

The B.C. Liberal Party and Women's Reforms, 1916 - 1928

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What happened to maternal feminist demands after women got the vote? It is frequently assumed that women had no impact on politics after 1916, and that the reform drive collapsed. This view is too simple. Many women abandoned reform, but others did not. Those who remained not only continued to press for change, but also were often involved in the administration of the new social programmes. The changes that took place were neither spectacular nor revolutionary, but taken together, they add up to a substantial body of reform legislation. Women, as well as organized labour, had a hand in laying the foundations of the modern welfare state.

One might approach this topic by doing a series of case studies of former suffragists, or by presenting a compendium of resolutions set in to the provincial government by women's clubs. However, the approach taken here will be to present brief background information on women's clubs and the situation in 1916, to review the B.C. Liberal legislation in which women took an active interest, and to examine how such legislation was treated on the floor of the Legislative Assembly. This approach has the advantage of bringing together women's requests and the male response to them. The attitudes of the Liberals and the Conservatives will be compared because the last minute conversion of many Conservatives to women suffrage, in contrast to the attitudes of many Liberals, leads one to suspect that there was more difference between the parties than is usually suggested. At the same time it must be admitted that some Conservatives did support reforms, while a number of Liberals were indifferent. Therefore, attention has been focused on specific members of the Liberal Party who seem to have been instrumental in the sympathetic reception given to women's demands.²

The demands women were making were largely "maternal feminist" ones, extending women's traditional motherly concerns into the public realm. Prohibition, political and legal rights, protective labour legislation, health regulations, changes in the educational system, and new family and child welfare laws could all be justified in terms of women's desire to come to the aid of the poor, the sick and the helpless, and to provide moral guidance to those in need of it. Sometimes "equal rights" justifications were also used. The term "women's legislation" has been used partly to give credit where credit is due, and partly to distinguish the demands made primarily by women from those made primarily by organized labour. The term "social legislation" (which was commonly used) does not preserve this distinction.

Not all women were in a position to promote, or were interested in promoting, reform. Largely, it was middle-class women's groups that lobbied the Liberal government. The histories of these organizations are mentioned in some detail elsewhere, but the dates of their founding will show that women reformers worked long and hard for their post-1916 successes. The earliest major reform group was the Woman's Christian Temperance Union (WCTU) of British Columbia, founded in 1882. While the organization's name implies that it was devoted to one cause, in fact there

was virtually no maternal feminist cause with which the WCTU was not involved. Another organization of note is the Provincial Council of Women, which was made up of affiliated Local Councils. The first of the Local Councils was founded in 1894. The Councils were umbrella groups of women's organizations in an area. Not all the affiliated organizations were dedicated to reform, but enough of them were that the Councils often waged campaigns reflecting one facet or another of reform interests. The major group representing the interests of rural women was the Women's Institutes, the first of which was founded in 1909. The University Women's Clubs were a narrowly-based but prestigious group - members were university graduates; needless to say, graduates from universities outside British Columbia. The University Women's Club of Vancouver was founded in 1907 by Evelyn Farris, whose husband, J.W. deB. Farris, was later to play a major role in the passage of women's reform legislation under the Liberal Government. The Political Equality League, founded in 1910, was the first group in British Columbia to devote most of its energies to the single cause of gaining the vote, rather than pursuing a whole range of reforms. After its goal was accomplished, the League transformed itself into The New Era League, and took up a broad range of reform demands. A number of other women's organizations participated in the demands for post-suffrage reforms. The groups mentioned here are merely the most prominent ones.

The most important source of information on the state of the law in British Columbia, before women were granted the vote, is Helen Gregory MacGill's *Daughters, Wives and Mothers in British Columbia - Some Laws Affecting Them*. The pamphlet was first published in 1912, and subsequently revised a number of times. Later editions bore the title *Laws for Women and Children in B.C.* to indicate that women were finally being treated as persons in their own right. In the 1935 edition, MacGill summarized the situation as it had been before the Liberals took office in 1916:

While the unmarried mother, the coming of whose child was a burden, was given custody, the child of the married mother belonged exclusively to the father during his lifetime. He could will away from her the child unborn at the time of his death.

Boys and girls of twelve and fourteen could be legally married with the consent of the father.

Under the misnamed Dower Act the husband... could by his will leave his wife penniless.

