

Society for International Hockey Research
Report of the Sub-Committee Looking into Claim that Windsor, Nova Scotia, is the
Birthplace of Hockey

Summary

The committee was formed following a resolution of the SIHR annual meeting, May 19, 2001. The committee's task was to examine the claim that Windsor, Nova Scotia, is the birthplace of hockey. The claim is most prominently advanced by Dr. Garth Vaughan and the Windsor Hockey Heritage Society.

The committee defined hockey as: a game played on an ice rink in which two opposing teams of skaters, using curved sticks, try to drive a small disc, ball or block into or through the opposite goals. The committee set three tests to evaluate the claim: 1.) When was the earliest documented game of hockey played in Windsor? 2.) Was hockey played elsewhere before that game? 3.) Was there a direct connection from hockey played in Windsor to hockey played elsewhere and to present day hockey.

The Windsor proponents base their claim on a passage in a published work by Thomas Chandler Haliburton entitled *The Attaché* (London: Bentley, 1844). The passage refers to "hurly on the long pond on the ice" (circa 1800). The long pond is nearby the old King's College (Windsor), attended by Haliburton as a youth. Supporters of the Windsor claim say the passage is a reminiscence of the author. The work in question is a novel. The words referred to are those of one fictitious character, Sam Slick, speaking to another fictitious character, Squire Poker. The committee concludes that the reference is not a satisfactory indication that the activity fixed in the author's mind was hockey and that it actually occurred.

The committee found evidence of stick and ball games played on ice on skates in Europe in the sixteenth through eighteenth centuries, and views these activities as being more indicative of a hockey-like game than Haliburton's reference.

The committee found no evidence in the Windsor position of a connection from whatever form of hockey might have been played at Long Pond to the game played elsewhere and to modern hockey. The committee views as conjecture the assertion that King's schoolboys introduced the game to Halifax. The committee notes that the

assertion that hockey was not played outside Nova Scotia until 1865 overlooks diary evidence of shinny and hockey being played at Kingston in the 1840s.

The committee concludes that Dr. Vaughan and the Windsor Hockey Heritage Society have not offered credible evidence that Windsor, Nova Scotia, is the birthplace of hockey.

The committee offers no opinion on the birth date or birthplace of hockey, but takes note of a game at Montreal's Victoria Skating Rink on March 3, 1875. This is the earliest eyewitness account known to the committee of a specific game of hockey in a specific place at a specific time, and with a recorded score, between two identified teams.

The committee hopes that its work will encourage further research into hockey's origins. The committee also acknowledges the part that Dr. Vaughan and the Windsor Hockey Heritage Society have played, generally, in stimulating an interest in the roots of Canada's national winter sport. Nova Scotia, after all, has been one of the leading contributors to hockey's development and growth from early times.

The full report follows.

Committee members: J.W. (Bill) Fittell, Edward Grenda, Lenard Kotylo, Michel Vigneault Ph.D, Earl Zukerman, Paul Kitchen (Chairman).

May 2002

Report

Introduction

In undertaking this assignment, your committee is mindful of SIHR's statement of purpose, which, among others, includes the objectives: to establish an accurate historical account of the game of ice hockey; and, to assist in the dissemination of the findings and studies derived from research. Many members of SIHR have taken a strong interest in early hockey history. Several have noted the claims made prominent over the past few years that Windsor, Nova Scotia, is the birthplace of hockey. This assertion has been

publicized on radio and television, in newspaper stories, in a hockey anthology, in a book devoted to the Nova Scotia hockey connection, and on Internet sites.

The Windsor claim has also been vigorously disputed. The issue was raised at the SIHR annual meeting in Montreal, May 2001, at which it was resolved to strike a committee to look into the matter and to report findings at the annual meeting of 2002.

Terms of Reference

The minutes of the May 19, 2001, annual general meeting of the Society for International Hockey Research record that:

“On the motion of Earl Zukerman, seconded by Don Reddick, it was agreed that a Sub-Committee be formed to look into the claims that Nova Scotia is the birthplace of hockey.”

Because of the prominence of the Windsor claim, it was agreed, in consultation with SIHR president Ernie Fitzsimmons, that the committee would limit itself to an investigation of that claim alone.

Methodology

We felt it necessary to start with a definition of hockey. We wanted to apply the term as it is commonly understood by the public. As well, we wanted to avoid describing hockey in strictly contemporary, technical terms. By defining the game in such a rigid manner, we would have ruled out rudimentary forms from past times and would have been contemptuous of its spirit and genesis. We consulted numerous dictionaries and encyclopedias, looking for the common elements among the definitions. The wording we have agreed upon, borrowed or adapted from, in particular, the Houghton Mifflin and Funk and Wagnalls definitions, contains six defining characteristics: ice rink, two contesting teams, players on skates, use of curved sticks, small propellant, objective of scoring on opposite goals. Thus, *hockey is a game played on an ice rink in which two opposing teams of skaters, using curved sticks, try to drive a small disc, ball or block into or through the opposite goals.*

Next, we set three tests for the examination of the claim that Windsor, Nova Scotia, is the birthplace of hockey. Our intention was that the tests should be objective, so that in

the event of subsequent claims for other locations, the basis of the same three questions could serve.

1.) When was the earliest documented game of hockey played in Windsor, Nova Scotia?

2.) Was hockey played elsewhere prior to that Windsor, Nova Scotia game?

3.) Was there a direct connection from hockey played in Windsor to hockey played in other places, and to present day hockey?

Information-gathering was our next step. First, we identified and studied documentation presenting the Windsor claim. We then sought and examined scholarly writing on hockey history and the concept of sport. We were particularly interested in primary sources — eyewitness accounts in newspapers, a personal diary, literary allusions, documentary art, and the like. These sources are referenced in the text of our report.

