealed, even as the journalists obsessed over the very unmentionable acts from which they purported to shield the innocent public. Falsehood and pandering to a sexual panic also became part of the public story: the newspapers misidentified the younger, 17-year-old partner of the accused businessman as 14 or 15, while asserting that the two witnesses, aged 17 and 26, were “young boys.”

For all their misrepresentations, the newspapers’ reference to “Oscarism” would have been clearly understood by most readers. This was the era of two widely publicized same-sex scandals in Britain, the Cleveland Street affair of 1889–1890 and the Oscar Wilde trials of 1895. Attracting headlines in major newspapers over many months, these cases generated a potential impact on public consciousness of and attitudes towards male same-sex sexuality throughout the English-speaking world. In the 1890s, other gross indecency prosecutions involving sex between older and younger men or teenagers were highlighted on the front pages of London’s newspapers.2 Knowledge of them was not confined to

1 “Oscarism at Regina,” The Weekly Herald [Calgary], May 22, 1895, p. 1; The Times [Medicine Hat], May 23, 1895, p. 1.
the imperial heartland. Even on the margins of the English-speaking world, readers would know what they were supposed to think about such goings-on. The Regina case marked a Canadian milestone: it represented the first instance within the newly settled Prairie region in which same-sex sexual activity was extensively reported in the local press. By the conclusion of proceedings against businessman Frank Hoskins and his two companions, at least seven regional newspapers had carried the story, sometimes accompanied by editorial commentaries expressing moral outrage and exhortations for harsh punishment. Despite their indignation, Hoskins did not receive a harsh sentence. He was found guilty, but leading Regina citizens petitioned the judge for leniency, requesting that, instead of being given a prison term, he be asked to leave the Territories.

This prosecution raises critical questions for historians of the Canadian West and of sexuality. In particular, why did this case arouse extraordinary levels of sensationalism, prurience, and moral indignation? Did the cultural climate reflected in and exacerbated by the London prosecutions influence Hoskins’s case, or might it reveal different realities of male same-sex experience on the Prairies in the same era? Did the predominance of Euro-Canadian men relative to women open a space of possibility for same-sex relations, as Adele Perry suggests for the colonial era in British Columbia? Was the support for Hoskins rooted in an ambivalence within the town about the supposed heinousness of the crime? To what degree might the Regina case have revealed the presence of same-sex networks in the Prairie settlement era? Does this case help illuminate the historical roots of homophobia on the Prairies, the region of Canada that currently registers the highest levels of opposition to same-sex rights?


4 Definitions of the term “homophobia” have been extensively debated and elude consensus. For the purpose of this article, I rely on a straightforward statement of meaning in a historical study on the topic: “The term ‘homophobia’ is now popularly construed to mean fear and dislike of homosexuality and those who practice it.” See Byrne Fone, Homophobia: A History (New York: Picador USA, 2000), p. 5. My interpretation of the presence of higher levels of homophobia on the Prairies than in other Canadian regions is based on a reading of recent public opinion surveys, including a survey by Environics Canada taken between December 14, 2004 and January 5, 2005, indicating that Canadians overall favoured same-sex marriage by a margin of 54 to 43 per cent, but this concept was opposed by a margin of 52 to 46 per cent in Manitoba, 52 to 44 per cent in
In seeking to answer these questions, this study locates Hoskins and his trial within the social and cultural contexts of nineteenth-century Regina and the Prairie West more generally and explores the build-up of moral and legal discourses fuelling concern about same-sex sexuality, before turning to the details of the case itself. It concludes by exploring the relative weight of moralism and local masculine cultures in this case and later ones. To address such questions, I examined all documentary materials relating to reported criminal prosecutions for male same-sex sexual acts — that is, persons charged with “gross indecency,” “buggery,” “sodomy,” or attempted buggery or sodomy — in Saskatchewan’s settlement era between 1895 and 1930. Particular attention was paid to the 1895 cause célèbre, which, as a briefly notorious episode of same-sex sexuality in the early settlement era, seems an appropriate topic for a case study in microhistory. Giovanni Levi, a leading exponent of this approach, has advised that such moments offer invaluable “clues, signs, and symptoms” of broader patterns of human experience. As Steven Maynard has cautioned, such case studies can be problematic in terms of the facts represented in competing courtroom narratives or the categories under which individuals or social groups and their experiences are subsumed. In the Regina cases considered here, the defendants provided no testimonies, and so we are obliged to work with other evidence, including the narratives put forward by the prosecution and the press, requiring an interrogation of these narratives and their terminology as well as a critical reading between the lines.

Few aspects of Canadian social history have been so widely avoided as sexual minority history. In Western Canada, the history of sexuality is still largely shrouded in silence. A notable exception is the recent work of Valerie Korinek, who is beginning to address the history of Prairie lesbian and gay people after the Second World War. See Valerie Korinek, “The most openly Saskatchewan, and 61 to 37 per cent in Alberta. See Environics Research Group, “Canadians, by a Small Majority, Favour New Federal Legislation Endorsing Same Sex Marriage” [online report], retrieved January 23, 2005 from <http://erg.environics.net/news/default.asp?aID=570>.


cogently argued, same-sex sexuality is not to be consigned to the category of minority studies but broadly bears on gender and sexuality relations throughout society. For the Prairie settlement era before 1930, a rare academic study dealing with same-sex matters is Terry Chapman’s 1984 doctoral thesis, “Sex Crimes in Western Canada, 1880–1920,” and articles based on this work. Chapman’s work was groundbreaking, although structured within a framework of criminalized deviance that warrants revisiting. As well, she relied primarily on summary data in gaol and police records as well as period newspapers. Except for two Alberta judicial districts between 1910 and 1922, she did not delve into the criminal case files containing the detailed accounts and specific contextual data on these incidents. My own preliminary paper on the 1895 Regina case, delivered at a Toronto conference in 1985, has also been occasionally cited, and a few subsequent survey historical accounts summarized its details. It was followed by a more extensive treatment in a paper presented to the Canadian Historical Association in 2006. Regarding the larger context of conjugal partnerships, Sarah Carter’s *The Importance of Being Monogamous* is a recent notable work on the diversity of familial
relationships on the Prairies in the nineteenth century, before efforts to impose Euro-Canadian marriage established the hegemony of the monogamous heteronormative model by the early 1900s.¹²

Beyond the Canadian Prairies, scholars have documented evidence of same-sex networks in other North American regions, including Central Canada, in the late nineteenth and twentieth centuries.¹³ The coverage is still too thin to support definitive conclusions for all regions, but several studies suggest a pattern of forbearance in the nineteenth-century reception of same-sex relations, followed by increasing intolerance in the twentieth century. For pre-Confederation British Columbia, Adele Perry found examples in court cases suggesting “an environment of passive tolerance towards same-sex erotic practice” in a period in which cross-racial opposite-sex sexuality and procreation were considered more threatening to the established norms of colonial society.¹⁴ Regarding frontier Utah, D. Michael Quinn found extensive evidence of good will and even acceptance of male and female same-sex relationships before homophobia became more pronounced as the twentieth century progressed.¹⁵ At single-resource camps in the Pacific Northwest in the late nineteenth century, Peter Boag suggests, “sexual contacts between male workers of all ages were common,” an interlude of permissiveness prior to homophobic retrenchment following a moral panic in Portland, Oregon, in 1912.¹⁶ Here, and in other contexts, factors of race, gender, and class also played a role, indicating that leniency, when present, could be contingent on cultural, racial, or marital privilege. In the Pacific Northwest United States, for example, Nayan Shah explores the dynamics of a case involving three Indo-Americans convicted of sodomizing a drunken 18-year-old Euro-American male at a lumber mill where they worked in Washington State in 1912. In this case, while all three accused persons were convicted and imprisoned, the defendant who was married at the time was able to obtain clemency unavailable to his single co-defendants.¹⁷

¹³ For example, in the court records of late-nineteenth-century urban Ontario, Steven Maynard uncovered recurrent sexual relations — consensual, coercive, or both — between men and boys (“Horrible Temptations,” pp. 191–234).
These assorted studies raise pertinent issues relating to the interpretation of contemporary male same-sex experience, but it remains to be determined whether trends discernible in other areas were present in the Prairie settlement era. Complicating the situation is the fact that surviving evidence is heavily weighted to public records, especially court, police, and gaol manuscripts, which skew the picture to criminalized situations, as we are reminded by Line Chamberland’s study of lesbian bars in Montreal between 1955 and 1975.18 Further, as Valerie Korinek demonstrates in her against-the-grain reading of the mainstream women’s magazine *Chatelaine*, scholars need to interrogate the conventional as well as the marginal if they are to recover gay, lesbian, bisexual, and transgendered histories and identities.19 The details of the 1895 case deserve revisiting in light of recent historiography and new evidence.