If the father and husband deserted, he was free from obligation to provide for his family and wife if she had sufficient means to support them. Yet he was guardian of the children with the right to their earnings for his, or his creditors' benefit, unless the mother was able to obtain a court order giving the children's wages to her for their support.³

Basically, unless British Columbia had legislated otherwise, the laws in force in the province were those in force in England at the time B.C. became a Crown Colony in 1858. A mark of recognition of MacGill's expertise came in 1917 when Attorney-

General Farris appointed her to the Vancouver Juvenile Court, making her British Columbia's first woman judge.

The first official link between the B.C. Liberals and women's reform began when the party included a woman suffrage plank in their 1912 election platform.⁴ The Liberals went down to ignominious defeat, not winning a single seat in the legislature. Defeat was not a result of their support for woman suffrage, which seems to have received little publicity, but because the province was booming, and the electorate saw no reason to change a successful Conservative government for untried Liberals promising to do much the same thing.

By the next year a depression had arrived. Whether the Liberals sensed the rising discontent, or merely decided it was hopeless to try to outdo the Conservatives on their ground, they adopted a stronger reform orientation at their 1913 Provincial Convention. Woman suffrage was again endorsed, and delegates from the Political Equality League attended. In 1915 and 1916 Harlan Brewster, leader of the Liberals, forged a reform coalition including suffragists, prohibitionists, farmers, labour and returned soldiers.

In 1915, the Women's Liberal Association was founded by Evelyn Farris, Helen Gregory MacGill, and Mary Ellen Smith, among others. When several by-elections were held in the spring of 1916, with all Liberal candidates pledged to women suffrage, and the Conservative administration still opposed, members of the Women's Liberal Association actively campaigned. This fact did not escape Conservative notice. In the words of one Conservative MLA:

I can tell Mr. Brewster (one of the two Liberals elected) that if he is called upon to form a government he is going to have an awful time deciding which ladies' husbands get portfolios. When the Liberal members took their seats here I half expected them to appear in kimonos.⁵

William Bowser, the Conservative Premier of the province, wanted to fight the election he had called for September 14, 1916, on a traditional pro-development, sound business platform. To deflect reform demands he promised that referendums on woman suffrage and prohibition would be held at the same time as the election. Since the Liberals were firmly pledged to enacting both, and other reform measures as well, this concession did not win him plaudits in reform circles. Reformers came to the aid of the Liberals. However:

...As the election came nearer, woman suffrage was not the outstanding issue, partly because nearly everyone was sure it would pass. The outstanding issue was prohibition (the passage of which was less certain)... political corruption ... and the PGE railroad.⁶

The Liberals won the election.

The importance of the support suffragists and prohibitionists (often one and the same) gave to the Liberal Party is difficult to gauge but it was substantial enough that after the election Opposition leader William Bowser claimed that Liberal women were being rewarded for their efforts with patronage appointments. Sometimes he even

claimed that husbands were getting jobs on account of their wives' active support of the Liberals.⁷

That the Liberals did appoint women to various positions is beyond doubt. Whether these were patronage appointments or ones based on merit is more debatable. Helen Gregory MacGill, one of Bowser's favourite targets, was a member of the Women's Liberal Association, but she was also *the* expert on B.C. laws relating to women and children. Other women may have been sympathetic to the Liberals, but were not necessarily members of the Party. Their sympathy stemmed from the fact that the Liberals supported the reforms in which they were interested, rather than from partisanship *per se*. Since it was usually the reformers who had experience in dealing with social problems it was natural that they should be appointed. Cecelia Spofford was appointed to a Royal Commission investigating Mothers' Pensions, and was later a member of the Victoria Mothers' Pension Board. Judge MacGill sat on the Board that administered the (Women's) Minimum Wage Act. Mrs. V.S. MacLachlan was appointed Superintendent of Women's Institutes, a provincial Department of Agriculture position. Mrs. Fred Patterson became a B.C. movie censor. In 1926, Laura Jamieson became a juvenile court judge in Burnaby. Women were also appointed as factory inspectors. Laura Jamieson has commented that

Most of the women appointed to Boards and acting as inspectors at this time had been active in the woman suffrage movement, showing that the government had some regard for the training and insight it had given us.⁸

When one turns from the activities of women to the subject of the views of legislators a problem arises. British Columbia did not have a Hansard at this time.⁹ Relying upon the newspaper accounts in the Sessional Scrapbooks presents some problems in identifying supporters because not all MLA's received the same amount of coverage. Nevertheless, a fairly small number of Liberals appeared to consistently speak up for women's legislation. Insofar as they shared a common denominator, it was their interest in public health and education rather than their interest in equal rights.

