

"God Help Me for No One Else Can": The Diary of Annie Waltham, 1869-1881

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"God Help Me for No One Else Can": The Diary of Annie Waltham, 1869-1881

THE CHALLENGE OF RECOVERING WOMEN'S HISTORY from the traditional anonymity of women's lives has provoked innovative responses. The history of women, so much of which has occurred within the confines of each separate home, must be extracted statistic by statistic, story by story so that, in the manner of the pointillist, a more complete picture of the experience of women in the past emerges. As Gertrude Stein has evocatively written, "Slowly the history of each one comes out of each one. Sometimes then there will be a history of every one".¹

The relative absence of women from public life until quite recently dictates that private literary documentation assume a paramount role as source and methodology in the task of fathoming the rhythm of women's daily lives. Women invested their energies in private life. Besides housekeeping and childrearing, women often assumed responsibility for keeping a network of siblings, in-laws and grown children apprised of family activities and events. In addition, some women who considered themselves very ordinary nevertheless kept diaries or journals. The work of Margaret Conrad and others in collecting and publishing diaries and correspondence of women in the Maritime Provinces offers a stimulating direction for exploration.² But these primary sources do present historiographical dilemmas. An obvious caveat involves the view that to focus on the records left by literate (however marginally in many cases) women ignores those who were illiterate or simply did not commit pen to paper. While this is a fact, it would seem to be a problem only if these particular historical sources are employed to the exclusion of, or in preference to, all others.

The diary of Annie T. Waltham and her surviving correspondence allows us to explore some of her life experiences and those of her family.³ The survival of both

1 Gertrude Stein, "The Gradual Making of the Making of Americans", in Carl Van Vechten, ed., *Selected Writings of Gertrude Stein* (New York, 1962), p. 244.

2 Margaret Conrad, *Recording Angels: The Private Chronicles of Women from the Maritime Provinces of Canada, 1750-1950* (Ottawa, 1982), "Sundays Always Make Me Think of Home: Time and Place in Canadian Women's History", in Veronica Strong-Boag and Anita Clair Fellman, eds., *Rethinking Canada: The Promise of Women's History*, (Toronto, 1986), and Margaret Conrad *et al.*, *No Place Like Home: Diaries and Letters of Nova Scotia Women: 1771-1938* (Halifax, 1988).

3 The diary of Annie Waltham is three bound volumes covering the years 1869-81. These volumes and correspondence are part of the Marianne Grey Otty Collection at the New Brunswick Museum, Saint John. In this study, diary entries are cited by date. Letters are cited by the names of the correspondents, date where available, a box and packet number. This collection is lightly indexed.

diary and correspondence offers not only the opportunity to observe matters from a single point of view (the diary), but also provides something of a "control" on that viewpoint (the correspondence). The middle-class Victorian family presented to the outside world a tight, private circle guarded by a shield of preserved appearances, layers of prescribed attitudes and hedges of seemly reticences that are well-documented in the literature.⁴ As one wit noted, while many of his contemporaries feared God, more feared Mrs. Grundy.⁵ The world today might label this picture a caricature, but many Victorian women invested a lifetime in cultivating and maintaining the prescribed image, that of the perfect lady sleekly enveloped in respectability. The genesis of a woman's "willingness" to make this investment originated in a not-always-subtle complex of psychological, societal, legal, financial and ecclesiastical influences absorbed from birth. The concerted application of these coercive forces caused women to internalize these concepts; moreover, punishments for transgressions were severe.⁶ However, to see women solely as victims of a patriarchal plot is simplistic, ahistorical and even condescending.

Annie Waltham kept up the image of respectability through widowhood, motherhood, a household shared with two frequently ailing spinster sisters (who outlived her) and a second marriage that encompassed emotional abuse and physical violence. To the end, she strove to preserve appearances. Only when lives were at stake did she seek to separate her husband from the household, and even then, given a modification in his behaviour, she would have welcomed his return.

Born circa 1828 at the family homestead in Upper Gaagetown, Queens County, New Brunswick, Annie Townsend Gilbert was the fifth daughter of Charlotte Amelia (née Hewlett) and the Honourable Thomas Gilbert. Her father, a prominent landowner and farmer, was for many years a member of the House of Assembly (1830-51) and later a member of the Legislative Council (1851-55). On 27 October 1857 she married Thomas Millidge Johnston, the second son of the Honourable Hugh Johnston, Jr. (member of the House of Assembly for Saint John (1820-30) and for Queens County (1834-42) and a prominent Saint John merchant and magistrate). On 19 February 1859, Annie gave birth to their only child, Annie Eliza (Nan).⁷ Tragically, her husband Thomas Johnston and his sister-in-law,

Groups of documents are stored in numbered packets within numbered boxes but individual documents are not numbered.

- 4 See, for example, Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-class Culture in America, 1830-1870* (New Haven, 1982), Steven Mintz, *A Prison of Expectations: The Family in Victorian Culture* (New York, 1983), and Harvey Green, *The Light of the Home: An Intimate View of the Lives of Women in Victorian America* (New York, 1983).
- 5 Frederick Locker-Lampson, "The Jester's Plea", in Roger L. Green, ed., *A Century of Humorous Verse*, (New York, 1959).
- 6 See Anthony S. Wohl, "Introduction", in Anthony S. Wohl, ed., *The Victorian Family: Structure and Stresses* (London, 1978), pp. 9-19, Mary P. Ryan, *The Empire of the Mother: American Writing and Domesticity, 1830-1860* (New York, 1982), pp. 97-141, and Mintz, *A Prison of Expectations*, p. 1-40.
- 7 Gilbert Family Records, vol. IX, shelf 70, New Brunswick Museum [NBM]; Graves Biographies (Thomas Gilbert, Hugh Johnston, Jr.), NBM. Annie Waltham always referred to her daughter as Annie. R.C. Waltham sometimes called her Nan. To avoid confusion between mother and daughter, Annie Eliza Johnston will be referred to as Nan in the body of this discussion.

Hannah Gilbert, accidentally drowned at Sheffield, New Brunswick, on Sunday, 10 July 1859.⁸

Annie and her daughter returned home to the Gilbert farm. Upon their mother's death in November 1860, Annie and her sisters inherited the homestead farm. Two of the sisters were married and settled elsewhere.⁹ Annie Johnston, her daughter and Annie's unmarried sisters, Lucretia Stewart Gilbert and Frances Elizabeth Gilbert (Fannie), made their home on the farm, paying a yearly rent to the married sisters for their share.¹⁰ Even when Annie married Richard Waltham in 1872, this household remained intact.

