

The Fence

Welcome to Osgoode Hall. My name is Elise Brunet. I'm the Curator at the Law Society of Upper Canada and I'll be your guide for this overview of Osgoode Hall's famous fence.

No description of Osgoode Hall is complete without a mention of its fence and its peculiar gates. Osgoode Hall may be an architectural gem and the home to important legal institutions, but the fence.... there's something cool to talk about!

Let's cover the facts first. The fence was put up in 1867, the same year Canada officially became a country. The fence was designed by architect William Storm, a man to whom we owe quite a few parts of Osgoode Hall. The fence was made in Toronto by a company called the St. Lawrence Foundry. It's made of cast iron - that is - iron that's been melted and poured into moulds. Many sources will tell you that the fence and the gates were put up because the neighbourhood cows liked to graze on our lawn. That's a very good story. Is it true? Well.... Perhaps a little bit, but mostly not.

It's true that the gates were inspired by kissing gates or cattle guards more commonly seen in Great Britain. Often located on footpaths crossing fields, the gates are cattle and fool-proof. Let's take a look at those gates. Our gates are no longer functional - the central panel has been immobilized in the pavement. Normally, you would enter the enclosure by pushing the gate, then going around it, pushing it back towards its starting point. The gates are called kissing gates because they lightly touch - or kiss - either side of the enclosure as they swing. Cows just can't do it.

The problem with the cow theory is that when the fence was put up, there weren't too many cows in downtown Toronto. That seems like a very long time ago, but Toronto was already a commercial centre with gas lighting, piped water and streetcar service. I'm not saying that you couldn't see the occasional cow wandering in the downtown core, but fugitive cows were events, not the rule, and they were impounded. That would not have warranted elaborate gates to keep them out.

Why the fence and the gates then? Well, fences may be unusual in the city these days, but there used to be fences everywhere. Fences marked property boundaries and they were used to keep animals and people in or out. Fences were also useful to separate different areas of activity. A little bit like the front door of a home. On one side, the street, the noise, the traffic, on the other side, quiet and order. You can see why this buffer zone may have been desirable for a church or for Osgoode Hall, for that matter. Try it, it still works: stand on the Queen Street sidewalk for a few minutes and then go through the gates into the grounds. Do you see the difference?

There's always been a fence around Osgoode Hall. From 1829 to the early 1860s it was a picket fence. But in cities fences often become status symbols and they were considered an integral part of the design of a building. They were still practical fences, but they became more ornate and were made of more noble, more permanent materials. Iron and stone fences replaced the old board fences around churches, public buildings and mansions all over America.

The fashion for ornamental fences didn't last very long. Around 1900, fences started to disappear. As cities became larger and more crowded, there was pressure to open up green spaces, to accommodate greenery-starved citizens and later on, to satisfy urban planners. Some fences rusted and were too expensive to replace. The cost of maintaining fences continues to put the remaining ones at risk. And then, there are people who just don't like fences.

That doesn't explain the gates, does it? The truth is, we don't really know why they look the way they do. Before 1935, local newspapers wrote about the fence but never mentioned cows. After 1935, the cows were there to stay. What happened? In 1933 a lawyer by the name of John Mitchell wrote a work of fiction called the Yellow Briar. The book, written as a memoir, tells the story of the cows. The book became somewhat of a bestseller, which helped the story spread. So. We've established that the gates were probably not built for cows and yet... The Archives of Ontario has a drawing of the old wood fence that was done just a few years before the iron fence was built. Right on Queen Street, where one of the current gates is, is something that looks very much like a kissing gate. Were the iron gates a sentimental reference to old gates?

You may have noticed that the gates can only be used by one person at a time, a useful feature when you want to control crowds. The fence and the tall wall that used to surround the rest of the property were commissioned at a time of uncomfortable relations with our neighbours to the south. The northern United States and a group of Irish rebels called Fenians were angry at England, and thought that sparsely populated, poorly defended, and conveniently located Canada would be a good strategic target. Things didn't degenerate to the point of war, but that didn't prevent people from worrying about it. The fence and its gates couldn't have stopped an army but it would have helped in controlling the property in case of local unrest.

There's always the chance that the gates look the way they do simply because it was a cool design (our ancestors were not immune to such considerations, you know). Or perhaps the architect was an erudite man with a wicked sense of humour; this type of barrier is sometimes called a "chicane," a word that also happens to be a synonym for chicanery, or legal trickery.

This was the last stop of the Osgoode Hall tour. I hope you enjoyed the visit. If you listened to the tracks out of order, don't miss the other areas of the building. It's well worth the time.