The strongest ally women reformers had in the house was Mary Ellen Smith. She first ran in 1918 in a by-election following her husband's death. While he had sat as a Liberal she ran as an Independent on a Women's and Children's Rights platform. Thereafter, she ran as a Liberal. She was re-elected in 1920 and 1924, and defeated in 1928. In 1921, she became the first woman cabinet minister in the British Empire, when she was appointed Minister Without Portfolio in the Cabinet of Premier John Oliver. Less than one year later she resigned her post because she was dissatisfied with having to

assume the responsibility of acts of the government without being in a position to criticize or advise.¹⁰

Not mentioned in her letter of resignation was the fact that she had been expecting the creation of a new portfolio encompassing matters of women's and children's welfare, and no such portfolio had been established.¹¹

Two of the measures most closely associated with Mary Ellen Smith's name are Mother's Pensions and the Minimum Wage Act, but she was supportive of all social

legislation. She was an advocate of doing everything possible to aid returned soldiers, and her interests extended to labour issues and natural resource development.

Women's reforms received varying support from the three Liberal premiers who held office from 1916 to 1928. Harlan Brewster seems to have been the most interested in equal rights and moral reforms. After Brewster's death in March, 1918, John Oliver became premier. Oliver rarely spoke on women's legislation in the House, although he was a long-time supporter of woman suffrage. On Oliver's death in 1927, John D. McLean became premier until the Liberal defeat in August, 1928. MacLean displayed a great interest in child welfare, health and education, but this was more evident from his actions as Provincial Secretary and Minister of Education than from his short premiership.

The women of the province were fortunate that all three of the Attorneys-General during this period were sympathetic to their reform demands. M.A. Macdonald was only Attorney-General for a short time, but the equal guardianship of children and woman suffrage bills were introduced while he held the office.¹² He continued to speak in favour of women's legislation as a private member. The second Attorney-General, J.W. deB. Farris, was definitely known as a support of women's rights. For instance,

Declaring that the Attorney-General had 'established a record for chasing after women' - although not meant in the popularly accepted or offensive sense of the term but more as a means of catering to the vote of the fair sex - the leader of the opposition had a good deal to say in relation to the estimated expenditures of the conduct of the Girls' Industrial School.¹³

Farris replied that he had made changes partly in response to requests from women's groups, not for political reasons. Actually, he frequently did draw attention to the government's major social legislation in his speeches, but, on the other hand, he introduced a number of measures of little interest to the general public, so it would seem likely that his interest in women's reforms was genuine. By the time he resigned the Attorney-Generalship in 1921, most of the women's major demands had been met. The third man to hold the office, A.M. Manson, introduced several major measures and often modified the earlier reform legislation, broadening and strengthening it. He continued to be interested in reform at the end of the 1920's when many others were not.

In addition to the people mentioned above, the main reform contingent in the Liberal caucus seems to have been the doctors, of whom showed an interest in child welfare and public health. Liberal members who sat in the House between 1916 and 1928 and whose reform speeches were in the newspapers include: J.R. Colley, J.S. Cowper, L.A. Hanna, M.B. Jackson, C.S. Leary, G.G. McGeer, Ian Mackenzie, E.J. Rothwell, W.H. Sutherland, J.W. Weart, and H.C. Wrinch.

How did the Liberal and Conservative attitudes toward legislation differ? There was no absolute division on party lines; some Liberals displayed little interest in reform, while some Conservatives displayed a great deal. Nevertheless, given the relative numbers involved, it is probably justifiable to call the lines of argument set out below "Reform Liberal" ones. This term also serves to distinguish the Liberal approach from that of Socialist and Labour MLA's. The latter did use some of the same arguments, but

gave them a substantially different twist by adding that Liberal reforms were only partial solutions and that social problems could only be completely solved by socialism.

Four main lines of argument were used to justify, defend and praise the introduction of reform legislation. First, equal rights principles could be invoked. M.A. Macdonald, J.W. deB. Farris, and some of the other members sometimes argued in these terms, but for the most part other justifications were used. Second, stereotypes of the power of motherly love and the influence of a good woman were the mainstay of many speechmakers. A third rationale was scientific. Members would refer to the opinions of experts on child psychology, factor safety conditions, the treatment of contagious diseases, and so on. The fourth approach was pragmatic. Members had seen at first hand the effects of poverty, ignorance, poor health care, and archaic family law, and they argued the need for government action on the basis of their experience. John D. MacLean and the other doctors often used this approach.