There is also a need to place the Regina case within specific political, legal, and social contexts bearing on this criminal prosecution and its outcome. Reviewing the political and legal framework, which connected directly to Canada’s National Policy objectives for western settlement, provides a good beginning. Canada acquired the western territory of Rupert’s Land in 1870 as part of its nation-building expansion. Federal policy, suffused with notions of patriarchy, privileged male Euro-Canadian heads of households, sought to contain the region’s Aboriginal inhabitants, and regulated the conjugal relationships of both First Nations and other groups in the West.20 The establishment of male-headed family farms was a conscious policy objective of the government, as was the establishment of towns and service centres as commercial outlets for the farming population and as marketing venues for agricultural products. Concurrently, Central Canadian legal and judicial institutions were transplanted to the Prairies. In 1873, the federal government established the North-West Mounted Police (NWMP), a quasi-military police force that assumed broad responsibilities in the administration of justice in the West.21

Frank Hoskins moved to Regina in 1882. A year earlier, the census enumerator had recorded him as a 19-year-old single man living with his

mother and four siblings in a working-class neighbourhood in St. Patrick’s Parish in central Toronto. His 40-year-old mother, Lucille, was listed as the head of the household. She was a widow and, like so many female family heads, reported no occupation. Frank was the second oldest of five children. He and his elder brother Andry, 21, were reported to be clerks and the presumed breadwinners for the entire family. The household also reported a 15-year-old Presbyterian Irish servant. All the Hoskins family were identified as Anglicans.  

Frank Hoskins thus joined the movement of young men westward at the age of 20. Like many other Ontarians, he does not seem to have sought success in farming. He moved to the small, thriving frontier town then known as “Pile of Bones.” In the same year that he arrived, the NWMP set up barracks near the town as a base from which to protect the border, control First Nations people, and assist in orderly settlement. Hoskins set up one of the first businesses, initially named “F. Hoskins and Co.” By the spring of 1883, he had teamed up with R. J. Tinning to form Tinning and Hoskins. The town was changing and growing rapidly. In late 1882, it was renamed Regina in honour of Queen Victoria and boasted a population of about 900 and some 400 buildings. However, in 1884 financial difficulties at the Canadian Pacific Railroad inhibited rail construction, and low wheat prices and crop failures caused agricultural settlement to falter. Regina’s population dropped to 613 early in the year and fell as low as 400 by June 1884. Growth resumed again after 1885, but by the early 1890s a worldwide depression, coupled with local impediments, again stalled Regina’s economic and population growth, which would not be revived until late in the decade.  

Like other Prairie boom towns owing their existence to the railroad, it then displayed a typical morphology of commercial development adjacent to the main rail line, with residential neighbourhoods positioned farther behind, in this case, to the south. Hoskins’s principal area of activity was concentrated around the small commercial area of South Railway Avenue adjacent to the CPR main line. When enumerated for the 1891 census, he

22 Library and Archives Canada [hereafter LAC], RG 31, Microfilm C–13247, Statistics Canada Records, Second Census of Canada, 1881, Province of Ontario, District no. 134 (Toronto West), Sub-District H, Division 1, St. Patrick’s Ward, p. 15, Household no. 80.  
23 W. A. Riddell, Regina: From Pile O’ Bones to Queen City of the Plains: An Illustrated History (Burlington, ON: Windsor Publications Canada, 1981).  
was listed as a single, 28-year-old man living at the Lansdowne Hotel, which was also located on South Railway just steps away from his store. He was seldom in the limelight, although periodic references to him appeared in the local press.

Less is known about the other two individuals charged in this case. Both McPherson and Hume were minors in 1895, and little biographical data about them has surfaced, apart from the manuscript schedules for the 1881 and 1891 censuses of Canada and the Regina Gaol Register covering 1895. In 1881, William John McPherson was reported to be six years old, the eldest child of James McPherson, a blacksmith, and Mary Jane McPherson, a homemaker, then living in Tosorontio Township, Simcoe South, Ontario. They were members of the Canadian Methodist Church. When enumerated again in Regina in 1891, William was 15, with five siblings. At the time he was arrested and jailed prior to his trial in 1895, he was listed in the Regina gaol register as a 20-year-old printer. For his part, Basil Hume was listed on the 1891 manuscript census of Canada as 13 years of age, the second oldest of three children of Francis Hume, a carpenter, and Sarah Hume, homemaker, who had moved to the West from Watford, Lambton County, Ontario — they were also Methodists. When jailed in 1895, he was reported to be a 17-year-old clerk.

Frank Hoskins would not have stood out as a single man in the West. Like other towns and communities in the Territories, Regina displayed a significant gender imbalance in the 1890s. The published 1891 Census of Canada reported that, within the District of Assiniboia West, which included Regina, European males between the ages of 20 and 74 then comprised about 65 per cent of the population, or nearly twice as many residents as females in the same age bracket. The detailed examination of the manuscript census schedules for Regina and immediately adjacent farmlands is even more revealing. These records indicate that Regina in

the 1890s was still a very small frontier town, albeit the capital of the thinly populated North-West Territories that would become the provinces of Saskatchewan and Alberta ten years later. Not including the residents of the NWMP compound, the town’s population in 1891 was 1,235 residents, of whom 397 were reported to be males 21 years or older. Among the adult males, 181, or about 46 per cent, were unmarried, and the great majority of these were young, single men in their twenties or thirties. In addition, the 1891 census reported that a significant number of young men in the age bracket of 17 to 20 were then living in town — 34 in all. Many of these were in the waged work force and, in some cases, formed separate households of one, two, or more individuals. More than 200 residents of this small town, then, were unattached males 17 years of age or older. Many were highly mobile individuals who had moved west to take advantage of the jobs that appeared with the opening of agricultural settlement and early urban development. Many had very shallow roots in the community, as evidenced by their disappearance before the 1901 Census of Canada enumeration for Regina, and may therefore have been less constrained by community mores than their married counterparts in this early period. As settlement progressed, the marked gender imbalance continued: in 1911 males outnumbered females in Regina by 13,616 to 6,020.30 Not included in the above numbers was the largest all-male group in the area. The NWMP compound, situated two miles to the east of town, included the staff of the command posts of “B” and Depot divisions and was the headquarters for the entire Force.31

In both rural and urban areas, unmarried male settlers were often exclusively or largely in the company of other men over extended periods. For accommodation in the towns, single males regularly shared space, sometimes boarding with families or establishing their own domiciles.32 In rural

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31 Historian J. William Brennan has indicated that between 1885 and 1905 the numbers of Mounted Police stationed at Regina averaged 156 and dipped below 100 only once in that period (*Regina: An Illustrated History*, p. 31).

32 For the town of Regina, for example, see LAC, RG 31, Statistics Canada Records, Third Census of Canada, The Provisional District N.W.T., District no. 199 (Assiniboia West), Sub-district C, “Moose Jaw and Regina,” Division no. 1, p. 14, lines 24–25; p. 24, lines 1–4; p. 25, lines 2–3 and 6–7; and p. 38, lines 6–10; LAC, RG 31, Statistics Canada Records, Fourth Census of Canada, 1901, N.W.T. District 204, Sub-District C–2, Assiniboia West, Regina Town, Polling Subdivision No. 3, Regina Centre, p. 5, lines 23–24; p. 7, lines 46–47; p. 10, lines 41–42 and 49–50; and Polling Subdivision No. 4, Regina North, p. 8, lines 25–27.
areas, settlers frequently lived together while developing their homesteads and sometimes listed “partners” on the census returns; in other cases, they cohabited with hired labourers. Settlers’ accounts of these arrangements sometimes resembled descriptions of domestic partnerships, even if temporary and assumed to be nonsexual. At Ellisboro, Saskatchewan, Ferdinand David reported that he and his roommate Tim negotiated a division of responsibilities analogous to gender-structured households. In Manitoba, a young settler wrote back to England that not only did he work in the bush with his hired man, but they ate meals together and slept in the same bed. Social events were also often male-oriented. In 1895, “Bachelor Billy,” a correspondent from the Spencerville area to the *Qu’Appelle Progress*, wrote that he and “a friend” had attended a social event at “Blakeney Castle” where “much to our disappointment, the fair sex were in the minority.” The absence of women did not stop the festivities, since “dancing was indulged in at intervals” until dinner. Afterwards, the men danced again until the party broke up at 3:30 a.m.

Overlaying the homosocial scene was the ideological context of political, legal, and social structures established by the predominantly Anglo-Canadian and British settler elites of Regina and other towns of the region. Many Prairie settlers came from other regions of Canada and Europe, especially Britain, where criminal law and the justice system were being reshaped as moral reformers pushed new forms of regulation. Canadian criminal law was patterned after the British Code. A Canadian statute of 1869 identified same-sex “offences” as “Offences Against Morality,” “Buggery,” defined by the law codifier Sir James Stephen as “carnal knowledge by man with man per anum, man with woman per anum, and man or woman with beast,” was made an offence punishable by a life sentence. In Britain, moral crusaders were dissatisfied that charges of “sodomy” or “buggery” were infrequently laid, and generally

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only in high-profile cases. In 1885, the British House of Commons, in considering a bill to raise the age of female consent and to curb the “white slave trade,” established a new criminal category that outlawed any sexual activity between two males and made it punishable by up to two years’ imprisonment.38

Only five years later, Canada’s Conservative government appropriated the British category of “gross indecency” into its own Criminal Code. Conservative Justice Minister Sir John Thompson stated that “acts of gross immorality committed in reference to a male person” were insufficiently covered in Canadian law. Expressing the view that the British penalty of two years was “entirely inadequate,” he proposed increasing the maximum prison term to five years. The text of his amendment was intentionally so sweeping as to cover any male same-sex sexual activity: “Every male person who, in public or in private, commits, or is a party to a commission of, or procures or attempts to procure the commission by any male person of, any act of gross indecency with another male person, is guilty of a misdemeanor and liable to five years’ imprisonment.”39

In debating this measure, the Liberal opposition expressed its own concerns about spreading same-sex sexuality. Ontario front-bench MP Sir Richard Cartwright explained, “Of course, I am quite aware that the particular crime which he [Thompson] has in mind is one which, I very much fear, has been on the increase in certain sections of society, and can hardly be punished too severely.” Opposition leader Edward Blake agreed with taking a more punitive approach and proposed adding whipping to the prescribed gaol term, to which Thompson readily agreed. Corporal punishment was added to the penalty for this offence.40