Our committee met in person, consulted by telephone and e-mail, and exchanged correspondence. In the course of our work, we came in contact with individuals who kindly supplied information we otherwise might not have become aware of.

The resulting report represents the unanimous agreement of the committee members.

The Windsor Claim

The most widely known exponents of the claim that Windsor, Nova Scotia, is the birthplace of hockey are Windsor hockey historian Dr. Garth Vaughan and the Windsor Hockey Heritage Society. Dr. Vaughan presents his reasoning in three main sources: his book, *The Puck Starts Here: the origin of Canada's great game, ice hockey*. (Fredericton: Goose Lane, 1996); an essay entitled "Ice Hockey in Nova Scotia: from hurley to hockey on frozen ponds" in *Total Hockey: the official encyclopedia of the National Hockey League*. 1st ed., 1998; and on the www.birthplaceofhockey.com web site. The Windsor Society's position is found at the [cnet.windsor.ns.ca/Pages/Hockey site](http://cnet.windsor.ns.ca/Pages/Hockey_site). The positions

adopted by Dr. Vaughan and the Windsor Society are completely consistent with one another, the only difference being that Dr. Vaughan goes into more detail in supporting his argument and expands his research into related facets of hockey's early development in Nova Scotia and elsewhere.

The following quotes are the key assertions made by the Windsor proponents.

Dr. Vaughan:

“Ice hockey was not invented, nor did it start on a certain day of a particular year. It originated circa 1800 with students at Canada's first college, King's College, when they adapted the exciting field game of Hurley to the ice of their favorite skating pond. They originated a new winter game, Ice Hurley, which gradually developed into Ice Hockey.”

(web site)

“Canada's official winter sport got its start in Windsor, Nova Scotia. Beginning around 1800, it developed gradually within the province....The game first spread to New Brunswick in 1865, then to Montreal in 1875.”

(*Total Hockey*. 1st ed. p.3.)

“Hurley-on-the-ice certainly made life around King's a lot more interesting through the winter. Just imagine the excitement in Halifax when boys who were attending King's went back home to their city friends and taught them the new ice game that they were playing in school in Windsor.”

(*Puck*. p.16.)

Windsor Hockey Heritage Society:

“Windsor, Nova Scotia, Birthplace of Hockey.”

“We've been playing hockey in Windsor, Nova Scotia since 1800.”

“Canada's first college was established in Windsor in 1788. The boys (of) King's College School adapted the Irish field game of Hurley to the ice of Long Pond, their favorite skating pond and created 'Ice Hurley', which developed into Ice Hockey as we know it today.”

Basis of the Windsor Claim

Dr. Vaughan and the Windsor Society base their claim on a quotation from a novel by Thomas Chandler Haliburton entitled *The Attaché; or Sam Slick in England*. (London: Bentley, 1844.) The Windsor Society asserts that Haliburton “reminisced about school days at King’s and told of the noisy boys ‘...racin’, yelpin’, hollerin’ and whoopin’ like mad with pleasure...’ and ‘the playground, with games at base in the fields, or hurley on the long pond on the ice’.” Dr. Vaughan also interprets the quotation as a Haliburton recollection (*Puck*. p.16). The view that Haliburton was reminiscing about his own school days at King’s rests on the fact that the writer, born in 1796, attended the institution, which is located in Windsor. From the above, Dr. Vaughan and the Windsor Society conclude that: 1.) Haliburton observed hurley on the long pond on the ice; and 2.) the long pond activity that Haliburton is said to have observed represented, in time and place, the origin of a game that evolved from there into the game now known as ice hockey, or, familiarly in North America, hockey.

In support of conclusion 2.), the Windsor Society states that the Haliburton quotation is “the earliest known reference in the English language to a stick and ball game being played on ice in Canada,” noting that “since Nova Scotia’s newspapers chronicle the evolution of Ice Hockey from Ice Hurley between 1800 and 1850, this designates Windsor as the Birthplace of Hockey.” The Society goes on to reason that: “Many King’s students were from the Halifax/Dartmouth area, so Ice Hurley naturally spread there first.”

The discovery of the “hurly on the long pond on the ice” reference, in a strictly hockey context, is attributed to Dr. Charles Bruce Fergusson. In an essay in the (Nova Scotia) *Journal of Education* (vol. 14, no.4, June 1965. p.36-42) entitled “Early Hockey at Halifax,” Dr. Fergusson, then the provincial archivist, writes: “Some evidence of the development of hockey at Halifax will be presented.” Though conceding that “It is now impossible, perhaps, to begin at the beginning of the development,” he says, “with the documentary evidence now available, it is possible, if not necessary, to begin at some point.” That “some point” is, as he phrases it, “a clue” which appears in Haliburton’s *The Attaché*. The hurley allusion, says Dr. Fergusson, “is a reference to the game being

played in (Haliburton's) boyhood, and he was born in 1796." (It is generally accepted that the long pond cited is one near King's College, from which institution Haliburton graduated in 1815.) Whether or not the excerpt is, in reality, a reference to Haliburton's boyhood, it is important to note Dr. Fergusson's caution in his assessment of the passage. For one thing, he sees it only as a clue that hurley "was played on ice in Nova Scotia in the eighteenth century"; for another, he avoids conveying any notion that the clue represents the beginning of hurley on the ice.