Conservatives seldom attacked the principle of social legislation outright. They were more likely to argue about technical points in the phrasing of a bill, and the practical difficulties of administering its provisions. Chief among these difficulties, in Conservative eyes, was that jobs created by Liberal legislation would go to Liberal job seekers. Thus, the focus of debates shifted away from social problems and back to old-style politics. Patronage! Another Conservative tactic was to treat social legislation lightly. When A.M. Manson introduced The Parents Maintenance Act to allow a dependent parent to sue a son or daughter for support, William Bowser joked about people being forced to support their mothers-in-law.¹⁴ Silence, too, was a way of avoiding serious disagreement. When the Minimum Wage Bill was under debate, M.A. Macdonald pointed out that during the entire second reading the only member of the opposition who had said anything was Socialist James Hawthornthwaite.¹⁵ However, it is only fair to point out that the Conservatives did not actually vote against such things as minimum wages. Perhaps it would be fair to say that the Conservatives were not adamantly opposed to reform but rather they considered it peripheral to the real business of government - railroads, natural resource development, balancing the budget, and unearthing scandals.

For purposes of this essay, the legislation passed by the Liberals has been grouped into the following categories: prohibition, political and legal rights, women's labour laws, health regulations, changes in the education system, and new family and child welfare laws. In reality, these categories often overlapped. In addition to making legislative changes, the Liberals greatly increased spending on social services. The welfare state is sometimes seen as a post-depression phenomenon, but, by 1928, spending on education, hospitals, pensions and "other charities" made up 35% of the provincial budget.¹⁶

Prohibition was a long-standing demand of British Columbia's women reformers and their male allies. Initial jubilation over the referendum "victory" gave way to acrimonious debates when late returns from the overseas soldiers' vote tilted the majority against prohibition, and it became clear there had been numerous irregularities in the soldiers' vote. A commission of inquiry was held; many of the overseas votes were ruled invalid, and the majority was restored to the prohibitionists.¹⁷

Whether prohibition should be introduced at all under the circumstances was debated but:

In the end, the government chose prohibition and passed an act, which came into operation on Oct. 1, 1917, allowing for the purchase of liquor, and its consumption in the home, only when prescribed by a physician or through importation from outside the province.¹⁸

In view of the number of people who did not want prohibition, and the possibilities offered by the two loopholes, it is not surprising that the Act proved impossible to enforce, despite frequent amendments. The demand arose to hold a “moderation plebiscite”. In late 1920, a majority voted against prohibition. Consequently, in 1921, a bill was passed providing for government control and sale of liquors in sealed containers. It is ironic in the extreme that men alone should have voted in prohibition, while women joined in voting it out. The WCTU had taken up suffrage agitation in the first place because its members did not think they could count on an all male electorate and legislature to bring about prohibition! Needless to say, an impossible analysis of the actual vote would have to be carried out to determine precisely the sentiments of the female voters.

The length of time it took for the overseas vote to come in also had an effect on woman suffrage. The terms of the suffrage referendum were that if a majority was in favour, the suffrage bill would go into effect on March 1, 1917. Unfortunately, the government had still not received official notification of the overseas results at that time. Given the very large pro-suffrage majority at home, the Liberals decided that instead of waiting for the overseas results, they would repeal the Referendum Act, and pass their own suffrage measure.¹⁹ They did so, and therefore are regarded as the party that granted the vote to the women of British Columbia. The bill received Royal Assent on April 5, 1917. Women were quickly appointed as commissioners to register the newly appointed voters. When the overseas results did come in, the majority of soldiers voted against woman suffrage, but the civilian majority was large enough to offset this.

The granting of the provincial vote did not completely settle the question of women’s political rights. Less than one week after the historic day, veteran suffragist Maria Gordon Grant was leading yet another delegation to the legislature. This time she was explaining to the Municipal Committee that:

In city municipalities today women cannot vote as householders and cannot sit on councils, as members of such bodies must be males.²⁰

The request to have “male” struck from the list of qualifications was swiftly granted, but even that did not end the quest for formal political equality. In 1922, the Schools Act was amended to provide that the wife or husband of a citizen qualified as a school trustee should be considered to have the same qualifications. Because few women met the property qualification in their own right, this was necessary.