The rush to moral regulation was not unanimous. When offences against morality, including gross indecency, were again raised in 1892 as part of the parliamentary debate over Thompson’s codification of Canadian criminal law, there was a dissenter. David Mills, the MP for Bothwell and former Liberal Minister of the Interior, criticized the gross indecency provision. Observing that the offences against morality “have crept into the common law from the earlier ecclesiastical law,” he asserted that such activities were considered sins rather than crimes and that flogging would be preferable to jail terms, a punishment he considered more lenient. Mills’s admonitions fell on deaf ears. Thompson’s draconian measure remained entrenched in Canadian statute law for another 77 years.41

As federal authorities imposed Canadian legal institutions in the West, so too the Anglo-Canadian settlers transplanted religious and other social institutions. In this period, the traditional nineteenth-century model of familial relationships was not only taken as the natural order of things; it was aggressively promoted.42 In the dominant paradigm emerging in this era in Anglo-American countries, men’s roles were defined as manliness, an exaggerated masculinity set in opposition to its presumed contraries, femininity and effeminacy.43 In Regina, five years before the 1895 scandal, the Leader published the poem “The Wincopipe Dude,” which related a story of an effete, lisping dandy.44 In April 1895, in the midst of Oscar Wilde’s trials in England, Regina Leader editor N. F. Davin condemned the activities of the playwright as “effeminating, debilitating and immoral,”45 indicating the opprobrium with which male effeminacy was by then being received by opinion-makers in the Territories. In 1903, the Standard published an article entitled “What is a Sissy?” from Ladies’ Home Journal, which offered a similarly unflattering picture of

41 Canada, Official Report of the Debates of the House of Commons, vol. 35, Second Session – Seventh Parliament, 1892 (Ottawa: Queen’s Printer, 1892), p. 2967; Canada, Criminal Code of Canada (1892), 55–56 Vict, c. 37, s. 178. The 1890 gross indecency amendment was subsequently enshrined in the 1892 consolidation as: “Every male person is guilty of an indictable offence and liable to five years’ imprisonment and to be whipped who, in public or private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any male person of, any act of gross indecency with another male person. 53 V., c. 37, s. 5.”
45 “Oscar Wilde in Jail,” The Leader [Regina], April 11, 1895, p. 4.
effeminacy as the antithesis of the manly attributes required for marriage.\textsuperscript{46} These examples were part of a process of constructing masculinity in opposition to male effeminacy, which, after the Wilde trials, became conflated with homosexuality.\textsuperscript{47} The irony was that the paradigm of tough, aggressive manhood was deeply rooted in anxieties over heterosexual roles and the need by males to prove themselves through an assiduous rejection of the effeminate homosexual or “sissy.”\textsuperscript{48} Heterosexuality within marriage was defined as normative, and it alone guaranteed European dominance in a colonial setting.\textsuperscript{49} On the Prairies, the drive towards marriage was probably also given impetus by the federal government’s failure to realize anticipated levels of western settlement, imbuing procreation with greater urgency owing to the shortfall in immigration.\textsuperscript{50}

The predominantly young bachelor settlers were a ready target for an emerging discourse that advocated supplanting these homosocial environments with heterosexual marriage and procreation.\textsuperscript{51} Critics associated them with drinking, card-playing, gambling, and sexual licence. The territorial Christian denominations framed issues of sexuality in terms of a mighty struggle between good and evil. Evangelists such as the Methodists railed against “diseases, deaths, crimes, vices, miseries, and losses,” all thought to derive from the liquor traffic. “Total suppression” was “the only true remedy for the losses which it inflicts on the nation.” Of particular concern was the morality of teenaged boys. In 1893, the Methodist Church formed a special “Boys’ Brigade,” intended “to preserve the boys during the critical age from sixteen to twenty-one.”\textsuperscript{52}

\textsuperscript{46} “What is a “Sissy”? Is He a Model Man and Husband, or a ‘Mere Man by the Charity of Women’?” \textit{The Standard} [Regina], January 1, 1903, p. 3.
\textsuperscript{49} On the role of heterosexual marriage and “whiteness” in securing European dominance in British Columbia’s colonial era, see Perry, \textit{On the Edge of Empire}, pp. 194–201.
\textsuperscript{51} See, for example, “Matrimony,” \textit{The Leader} [Regina], July 9, 1889, p. 2; T. De Witt Talmage, “Thy Land Shall Be Married,” \textit{The Standard} [Regina], June 16, 1899, p. 3. Among innumerable articles in the region linking Christian religion and the family, see “The Religion of Marriage,” \textit{The Standard}, January 2, 1896, p. 6; “A Revival is Needed: There is Too Much Neglect of Home Duties Now,” \textit{The Vidette} [Qu’Appelle and Indian Head], December 31, 1896, p. 2.
\textsuperscript{52} Saskatchewan Archives Board (Saskatoon) [hereafter SABS], A391 GS168, United Church of Canada, Saskatchewan Conference Records, (II) The Methodist Church in Canada, Saskatchewan Conference, (A) Conference Records, 1884–1925: (2) Minutes, 1884–1918, \textit{Minutes of the
By the 1890s, social purity advocates found ready expression in Regina’s popular press, which carried articles condemning non-procreative forms of sexuality. In the article “Social Purity,” published in March 1895, a Reverend Dr. Douglas inveighed against the “dark record of solitary vice,” the “crime . . . that launches emasculated ruin into asylums of hopeless insanity.” In 1891, the touring evangelist Reverend H. T. Crossley addressed a male audience in Regina. Focusing on “swearing,” “idleness,” “licentiousness,” and the “secret vice,” he painted a bleak picture of their consequences, saying: “the wages of sin is death.” The Standard commented: “So minutely did he describe and instance the shocking results of sinful indulgence, that there was not the remotest appearance of livity [sic] on the part of the young men.”\(^{53}\) Alongside the spectre of eternal damnation, advocates of social purity brandished the threat of criminalization. In its 1892 editorial “Enforced Virtue,” the Standard asserted, “We cannot legislate the sin out of a man’s mind, but it is the duty of lawmakers to take it out of his hands.” The editor concluded: “What we ask for are impartial laws that shall suppress crime, whoever be the perpetrators, and by which evil doing will be so discouraged, that those whose habits are in the course of formation, may see and learn that the way of the transgressor is hard.”\(^{54}\) It is not suggested that these sentiments were shared by all members of the community, but there is no doubt that moralizing discourses were prominent in the press of Regina and other territorial communities by the early 1890s.\(^{55}\)

In the 1890s, several Territorial newspapers, including the Regina Standard, the Saskatchewan Herald, and the Qu’Appelle Progress carried serialized sermons of a best-selling New York evangelist. Dr. Thomas De Witt Talmage was particularly fond of the cautionary tale. In a

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54 “Enforced Virtue,” The Standard [Regina], July 1, 1892, p. 4.

55 The increased presence of proselytizing Christian missionaries in the Territories in the 1890s was apparently accompanied by an upswing in evangelical activity elsewhere on the Prairies. In 1894, in Brandon, Manitoba, the Salvation Army leader William Booth addressed an enormous crowd in the city’s largest rink, while “hundreds were turned away for lack of space.” See G. F. Barker, Brandon: A City, 1881–1961 (Altona, MB: G. F. Barker, 1977), p. 40.
sermon republished by the *Saskatchewan Herald*, he warned young men about the dangers of falling in with the wrong male crowd and danger of the “monstrosity of wickedness.” His other writings, such as the tract *The Night Sides of City Life*, republished in Canada in 1878, were more explicit regarding male homosexuality: “It is the iniquity that comes down from the higher circles of society that supports the haunts of crime, and it is gradually turning our cities into Sodoms and Gomorrashs waiting for the fire and brimstone tempest of the Lord God who whelmed the cities of the plain.”

By the late nineteenth century, the term “sodomite” had begun to appear in popular discourse in the North-West Territories. In 1885, at Qu’Appelle in southeastern Assiniboia, J. C. Richardson scorned the newspaper’s views on the *Lord’s Day Act* by attributing its position to “a Mr. Worldy-wiseman whom I know in that town who betrays the spirit of a Sodomite.” Richardson’s remark was phrased in similar terms as those in the infamous note from the aristocratic pugilist Marquess of Queensbury to Oscar Wilde of a decade later, in which he accused the playwright of “posing as a sodomite [sic].” Real attention, however, came with the two notable British criminal cases — the Cleveland Street scandal of 1889–1890 and the Oscar Wilde trials of 1895. A survey of Canadian newspapers shows that these trials, especially the Wilde affair, inspired extensive press coverage across the country, including newspapers on the Prairies. While several journals sensationalized these cases through front-page stories, specifics were left to popular imagination. For example, on November 29, 1889, the *Qu’Appelle Progress* carried a front-page story on the Cleveland Street affair bearing the headline “Eighty Prominent Men.” Referring to “the scandal with telegraph boys

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in a house in Cavendish Street,” the article proceeded to name a string of accused British male aristocrats. The precise nature of the scandal could be readily inferred.