In his book *Windsor, Nova Scotia: a journey in history* (Windsor: West Hants Historical Society, 1996), L.S. Loomer makes an interesting connection between a Haliburton contemporary at King's and hurley on the Long Pond. He says that James C. Cochran, a childhood pal of T.C. Haliburton, was a friend of Samuel Cunard (later, the shipping magnate) and that Samuel's brother John, three years younger than Cochran, went to Windsor to study. Mr. Loomer notes that an anonymous writer in the *Windsor Mail* (1876) recalled skating on Long Pond and John Cunard "having his front teeth knocked out with a hurley..." In an article on the history of Long Pond (*The Hants Journal*, July 4, 2001), Mr. Loomer writes that John Cunard left Windsor for Pictou, where, as documented in the *Colonial Patriot* ten years later in 1829, "break-shins," played by participants on skates and wielding hurleys, was known. Mr. Loomer suggests a connection — that there was a "trail" from Windsor to Pictou. Mr. Loomer accepts the Haliburton quotation as fact, and, like Dr. Vaughan and the Windsor Hockey Heritage Society, takes it to be "the earliest known reference to a form of ice hockey in Canada." We are not aware, however, that Mr. Loomer is an active promoter of the claim that Windsor is, in fact, the birthplace of hockey.

Twenty-three years after Dr. Fergusson revealed the Haliburton quote, Dalhousie University historian Dr. Sandy Young repeated it in his book *Beyond Heroes: a sport history of Nova Scotia* (Hantsport: Lancelot, 1988.) Dr. Young publicized the quote in a 1988 news conference, at which L.S. Loomer announced his finding from the *Windsor Mail* article of 1876. This event, and its coverage by the *Halifax Mail-Star* and *Halifax Chronicle-Herald* (October 28, 29, 1988), advanced the idea that Windsor was the "birthplace." In 1996, Dr. Vaughan followed with his book, the main theme of which is that claim.

The Haliburton Quote in Context

Thomas Chandler Haliburton was a lawyer, politician, judge, and author, born in Windsor, Nova Scotia, December 17, 1796. He was educated there at King's Collegiate and King's College, from which he graduated in 1815.

Haliburton's most famous fictional character was Sam Slick, an uneducated but street-smart and fast-talking Yankee hustler, who is the central figure in two satirical novels: *The Clockmaker* and *The Attaché*. Both works, published in series, take the form of the picaresque novel — episodic adventures of an eccentric character.

In *The Attaché*, Sam Slick is an out-of-his-depth American diplomat travelling in England with the narrator, Squire Poker. The Squire is Haliburton's *persona*. Sam Slick's observations and opinions, on everything from politics and government to nature and everyday human foibles, dominate the novel. The reference to “hurly on the long pond on the ice” is found in *The Attaché*, Chapter VIII, “Paying and Returning Visits.” In this chapter, the narrator, Squire Poker, informs Sam Slick that he is going to look up an old chum in London whom he has not seen since their school days together in Nova Scotia. “Could he have ascertained your address,” asks Sam, to which the Squire replies, “Oh, yes, easily.” Sam reasons that since the Squire has already been in England for four months and the friend has not bothered to seek him out, “he ain't worth knowin'.” Sam then launches into a long mocking dissertation imagining the two former schoolmates meeting and reminiscing about the old days:

When you see him, don't the old schoolmaster rise up before you as nateral as if it was only yesterday? and the school-room, and the noisy, larkin', happy holidays. And you boys let out racin', yelpin', hollerin', and whoopin' like mad with pleasure, and the playground, and the game at bass in the fields, or hurly on the long pond on the ice, or campin' out a-night at Chester Lakes to fish – catchin' no trout, gettin' wet thro' and thro' with rain like a drowned rat, – eat up body and bones by black flies and muschetoës, returnin' tired to death, and callin' it a party of pleasure...

[*The Attaché; or, Sam Slick in England. By the author of "The Clockmaker; or Sayings and Doings of Sam Slick," &c. &c. &c.* Second and Last Series. In Two Volumes. Vol. II. London: Richard Bentley, New Burlington Street, 1844. p.112,113.]

In the earlier work, *The Clockmaker*, Sam Slick had come north from Connecticut as a peddler and had travelled extensively through Nova Scotia. He, himself, would not have experienced youthful days at King's or on the long pond. He was in a position only to imagine what those days would have been like for Squire Poker, based on his own upbringing south of the border. And imagine, he did. In the passage in question, Slick teases the Squire. He visualizes what he thinks the Squire would recollect from his childhood association with the long-lost acquaintance he was now planning to meet. The passage is not a direct reminiscence of T.C. Haliburton, as if he were writing a history treatise or an autobiographical account. It is not even a reminiscence of Haliburton's fictional mouthpiece, Squire Poker. It is a statement by one fictional character trying to put words in the mouth of another character created out of the literary imagination of the author.

We will never know what thoughts were going through Haliburton's mind when he wrote the passage. Was he drawing accurately on his own memory? Was he transposing to the long pond a form of hurley on the ice he had seen or heard of at another time and place? Was he making the whole thing up? We agree with Dr. Fergusson's avoidance of attributing origin. And we agree with his view that the long pond allusion was a "clue" to hurley on the ice being played in Nova Scotia in the eighteenth century. Dr. Fergusson goes no further than this, nor can we without corroborating evidence.

Early Amusements on Skates in Europe

Ice skating dates back unknown centuries in Europe. Olaus Magnus (1490-1558), the last Catholic Archbishop of Sweden, describes the pastime in *Historia de Gentibus Septentrionalibus: Romae 1555, Description of the Northern Peoples: Rome 1555*. (translated by Peter Fisher and Humphrey Higgins, edited by Peter Foote, with an annotation derived from the commentary by John Granlund. London: Hakluyt Society,

1996.) He observed men “who attach to the soles of their feet a piece of flat, polished iron, a foot long, or the flat bones of deer or oxen, the shin bones, that is.” He notes, “you are never in greater peril or nearer to death than when you set off skating while the ice is covered with even the thinnest layer of snow.” Olaus tells of skating races for such prizes as silver spoons, copper pots, swords, new clothes and even young horses.