The diary and the bulk of correspondence span the years between 1869 and 1881, though other relevant documents date from as late as 1937. The descent into hell that characterized Annie's second marriage overshadows in intensity much of what happened before. The diary entries from January 1869 until her marriage, however, contain a wealth of information illuminating the textures and tensions of life in a small farming community in the 19th century, the problems facing women in operating a large farm, and the stresses encountered in a home shared by three sisters and a young child who sometimes grated on each other, especially in the winter months.

Until Annie's second marriage, the diary reveals a competent, spirited woman, a widow raising a daughter and having problems that seem familiar even from this distance in time. Nan, a "headstrong" ten-year-old, did not always want to get up in the morning when she was told, or dress as she was told, or be on the road as quickly as she should.¹¹ Upper Gagetown was a collection of farms in the vicinity of Gagetown. It was there Nan attended a school run by the Peters sisters. She was driven the few miles with a neighbour or a farm worker in the morning. Occasionally, if the weather was very good, she walked. Sometimes her teacher, Miss Kate, was ill and Nan would have to remain in town with friends until someone could collect her, especially in bad weather. Once, due to a misunderstanding, she was forgotten in town until ten o'clock at night.¹²

Annie Johnston (as she was at this time) seems to have handled many of the financial concerns for herself and her sisters. The full extent of her resources can not be known, but Annie inherited property and other assets from both her parents and her husband (she also inherited his debts). Queens County landholdings mentioned by name include the Loder farm, the Dykeman intervals, the Sheffield farm, the Gilbert homestead and, in Saint John, the South Wharf property. These and other business matters took Annie to Saint John where she banked, signed papers,

8 A237, p. 37, NBM. See also "Diary of Janet MacDonald", in Marion Gilchrist Reicker, *Those Days Are Gone Away: Queens County, New Brunswick, 1843-1901* (Queens County Historical Society, 1981), p. 127.

9 Deborah (1817-73) married Robert Keech Gilbert, MLA for Westmorland. Eliza (1833-83) married John Chapman Clowes. They had their own farm at Gagetown.

10 Eliza Clowes to Lucretia Gilbert, 9 August 1880, Box 7-P39.

11 Diary, 26 April 1870, 3 August 1870, 28 February 1871.

12 Diary, 1870-71. See also J.K. Chapman, *Gagetown: As We Were* (Queens County Historical Society, 1987), pp. 28, 30.

collected dividends, shopped, visited friends and churches and attended concerts. Most often she went only for the day but two or three times a year she and Nan stayed a few days at the Park Hotel.¹³ Each autumn, as the river threatened to freeze up, her near-panic at the prospect of being shut up on the farm for the winter becomes palpable.¹⁴ The steamer to Saint John was a lifeline not available in the winter months. The occasional fine-weather outings to church or shopping in Gagetown did not compensate for the loss.

She was a single parent and missed her husband very much, even ten years after his death.¹⁵ Although she loved her sisters, she sometimes wished to be free of the responsibility of them. Fannie was about 35 years old at this time, a semi-invalid and perpetually ill. This meant that not only was she unavailable to share the workload, but she also required care and attention. Annie was not above the occasional wish to be rid of the burden.¹⁶ Lucretia was very social and enjoyed visiting. Approximately 24 years old in 1869, according to Annie she could exhibit a "foul temper". The only time Annie records that Lucretia ventured into the kitchen to do some work (baking) she emerged in a "hateful temper".¹⁷ Normally they employed a cook and a servant but when they were without, Annie had to take up the slack. She seems to have been neither meek nor arrogant, although Annie was, no doubt, well aware that she had been born a Gilbert and had married a son of Hugh Johnston, Jr., and appreciated her social standing. The diary indicates a woman who could be, by turns, witty and serious, thoughtful and thoughtless, considerate and self-pitying, selfless and self-centred, responsible and frivolous. She was ultimately responsible for the operation of several farms and dependent upon these concerns for a large part of the household's income. She did not back down from a confrontation with a farmhand, a lawyer or a neighbour whom she thought was treating her unfairly or dishonestly.¹⁸ She was also a very eligible widow. Annie imagined that gossip in Gagetown sometimes centred on her,¹⁹ and she was probably right.

In winter Annie kept busy. In December 1870, for example, she wrote a petition asking the government to fortify the banks of the Gagetown Canal. In addition, the "sergeant" (this is the only name by which she refers to the man) who worked around the farm had gone off and then returned somewhat the worse for drink. Annie helped restore him and encouraged him to remain sober. Nan gave him a gift of cigars that Annie rolled up in religious tracts.²⁰

13 Diary, 2-5 June 1869, 9-10 June 1869.

14 November of every year at Gagetown.

15 Annie mentions him frequently, especially early in the diary. Each 10 July she records, "another wretched anniversary of a wretched day".

16 Diary, 22 November 1870.

17 Diary, 28 May 1870, 10 December 1870.

18 For example, Diary, 13 August 1870, 16 October 1871.

19 Diary, 4 December 1870. She would probably hear it through Lucretia. Several letters to Lucretia from relatives and friends are of the newsy variety.