In 1895, news of the trials of Oscar Wilde also reached the Prairies, as covered in major London newspapers as well as the Canadian press. In London, Reynolds’ Newspaper supplemented the mainstream coverage by publishing lurid details of the playwright’s sexual activities with young men, including the frank testimony of Charles Parker and other male prostitutes. As word of these testimonies at Wilde’s libel case against the Marquess of Queensbury spread, the nature of the allegations became common knowledge in English-speaking countries. Beyond its regular editions, Reynolds’ Newspaper further disseminated the details by publishing penny pamphlets in which the raciest passages were reproduced. While few readers in Canada had direct access to these eyewitness accounts, the newspapers could rely on word of mouth to fill in the details.

In April 1895, while Wilde was still being tried for gross indecency in England, the Regina Leader proprietor and MP N. F. Davin commented in an editorial. Referring to “infamous charges,” the Leader described the defendant’s principles as “at the nadir of ethics” and his practices as “effeminating, debilitating and immoral.” Other choice phrases included “immoral teaching,” “the worst practices of the Lower Empire,” “vile companionship,” “scandalous associations,” “spiritual corrosion,” and “moral leprosy.” The editorial recommended Wilde be jailed for life. In applying a litany of vituperation, the Leader echoed the practice of the London dailies. Its vocabulary, including references to “moral leprosy,” “effeminating” practices, and “spiritual corrosion,” indicated the transferral of long-standing discursive fields reifying same-sex sexuality from European contexts to the Territories by opinion leaders such as editor N. F. Davin.


62 “Oscar Wilde in Jail,” The Leader [Regina], April 11, 1895, p. 4; on the London editorials, see Foldy, The Trials of Oscar Wilde, p. 143.

63 John Boswell, Christianity, Social Tolerance, and Homosexuality: Gay People from the Beginning of the Christian Era to the Fourteenth Century (Chicago: University of Chicago Press, 1980), pp. 318–330; Jeffrey Richards, Sex, Dissidence, and Damnation: Minority Groups in the Middle Ages...
The incident involving Francis Hoskins, William McPherson, and Basil Hume in 1895 is one of the best-documented of the early cases in Saskatchewan and raises some important questions, not all of which can be answered with the available evidence.

The case was brought to trial on the basis of eye-witness testimony by two eavesdroppers. Richard Herbert Fair and William F. B. Jackson claimed to have observed these men engaging in various sexual acts on the night of May 16, 1895. These included anal intercourse and mutual masturbation between Hoskins and McPherson as well as mutual masturbation between McPherson and Hume. Fair and Jackson had watched closely as these activities occurred in the basement of the dry goods store of Tinning and Hoskins, then co-owned by the principal defendant.

The initial complaint by the witnesses occasions the first questions: who were these observers and why were they eavesdropping on the defendants? Four years earlier, Richard Herbert Fair had been enumerated as the 13-year-old eldest son of Robert Fair, a Regina hardware clerk, and his spouse Mary; they were members of the Presbyterian Church. In the same census, William F. B. Jackson was listed as a 22-year-old unmarried photographer belonging to the Church of England. They were thus around 17 and 26 years old at the time of the incident. It was revealed in their testimony that Fair was previously acquainted with Basil Hume, while Jackson’s testimony indicates that he already knew William McPherson. Why the witnesses’ curiosity was so piqued that they decided to stalk the accused men on the night of May 16 is unclear, but the extent of their surveillance suggests they were expecting to see something extraordinary, perhaps based on awareness or suspicions of the defendants’ prior activities.

Similar questions might be posed regarding the role of the NWMP, which participated both as the arresting authority and on the three-person panel of magistrates set up to try Hoskins prior to sending the case to a higher court. Historians have been inclined to view the NWMP in the nineteenth century as a reluctant guardian of the moral order on the Prairies. The perception of NWMP permissiveness apparently
relates to a perceived lax attitude towards opposite-sex prostitution in the 1870s and 1880s, due perhaps in part to the fact that a number of the young, single members of the Force themselves reportedly patronized these establishments. In the Leader's first year of operation, editor N. F. Davin commented sardonically that the “red coat of the Mounted Policeman is seen flashing in and out from these dens at all hours. As no arrests have been made the character of these visits may easily be surmised.” RCMP historian S. W. Horrall observed: “such activity was not considered a disciplinary offence, at least not a serious one.”

When dealing with same-sex activity, at least within its own ranks, the Force’s response to two incidents in the North-West Territories in 1882 and 1887 was not nearly so forgiving. RCMP historians William Beahen and Stan Horrall wrote that in 1882 Commissioner A. G. Irvine discreetly and in camera charged and convicted a sergeant of “grossly immoral conduct,” that is, same-sex activity, after which the sergeant was dismissed from the Force. The second case occurred in Regina in 1887, when a corporal reported having witnessed a constable performing oral sex on a saloon keeper in an upstairs bedroom above his saloon. The constable was arrested and tried immediately by Superintendent W. M. Herchmer for “disgraceful conduct in having committed an unnatural offence.” Herchmer sentenced the constable “to be dismissed [from] the Force with ignominy, case to be dealt with in a civil court,” by which he meant criminal prosecution in a Territorial Court rather than a NWMP court-martial. However, as this incident predated Justice Minister John Thompson’s gross indecency amendment to the Criminal Code of 1890, Regina’s crown prosecutor advised that the prisoner could not be charged under existing statutes. Not satisfied with this interpretation, NWMP Comptroller Frederick White made further representations to George W. Burbidge, Deputy Minister of Justice. He wrote: “I enclose a ‘beastly’ case for perusal when you feel your stomach is strong. Surely there is some law under which the brute could be punished.” In reply, Burbidge advised that a successful prosecution was “doubtful.” Unable to press the case farther through the courts, the Mounties instead subjected the constable to public humiliation before a general parade, stripping him of all decorations and dismissing him from the Force.

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68 Beahen and Horrall, Red Coats on the Prairies, p. 255.

69 According to Beahen and Horrall, the incident became public knowledge and could not be covered up. The testimony against Constable Louis Le Fontaine was heard at a preliminary hearing convened
By the early 1890s, in response to advancing concerns over prostitution and drunkenness, the Mounties began to take a more systematic approach to investigating and prosecuting a wider range of moral offences. To address local demands for more stringent moral regulation, Regina’s council approved the appointment of its first town constable in 1892. Concurrently, resident NWMP Commissioner L. W. Herchmer, brother of Superintendent W. M. Herchmer, agreed to provide backup in cases of emergency. The first incumbent was ex-NWMP Corporal James Williams, whose office was located in the town hall at 11th Avenue and Scarth Street, not far from Tinning and Hoskins. A similar trend to moral regulation in this period has been noted for Calgary, where a prior laxity in prosecution of moral offences in that town reportedly ended abruptly in 1890, after which the criminal laws were “vigorously enforced.” Nevertheless, town authorities in larger centres such as Regina, Calgary, and Edmonton were still “reluctant to assume full

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70 Brennan, Regina: An Illustrated History, p. 43.
responsibility for law enforcement long after developing other municipal institutions.”

At Regina and other towns, an informal practice of seeking out the Mounties to enforce town by-law infractions had developed by this time. The local constabulary was bypassed altogether. This may help explain why, when lodging their complaint, the witnesses in the Hoskins case sought out local NWMP officers rather than the town constable, despite his proximity to the scene of the alleged crime. Given the NWMP’s history of unsparing treatment of same-sex offences within their own ranks, in 1895 Fair and Jackson might well have expected the Mounties to be more responsive to their concerns than the local constabulary.

The details of the witnesses’ testimony regarding the 1895 trio were contained in sworn depositions taken in magistrate’s court by the panel of three justices of the peace presiding on May 20, 1895. Their depositions were subsequently introduced as evidence in the cases adjudicated by the Territorial Supreme Court on May 30, supplemented by the witnesses’ direct testimony at these trials. In his deposition, Fair stated that on the night of the incident he had been looking for Basil Hume, the youngest of the three men charged, after a concert in the town hall auditorium. He said that his intention was “to get Basil Hume to go home because I thought he was under the influence of liquor.” Walking into the fire hall, he enlisted William Jackson to assist in his search. Then, encountering William McPherson on the street and observing him entering a side door of Tinning and Hoskins, Fair and Jackson approached and peered through the windows to see all three accused males sitting up against the counter and drinking from a bottle. Drawing back across the street, the witnesses continued to monitor the three men, who came out a side door, all reportedly intoxicated and “staggering.” Jackson said he overheard McPherson proposing that they visit a “whorehouse,” while Fair heard them speaking “about going to Gertie’s” — a reference to the proprietor of a local house of prostitution. Hoskins advised waiting until the following night, and the three returned inside. Fair and Jackson crossed the street again to continue to keep tabs on the men and observed Hoskins inside lighting a candle and descending into the cellar, followed by his companions. Moving to a basement window a few minutes later, the sleuths resumed their covert surveillance through an iron grating. They reported observing a salacious spectacle — Hoskins and McPherson

74 SABR, DAG, Collection no. 1286, Criminal Case Files of the Supreme Court of the North-West Territories, District of Western Assiniboia, Criminal Case nos. 105, 106, and 107 (1895), Transcripts of sworn testimonies by Herbert Fair and William Jackson, May 20 and 21, 1895.
conjoined in a kneeling position, pants down around the knees, with the merchant apparently performing or at least attempting anal intercourse on the younger male. After about 10 minutes, one of the participants was overheard saying that they needed some lard, and, led by Basil Hume, all three then went upstairs to look for it. McPherson found some butter but Hume reportedly rejected its use on the grounds of it being “too salty.” Then, pail in hand, Hoskins led the other two back down to the cellar. Returning to the basement window, the eavesdroppers overheard Hoskins’s entreaties to his companions to “take off everything” and the men began to disrobe. This time, all three, with pants pulled down to the knees, were observed in acts of mutual masturbation. The revelry ended abruptly when one of the witnesses yelled and pounded on the window. McPherson and Hume apparently subsequently came out to meet their accusers. Fair said he had accused McPherson of “allowing Hoskins to ‘have at him’.” McPherson’s rejoinder was that “it was not him, it was Hume.”