Dozens of paintings by artists of the Dutch and Flemish schools in the era of the Enlightenment and earlier document winter amusements, including skating, and skating with a stick and ball. One painting, held by the Kunsthalle, Hamburg, and attributed to Hendrick Avercamp (1585-1634), or someone from his circle, is entitled “Winter Landscape with Skaters and Hockey Players.” The so-called hockey players may, however, be engaging in kolven, a Dutch club and ball game played either on a court or on ice. The painting is referred to in *Uppsala University Art Collections: Painting and Sculpture* (Uppsala University, 2001) and in J.A. Cuddon’s *The International Dictionary of Sports and Games* (New York: Schocken, 1979). Similarly, “Winter Landscape with a Castle,” by or attributed to Anthonie Beerstraten (active 1660-1671), shows men on skates with curved sticks, who are apparently intent on some small object. The painting is in the Uppsala University art collection. The catalogue says, “the artist has depicted a winter landscape with a castle in the center and, in the foreground, a large number of skaters, some of whom are playing hockey.” Does an artist’s depiction necessarily represent an actual scene as it occurred at an instant in time? The Uppsala catalogue addresses this point. It notes that in another Beerstraten work depicting the Castle of Poelgeest, the trees and the grouping of the staffage are similar to what is shown in “Winter Landscape with a Castle.” The Uppsala text suggests the artist may have been working from drawings and may have indulged in some alteration. It refers to an expert in contemporary Dutch art theory, who has sought an explanation “for such combination of realism and fantasy,” and has found that artists were urged to study nature closely but also to be familiar enough with their subjects to work from memory. This suggests that if there is any fantasy in “Winter Landscape” (and this has not been suggested), it might be in placing the so-called hockey players on that particular ice surface. It does not imply that the very idea of men on skates pursuing an object with sticks is strictly a figment of the artist’s imagination. The fact of other paintings by other artists showing similar

activities would support the conclusion that such recreations were a reality. One such work, said by *Encyclopedia Americana* (2001 ed., v.4, p.644, 645) to be “perhaps the greatest winter landscape ever painted,” is “Hunters in the Snow” (also known as “The Return of the Hunters”), about 1565, by Pieter Bruegel (The Elder). Shown on one of the two ponds is a large number of skaters, among whom are a few carrying curved sticks. One of these figures appears ready to bring his stick in contact with a small object on the ice.

Stick and ball games on ice in Europe were the subject matter of artists long before 1800. Dr. Vaughan does not adequately address this evidence. In *Puck* (p.75), Dr. Vaughan refers briefly to ice skating on bone runners in Europe, dating to the twelfth century. He notes: “Hand-held sticks were used for propulsion,” but he does not mention the curved sticks that skate-wearing sportsmen used for a completely different purpose — manipulating or propelling an object along the ice. He includes (p.17) a representation of an early painting, “Kanal im Winter,” by Aert van der Neer (1619-1663), for which he writes the caption: “...Early paintings showed the Dutch playing golf on ice, not hockey.” Some paintings indeed did, including this one in which a figure on foot is clearly standing in a golf pose. But Dr. Vaughan omits reference to other paintings of the same era depicting skaters, with curved sticks, following a ball. In his book *One Hundred – Not Out: the story of nineteenth-century Canadian sport* (Toronto: Ryerson, 1966. p.137), Henry Roxborough states that hockey “is indebted to early Europeans who developed the art of skating and to those Britons who conceived the idea of playing a form of field hockey on frozen English fens.” He specifically cites bandy being played in Huntingdonshire during the great frost of 1813-14. In his *Total Hockey* essay, Dr. Vaughan says: “Ice hockey ... originated from stick-ball games played on the ground and then adapted to ice in Nova Scotia.” (The iron-blade skate, said by Dr. Vaughan [*Puck*, p.75] to have been devised in Scotland in 1572, is now known, thanks to the recent Olaus Magnus translation, to have been in use in the 1550s in what was known as Scricfinnia in the Gulf of Bothnia region.)

Early Stick and Ball Games on Ice in North America

Dr. Bruce Fergusson holds out the possibility that hurley on ice was played in Nova Scotia before 1800. Seamus King, in *The Clash of the Ash in Foreign Fields* (County Tipperary: 1998), asserts that “hurley-hockey” was played on ice in New York in 1783 and that hurling was played in Newfoundland in the late eighteenth century. There are well documented instances of stick and ball games played by participants with or without skates in early nineteenth century Nova Scotia. The Windsor proponents correctly allude to some of these. *The Acadian Magazine* (Halifax, January 1827), for instance, carries a poem which includes the lines:

Now at ricket with hurlies some dozens of boys
Chase the ball o'er ice, with a deafening noise.

A letter to the editor of *The Colonial Patriot* (Pictou: February 4, 1829) decries a judgment of the Supreme Court of Nova Scotia, which allows citizens to skate and amuse themselves on the Sabbath:

Every idler who feels disposed to profane the Lord's day, may now secure from any consequences turn out with skates on feet, hurly in hand, and play the delectable game of break-shins without any regard to laws which were made solely for the 'levity of manners which prevailed in the days of Charles 1st,' and which are declared by our Judges to be of no validity.

We have not found any evidence to support the contention of the Windsor proponents that hockey, or hurley on the ice, emanated *from* Long Pond *to* Halifax. We ask, why could it not have been the other way around, since many of the King's students are said to have come to the school from the Halifax and Dartmouth area? Could they not have brought the game from Halifax to King's? We regard L.S. Loomer's suggestion that John Cunard took the game from Windsor to Pictou as interesting conjecture.