20 Diary, 25-31 March 1871.

Her hunger for reading material, especially in winter, extended to newspapers, tracts, religious publications and novels. She read the *Freeman*, the *Globe*, Boston newspapers when sent by friends or relatives and the occasional London magazine. In 1870 Annie read a medical work (unnamed) by Jackson Davis. She asked Lucretia to purchase *Footfalls on the Boundaries of Another World* by Robert Dale Owen in Boston. This book deals with all manner of supernatural phenomena, including miracles, hauntings, apparitions of the living and the dead, hallucinations and death. Part of this work is devoted to sleep and dreams, something with which Annie experienced problems.²¹ She often records her inability to sleep at night and, when she does sleep, she dreams of death, the dead and many nightmarish situations. In a similar vein, she read *The Gates Ajar* by Elizabeth Stuart Phelps, a popular religious novel which describes heaven in every detail, including food and recreation.²² This novel was one of many of its type popular at the time in which heaven is described "as a place in which families were reunited, homes restored, and nurseries existed to care for children who died before their parents".²³ *The New Priest in Conception Bay* by Robert Lowell and *Violet Keith: An Autobiography* by Ellen McGregor Ross are also mentioned.²⁴

Summers on the farm meant work. With the help of the "sergeant" she planted and maintained a large kitchen garden, always worrying about whether the job had been done in time.²⁵ The homestead farm itself was run from day to day by a neighbour, Mr. Dickie, and his family did much of the fieldwork with extra help at haying time. Extra hands were always difficult to find and harder to keep. They drifted off regularly into drink or "down the road".²⁶ Summer fires, especially in May and August, were a constant hazard. They sometimes lived in smoke for days. Except for the loss of a barn, the Gilbert farm seems to have been spared.²⁷

If Annie Johnston does not fit exactly the image of the "perfect lady", it is important to emphasize that she was a widow. The "perfect lady", that completely leisured, helpless and dependent middle-class priestess of the home, was a wife and a mother.²⁸ As long as she remained unmarried and observed the proprieties, Annie could — and indeed would be expected to — go about her business.²⁹

21 Robert Dale Owen, *Footfalls on the Boundary of Another World* (Philadelphia, 1872 [1859]).

22 Elizabeth Stuart Phelps, *The Gates Ajar* (London, Ont., 1869).

23 Harvey Green, *The Light of the Home: An Intimate View of the Lives of Women in Victorian America* (New York, 1983), p. 167.

24 Diary, 15 June 1870, 5 February 1871.

25 Diary, May 1870, 1871.

26 Diary, summer entries for 1869-77; see, for example, May-June 1871.

27 Diary, May and August 1869-77.

28 Eric Trudgill, *Madonnas and Magdalens: The Origins and Development of Victorian Sexual Attitudes* (New York, 1976) and Martha Vicinus, ed., *Suffer and Be Still: Women in the Victorian Age* (Bloomington, 1972), p. ix.

29 Elspeth Tulloch, *We, The Undersigned: A Historical Overview of New Brunswick Women's Political and Legal Status 1784-1984* (Moncton, 1985), pp. 78-9.

Richard Claude Waltham arrived in Gagetown in early 1871.³⁰ He had graduated from Cambridge University with an excellent degree in classics and was an accomplished musician. James Porter, fellow and tutor of St. Peter's College and senior proctor at Cambridge, who had known Waltham for four years, wrote of him in 1869: "I know of no one to whom I should entrust with more confidence than to Mr. Waltham, the education of a youth, believing him to be one of the best specimens the University can produce of a manly English gentleman". According to other Cambridge sources he was right-minded, genial, kind and amiable.³¹

Waltham came first from England to the United States, where he held the position of headmaster at St. Luke's Grammar School in Catskill, New York.³² It is not known why he left this job, but on 12 January 1871 the secretary of the board of the Gagetown Grammar School replied to Waltham's letter (from Boston) written in response to the board's advertisement for a teacher. The secretary provided full information but insisted that the position scarcely merited the attention of "a gentleman of your attainments", although it would do certainly for a graduate of "our provincial university".³³ Despite these reservations, Waltham's application was successful. In addition, in June 1871, Waltham received an encouraging letter from George Roberts about the possibility of his replacing Roberts at the University of New Brunswick while the latter took six months leave.³⁴

Beginning in mid-October 1871, Waltham makes regular appearances in Annie's diary. Her infrequent references to him up to this time involve having seen him at church. He also seems to have been Nan's piano teacher. Waltham began to call at the house frequently. He came to tea, to dinner or to visit, always with a friend. They sometimes stayed very late. In bad weather they had to stay the night. The Gagetown gossips took note. The talk apparently led to an altercation between Waltham and a Mr. Harding in December 1871, in which Waltham received a beating. He was also jailed briefly. Waltham and Harding went to court on 18 December 1871. Annie was very upset that Waltham had been hurt, but more agitated that "My name had been brought out in court. Harding had slandered me".

Annie had every reason to be agitated. Her private life was not only a matter of general speculation but now also a part of the public record. That the gossip was ill-natured or rose out of jealousy meant nothing. She had been imprudent in her behaviour. Her reputation and her conduct had been called into doubt. Ostracism, at the least, would be the likely outcome if something could not be done to control the damage. If she fell into disrepute the effects would be felt by her daughter and the whole family:

30 Diary, 26 February 1871.

31 Letters of recommendation, James Porter, 14 April 1869; H.W. Cookson, 13 April 1869, Box 11-P67.

32 Printed, undated form listing teaching personnel and terms of admission, states, "Head Master R.C. Waltham, B.A., F.R.C.P., Graduate in Honors of St. Peter's College, Cambridge, England", Box 11-P67.

33 The signature has been cut out of this letter, Box 11-P68.

34 George Roberts to R.C. Waltham, 7 June 1871, Box 11-P67.

It is not enough for a woman to *be* pure; she must *seem* pure to be so; her conscience may be as white as snow, but if she give scope to slander and weight to calumny her offence is great. She taints those who are influenced by example, and renders vice excusable in the estimate of those whose dispositions incline to evil.³⁵

Between 19 December and Christmas Day, the couple had "unhappy conversations". On 26 December Waltham and Harding settled their differences out of court. On 27 December Annie and Waltham agreed to be married. Nan seems to have been pleased that her mother was remarrying, but when Annie's sister, Eliza Clowes, was informed of the wedding plans there was, in Annie's words, "a great fuss! bah!"³⁶ Mrs. Clowe's later correspondence indicates that she never thought much of Waltham.³⁷ Her reservations may, in some part, have stemmed from the fact that he was, despite his education, virtually penniless while Annie, if not wealthy, was very comfortable. In addition, at the time of her second marriage, she was about 44 years old. Waltham was almost certainly no more than 25.³⁸ Annie Johnston and Richard Waltham were married on 24 January 1872.