The witnesses then sought out Corporal John H. Hefferman of the NWMP, with whom they filed a complaint, and Fair then posted a recognizance of $100 to give evidence against Hoskins in court. How he obtained the money, which was a large sum in that era, is not known. Filing an Information for an Indictable Offence before Inspector Cortlandt Starnes, who was both a justice of the peace and a fellow NWMP officer, Hefferman proceeded to arrest Hoskins on May 20 before he was formally charged. On May 21, asserting satisfaction that “a prominent citizen is now in the clutches of the law,” the Manitoba Free Press reported an interesting detail not mentioned elsewhere. According to the story, Hoskins had anticipated his impending arrest and had “almost completed arrangements for leaving the country” when he was apprehended.

Legal proceedings quickly ensued. On May 21, three local justices of the peace, including the businessmen Henry LeJeune and Robert Martin and Inspector Cortlandt Starnes of the NWMP, presided over a preliminary trial at which sworn depositions were taken from the two witnesses, before ordering that formal charges of gross indecency be laid and the trio incarcerated pending trial in the Supreme Court of the North-West Territories. Hence, the NWMP was involved both in arresting the principal defendant and in trying all three defendants at the initial judicial proceeding. Hoskins was charged with four counts of gross indecency with another male person, including two counts of committing gross indecency with

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75 Ibid., Criminal Case No. 105, Recognizance to Give Evidence by Herbert Fair, signed by Henry LeJeune, JP, May 21, 1895.
76 Ibid., Information for an Indictable Offence by Constable J. H. Hefferman, sworn before Inspector Cortlandt Starnes, Regina, May 20, 1895.
McPherson in public and private, apparently referring to sexual intercourse between these men, and two counts of “being a party to an act of gross indecency with another male person,” that is, being manually stimulated by McPherson, in public and in private. He was committed for trial by JP Henry LeJeune, while his two younger companions were each charged with several counts of gross indecency by LeJeune and his fellow JP Robert Martin. By this time, Hoskins was already in the process of withdrawing from the business with which he had been associated since its inception in 1883. On May 23, the Leader reported: “The partnership of Tinning and Hoskins has been dissolved by mutual consent. The business is being carried on by Mr. R. J. Tinning.”

At the initial proceedings before the justices of the peace, Hoskins’s defence lawyers were effective in extracting admissions from Hume and McPherson that they had been willing participants, obliging the prosecutors to abandon their intention of representing them as victims. The newspapers’ assertion that the other men had admitted their “complicity” suggested that the authorities had initially intended to try Hoskins for allegedly debauching his younger partners, similar to the approach of Oscar Wilde’s prosecutors in London. A day later, McPherson and Hume were each charged with several counts of committing and being party to gross indecency with another male, and their trials set for the same date. Like Hoskins, both were jailed pending their arraignment.

The period between the businessman’s arrest and trial witnessed another fascinating occurrence. Harry Bierd, then leaving his post as sergeant with the NWMP’s Depot Division at Regina, reportedly went to the gaol to see Hoskins. The NWMP file devoted to this incident is labelled “Ex-Sergt Bierd – Re Connivance in Escape of F. Hoskins Regina Gaol.” No other documentary evidence of a possible jail break by Hoskins has survived. If Hoskins did manage to escape, it could only have been for a brief period, as he was in custody when brought to trial on May 30. Responding to the accusation that he had tried to spring the prisoner from his confinement, Bierd wrote to NWMP Commissioner Herchmer to deny that he had represented himself to the gaol staff as being there in his capacity as a member of the NWMP. Acknowledging he had gone to the gaol, Bierd wrote, “I had my reasons for seeing the prisoner,” and apologized, “if I have done anything to bring disrespect upon the uniform I have worn for nine years.” While it is difficult to establish

78 “Town and Country,” The Leader [Regina], May 23, 1895, p. 5.
79 SABR, DAG, Criminal Case Files, Collection no. 1286, Supreme Court of the North-West Territories, District of Western Assiniboia, Case No. 105, “The Queen against Frank Hoskins,” A. L. Lunan, Gaoler to Dixie Watson, Clerk of the Court, Regina, N.W.T., May 22, 1895.
exactly what transpired at this intriguing encounter, Bierd’s visit was perhaps the first indication that, notwithstanding his arrest, Hoskins still had friends in the community, even within the ranks of the NWMP, which was then actively working with the territorial prosecutors to secure his conviction.

On May 23, just days after the trio’s incarceration, the Standard published a well-known poem entitled “In Prison” by the nineteenth-century Canadian bard Bliss Carman, although without attribution. Commencing with the line “God pity the wretched prisoners,” the poem’s fourth stanza may have been a coded expression of the editor’s sentiments towards the jailed men:

Only scorn from women
Only hate from men
Only remorse to whisper
Of a Life that might have been.81

As these men were the only prisoners in the Regina gaol at the time, the poem appeared to be a cautionary tale. Alternating between scorn and pity, the poem added yet another homily regarding the impending case.

All three accused men were arraigned before Justice Hugh Richardson of the Supreme Court of the North-West Territories on May 25. Hoskins pleaded not guilty, and was remanded not guilty until the trial by a special session of the court. Pleading “not guilty,” the two youths were also remanded, as the prosecutor objected to their release and the judge refused bail for both.82 The cases were brought to trial at the Supreme Court on May 30. In the meantime, Hoskins assembled an impressive legal team including leading criminal defence lawyer Nathaniel F. Hagel of Winnipeg and T. E. Johnston and Norman MacKenzie of Regina.83 Johnston also served as McPherson’s counsel, while MacKenzie handled Hume’s defence. At trial, McPherson changed his plea to guilty of two

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81 “In Prison,” The Standard [Regina], May 23, 1895, p. 7. Carman’s authorship was not acknowledged, and the newspaper’s editor was apparently unaware of the poet’s own same-sex orientation. See Douglass Shand-Tucci, The Crimson Letter: Harvard, Homosexuality, and the Shaping of American Culture (New York: St. Martin’s Griffin, 2004), p. 89. I would like to thank Valerie Korinek for drawing this source to my attention.

82 SABR, DAG, Criminal Case Files, Collection no. 1286, Supreme Court of the North-West Territories, District of Western Assiniboia, handwritten notes of Judge Hugh Richardson on Criminal Case No. 105, “The Queen against Frank Hoskins,” Criminal Case No. 106, “The Queen against William McPherson,” and Criminal Case No. 107, “The Queen against Basil Hume,” n.d.

counts — committing gross indecency with another male (Hoskins) in private and being a party to gross indecency with another male (Hume) in private, apparently in exchange for the Crown's dropping of the other more serious charges of committing and being party to acts of gross indecency in public. Hume also changed his plea to guilty of being a party to an act of gross indecency with McPherson in private, and the other charges against him were similarly dropped.

Hoskins did not, however, change his plea, and he was then tried by Supreme Court Justice Hugh Richardson and a six-person jury. All members of the jury were farmers from the Regina district. Although no evidence was adduced on his behalf, Hoskins's lawyers reportedly engaged the witnesses in "sharp cross-examination." Described as "Western Canada's most able criminal lawyer," leading barrister N. F. Hagel was reputedly a master of cross-examination. According to legal historian Lee Gibson, "his eloquence could move a jury to tears, his deep, resonant voice quoting the Bible and Shakespeare while pleading for his client." To what degree these skills were applied in defence of his Regina client is not known.

The court adjourned for the night and, after deliberating for one and a half hours, the jury announced its verdict on May 31. Hoskins was found guilty on two counts of committing an act of gross indecency with another male in private and being party to an act of gross indecency with a male in private — both with McPherson — but not guilty of the apparently more serious charges of committing and being a party to these offences in public. In response, a news writer with the Daily Herald suggested Hoskins be sent to prison. The headline trumpeted: "HOSKINS GUILTY: The Regina Oscar Wilde Will Meditate Over His Misdeeds in Jail." After the verdict was announced, the defendant's lawyers presented

84 SABR, DAG, Criminal Case Files, Collection no. 1286, Supreme Court of the North-West Territories, Criminal Case No. 105, Supreme Court “Schedule referred to in the annexed precept” [listing 30 individuals summoned for possible jury duty, all farmers from the Regina district], and handwritten notes of Judge Hugh Richardson on Criminal Case No. 105, “The Queen against Frank Hoskins.”


86 Interestingly, Hagel had come to Regina several years earlier to represent C. J. Atkinson, editor of the Regina Journal, in a double libel action with Atkinson's long-term adversary, Leader editor N. F. Davin. Hagel and Davin faced off before a jury in a battle of oratorical titans, which ended in a courtroom draw (Drake, Regina: The Queen City, pp. 79–80).

87 “Territorial Echoes,” Qu’Appelle Vidette, June 6, 1895; SABR, DAG, Criminal Case Files of the Supreme Court of the North-West Territories, District of Western Assiniboia, Criminal Case No. 105, Judgment by Judge Richardson, June 1, 1895; The Daily Herald [Calgary], June 1, 1895, p. 1.
the court with a petition for leniency, signed by 51 Regina residents, including many prominent businessmen, lawyers, and elected politicians. The petition, an extraordinary document to find in any court record and particularly so in this instance, is worth quoting in entirety. Addressed to the judge, it stated:

The petition of the undersigned residents of the Town of Regina Humbly Sheweth:— That your petitioners have learned that after a fair and impartial trial upon the charge upon which he was arraigned, Frank Hoskins, our Townsman, has been found guilty and is now awaiting sentence by Your Lordship.