A sidelight on women’s new political status is provided by a controversy that arose over whether a woman whose husband was in the Civil Service should be allowed to actively participate in politics. Opposition Leader William Bowser did not think so; however, he would allow that such a wife could vote. Premier Oliver rose to the challenge. Usually if Oliver said anything about women’s rights his intent was to show that Bowser was a reactionary, and this was no exception:

... Premier Oliver replied that no wife should have to sacrifice her individuality because her husband held a political post. She should not be fettered in any way. He wanted to know of Bowser would appoint only single men for fear that the wives of married men would get into politics.²¹

Women's legal status was affected on November 25, 1922 when J.W. deB. Farris introduced an amendment to the Jury Act that would allow women to sit on juries. He explained that he had contemplated taking this step when he was Attorney-General, but preferred to wait until women were asking for the right. Women's groups had now done so. The member for Cranbrook, a Conservative, confirmed that he had heard from women's groups in his constituency.²²

Arguments favouring jury duty for women could have been presented in maternal feminist terms but since, in the legislature, jury membership was largely treated as an equal rights issue, it is instructive to study the members' reactions. Ian Mackenzie, Liberal, said there was no reason for excluding women from juries when they could sit in the legislature, and Sam Guthrie, Labour, said the arguments used against women jury members were the same ones once used against woman suffrage. William Bowser pointed out that "It will keep women out of the home for days at a time" but Mary Ellen Smith replied that jury duty would not keep women away from the home any longer than it would keep men from their trades. The most vehement opponent of the bill was R.H. Pooley, Conservative. he consigned women, with or without the vote, to their pre-1916 "proper sphere":

... It was against women's inclination to sit on juries, and particularly in a murder case. He would not want any lady friend of his sitting on a murder case. Not 1% of the women in the province would care to accept such a duty.²³

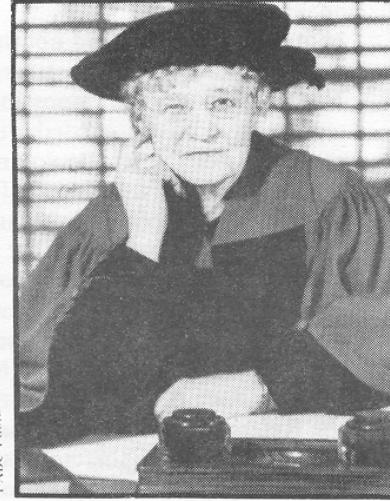
In the end William Bowser was one of the few Conservatives who voted in favour of the bill, while its opponents included four Liberals, and the Labour member from Fernie, Thomas Uphill.

A certain lack of enthusiasm on the part of some members notwithstanding, Attorneys-General Farris and Manson made an effort to modernize legislation that made archaic legal distinctions between men and women, even if the matter under consideration was not strictly speaking "women's legislation". For instance, when the Land Registry Act was being revised and R.H. Pooley asked Farris why a clause had been omitted:

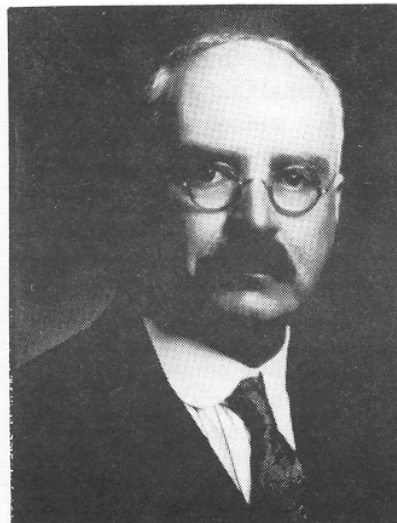
The Attorney-General explained that under the old act there was the belief that as long as a husband was in the room when the wife was signing such a legal document or making any statement before a notary public there was a chance of silent but undue coercion being exerted on the woman by the husband so that the woman was not acting as a free agent. 'But now women are to use the same form as men do.'²⁴



Mary Ellen Smith



Helen Gregory MacGill



John D. MacLean



Malcom A. Manson

How many similar revisions took place is difficult to know. The newspapers reported this novel event because very little else was going on in the legislature that day.