A woman of some means, Annie seems to have done nothing before her remarriage to protect her assets. It is possible that the haste with which the marriage was arranged left no time for such preparations. Before her marriage, Annie, as a single woman, could have set up a trust to protect her property or part of it. However, legal restrictions could not prevent a married woman from "voluntarily" turning over property to her husband. In other words, she could not be protected from herself, from surrendering property out of love or whatever subtle or crude pressures might be applied within the marital relationship and in the privacy of the home.³⁹ Annie did, however, take steps to try to protect her daughter's inheritance.⁴⁰

Annie Waltham's happiness in her marriage was questionable from the beginning. Married less than a month, she writes on 16 February 1872:

A very disagreeable day — snow blowing about in every quarter — Annie [Nan] is at the Clowes — and my husband is in his Sanctum writing — how strange it seems to call any man Husband! so many years have

35 Publisher Samuel Carter Hall quoted in Eric Trudgill, *Madonnas and Magdalens*, p. 177.

36 Diary, 17 January 1872.

37 Eliza Clowes to Lucretia Gilbert, 9 August 1880, Box 7-P39.

38 This is extrapolated from Annie's approximate birth date of 1828 and Waltham's graduation from Cambridge in 1869.

39 Tulloch, *We, the Undersigned*, p. 78.

40 Annie Waltham to Annie Eliza Johnston, 4 June 1881, Box 9-P57. In this letter Annie tried to explain the situation but it is very complicated and she is not very clear. Apparently, before she married Waltham, Annie took some money that she had charge of as Nan's guardian and put it in a special account for Nan, but it may be that Waltham received it. The money might have been used to rebuild the South Wharf property after the Great Fire of 1877.

passed since I had such a one to call mine — I pray God will bless our union. I have been very unsettled since our marriage and can hardly realize what a change there is in my life hitherto so sad and menotinous [sic].

Waltham's manner and pattern of behaviour in the marital relationship became clear within the first few months. There were disagreements because, at first, Annie answered back as she would to any person who scolded or berated her. These verbal confrontations were followed by long sulks and bouts of anger on Waltham's part. When Lucretia, then on a visit to Boston, wrote a letter that Waltham considered "saucy, insolent and false", he became angry with Annie. He would retire to his "sanctum" and remain there all night. His erratic behaviour is illustrated by an entry of 27 March 1872:

What a scene I have just had! I wanted to go to church & wanted Mr. Waltham to do so but it has ended in his acting like a mad man — swore he would not go to church, pushed me out of his room and God only knows — then when he found I was not going he took Annie [Nan] and went.

Waltham would say he was leaving and then he would not go. He would pack, leave forever and then return. In May Annie writes that he told her, "I only come to bed here from a sense of duty — there can never be anything more between us — I suppose I must keep up appearances".

It is not clear from the diary exactly when Waltham's taste for alcohol became a problem. The problem may have existed prior to the marriage. Over the next two years it grew worse. There were hints almost from the beginning. He would prowling all night and remain in bed the next day. Some days he was too ill to get up.⁴¹ The verbal and emotional abuse was not confined to Annie alone: Nan came in for a share of it too. And Waltham's temper was no better outside the house. An argument with one of Dickie's sons ended when Waltham struck the man, and Waltham was taken to court again.⁴² No doubt the people of Gagetown remained unimpressed with Waltham's newly gained prosperity and status. Perhaps this, combined with some immaturity, tapped a well of insecurity within him.⁴³ He began to disappear to Saint John for days, then a week at a time, until by February 1877 he left and did not return for more than a month.

41 For example, Diary, 6 December 1871, 11 December 1871, 19 January 1872, 24 July 1872, 23 December 1872. If Waltham had wanted treatment for alcoholism he would have had to go outside New Brunswick. There was only the Lunatic Asylum in Saint John which served as a *de facto* inebriate home. See Cheryl Krasnick Warsh, "Adventures in Maritime Quackery: The Leslie E. Keeley Gold Cure Institute of Fredericton, N.B.", *Acadiensis*, XVII, 2 (Spring 1988), p. 116.

42 Diary, 7 July 1874, 20 April 1872.

43 Linda Gordon might not agree completely with this assessment. She argues, very effectively, that not all batterers are insecure. Some use violence "to increase their control over particular women, defending real, material benefit": Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence, Boston 1880-1960* (New York, 1988), pp. 286-7.

Annie's expectations of the marriage might be summed up in her entry for 1 July 1872: "I have been all my life time looking for happiness and altho' I have many very many things to be thankful for I am still grasping after the phantom — thou God knowest all things". Whether the marriage had conformed to the patriarchal model or the companionate model of the Victorian marriage would have made little difference to her, perhaps, if only gentleness and caring had entered into the equation. She tried to adjust to Waltham's character and to mollify him, but nothing seemed to work. The harder she tried, the worse the situation seemed to become. Feelings of frustration, desperation and isolation predominate in her diary as time goes on. She began to dread visitors who might witness her defeat and humiliation.⁴⁴ She was trapped increasingly in a downward spiral of learned worthlessness. (It is also interesting to note that Annie's two sisters continued to live with the Walthams. They were not married to him and they were women of some means, but neither Lucretia nor Fannie fled the household.) Annie craved happiness in marriage but almost certainly would have settled for pleasantness, as witnesses the entry of 3 September 1872, which says in part, "I am truly thankful to say the day passed without angry words or any unpleasantness which is a great cause for thankfulness".

There was nowhere in New Brunswick Annie Waltham could have gone if she had chosen to seek relief from this situation. But even if some refuge had been made available, Annie first would have had to confront her own belief system and the enormous extent to which she had internalized the middle-class Victorian values of self-sacrifice and forbearance. G.M. Young has stated that the family was one of the vital articles of a "common Victorian faith". The Victorian concept of progress was predicated upon an advance outward in all directions "from a stable and fortified centre".⁴⁵ As Elizabeth Pleck has argued, the family formed the very cornerstone of society. With very few exceptions it had to be kept together, no matter what the emotional cost.⁴⁶

That mere unhappiness was not a decisive factor is clear on a number of levels. As Mrs. Ellis counselled her female readers, an unhappily married woman was obliged to remember that her "highest duty is so often to suffer and be still".⁴⁷ A woman's responsibility in marriage involved "exerting a reforming influence upon her husband". Her purpose was to renew his spirit, to redeem his soul.⁴⁸ The wife who failed in this task had failed in her life's business.⁴⁹

The prevailing attitudes towards marriage are well illustrated in the courts. A judge's written decision often reveals prevailing attitudes, biases and boundaries.⁵⁰

44 See, for example, Diary, 23 December 1872, 28 February 1874, 22 August 1875.

45 G.M. Young, *Victorian England: Portrait of an Age* (New York, 1964), pp. 150-1.

46 Elizabeth Pleck, *Domestic Tyranny: The Making of Social Policy against Family Violence from Colonial Times to the Present* (New York, 1987), pp. 9-10.