Your petitioners have been personally acquainted with the said Frank Hoskins for a number of years, and feel deeply for him in his unfortunate position and especially sorry for his relatives.

Your petitioners having in mind a due regard for the administration of Justice in the Territories would be glad if Your Lordship should be satisfied that the said Frank Hoskins, would be immediately taken from the Territories that Your Lordship would extend to him as much leniency as possible, even to discharge him under suspended sentence.

And your Petitioners will ever pray.

After receiving the petition, Judge Richardson adjourned the court for another day before pronouncing sentence. On June 1, he imposed a fine of $200 on Hoskins and ordered him imprisoned until it was paid. He was also ordered to post a security of $500 to keep the peace for one year. Court documents indicate that Hoskins’s partner R. J. Tinning and one George Furlong Harris put up the money in two sureties to secure his freedom. In delivering the sentence, the judge “expressed satisfaction that the court room was to be spared the repetition of the disgusting testimony connected with the case.” While “particularly severe” in his remarks, he reportedly attributed the merchant’s “downfall” to the “whisky bottle,” an explanation commonly used to explain away

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89 SABR, DAG, Collection no. 1286, Criminal Case Files of the Supreme Court of the North-West Territories, District of Western Assiniboia, Criminal Case No. 105, “Frank Hoskins,” Petition: “To the Honourable Hugh Richardson,” n.d.
90 Ibid., “Sentence, 1st June 1895 … signed Hugh Richardson, J.S.C.” [sentence handwritten on the back of the formal charge against Frank Hoskins].
apparently aberrant behaviour. The judge’s little homily was yet another morality tale imposed on the case, adding to the “corruption of youth” fable advanced by the *Calgary Herald* and the prosecution.

That the petition for leniency carried considerable weight with the court was confirmed by a later report by A. Bowen Perry, the superintendent commanding the NWMP’s Depot Division: “This case caused a great deal of excitement in the town owing to the prominence of one of the defendants. The light sentences inflicted are attributed to a petition for leniency signed by the Mayor of Regina and a large number of leading citizens.” At the same time, it seems pertinent to ask whether compassion was the only motivation involved in the petitioners’ appeal for “leniency.” The suggestion that Hoskins should be removed from the Territories indicated the community leaders’ preoccupation with banishing all remembrance of a scandal they believed would surely taint the reputation of a town seeking to attract citizens and business. The process of expunging the record began almost immediately. In its first issue following the laying of charges, the *Leader* reported that the partnership of Tinning and Hoskins had been dissolved. On June 6, 1895, five days after the conclusion of the trial, Tinning included a message to his customers at the top of his weekly advertisement: “To my friends and customers who have so liberally patronized me in the past, I return my sincere thanks. While I hope for a continuance of same, my aim will be to keep up the reputation, for which the store has long been noted — of selling first class goods at low prices.” No doubt he hoped that the store’s more recently acquired reputation would soon recede from public memory.

For their part, McPherson and Hume were fined $50 and $20 respectively. McPherson was ordered to post a security of $300, paid by his father James McPherson, while Hume was assessed a surety of $200, which was posted by his father Francis Hume and one Alfred Daykin, a young Regina watchmaker, who, like the Humes, was a Methodist. The *Standard* reported “a general feeling that clemency was extended to a degree altogether incompatible with the enormity of the crime.” Adding a revealing detail not mentioned in the court records, the newspaper reported that the two youths had “supplemented their punishment by voluntary exilement,” adding: “That they were sufficiently sensible to do so is the only redeeming feature of the whole affair. To attempt to remain and brave it out would be an intolerable insult to the community,

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92 *The Leader* [Regina], June 6, 1895, p. 8.
while even a temporary absence on the part of the younger offenders may erase from the public mind the recollection of it."  

What do these actions tell us? Perhaps most obviously, Regina’s judiciary and jurors were much less harsh than they might have been with a less prominent defendant. The imposed fines did seem exceptionally lenient sentences, and, while numerous charges were laid, the prosecutor could have charged Hoskins with more serious offences. Witnessed performing anal intercourse on another male, he could have been charged with buggery, for which the maximum penalty was life imprisonment. A life term was unlikely for a first offence, although in the 1890s two pairs of consenting male same-sex partners convicted of anal intercourse in British Columbia received sentences of 15 years in prison. Buggery convictions were difficult to obtain in the absence of proof of penetration, but the presented evidence might have warranted a charge of attempted buggery, which carried a penalty of two to ten years. Even under the lesser charge of gross indecency, the court could have imposed a term of up to five years’ imprisonment, accompanied by the lash. A stiff sentence would have been made more probable by the scandalous fact that it was a group encounter. The fine of $200 imposed on Hoskins was a considerable amount of money for the era but, under the circumstances, far less severe than a jail term. The 1895 case proved an anomaly in many respects, as it represented the only recorded occasion in Saskatchewan’s settlement era that men convicted of homosexual offences were not sent to prison — a rare example of leniency in the period.

Another development possibly bearing on this case was circumstantial — the loss of the entire library of the Regina courthouse in a fire on March 30, 1895, just two months before the case was brought to trial. The losses included all copies of federal and provincial statutes, British and Canadian law reports, and legal books and journals. The librarian was still seeking to replace the lost materials as late as the following December. This meant that the judge had at best limited access to relevant case law when adjudicating the trials. The absence of handy available precedents may have worked in Hoskins’s favour, as by this date the relatively new category of gross indecency had already generated 82 convictions in metropolitan London, which were typically punished with

96 LAC, RG 13, Department of Justice Records, Vol. 96, File 1895–8, Dixie Watson, Librarian, Regina Law Library to E. L. Newcombe, Deputy Minister of Justice, Ottawa, December 4, 1895; Dixie Watson to E. L. Newcombe, March 27, 1895; Hugh Richardson, Supreme Court, North West Territories, Regina, to A. Power, Acting Deputy Minister of Justice, Ottawa, July 31, 1895.
jail terms. Without ready access to the developing case law, Judge Richardson was apparently obliged to rely on his own judgement and community sentiment in determining an appropriate sentence. Clear differences of values and outlook divided the community. At least two competing philosophies had emerged by the 1890s regarding law and order. There was a *laissez-faire* attitude that had resisted appointment of a town constable. Opposing this was the developing outrage among evangelical Christians, fuelled by the appearance of houses of prostitution in the town’s north end and articulated as demands for a moral crackdown. In his history of Regina, Earl Drake neatly summarizes the competing visions by referencing a zealous religious sermon of the early 1890s dealing with the town’s alleged sins and the indignant response it elicited from a citizen who protested, “Regina is one of the most moral, religious, and law-abiding towns in the Dominion.” Notwithstanding these strong differences, developing public concerns over morality were beginning to take effect, and the 1895 case can be viewed as one of the first examples of the legal imposition of the new moral order, albeit with a more merciful result than desired by the social puritans.

As suggested by NWMP Superintendent A. Bowen Perry, it is reasonable to infer that Hoskins’s social class was relevant to the outcome. As a successful businessman, he could afford to hire a team of three defence lawyers, including Hagel, reputedly the best trial lawyer on the Prairies, an advantage not shared by most other defendants in such cases. The jury might also have been reluctant to convict a prominent local businessman of a crime carrying a mandatory jail term. In 1891, Regina’s population was still only 1,235, and the town’s elite was small and linked by numerous business and social ties. Hoskins had clearly crossed the line with his sexual activities, but he was able to draw on the personal sympathies of his associates. Hoskins’s religious affiliation and connections were perhaps especially pertinent. He was a member in good standing in the local Anglican congregation, from which many members of the town’s business and professional elite were drawn. Of the 51 signatories of the petition for leniency, eleven were pillars of the Anglican Church and four of these headed the list, including the mayor. In contrast to its evangelical counterparts in the District of Saskatchewan, or the fire-and-brimstone proselytizers of the Methodist and Presbyterian churches, the Anglican Church in the Diocese of Qu’Appelle represented a more traditional, restrained form of faith, less inclined to the fervent moralizing of its counterparts.

97 Cook, *London and the Culture of Homosexuality*, Table I, p. 151.
The newspapers commenting on the case’s outcome condemned the light sentences. In Regina, the *Standard* complained: “There is a general feeling that clemency was extended to a degree altogether incompatible to the enormity of the crime.” In Edmonton, noting that “the offence was of the same nature” as the charges for which Oscar Wilde and Alfred Taylor received two years in prison, the *Bulletin*’s editor concluded: “There would seem to have been a gross miscarriage of justice either in London or Regina.” Meanwhile, the Regina *Leader* largely avoided the story. Having delivered an extensive editorial on moral rectitude on the occasion of Oscar Wilde’s imprisonment only six weeks earlier, the *Leader* devoted only one small article in the back pages to the charges against the Regina threesome and then completely ignored the actual trial. Practices that could be attributed to figures in far-away places were perhaps rather too close for comfort when associated with a prominent local citizen, particularly a client whose business had long advertised regularly in the *Leader*. The newspapers’ differing responses were repeated two years later when a fire burned a brothel, causing the deaths of two patrons and the proprietor, Gertie Underwood. Again, the *Standard* played up the story, while the *Leader* completely ignored it. The diverging coverage mirrored the political rivalry of the opposing editors, N. F. Davin of the *Leader* and local Member of Parliament, and John Kenneth McInnis of the *Standard*, who faced off as opposing candidates in Assiniboia West in the 1896 federal election. A future mayor of Regina, McInnis, from the beginning of his tenure, gave extensive coverage to stories and editorials advocating the imposition of a straight-laced morality in the town, the contrary of Davin’s more reticent approach.