As to the assertion that hockey, of a form, was not played outside the province before 1865, when, says Dr. Vaughan, “the game first spread to New Brunswick,” we point to

the New York hockey-hurley reference of 1784. Also, referring again to Roxborough (*One Hundred – Not Out*. p.137), we note the revelations of historian Edwin Horsey, who quotes from his father's diary for 1846–47 that at Kingston: "Most of the soldier boys were quite at home on skates," and that "shinny was their great delight." Pre-dating even the Horsey reference is the evidence of a pastime called "hockey" in the Arthur Henry Freeling diary, held by the National Archives of Canada (R4153-D-2-E). Stationed in Kingston, the British army officer made the following entry for January 1843: "Began to skate this year, improved quickly and had great fun at hockey on the ice." From the construction of the sentence, we suggest that the idea of skating contained in the first two clauses is carried over to the third. We do not think the writer was conveying two independent thoughts, such that the hockey being played was not necessarily on skates. This latter interpretation, we must add, *is* held out as a possibility by a historian quoted in Bill Fittell's "Kingston, Ontario: a special place in hockey history" (*Total Hockey*. 1st ed. 1998. p.7.) With the Freeling reference, however, we cannot accept a categorical statement that hockey was not played beyond the borders of Nova Scotia before 1865.

The Montreal Gazette (February 4, 1941) reports a claim that the first-ever game of hockey was played in Montreal in February 1837. According to city resident Michael Knox, then 84 years of age, the game was known as "ice hurley." The story blends personal recollections from Knox's own youth, in the late 1860s and early 1870s, with those passed on by his father from thirty years earlier. It includes anachronisms, including the identification of positions of the players, which were actually those of lacrosse, a game not played by white men until 1844 and not codified until 1856. We do not know the whereabouts of the Knox notes, nor are we aware of any assessment of them.

Boston Evening Gazette Reference

Although several early references and descriptions apply the term "hockey," we have not found any, prior to 1859, that are complete enough to satisfy the commonly accepted idea of the game. Some of those early games may indeed have combined all the required elements. We do not know.

The earliest description we are aware of that does contain all the defining characteristics is a *Boston Evening Gazette* article entitled “Winter Sports in Nova Scotia” (November 5, 1859). The writer describes the game of ricket. It is played on ice; teams are chosen; the players wear skates; each ricketer is provided with a hurley (or hockey); the hurley is used to manipulate a ball; the object is to put the ball through the opponent’s ricket; the ricket consists of two stones placed three or four feet apart. The article explains how the game is set in motion, says something about technique, refers to the player whose job is to prevent the ball from being put through, and indicates the concept of a winning team — the one scoring the most “games,” or goals. It says that ricket is the favourite winter pastime of Nova Scotia. The article does not mention any one specific instance of an actual match.

The Forbes Acme Skate

In *Puck* (p.120, 121), Dr. Vaughan states that John Forbes (of the Starr Manufacturing Company) developed and patented in 1866 the “Starr Hockey Skate.” This suggests that hockey was sufficiently advanced by then that there was a market for a skate designed especially for the sport. Dr. Vaughan notes that the skate had a curved blade with rounded ends to allow for the quick turning of hockey. In looking at patent records for Nova Scotia, Canada and the United States, we have found only one under the name John Forbes for 1866. It is Nova Scotia patent application no. 171 for the “Forbes Acme Skate,” dated June 11, 1866. The document contains the petition, the claim, the specifications and a drawing. The device for which protection is sought constitutes “a simple and efficient and extremely convenient arrangement for securing the skates to the feet without the use of straps or screws.” The word “hockey” does not appear in the document, nor is there any description of a curved blade. We do have a reference to a blade, “either straight or rocker style,” in a U.S. patent of 1860.

Montreal, March 3, 1875

On March 3, 1875, the *Montreal Gazette* reported that “a game of Hockey” was to be played that evening at the Victoria Skating Rink. It said, “some of the players are reported to be exceedingly expert at the game.” The next day, the paper reported the

event, noting that “hockey, though much in vogue on the ice in New England and other parts of the United States, is not known much here.” The reporter covering the event identified the members of the two teams, described the play, and gave the final score.

The match appears to be unique. It is the earliest eyewitness account known, at least to this SIHR committee, of a specific game of hockey in a specific place at a specific time, and with a recorded score, between two identified teams. Dr. Vaughan (*Puck*, p.48) acknowledges the date of this match, but confuses the contest with another played two weeks later between members of the Montreal Football Club, who were also members of the Victoria Skating Club.

The March 3 event, structured as it was, invites a distinction between formal and informal hockey, one that the *McGill University Gazette* (December 1, 1877) attempted to draw in comparing hockey with shinny. “Many fancy that hockey and ‘shinney’ are synonymous,” said the paper. “Never was a greater mistake made.” The difference the writer appeared to be making was the existence in hockey of rules, for example, the offside provision he mentions from the rules of the Halifax Hockey Club. And, writing in the *McGill News* 66 years later (winter 1943, p.14), E.M. Orlick reinforced the idea of hockey’s evolution: “The question is not when the games of field hockey, hocquet, hurley or shinney started, but rather, when and where did hurley or shinney develop into the game of Ice Hockey as we know it today.”

Evaluation of the Windsor Claim

We have stated what we believe to be the commonly accepted meaning of hockey: a game played on an ice rink in which two opposing teams of skaters, using curved sticks, try to drive a small disc, block or ball into or through the opposite goals. In adopting this definition, we have consulted numerous dictionaries and encyclopedias to be sure we were capturing the essence of the game, as it is understood by most people. Our definition is inclusive to the extent that it accommodates early, rudimentary forms of the game as well as present features. It is exclusive to the extent that it rules out precursors of hockey that do not possess its essential or core qualities. Thus, hockey may be played with a ball or a puck; it maybe played with six, or seven or any number of players aside; its rules, either written or unwritten, may be simple or complex; the playing surface may

be large or small, and may be outdoors or indoors; the goals may be stones, poles or goal cages, and their width may vary. For a game to be recognized as hockey, all that is required is the presence of six defining characteristics: ice surface, two contesting teams, players on skates, use of curved sticks, small propellant, objective of scoring on opposite goals. The absence of any of these would exclude an activity from being accepted as hockey. Thus a game not played on ice is not hockey; a game in which players do not wear skates is not hockey, and so forth.