47 Quoted in Vicinus, *Suffer and Be Still*, p. x.

48 Mintz, *A Prison of Expectations*, p. 143.

49 Vicinus, *Suffer and Be Still*, p. xii.

50 Nancy Tomes, "A Torrent of Abuse: Crimes of Violence between Working-Class Men and Women in London, 1840-1875", *Journal of Social History*, 3 (Spring 1978), p. 329.

In regard to marriage and the family in the third quarter of the 19th century in New Brunswick, the cases of *Hunter v. Hunter* (1862) and *Venning v. Hunter* (1863) are especially instructive. The case of *Hunter v. Hunter* has been ably and fully set out by Constance Backhouse.⁵¹ The details of the case are not relevant here, except that Robert and Julia (Venning) Hunter were incompatible. They argued over a period of months. Mr. Hunter threatened and then slapped his wife. She returned to her parents' home more than once, finally refusing to return to her husband ever again, even after she had given birth to their child. Her petition for a legal separation (a divorce *a mensa et thoro*) was refused and her appeal of that decision met with no success.

The views on marriage expressed by Neville Parker as judge of the Divorce Court, in the judgement handed down in *Hunter v. Hunter*, are of particular interest. Parker's views conformed to those of Sir William Scott (*Evans v. Evans*, 1790) whom he quoted: "Though in particular cases the repugnance of the law to dissolve the obligation of matrimonial cohabitation, may operate with great severity upon individuals, yet it must be carefully remembered that the general happiness of the married life is secured by its indissolubility".⁵² Parker also defines the level of violence the court was willing to tolerate within a marriage. Quoting an authority on marriage and divorce, he states: "The cruelty which entitles the injured party to a divorce consists in that sort of conduct which endangers the life and health of the complainant, and renders cohabitation unsafe". Mere unhappiness resulting from ordinary domestic quarrels, unkind treatment or abusive language without real personal danger did not merit the interference of the courts. Not even physical injury guaranteed a woman a legal separation: "But this doctrine is held with this important qualification, that the conduct of the wife who seeks redress must not have been such as to have *caused* the injury of which she complains".⁵³ She must at all times strive to make the best of the circumstances in which she had placed herself.⁵⁴ The remedy for her husband's violence often lay in her own guarded and proper conduct, in "a change in her temper and behaviour".⁵⁵

In 1863 W.N. Venning, Julia Hunter's father, brought an action against Robert Hunter to recover the expenses attending Julia's maintenance after she returned to her parents. This case was heard by a jury before Judge Ritchie. In his charge to the jury, Ritchie explained the law clearly. Incompatibility of temper in itself did not justify leaving.⁵⁶ Perhaps revealing in his phraseology some of his own feeling in

51 The case of *Hunter v. Hunter* is explored in detail by Constance Backhouse, "Pure Patriarchy: Nineteenth-Century Canadian Marriage", *McGill Law Journal*, XXXI (1986), pp. 296-9. This case also is discussed briefly in Public Legal Information Services, *Manners, Morals and Mayhem: A Look at the First 200 Years of Law and Society in New Brunswick* (Fredericton, 1985), pp. 52-3.

52 *Judgment of the Court of Divorce and Matrimonial Causes in the Divorce Case of Hunter versus Hunter* (Saint John, 1862), p. 22. This pamphlet is in the library, Archives, NBM.

53 *Judgment*, p. 5.

54 *Judgment*, p. 9.

55 *Judgment*, p. 5.

56 *A Full Report of the Venning vs. Hunter Trial at the Circuit Court, St. John* (Saint John, 1863), p. 22. This pamphlet is in the library, Archives, NBM. The material in the pamphlet was first published in the *Morning Telegraph*.

the matter, the judge stated, "it is my duty to tell you, gentlemen, that though instead of a *happy home* she had lived in a *bear garden*, she had no right to leave unless there was personal violence or sufficient to cause the reasonable dread of it". He added, "We all know that none can be more irritating than a female if she wishes".⁵⁷ The jury retired and in half an hour returned a verdict for the plaintiff. Mr. Venning was awarded the full amount of his claim.⁵⁸

It would be tempting to conclude from the above that the jury was more progressive than the judiciary. All that can be said is that the jury was very taken (for three hours) with the arguments set forth by J.H. Gray, appearing for the plaintiff, the gist of which alleged that any man who hit his wife was no man.⁵⁹ This jury reacted favourably to the notion. However, there is some indication that public opinion, if not judicial opinion, in New Brunswick might have been split on how much violence was tolerable in a middle-class marriage. Robert Hunter himself paid for 125 printed copies of the judgement in the divorce case, which he then distributed.⁶⁰ Obviously, he felt none of the evidence showed him in an unfavourable light. Similarly, either Venning or the *Morning Telegraph* had a pamphlet published of a full report of the maintenance trial. Public opinion aside, however, divorces were granted and refused by judges, and three of them had come down solidly in favour of preserving the matrimonial status quo.⁶¹

On 31 March 1873, without a hint in her diary of the impending event, Annie Waltham was delivered of "a beautiful baby girl", later christened Adeline Miller Waltham. If Annie entertained a hope that the baby would improve the marriage, she was disappointed. Family relations continued to deteriorate. Upon receipt of a "voluminous document from Waltham filled with abuse from beginning to end", John and Eliza Clowes shut off all contact with him.⁶² On 7 July 1874 Annie records that Nan had been given permission to visit her grandmother, Mrs. Johnston, and "because she did not do so was fearfully insulted and in the evening had a shameful scene". Nan, of course, helplessly witnessed much of her mother's degradation and misery.

Waltham began talking about going to England to have a book published. He returned from a foray to Saint John with the news that he had taken a stateroom on the *Caspian*. It is not known how or when or exactly why the decision was made that Nan should go with him, but at some point it was decided that she should continue her schooling in England. Perhaps this was a way of getting Nan, now almost 17 years old, out of an unhappy and unhealthy environment while at the same time ensuring that Waltham had a chaperone, at least for the voyage.