In the field of labour legislation women's groups often had allies in the trade unionists.²⁵ Among the innovations of the Liberal government was the creation of a Ministry of Labour, a portfolio which was first held, along with that of the Attorney-General, by J.W. deB. Farris, and then by A.M. Manson. The major piece of women's labour legislation passed during this period was the Minimum Wage Act of 1918. The bill was introduced by Farris but piloted through the House by Mary Ellen Smith, in recognition of the fact that she was the main proponent of the bill. The degree of public support for the measure can be gauged from delegation to the Attorney-General which included:

The Minimum Wage League, the Victoria Local Council of women, Women's Institutes, the

Progressive Home Workers' League, the New Era League, the B.C. Federation of Labour, the Victoria Trades and Labour Council, the Retail Clerks Union, and supporting the proposal but not present in the delegation, the University Women's Clubs of Vancouver and Victoria, the Women's Forum of Vancouver, the YWCA, and, as one speaker said, 'practically every women's organization in the province.'²⁶

The Act, which applied only to women, did not set one standard wage across the province. Instead, a Board of three people, including one woman, was empowered to: call for pay-rolls and other information from employers and if the wages were found to be inadequate to call a public meeting of all interested parties and request a conference to make a recommendation as to the proper wage.²⁷

The next year, 1919, the Act was amended to include the right of the Board to look into working conditions as well as wage rates. Employers who violated rulings of the Board could be fined, and employees were permitted to collect backpay they would have received if the employer had obeyed the Board's ruling. Unfortunately, fruit pickers, farm labourers, and domestic workers were excluded from the Act, so it was completely inapplicable to many women workers, but even so, M.A. Macdonald felt compelled to defend it in these terms:

... He quite agreed that the measure was a radical one and one which did perhaps interfere with the right of contract between employer and employee; but it also had to be remembered that there was a humanitarian side of the question as well as the cold material view to be considered.²⁸

In 1921, the government passed a number of protective labour acts with the proviso that they would not go into effect until the other provinces adopted such legislation. (They still had not gone into effect when the Liberals left office in 1928.) These acts included one forbidding night work for women except in family businesses, another forbidding night work for people under the age of eighteen, and a third setting the minimum age for industrial employment at fourteen for boys and fifteen for girls. A private member's bill introduced by Tom Uphill was passed at about the same time with the same proviso, but later in the session it was decided to make the Maternity Protection Act effective immediately. The Act:

prohibits employment of women during six weeks following confinement; gives women the right to leave work on producing a medical certificate stating confinement is probable within six weeks, and allows a woman nursing a child half an hour twice a day for this purpose.²⁹

A 1923 amendment to the Factory Act prohibited the employment of any child under the age of fifteen in any factory. The Liberals also introduced a Male Minimum

Wage Act, and legislation to make the eight-hour day and the forty-eight-hour week standard, with certain exceptions.

Another type of so-called protective legislation was anti-Oriental in tone. In 1923, Mary Ellen Smith introduced a bill to prevent white women working in restaurants and other places owned by "members of the Chinese race". A lawyer pointed out that the bill would be illegal, and suggested the phrasing be changed to prohibit women being employed by an "undesirable of any race". This would "effect the same results", and avoid a 'race slur' to the Chinese, give broader protection to women - and keep the bill from being disallowed by the federal government or declared *ultra vires* by the courts. Despite this change, the Girls' and Women's Protection Act was generally referred to as the one that made it illegal for white women to work in businesses owned by Orientals.³⁰

Much of the reform impulse was directed at questions of health. Lack of medical care in isolated rural areas had worried the white women of British Columbia from the first.³¹ The War and the post-war influenza epidemic deepened public concern about health. Since women traditionally cared for the sick, maternal feminists had a great interest in this field. They encouraged specific projects like rural district health centres, and in general urged the government to spend more on the provision of medical services. The government's actions including passing an act for the compulsory, and if necessary, free treatment of venereal diseases, establishing Public Health Laboratories in Vancouver and Victoria, taking over the Tranquille Sanatorium (for tuberculosis) and paying for a new building at Essondale Mental Hospital. An act for the registration of nurses was passed.³²

If women deserve praise for their support of progressive health measures, they must share part of the blame for the passage of a law for the sterilization of "mental defectives". Agitation for such a measure had begun in the mid-twenties, although a sterilization act was not actually passed until 1933, when the Conservatives were in power. Many women's groups, including the Provincial Council of Women, approved of the idea, as did a number of Liberals. So did medical experts.