Having identified and examined the assertions of Dr. Garth Vaughan and the Windsor Hockey Heritage Society, and having surveyed instances through history of amusements or pastimes that bear, or may bear, some qualities similar to those of hockey, we may now evaluate the claim that Windsor, Nova Scotia, is the birthplace of hockey. To do so, we address the following three tests:

1. When was the earliest documented game of hockey played in Windsor, Nova Scotia?

The Windsor proponents present the “hurly on the long pond on the ice” (circa 1800) passage as a reminiscence by its author, T.C. Haliburton. In fact, it is an excerpt of dialogue spoken by one fictitious character to another in a popular novel. If corroborating evidence, such as a diary or journal entry, a letter, or some other autobiographical account were produced, the Haliburton reference could be seen as consistent with such primary source. As it stands, we do not know whether Haliburton was drawing on personal observation at King’s College or elsewhere, or was simply applying his creative imagination. We conclude that the Haliburton reference is unsatisfactory documentation. And the sole evidence provided by the Windsor proponents is that Haliburton passage. They do offer conjecture, for example, that skating and hurley-on-ice on the Long Pond were the “favourite winter pastimes” of the boys at King’s (*Puck*, p.15), that the Long Pond was the “regular skating spot” (*Puck*, p.15), and that King’s students from Halifax took the game back home and taught it to their friends (*Puck*, p.16).

Whatever activity Haliburton may have had in mind, he did not describe it, but only named it: “hurly ... on the ice.” By “hurly,” whether he observed it at the Long Pond or elsewhere, he may or may not have been thinking of a game possessing sufficient

attributes of hockey to allow it to be considered a forerunner of what we understand the game to be. The reference, itself, is not a satisfactory indication that the activity fixed in his mind was hockey.

We conclude that the Windsor proponents do not meet the test of documenting the first game of hockey played in Windsor, Nova Scotia.

2. Was hockey played elsewhere prior to that Windsor, Nova Scotia game?

The Windsor proponents do not positively identify a first game in Windsor, but claim an origin of about 1800. Thus we ask if the literary image of “hurly on the long pond on the ice” is more indicative of the concept of hockey than depictions of certain stick and ball games played on ice on skates in northern Europe, as shown in sixteenth and seventeenth century paintings? If hurley on the ice of the Long Pond, circa 1800, is to be taken as the earliest form of hockey, then the Windsor proponents would be obliged to show that the activities depicted in such works as “Winter Landscape with Skaters and Hockey Players” (17th c), “Winter Landscape with a Castle” (17th c), and “Hunters in the Snow” (16th c) are sufficiently removed from the idea of hockey as to be unworthy of consideration. The Windsor advocates do not do this. Rather, they produce a single, seventeenth century Dutch painting of a non-hockey activity on the ice to purportedly show that hockey was not played in Europe prior to 1800. In fact, to the extent that the Avercamp, Beerstraten, and Bruegel works of documentary art show skaters with curved sticks, these pieces may be considered more credible as evidence of a hockey-like game than the Haliburton literary allusion.

To satisfy this second test, the Windsor advocates would have to show that no game having as great a claim to being hockey as the Windsor claim was played before 1800. They do not meet this test.

3. Was there a direct connection from hockey played in Windsor to hockey played in other places, and to present day hockey?

For Windsor to be considered the birthplace of hockey, there would have to be evidence that the game, as originated there, spawned its development elsewhere; that those who played or observed the game in Windsor took it to one or more other places

where there was no such activity and taught it to the inhabitants. In other words, if schoolboys, or others, at King's had not created hockey, of a form, at Long Pond, then the game would not have existed and history would have had to wait until some other individual or group thought up the idea and put it into practice.

The Windsor proponents say that King's schoolboys took the game back home to Halifax and taught it to their friends. They offer no support for this assertion. L.S. Loomer's idea that John Cunard introduced the game to Pictou is similarly conjectural. The Windsor argument says that hockey was not played outside Nova Scotia until 1865 when it "first spread" to New Brunswick. This view does not take into account hockey-like games that were played in Europe from the sixteenth through nineteenth centuries, the reference to "hurley-hockey" in New York in 1783, the Fielding diary reference to "hockey on the ice" at Kingston in 1843 and the Horsey diary reference to "shinny," also at Kingston, in 1847.

The Windsor position does not show a direct connection from whatever form of hockey might have been played at Long Pond to the game played elsewhere and to modern hockey.

Conclusion

The Windsor claim relies on a single, vague literary allusion in a work of fiction. No additional information has been presented to support or corroborate the interpretation of "hurly on the long pond on the ice" as evidence of the birthplace of hockey. The proponents of the Windsor claim offer only conjecture. As a committee, we have no opinion on hockey's time or place of origin, but we are also inclined not to discount Dr. Vaughan's own observation that "Ice hockey was not invented, nor did it start on a certain day of a particular year." In the same vein, we are skeptical of the notion that, even if the game's *time* of origin is unknown, its *place* of origin can be designated with the certainty that the Windsor proponents demonstrate in claiming Long Pond.

This SIHR committee concludes that Dr. Vaughan and the Windsor Hockey Heritage Society have failed to offer credible evidence that Windsor, Nova Scotia, is the birthplace of hockey.

We wish to express our appreciation to the SIHR Board for the opportunity to examine the issue. It is our hope that this report will stimulate further research on the subject. We wish also to acknowledge the part that Dr. Vaughan and the Windsor Hockey Heritage Society have played, generally, in stimulating an interest in the roots of Canada's national winter sport. Nova Scotia, after all, has been one of the leading contributors to hockey's development and growth from early times.