The document below is rendered in full. It reads like dictation and the suspicion lingers that the writer had little choice in the matter:

57 *A Full Report*, p. 23.

58 *A Full Report*, p. 24.

59 *A Full Report*, p. 20-1.

60 *A Full Report*, p. 18.

61 Justice Neville Parker in *Hunter v. Hunter*; Chief Justice James Carter on appeal; Judge Ritchie, charge to the jury, *Venning v. Hunter*.

62 John Clowes to Lucretia Gilbert, 10 December 1873, Box 7-P39.

I Annie E. Johnston now about to leave this my home at Gagetown for the purpose of attending school in England do solemnly promise that I will render implicit obedience to Mr. Walthams [sic] command, that I will not allow my judgement to clash against his, that I will not tease, or ask for articles of dress unless such as are deemed necessary by him also — that I will not argue with him or contend to have my own way — that I will endeavour to my very utmost to attend to my studies and profit as much as I possibly can, that I will not idle one moment of my time, but endeavour to study and strive to improve it — also that I will not write a letter to any person in the province of New Brunswick except my mother — that I will not hold communication except with *her*.

(signed) Annie Eliza Johnston

Gagetown

October 2^d, 1875⁶³

In London Waltham installed Nan as a boarder at a Catholic convent, the Institut des Dames de St. André. The reason for choosing this particular establishment is to be found nowhere in the documents. It was not common practice for Gagetown's Anglicans to send their daughters to Roman Catholic schools. On 15 December 1875 Waltham arrived back in Gagetown.

The year 1876 did not begin well. Annie writes:

(3 January 1876) ...Waltham has cheered me by the intelligence that he has overcome all appetite for alcoholic drinks... How much dependance [sic] can one place on that man's word...God help such a liar!

(14 January 1876) I went into the study this morning intending as God is my witness to get Brannen's receipts when I drew out a photo of a female beast⁶⁴ — a fine row at night. Waltham went to bed drunk and on brandy too.

(26 January 1876) ...a most awful quarrel at night — babys [sic] crib broken — God help such a lunatic and a tyrant.

The abuse had escalated from invective and insult to the breaking of furniture. In addition, Waltham continued to disappear to Saint John for a week or weeks at a time, from whence he returned to Gagetown "ill".

The year ended badly too. Nan loved the school and her life in London. She was a brilliant pianist and continued to advance in this respect. Her studies in general went well and, living with French nuns, she became proficient in their language. She thrived in this secure, appreciative, well-ordered atmosphere and the sisters seemed to be genuinely fond of her, as were many of her classmates and the younger children. In December she wrote her mother that she was "thoroughly

63 Document is handwritten by Annie Eliza Johnston, Box 9-P54.

64 The word is definitely written "beast".

convinced of the truth of the Catholic religion".⁶⁵ Annie was adamant, in letter after letter, that Nan not be swayed by those who, in Annie's opinion, were trying to wrest a daughter from her family and break her mother's heart. She extracted from Nan a promise that nothing would be decided or done in the matter until they were together again.⁶⁶ On 1 March 1877 Annie wrote in her diary, "God help me for no one else can!"

In addition to the impetus provided by Nan, other considerations might have prompted the family's removal to London. Nan's threatened religious conversion aside, Annie missed her daughter a great deal. The increasing violence within the household did not escape notice in Gagetown. People in general seemed to have little respect for Waltham. He was given to boasting around town that he controlled not only Annie's holdings but Lucretia's and Fannie's as well, and that the Gilbert sisters now were worth nothing.⁶⁷ Perhaps Annie still hoped that if Waltham secured something he wanted (to live in England, at least for a time) their situation might improve.

Moving four adults and a child across an ocean was no easy task. The farm had to be seen to through the summer and left in good hands, business agents in Gagetown and Saint John had to be empowered to act on their behalf in their absence, and the house had to be secured and shut up. At the end of August 1877, Waltham departed for England where he, with Nan's help, arranged living accommodations for the family.⁶⁸ Annie, Lena (the baby), Lucretia and Fannie followed later. By November 1877, they were all living at 8 Colville Square North, Kensington West, including Nan. Annie preferred that Nan remain at home to continue her studies under private teachers.⁶⁹

When Annie's opposition to Nan's conversion to Roman Catholicism remained firm, the nuns advised Nan to obey her parents and to let God work things out.⁷⁰ While at home, Nan continued to correspond with the sisters and to visit them. She attended mass at various Catholic churches and sometimes Annie accompanied her.⁷¹ Annie seems never to have forbidden Nan from any of these activities. It is not absolutely certain that Nan did not become a Catholic at some point, but no documentary evidence has been found that she did.⁷²

65 Annie Eliza Johnston to Annie Waltham, partial draft of letter, December 1876, Box 9-P56. That she was a brilliant pianist, see letter of recommendation from R.C. Waltham, 10 June 1879, Box 9-P55.

66 Three incomplete letters all on the same theme, of which two are undated and one is dated 1 February 1877, Boxes 11-P62 and 11-P63.

67 Eliza Clowes to Lucretia Gilbert, 9 August 1880, Box 7-P39.

68 Annie Waltham to Annie Eliza Johnston, 29 August 1877, Box 9-P57.

69 Madame Stanislas to Annie Eliza Johnston, 23 November 1877, Box 9-P55; Annie Eliza Johnston to Madame Stanislas, 17 December 1877, Box 9-P55.