McInnis’s indignant response to the light sentences was echoed in Winnipeg’s *Manitoba Free Press*, which carried a story entitled “Morals of Regina” on June 7, 1895. It summarized two “rousing sermons . . . on the morality of the town,” delivered in Regina’s Methodist Church. The timing was significant. Methodist pastor S. R. Brown pontificated just a few days after the Regina trio had been charged and jailed, but prior to their trials. For this pastor, a particular bone of contention was local crime: “Crime must meet with its reward for three reasons: (1) As a punishment for the evil doer; (2) For the protection of society; and (3) As a warning and deterrent of further crime.” In an apparent reference to the
petition introduced at Hoskins’s trial, Brown directed his scorn at the signatories. Why, he asked, was the petition circulated and signed by many prominent business men, to allow a thief who had successfully carried out his theft to get out the country — a question whose answer gives the estimate placed on immorality by a large part of the community. And yet, judging by its effects upon the personal life, society, and civilization, immorality is further reaching in its evil consequences and more rapid in its work of honeycombing and disintegrating the strength and purity of our social life than any other form of evil which appears before our tribunals for sentence.

The reference to “honeycombing” repeated the charge of society purity activists that creeping immorality was undermining society, while allowing the “thief who had successfully carried out his theft to get out the country” was a clear criticism of Hoskins’s exile in lieu of punishment. Finally, the pulpit orator called for “a stern and severe administration of justice.” Brown’s sermon added a further narrative layer to this case, a homily on the perils to society of leniency towards presumed immorality.

It may be pertinent to note that Hoskins was convicted of having sex with two young men belonging to Brown’s Methodist congregation, an intolerable affront. In Regina, the class composition of the Methodist Church congregation was mixed, as it comprised store proprietors and farmers alongside masons, blacksmiths, farm labourers, and grocery and dry goods clerks, among other trades. By contrast, most members of the town’s business and professional elite belonged to either St. Paul’s Anglican Church or Knox Presbyterian Church. Social purity advocacy was tied, at least in part, to religious affiliation. The fact that the sermon was reported in Winnipeg and not in the Regina press further suggests a reluctance by local newspaper editors to publish Brown’s condemnation of the business community, the very group, after all, which generated most of their advertising revenues.

By the time of his trial, Hoskins was said to be “prominent in society and mixed with some of the very best people in Regina.” Only weeks earlier, he had attended a high-society wedding, for which his firm had made most of the gowns and bonnets. His prominence is also evident

105 “Fashionable Wedding,” The Leader [Regina], May 2, 1895, p. 8.
in the records of St. Paul's Anglican Church, where he served briefly on the parish vestry. In the year leading up to his prosecution, Hoskins was one of 30 subscribers who pledged $100 each for the building. In 1889, Hoskins and Miss Edith Fisher won the doubles championship in the Regina Lawn Tennis Club's annual tournament, and two years later Hoskins was elected to the club's governing committee. Overall success can be measured concretely in that Hoskins's firm paid municipal taxes that identified it as a leading business.

It was, however, as a local stage performer that the later jailbird perhaps achieved his greatest public recognition prior to the trial. Evidently a well-known local thespian, Hoskins appeared in various dramatic entertainments, especially with a troupe known as the Regina Minstrels. In July 1891, before a "packed house," after performing on the tambos, he entertained the assembled audience with his comedy routine: "Mr. F. H. Hoskins in his Irish character songs was par excellence the comic character of the evening." In contrast, his name does not appear in a list of officers of the lodges and societies of Regina, compiled in early 1895 and including most members the business elite. While a businessman and popular entertainer, Hoskins evidently was not a member of the upper elite, but he nevertheless occupied a privileged status unavailable to members of other social strata.

Hoskins was still single after more than ten years as a successful businessman in Regina. Despite the developing discourse exhorting bachelors to marry, the town's continuing demographic imbalance in favour of males may have relieved some of the pressure to tie the knot. As a person with real estate and assets, he might also have had access to private space often unavailable to persons of lesser means. If so, this did not save him. Located in the town's small business district, his store was ultimately not too far removed from the watchful eyes of small-town Regina, despite its developing residential districts. Co-ownership of his business space did not save him from the surveillance of the two witnesses in 1895, although he might have had relative privacy on other occasions.

109 “Local and General,” The Standard [Regina], April 17, 1891, p. 4; “Grand Jubilee Ball,” The Leader [Regina], June 21, 1887, p. 1.
111 “Societies of Regina,” The Leader, January 10, 1895, p. 8.
What became of the threesome following the case and their informal banishment from the community? No further references to their presence in Western Canada have turned up, suggesting that their “voluntary exile” evolved into permanent exile. In August 1898, the *Standard* reported that Basil Hume was dead at age 22 — in fact, he was just 20. Reportedly “in failing heath for some months,” he had died at the home of his sister in Ontario. The loss was counted significant, and there was no mention of earlier history; the report stated merely that “he was a bright and cheerful disposition and had many friends here.” McPherson next showed up in the 1911 census, where he was enumerated as a 35-year-old farmer with a 21-year-old wife in Dufferin County, Ontario. I have not been able to find Hoskins in either the 1901 or 1911 manuscript censuses. Perhaps he changed his name. Whatever his fate, his enforced disappearance from the North-West Territories ended his business career in Western Canada, making him an early casualty of homosexual panic.

Where does the Regina case fit into the larger picture of prosecutions of same-sex sexual activities in Saskatchewan’s settlement era? A total of 696 criminal cases were tried before the Supreme Court of the Judicial District of Western Assiniboia between 1886 and 1907. Of these, seven could be determined to involve allegations of sex, or attempted sex, between males. Three of these cases comprised the prosecutions for the 1895 incident considered here. In another case in 1906, the Crown entered a *nolle prosequi*, effectively dropping charges of gross indecency and indecent assault, despite the testimony of two witnesses indicating that an attempted assault had occurred. In the same year, two young men from Estevan, aged 22 and 19, were charged on the same day with buggery and tried in the Supreme Court of Western Assiniboia. A year later, another defendant charged with trying to enlist a 14-year-old boy to engage in oral sex was sentenced to six months in prison with hard labour, although no physical contact had occurred.115

Between 1908 and 1930, at least 40 of approximately 28,000 persons imprisoned at the three provincial gaols were jailed for same-sex activities. While the raw number charged for same-sex offences increased after the formation of the province of Saskatchewan in 1905 alongside rapid increases in its population, the proportion relative to overall prosecutions

112 “Obituary,” *The Standard* [Regina], August 11, 1898, p. 4; LAC, RG 31, Statistics Canada Records, Third Census of Canada, 1891, Province of Ontario, District no. 62 (Dufferin), Sub-District B, Division 2, page 12, Lines 21 and 22, Household no. 141.
113 SABR, DAG, Supreme Court of the North-West Territories, District of Western Assiniboia, Criminal Case File no. 511, *Rex vs. Ermel* (1906).
115 SABR DAG, Supreme Court of the North-West Territories, District of Western Assiniboia, Criminal Case File no. 556, *Rex vs. Allen* (1907).
does not appear to have increased and may actually have dropped. Cases involving consenting partners, including minors, appeared to be less harshly punished, as in the example of a Chinese laundry proprietor, convicted of buggery with a compliant 15-year-old boy, who received only nine months. Generally, convictions for attempted buggery generated shorter terms than for buggery. One farm labourer was given only six weeks in jail, while another Chinese Canadian defendant found guilty of “inciting to commit sodomy” received a term of six months. Of the 45 men involved in these cases whose occupation could be determined, by far the largest category was that represented by the 19 “labourers.” Several of the persons charged were itinerant workers. The named occupations comprised five clerks, three farmers, three school teachers, two clergymen, two printers, two shoemakers, two cooks, a carpenter, a gardener, a fireman, an accountant, a waiter, and a laundryman. Only one of the 45, the merchant Frank Hoskins, belonged to the business class. Most, like Hoskins, McPherson, and Hume, were single. Same-sex activity was

116 In this case, while clearly guilty of anal intercourse with a minor, the defendant was sentenced to only nine months in gaol and even let out a month early, perhaps a reflection of the consensual nature of their relations and the fact that the case was complicated by prostitution. SABR, DAG, Moose Jaw District Criminal Court, Case No. 1158 / 27, Rex vs. Fung Ping Chu (1927), Deposition of Oliver James Easson, n.d.

117 SABR, DAG, District Court Criminal Docket Book, Case No. 187 / 22, Rex vs. William Howe (1922); and Battleford District Court Criminal Docket Book, Case No. 18 / 28, Rex vs. Yee Jam Hong (1928). Hong appealed to the Saskatchewan Court of Appeal, which upheld his conviction for “counselling Maurice Jones and Russell Breen to commit the offence of buggery,” although the higher court also sustained his acquittal for attempted buggery, as “the offence was not actually committed.” R. M. Willes Chitty, ed., Canadian Criminal Cases, Annotated (Toronto: Canada Law Book Co. Ltd., 1928), Rex vs. Yee Jam Hong, Saskatchewan Court of Appeal, October 29, 1928, pp. 372–373.