APPENDIX

Supplementary Documentation

The following compilation identifies full-text documents gathered in the course of this assignment. They are available for consultation by interested SIHR members. Document number in square brackets [].

Definitions

“game: Definition and concept.” Unpublished note. [34]

Definitions of hockey: compilation. Unpublished note. [33]

Definitions of hockey and hockey-related sports (bandy, hurley, etc.) in J. A. Cullen. *The International Dictionary of Sports and Games*. New York: Schocken Books, 1979. Includes essay on sports and distinction between sport and game. [11]

Hockey History - General

Allen, Kevin. “The origins of American hockey.” in *Total Hockey: the official encyclopedia of the National Hockey League*. 1st ed. New York: Total Sports, 1998. p.15-17. [19]

Fitsell, Bill. Compilations: “Hockey history” (August 16, 2001); “Hockey debate” (Spring 2001); “Earliest recorded references to stick-ball games in N. America” (July 25,

2001); “Pertinent paragraphs for the origin of hockey debate” (June 24, 2001); “Birthplace of hockey in Canada” (August 6, 2001); “Significant hockey dates;” newspaper clippings. [21]

Fitsell, Bill. “Kingston, Ontario: a special place in hockey history.” in *Total Hockey: the official encyclopedia of the National Hockey League*. 1st ed. New York: Total Sports, 1998. p.7-9. [17]

Higgs, Gerald. “From hoghee to hockey.” in *The Hockey Research Journal*. Spring 1997. [3]

Owen, Gerald. “The origins of hockey.” in *Total Hockey: the official encyclopedia of the National Hockey League*. 2d ed. Kingston, N.Y.: Total Sports, 2000. p.3,4. [15]

Russell, Burton. *A Century of Hockey Heroes*. Ch.1. “Its origin and early action.” Self published, 1999. [1]

Young, A.J. *Beyond Heroes: a sport history of Nova Scotia*. v.2. Hantsport: Lancelot, 1988. Section on hockey, p.12-21. [70]

Excerpt on hockey origins in *The Hockey Encyclopedia*. 1974. p.14-16. [38]

“The hockey games of 60 years ago.” *Fredericton Daily Gleaner*. Month and day unknown, 1933. [23]

Origin of Hockey in Canada: report submitted to Canadian Amateur Hockey Association. Toronto: April 1942. [37]

Europe and Hockey Precursors

Douglas, David. e-mail on 17th or 18th century painting. July 29, 2001. [24]

Gibbons, Denis. "The origins of European hockey." in *Total Hockey: the official encyclopedia of the National Hockey League*. 1st ed. New York: Total Sports, 1998. p.18, 19. [20]

Uppsala University Art Collection: painting and sculpture. Uppsala University, 2001. Commentary on Anthonie Beerstraten's "Winter Landscape with a Castle." [53]

Entry for Pieter Bruegel the Elder in *Encyclopedia Americana*. (2001). v.4, p.644,645. Includes image of "Hunters in the Snow." [54] [55]

Statements from the 19th Century

Farrell, Arthur. *Hockey: Canada's royal winter game*. Montreal: 1899. Ch.1, p.23-35. [28]

Fashion, Tim. "Winter - Now." (poem) in *Acadian Magazine*. January 1827. p.275,276. Reference to ricket on ice with hurlies. [6]

Haliburton, Thomas Chandler. *The Attaché; or Sam Slick in England*. v.II. London: Richard Bentley, 1844. p.112,113. Long pond quotation. [65]

Higgs, Gerald. Correspondence (with list of 19th c advertising trade cards). October 3, 2001. [2]

MacLennan, William. "Hockey in Canada." *Harper's Weekly*. January 12, 1895. p.45,46. [30]

"Halifax social." *Halifax Reporter*. January 2, 1864. Reference to "hockey on the ice." [69]

"Hockey in Ontario." *Dominion Illustrated News*. March 1893. p.99-106. [10]

“A hockey reminiscence.” *Athletic Life*. March 1896. p.101-103. [9]

“Hurley on the long pond on the ice: the context.” Unpublished note. [35]

Letter to editor, (Pictou) *Colonial Patriot*. February 4, 1829. Refers to break-shins played on skates with hurly. [5]

Transcriptions of articles in *Montreal Gazette*. March 3,4, 1875. Game at Victoria Skating Rink. [36]

Hockey in Nova Scotia

Fergusson, Charles Bruce. “Early hockey at Halifax.” (Nova Scotia) *Journal of Education*. v.14, no. 4, June 1965. p.36-42. [66]

Loomer, L.S. Correspondence (with attachments supporting Nova Scotia claim). July 25, 2001. [4]

Loomer, L.S. *Windsor, Nova Scotia: a journey in history*. Windsor, N.S.: West Hants Historical Society, 1996. Passages on long pond and Pictou games. [8]

Nickerson, Alex. “Halifax seen as hockey’s birthplace.” *Halifax Mail Star*. February 1, 1980. [26]

Power, Frank. “Halifax prominent in early stage of game.” *Halifax Herald*. March 26, 1943. Recollections of the 1860s. [7]

Vaughan, Garth. “Ice hockey in Nova Scotia.” in *Total Hockey; the official encyclopedia of the National Hockey League*. 1st ed. New York: Total Sports, 1998. p.3-6. [13]

Vaughan, Garth. *The Puck Starts Here: the origin of Canada's great winter game, ice hockey*. Fredericton: Goose Lane, 1996. Title page and table of contents only. [14]

“Cradle of Hockey” (display ad). *Hockey News*. January 18, 2002. [64]

“Rhodes scholar confirms Jones’s theory: Halifax/Dartmouth - birthplace of hockey.” (press release). January 9, 2002. [77]

Hockey in Montreal

MacDonald, D.A.L. “The winter stadium.” *McGill News*. Winter 1956. p.21-25. [29]

McNamara, Harold. “‘First hockey game in history,’ in 1837, described by local man.” *Montreal Gazette*. February 4, 1941. [73]

Murray, W.L. “Ice hockey: the fastest game in the world.” *McGill News*. Winter 1936. p.26-29. [27]

Orlick, E.M. “McGill’s contribution to the origin of ice hockey.” *McGill News*. Winter 1943. p.13-17. [22]

Robertson, W.F. Recollections of early hockey in Montreal. One-page note, undated. [25]

Vigneault, Michel. *La naissance d'un sport organisé au Canada: le hockey à Montreal, 1875-1917*. Doctoral dissertation. Quebec: Université Laval, 2001. p.23-25, 26. Discusses continuum from play to game to sport to athletics.