Education was another major area of concern for the reformers. For instance, the University Women's Clubs promoted higher education for women, the W.I.'s domestic science training, and groups like the Women's Canadian Clubs, increased emphasis on Canadian content.

While women's interests in education was very broad, they were particularly concerned about training for the handicapped, the need for school health inspections, the content of the curriculum, and the quality of rural education. The women could have had few greater allies than John D. MacLean. Among the many changes he introduced as Provincial Secretary and Minister of Education were raising the age of compulsory attendance, empowering rural school boards to pay half the costs of transporting children to and from schools (thus encouraging the building of larger, better-equipped schools in place of a number of small, ill-equipped ones) and modernizing the curriculum. Teacher qualifications were raised. Schools for handicapped children were opened in B.C. - one for the blind, another for deaf-mutes, and a third for "sub-normal" children. In addition, funding for the University of British Columbia was greatly increased.

A final area of concern for women reformers was family law and child welfare. For the most part, the Liberals were amenable to the changes the women wanted. An

amendment to the Infants Act in 1917 remedied a long-standing grievance by making both parents official guardians of their children. The age of marriage was raised, and the consent of both parents was required before the marriage of minors. Changes were made in the Adoption Act. Under the Deserted Wives Maintenance Act a wife could sue a deserting husband for support, and an amendment allowed a woman whose husband was living with her but refusing to support her to sue as well. Another act legitimized the children of unmarried parents who subsequently did marry.

As reaction to the Jury Act showed, members were not always prepared to follow the lead of progressive Attorneys-General. A former suffragist has recalled how the equal guardianship of children bill passed without opposition, but

When it came to formulating and introducing a bill giving a married woman some claim on her husband's property we struck a snag. The province was booming and the ownership of houses and lands was changing overnight. The members of the House balked at the prospect of having to obtain a wife's consent for a transfer of property.

Now what was to be done about this? J.W. deB. Farris, in consultation with Mrs. MacGill, came up with the Testator's Family Maintenance Act.³³

This Act gave a woman the right to go to court if she thought the provision made for her in her husband's will was inadequate. In 1925, A.M. Manson made major changes in the Administration Act which gave the surviving spouse a greater share in the estate of a person who had died intestate and equalized inheritance rules for women and men.³⁴

Previously A.M. Manson was responsible for introducing a bill that aroused the ire not only of the Conservatives, but also of several normally progressive Liberals, as well as Tom Uphill. The 1922 measure made a putative father of an illegitimate child financially responsible for its maintenance. The objections of the men were as follows:

Conservative Joshua Hinchliffe said:

In many cases the reputation of a man was held by a woman in her hands, and care should be taken to see that certain women were not afforded any additional incentives.

Labourite Tom Uphill urged:

caution in passing such legislation, declaring the fact that other provinces had passed such acts was not reason this province should. 'They all have crazy legislation on their statute books.' He went on to point out that every place Attorney-General Manson had listed as having such legislation had also passed prohibition.

And, for the Liberals, M.B. Jackson warned that

'Women of loose morals are the ones who are going to invoke this act.' He declared that such legislation was extremely dangerous and that under the bill the

same protection was afforded the prostitute as was given to the mother who was an innocent victim.³⁵

In the child welfare field, women's groups, social workers, and children's aid societies worked together to persuade the government to take action. Judge MacGill often worked with Attorney-General Farris rough-drafting legislation and suggesting administrative improvements. Among the changes:

Attorney-General Farris enlarged protectively the definition of a 'neglected child', set up a special department to safeguard such children, and introduced a programme of approved foster homes.³⁶

The age of committal to the Girls' Industrial School was raised from sixteen to eighteen, thereby keeping young offenders out of adult prisons. A new system of juvenile courts was set up, and indeterminate sentencing, with the accent on probation and parole, was stressed.

One of the most important measures enacted by the Liberals was Mothers' Pensions, passed in 1920. the influence of women's groups is nowhere seen more clearly than in John D. MacLean's speech introducing the Mothers' Pension Bill:

Before going into the principles of the Bill, I wish to recall the situation that led to its introduction. For many years women and social workers in this Province have been agitating for such a measure. Many delegations, representing all classes of the Community, have waited upon the Government during the past two or three years with the view of having such legislation enacted.³⁷

He went on to explain that the object of the bill was:

to provide children with home life and care of a suitable character and to keep them out of institutions when the father, the breadwinner, is incapacitated whether from physical or mental disability.³⁸

More specifically, it granted a needy woman and one child up to \$42.50 a month, with another \$7.50 for each additional child. This was a major entry into the welfare field.³⁹ Prior to this, the only similar act B.C. had was Workmen's Compensation, an act passed by the Conservatives.