Regina’s “Oscar Wilde” 141

reported among seasonal harvest workers,119 railroad construction crews,120 and in other all-male labour forces of the settlement era.

There was considerable variability in the disposition of the cases. Sentences averaged 13.4 months in prison among the 36 prosecutions resulting in a conviction for which the disposition is indicated. Sentences ranged from the fines without incarceration imposed in the first three gross indecency cases in 1895, through shorter sentences of two or three months, to sentences of three years or more in cases involving the sexual assault of minors. Generally, there was little difference in sentences imposed in the event of convictions for either gross indecency or buggery, both of which were given jail terms averaging a little more than a year. Sixteen, or nearly half, of the 36 convicted persons received exactly 12 months in jail with hard labour.121 Whatever the circumstances of subsequent prosecutions for same-sex offences, the 1895 case represented a brief and rare moment of leniency, followed by a more assiduous application of legal sanctions against male same-sex activities after 1900. While much more research is required regarding the subsequent development of homophobia in the region, this study suggests some promising avenues for further investigations, in particular into the roles played by the social purity movement, the popular print media, the Mounted Police, the judiciary, and the attitudes and actions of ordinary citizens such as the witnesses who filed the initial complaint in Regina in 1895.

Conclusion
Writing on London’s same-sex scandals of the 1890s, the literary historian Richard Dellamora characterized that period as one of crisis in gender relations and sexuality in Western industrialized societies. Like other scholars, he discerned in both English canonical texts and the popular media increasing homophobic sentiment in anglophone countries towards the

120 SABR, DAG, Regina District Criminal Court Case File 129/1911.
121 The accused prisoners included 27 persons charged with gross indecency, ten with buggery, three with sodomy, five with attempted buggery or sodomy, and three with indecent assault. SABR, Collection R–1486, Commitment Book/Gaol Registries for the Regina and Moosomin Gaols; SABS, Prince Albert Gaol Registers: Regina prisoner nos. 262, 263, 264, 1106, 1107, 1309, 3407, 3742, 4416, 4612, 4819, 5682, 5684, 6062, 7217, 7754, 7938, 8651, 8653, 8736, 8888, 8929, 9776, 12909, 14218, 14891,15161, 15177, 15711, 15712, 15814, 15815, 15928, 16414, 16555, 17300, 17568; Moosomin prisoner nos. 874, 1045, 15451, 1709, 1722; and Prince Albert prisoner nos. C662, C800, E313, F417, J25.
end of the nineteenth century. In such contexts, high-profile scandals constituted focal points “at which gender roles are publicly, even spectacularly, encoded and enforced.” If, as Eve Kosofsky Sedgwick has argued, prevailing patriarchal modes of social organization in the nineteenth century involved the development of homosocial relations between men positioned in a hierarchical relationship to women, then “homosexual panic” operated to marginalize and expel men whose sexuality potentially challenged patriarchal privilege. When masculinity is defined in binary terms as the opposite of homosexuality, males are pressed to comply thorough an aggressive rejection of sexual difference.

Sedgwick’s model is eminently sensible, but it needs to be qualified for the early frontier period of Prairie settlement. It seems probable that in Saskatchewan the unbalanced male-female demographic ratios of the early settlement era temporarily obviated much of the pressure of rigid homophobic strictures associated with homosocial bonding identified by Sedgwick in the nineteenth-century literature of Britain and the United States. Further, the 1895 Regina case in particular was tried before the social purity movement reached its zenith, when a significant number of the town’s population — specifically its local elite — were still not reluctant to show their support for one of their own, notwithstanding denunciations from the town’s Methodist pulpit. The petition sponsored by leading citizens thereby pointed to the importance of social class and personal ties as a determining factor in the outcome of this case. Unlike other defendants in other early trials, Hoskins had the financial resources to engage three lawyers for his defence, including the man reported to be the best trial lawyer in Western Canada. While the merchant’s business acquaintances may or may not have been appalled by his sexual transgressions, shared social interactions and friendship over more than a decade mitigated the tendency to harsh disavowal identified by Sedgwick in other contexts in this era.

The 1895 case of Regina’s “Oscar Wilde,” while atypical in many respects of other prosecutions for same-sex activities during Saskatchewan’s settlement era, affords insights into both the character of early Prairie society and the reception of male same-sex dynamics in the province’s formative era. In the 1890s, this town, like the larger settlement society of Saskatchewan, was still in its infancy. As a society of newcomers with high levels of mobility, it had not yet congealed into fixed, hierarchical relations. The community was still too small to be completely exclusionary

of difference. As its population increased exponentially after 1900, such informality faded.\footnote{Regarding the formalization of group interaction and increasing social distance accompanying the entrenchment of the class system in Saskatchewan in the later settlement era after 1900, see Dick, Farmers “Making Good”, especially pp. 147–170.} With developing social distance came the further abstraction of people into types and the marginalization of difference. By the early twentieth century, the popular press and everyday discourse had begun reifying same-sex sexuality and its practitioners, shifting from such Christian categories as “sodomite” into other hypostatized abstractions rooted in scandal (“Oscar Wilde”), homophobia (“bighter”), patriarchal expressions of homosexual panic (“sissy”), and eventually the emerging medical discourse on homosexuality (“pervert”).\footnote{For evidence of the appearance of these terms in popular discourse in Saskatchewan by the First World War era, see SABR, Department of the Attorney General, DAG4, Collection 997, Saskatchewan Provincial Police Records, K. Case Files, Box 33, File 518, “Immorality,” A. E. Kelly to the Attorney General of Saskatchewan, May 31, 1912, and March 10, 1913; LAC, RG13, Department of Justice Records, Series A–2, Vol. 180, File 1913–1106, “G. B. Cole, Semans, Saskatchewan, Complaint of Sodomy Scandal,” Letter of George B. Cole, Wyndcroft Farm, Semans, Saskatchewan, to C. J. Doherty, Minister of Justice, Ottawa, August 14, 1913.} Following the 1895 case, same-sex scandals ceased to be fodder for newspaper headlines. Prosecutions for same-sex activities became more routine, a regularized procedure of applying criminal sanctions to reinforce heteronormativity through the punishment and marginalization of alternative forms of sexuality.

The forbearance displayed in the 1895 case of Regina’s “Oscar Wilde” therefore proved to be fleeting, a product of a particular time and of a frontier version of class privilege. It is the only clear instance of leniency in same-sex prosecutions recorded in Saskatchewan’s settlement era. It represents a turning point, simultaneously marking the end of the semi-permissive frontier era and the inauguration of the prohibitory new order. For the rest of the settlement era, all other defendants convicted of same-sex activities were incarcerated. The average term of imprisonment was a little more than one year. Overall, these penalties do not seem unduly severe in relation to other contemporary jurisdictions in Canada, but these prosecutions nevertheless served to deliver a clear message that the authorities would prosecute through the criminal court any suspected transgressors of the prescribed moral code.\footnote{See Chapman, “Sex Crimes in Western Canada,” chap. 4 and 5.}

It is not possible, given current evidence, to draw conclusions regarding these three men’s understandings of their sexual orientations or identities. Nor is it possible to do so for the others charged in this era. While the territorial press was quick to label Frank Hoskins as an “Oscar Wilde,” there is no indication that he or his companions viewed themselves as having homosexual identities. Rather, moral reformers of the late nineteenth
and early twentieth century imposed such categories of presumed identity, setting the stage for the subsequent marginalization of perceived difference. At the same time, the case of the Regina threesome shows the possible existence in the Prairies’ settlement era of informal networks arising from same-sex desire. Such networks were necessarily covert, although sometimes known to other members of the community, and could continue without interference unless the participants were caught in flagrante and scandal ensued, as in the Regina case. In this period same-sex activity can be placed in part into the context of the bachelor cultures of the nineteenth century, when single males could operate in relative freedom from coercive social pressures to marry. As Perry and Boag have argued for British Columbia and the United States Pacific Northwest, such freedom was probably enhanced within frontier contexts, when male-to-female demographic imbalances established the basis for all-male networks within which same-sex sexuality could occur. Nevertheless, as in other contemporary western North American contexts, Saskatchewan offers no evidence of a developed homosexual sub-culture in the late nineteenth and early twentieth centuries even remotely comparable to those in London or New York, as documented by Matt Cook and George Chauncey. Some examples from just prior to the First World War, including a physician and several younger men in Swift Current and a farmer’s circle of male acquaintances in Semans, Saskatchewan, suggest that small networks might have existed in both towns and rural areas even during the descending juggernaut of homophobia after 1900. In a general context of criminalization, however, such networks were hard put to withstand periodic outbreaks of homosexual panic.


129 Perry, On the Edge of Empire, pp. 35–37.


Like other forms of sexuality not oriented to heteronormative marriage and procreation, same-sex sexuality between men was perceived to threaten the new agrarian society based on the family farm or urban small business. More specifically, the emerging model of gender relations in the new social order framed it as “honeycombing” or undermining dominant concepts of manliness and patriarchal privilege. By the end of Western Canada’s settlement era, male same-sex relations would become consigned, variously, to Christian concepts of unnatural acts, judicial categories of immoral offences, and medical models of sexual perversion. By that time, these interlocking reifications were sufficiently well entrenched that the Prairies remained hostile territory for sexual minorities for much of the twentieth century. Only in recent decades have gay and lesbian challenges to heteronormativity offered the promise that same-sex identities and expression might find a secure place on the Canadian Prairies.