70 Madame Stanislas to Annie Eliza Johnston, 17 July 1877, Box 9-P55, 10 August 1877, Box 9-P55.

71 See, for example, 6 December 1880.

72 In her will (Office of the Clerk of the Court, Saint John), Annie Eliza Johnston left a large sum of money to the Diocesan Synod of Fredericton. She left nothing to the Catholic Church or organizations. This does not constitute proof positive that she never became a Catholic. Many

The last entry in the second volume of the diary is 22 July 1877. The first entry extant in the third volume is 10 July 1880. Approximately 50 pages have been removed from the beginning of this volume. Annie states that her husband, upon discovering this record of his evil deeds, ripped out the pages. His drinking had increased such that he was completely out of control. Again, the violence had escalated. Perhaps in the anonymity of London, Waltham felt free to do anything he wanted. Annie writes on 15 September 1880 that he "tore my hair out of my head in handfuls, broke my eye-glasses and knocked me down in the hall". He disappeared for a week, returned and cried, promised to get better and three days later was drinking and abusive again. Annie prayed to God to give her the grace to keep silent when provoked.⁷³ The familiar cycle illustrated in much of the literature on battered women is evident here. Annie had become increasingly isolated from anyone but her dysfunctional family. Guests were not invited into the home for fear the violent and erratic behaviour would occur in front of them. She constantly devised strategies to avoid attacks but they never worked. He often was remorseful but nothing changed.⁷⁴

A series of events compelled Annie to action. On 11 October Waltham arrived home drunk, and shouting, "I'm a whoremaster now — I've been with a whore & enjoyed myself". Later in the evening he assaulted both Annie and Nan. By Saturday 23 October Lucretia had become so ill that a solicitor was called in to draw up her will. Madame de Commiade, a friend of Nan's, removed Lucretia to her house. On 26 October, Waltham drank half the night then came into the bedroom: "he kicked me in the chest, pulled my hair, struck me on the head, on the nose, kicked me in the back as I was getting of [sic] the side of the bed — and said at different times I'll shoot you, I've a revolver all ready for you, I'll put one ball through your head one through Annie's [Nan's]".

On Wednesday 27 October 1880, Annie went to Hammersmith Police Court. A summons was issued for Waltham to appear to answer the complaint.⁷⁵ Annie stayed away from the house for a few days. Nan gave him the summons, which "made him very cross". It had taken many years for Annie to decide — but now she stood firm. Waltham begged her to return and promised to reform. Whenever he asked to see her she agreed to the meeting, but only in the presence of another person. She would not have him back unless he first sought treatment. She would help him find an Inebriates Home so that he could be cured. On 6 November

changes of mind could have occurred between 1876 and 1937.

73 Diary, 22 September 1880, 29 September 1880, 2 October 1880.

74 Common behaviour patterns are set out in R. Emerson Dobash and Russell Dobash, *Violence Against Wives* (New York, 1979), pp. 124-43. It is easy to miss how isolated Annie was because her diary is so full of "events". After Waltham leaves, however, the contrast in her social life is striking. There is nothing grand, mainly ladies in for tea, but the reader realizes that this socializing element has been missing totally.

75 Summons, 27 October 1880, Box 11-P62. The document states that Annie suffered threats of bodily harm that caused her to fear for her life. At this time in England a separation order could be obtained from a magistrate of the police court for aggravated assault upon which the husband had been convicted. This summons might have been, therefore, the first step towards a separation order. See Lee Holcombe, *Wives and Property: Reform of the Married Women's Property Law in Nineteenth-Century England* (Oxford, 1983), p. 105-6.

Waltham failed to appear in Police Court to answer the summons and a warrant was issued.

The return to a more normal lifestyle appears to have been both satisfying and difficult. The family were in very serious, if not dire, straits financially because of Waltham's profligacy and mismanagement. Once, when short of money, he simply sold all the furniture. Annie arrived home to find men inventorying and carting off their belongings. On short notice she could locate little ready cash and managed to hold on to only a few things.⁷⁶ The Waltham women moved to smaller premises and took in boarders.⁷⁷ Slowly they recovered. There were visits to theatres and concerts for Lucretia, Nan and Lena. Annie seldom attended but she did once again become a regular communicant, often attending weekday as well as Sunday services.⁷⁸ In early January 1881, since Waltham had apparently chosen to stay out of their lives, Annie went to Hammersmith and dismissed the warrant. In March she and Lucretia enjoyed a week or so in Coblenz and Cologne.

Waltham was staying with friends in Liverpool. He wrote occasionally and once sent a basket of fruit to Lena.⁷⁹ Annie wrote to Waltham that Lena missed him very much. She urged him to get help, to reform.⁸⁰ In a postscript to a letter she adds, "Let me remind you that the past belongs to you and me and is not therefore to be peddled out to gratify the curiosity of any of your relations".⁸¹ In fact, Waltham was still drinking heavily and seemed to be in trouble.⁸²

Annie's health cast a long shadow over these calmer times. She experienced either rheumatism, bronchitis or congestion of the lungs constantly. She was at one time taking six to eight grains of opium a day.⁸³ The diary becomes a catalogue of sleepless, restless nights and unsettling dreams. She dreamt of the homestead frequently. Still, her spirits had recovered to some extent. On 10 February 1881, she writes sardonically, "I dreamed at night that persons were stealing my hemlock logs, which no doubt is true enough".

She did not recover. Annie lingered over the summer, but died early in September. She was buried at All Souls' Cemetery, Kensal Green, London.⁸⁴ She left no will. A document states that she died with a personal estate of the value of \$700 in Kings and Queens counties, New Brunswick.⁸⁵ On 21 September 1881

76 Diary, 15 September 1880.

77 Diary, 30 November 1880, 1 January 1881 and on.

78 Entries for every Sunday, etc., after Waltham's departure.

79 R.C. Waltham to Lucretia Gilbert, 23 July 1881, Box 11-P66; undated letter, no heading, signed "Your broken-hearted husband, R.C. Waltham", Box 11-P68.

80 B.U.P. to R.C. Waltham, 11 January 1881, Box 11-P69. The letter is in Annie Waltham's handwriting letter with no heading ("5" written at top), signed A and clearly to Waltham, Box 9-P56.

81 Letter with no heading, as above n80.

82 Mike Sloan to Lucretia Gilbert, 1 January 1882, Box 7-P40.

83 Letter ("5") with no heading, see above.

84 Undertaker's bill, 5 September 1881, Box 11-P66.

85 Request for administration of estate of R.C. Waltham, RS69-1883, Provincial Archives of New Brunswick, Fredericton.

R.C. Waltham wrote to Lucretia Gilbert from Liverpool. The brief letter contained an enclosure for Nan and concluded, "Can I do anything for you and Fanny [sic]? Would either or both of you like to have a home with me?"⁸⁶ Lucretia, Fannie, Nan and Lena returned to the New Brunswick homestead — where legal problems awaited.