Vigneault, Michel. “Out of the mists of memory: Montreal’s hockey history, 1875-1910.” in *Total Hockey: the official encyclopedia of the National Hockey League*. 1st ed. New York: Total Sports, 1998. p.10-14. [18]

Zukerman, Earl. "McGill University: the missing link to the birthplace of hockey." in *Total Hockey: the official encyclopedia of the National Hockey League*. 2d ed. Kingston, N.Y.: Total Sports, 2000. p.16-19. [16]

Zukerman, Earl. "McGill's contribution to the birthplace of hockey." *2000-01 McGill Redmen Hockey Program*. p.7,29,31,33. [75]

Zukerman, Earl. "McGill's involvement in the origin of hockey." *McGill Hockey: a tradition since 1877*. (1994-95 team program). p.20,23,24. [74]

Skate Patents

Nova Scotia patent application for "Forbes Acme Skate." (John Forbes) June 11, 1866. [49]

Regan, John W. [pseudonym is John Quinpool]. *First Things in Acadia*. Halifax: First Things Publishers, 1936. "First Spring Skates." p.78,79. [50]

United States Patent Office. Letters patent for skate. (John Forbes) December 16, 1856. [42]

United States Patent Office. Letters patent for spring-skate. (Daniel Lovejoy) February 14, 1860. [47]

United States Patent Office. Letters patent for spring-skate. (John S. Mitchell) February 21, 1860. [44]

United States Patent Office, Letters patent for improvement in skates. (Eben T. Starr) August 19, 1862. [46]

United States Patent Office. Letters patent for improved means for attaching skates. (John Forbes) December 1, 1863. [41]

United States Patent Office. Letters patent for improved skate. (John Forbes) July 2, 1867. [40]

United States Patent Office. Letters patent for improved skate. (John Forbes) October 8, 1867. [39]

United States Patent Office. Letters patent for improvement in skates. (Eben T. Starr) May 4, 1869. [48]

United States Patent Office. Letters patent for improved skate-runner. (P.A. Peer) August 31, 1869. [45]

United States Patent Office. Letters patent for improvement in skates. (William Henry Barker) April 11, 1871. [43]

Miscellaneous skate patent information from Dr. Garth Vaughan. Includes part of letter to Bill Fittell, dated March 31, 1998. [67]

Long Pond

Craig, Suzanne. "A great hockey fight rivets Nova Scotia and two old gents." *Wall Street Journal*. January 23, 2002. [68]

Photographs and maps of Windsor, Long Pond area, and surroundings, courtesy L.S. Loomer, Wolfville, Nova Scotia. Accompanied by letter, February 1, 2001. [76]

About the Debate

Bellows, Keith. "Who started all this anyway?" *Hockey*. February 1982. p.22-29. [32]

Campbell, Stacey. "Hockey society hurt by snub; mayor denies suggestion." *The Regional*. January 29, 2002. [72]

Delaney, Gordon. "Coach not in Windsor's corner." *Halifax Chronicle-Herald*. January 5, 2002. [57]

Delaney, Gordon. "Windsor winds up for shinny showdown." *Halifax Chronicle-Herald*. January 4, 2002. [58]

Delaney, Gordon. "Hockey evidence unveiled." *Halifax Chronicle-Herald*. October 29, 1988. (essentially the same in Halifax Mail-Star, same date.) [78]

Fitsell, B. "Is hockey's real 'pond of dreams' in Windsor, Nova Scotia?" *Kingston Whig-Standard*. September 4, 1992. [52]

Houston, William. "Birthplace of hockey open to debate." *Globe and Mail*. January 10, 2002. [63]

Houston, William. "Hockey's home front." *Globe and Mail*. July 25, 2001. [61]

Houston, William. "Hockey's Russian roots." *Globe and Mail*. September 20, 2001. [62]

Legge, Lois. "Was hockey first played in Lake Banock?" *Halifax Mail Star*. January 5, 2002. [56]

Lukits, Steve. "Hockey passion rewrites history." *Kingston Whig-Standard*. January 7, 2002. [59]

MacGregor, Roy. "The Cane and Abel of an icy genesis." *National Post*. December 31, 2001. [60]

Orr, Bob. "Historians say Windsor is hockey birthplace." *Halifax Mail-Star*. October 28, 1988. [79]

Pritchett, Jennifer. "Should it be hockey night in Holland?" *Kingston Whig-Standard*. February 1, 2002. [71]

Whalen, James M. Unpublished note, dated, February 18, 1996, responding to Windsor claim heard on CBC radio, February 13, 1996. [51]

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Mr. Martin Jones, Dartmouth, Nova Scotia, provided information on, and references to, early forms of hockey in the Dartmouth lakes area.

Mr. L.S. Loomer, Wolfville, Nova Scotia, supplied several photographs and maps showing the geography of the Windsor area, including the various ponds near King's College. Mr. Loomer also provided information on, and references to, hurley on the ice in early nineteenth century Nova Scotia.