The Gilbert homestead belonged to R.C. Waltham, although that ownership was disputed. Lucretia and Fannie had apparently signed papers turning their shares over to him. They contended their signature had been extorted by threats and by his promise to provide a home for them for life. Waltham's ludicrous offer of shelter following Annie's death therefore takes on legal colouring. The sisters further asserted that he was in their debt since they had assumed his responsibilities in making a home for and caring for his young daughter, Lena.⁸⁷ In fact, Lucretia and Fannie were now seldom well enough to care for anyone. Nan, 22 years old in 1881, did the actual work of nursing her aunts and mothering her half-sister.⁸⁸

Waltham remained in Liverpool until at least April 1882.⁸⁹ He deteriorated steadily. In September 1882 he turned up on the doorstep of the Rev. J.J. Lewis in Boston, "in a state of intoxication and evidently upon the verge of *delirium tremens*". He had arrived from Liverpool on the steamer *Parthia*. He claimed he had fallen into bad company, had been drugged and robbed. Rev. Lewis placed Waltham in the Washingtonian Home on the advice of Curtis Nichols, a Gilbert relation. The Home sent Waltham's bill to Lucretia.⁹⁰

On 16 February 1883, Lucretia Gilbert died at the New Victoria Hotel in Saint John. She was 38 years of age.⁹¹ By February of 1883 Lena was a boarder at the convent of the Sacred Heart sisters on Waterloo Street in Saint John.⁹² These two events possibly were related. Perhaps Nan felt she could no longer continue to live at the homestead or perhaps she was forced to leave.

Waltham's Washingtonian cure did not work. Early in 1883 Waltham was reported to be living "up river" with the father of George P. Baird (a Saint John lawyer) and was said to be drunk all the time. Baird had control of at least some of Waltham's property.⁹³ R.C. Waltham died on 27 June 1883 at Wickham, New Brunswick (about ten miles southeast of Gagetown), "seized or otherwise entitled unto real estate of the value of \$11,300 in Queens County and the City of Saint John and personal estate of \$400". George Baird was named executor of his estate

86 R.C. Waltham to Lucretia Gilbert, 21 September 1881, Box 11-P68.

87 George C. Coster to Lucretia Gilbert, 21 April 1882, Box 8-P42.

88 Annie Eliza Johnston to "Cousin Charlie", early December 1881, Box 9-P56. Fannie Gilbert died on 12 December 1881. See *Saint John Globe*, 21 December 1881, p. 3.

89 Mike Sloane to Lucretia Gilbert, 10 January 1883, Box 7-P40.

90 Rev. J.J. Lewis to Lucretia Gilbert, 19 September 1882, Box 11-P69. Curtis Nichols was probably a cousin. He was the treasurer of the Boston Five Cents Savings Bank.

91 *Saint John Globe*, 16 February 1883, p. 3.

92 Bill dated 28 February 1883, Box 11-P71. This site is now the Cathedral parking lot.

93 Charles E. Gilbert to Norval Otty, 1883.

and guardian of his ten-year-old daughter, Lena. She was his sole heir.⁹⁴ Lena herself died in Saint John on 6 June 1889.⁹⁵

Nan never married. Only a few details of her life are known at this point. She died at the Saint John General Hospital on 18 December 1937 at the age of 78.⁹⁶ Her estate was inventoried at just under \$63,000. Any property she owned was in the city of Saint John. She owned no property in Queens County.⁹⁷ The inscription on her headstone reads:

Annie E. Johnston
Daughter of Thomas M. and Ann Gilbert Johnston
1859-1937
Joy and Beauty⁹⁸

Annie Waltham and her household lived through harrowing experiences, but to dismiss these lives as horrific is inadequate. The contradictions at the centre of domestic relations in this Victorian family can be seen as a microcosm of contradictions at the heart of the larger society. There was an immense gap between rhetoric and reality in 19th-century Canadian marriages. The Victorians could never quite decide whether marriage was too holy or too unholy to be discussed.⁹⁹ The price women paid for their much-vaunted superiority to men was their removal into the "stable and fortified centre" of the home. This applied to virtually all classes of women. To be both superior and inferior was to be, in Eric Trudgill's telling description, "a cross between an angel and an idiot".¹⁰⁰ As the Elections Act put it, "No woman, idiot, lunatic or criminal shall vote".¹⁰¹

The tenacity of "the ideal family" is apparent in the experiences of those who challenged its moral authority. Temperance reformers appealed to "decent" men to protect "helpless" women and children, making no statement as to the inherent dependency of women. In the face of criticism, the Woman's Christian Temperance Union gave up the notion that drunkenness constituted grounds for divorce, falling back to a call for legal separation. By 1870 feminists such as Elizabeth Cady Stanton and Susan B. Anthony had abandoned all talk of family violence in the light of charges that they were encouraging family break-ups. The struggle for the vote in the United States was, in this sense, a fall-back position, a route to reform taken after the defeat of efforts to protect women and children directly through reforms that would have removed them from the marital abode. Society was not

94 Document 10790, RS69-1883, PANB.

95 *Daily Telegraph*, 7 June 1889, p. 3. Lena was aged 16 years, two months. She, Lucretia Gilbert and Annie E. Johnston are in the same plot at Fernhill Cemetery, Saint John.

96 *Telegraph-Journal*, 20 December 1937, p. 5.

97 Inventory of the estate of Annie E. Johnston, Office of the Clerk of the Court, Saint John.

98 Note in Box 10-P61.

99 Charlotte Perkins Gilman quoted in Nellie McClung, *In Times Like These* (Toronto, 1972 [1916]), p. 83.

100 This is the title of Chapter 4 of his book, *Madonnas and Magdalens*.

101 Quoted in McClung, *In Times Like These*, p. 29.

prepared to sanction new models of the family.¹⁰² Modern feminists — especially those who advocated the establishment of shelters for battered women and their children — have had the same accusations of encouraging family breakdown levelled at them. Only very gradually, and incompletely, have societal attitudes and structures given way to the realization that the family is not always a haven and a refuge.

Women's history can give a voice to those who were silent or silenced in the past. As the history of women's experiences is recovered from the anonymity of their "separate spheres", the resonances between those lives become increasingly apparent. "Slowly the history of each one comes out of each one. Sometimes then there will be a history of every one". Annie Waltham adds the testimony of her diary to the making of a women's history.

102 Pleck, *Domestic Tyranny*, p. 100-106, and in her "Feminist Responses to Crimes against Women, 1868-1896", *Signs: Journal of Women in Culture and Society*, 8, 3 (1983), p. 451-70.