British Columbia made one other entry into the social assistance field during this time. When the arrangement for joint federal and provincial participation in an old age pension scheme was worked out, British Columbia was the first province to pass its enabling legislation. Women's groups were among those who supported the idea.

What happened to maternal feminist demands after women were granted the vote? They were transformed into much-needed laws and social programs. With only one woman in the legislature, women still had an impact on social legislation.

If the accomplishments of the post-suffrage era have been slighted in the past, perhaps it is because commentators have been looking at how much remains to be done. When the reforms of the following decade are studied in the context of what preceded them, the achievements of women reformers and a sympathetic government were clearly substantial.

Why should R.H. Pooley, former anti-suffragist, opponent of the Jury Act amendment, and the man who dismissed Judge Helen MacGill from office in 1929 introduce a sweeping equal rights measure in 1931?

According to Laura Jamieson, the Conservative Attorney-General had a good reason. Someone looking for a way to get a woman judge's decision overturned had found out that among those English laws taken over by B.C. in 1858 was one prohibiting women from holding public office. To stave off the chaos that could ensue, the government quickly passed "The Sex Disqualification Removal Act" stating that women were eligible for public office, and validating all acts by women in public office back to 1871. (Jamieson Papers, PABC)

Actual text of key section of Act is:

A person shall not be disqualified by sex or marriage from the exercise of any public function, or from being appointed to or holding any civil or judicial office or post, or from entering or assuming or carrying on any civil profession or vocation, or for admission to any incorporated society.

Statutes of B.C., 1931, p. 197 (Ref/KA205/B747/1931)

Footnotes

¹ The author would like to thank the Hon. John L. Farris, Q.C., Dr. Norman Ruff and Patricia Young for reading drafts of this paper.

² Considerations of space prevent the discussion of the views of other MLA's. Generally speaking, the Returned Soldiers and Independents were sympathetic to reform legislation, which they sometimes thought should go farther. Labour and Socialist members were also supportive, but even more strongly of the opinion that more change was needed. Provincial Party MLA's said little about women's issues.

³ Helen Gregory MacGill, *Laws for Women and Children in British Columbia* (Vancouver, 1935), pp. 9 - 10.

⁴ The Liberal Election Platform is given in full on page one of the *Vancouver Sun*, March 5, 1912. There is no elaboration on the phrase "We favour woman suffrage".

⁵ "Whose Husbands Are to Get All the Portfolios?", *The Vancouver Daily Province*, March 16, 1916.

Note: the newspaper research for this essay was done largely through the Sessional Scrapbooks of the Legislative Assembly. The scrapbooks do not give the page numbers of articles clipped from the newspapers.

⁶ Laura Jamieson, untitled typescript on the suffrage movement in B.C., Laura Jamieson Papers (Box 2, File 15), Public Archives of British Columbia (hereafter PABC).

⁷ See "Every Woman's Vote her Own Business", *The Province*, April 16, 1918.

⁸ Laura Jamieson, untitled typescript on the suffrage movement in B.C., Laura Jamieson Papers (Box 2, File 15), Public Archives of British Columbia (hereafter PABC).

⁹ *The Journals of the Legislative Assembly* do not include the debates. The closest thing to a Hansard is *The British Columbia Legislative Assembly Sessional Clipping Books, Newspaper Accounts of the Debates* (The Sessional Scrapbooks).

¹⁰ "Wallflower No Longer, Says Mrs. Smith", *The Province*, November 21, 1921.

¹¹ *Ibid.*

¹² The equal guardianship bill was actually introduced by Premier Brewster.

¹³ "House Progressing with Estimates", *Attorney-General Fully Justifies Girls' Industrial School Change*, *The Victoria Times*, April 16, 1918.

¹⁴ "Mother-in-Law Joke Fades if This Bill Becomes Law", *Vancouver Sun*, November 14, 1922.

¹⁵ "Minimum Wage Bill Soon to Be Law", *The Province*, April 4, 1918.

¹⁶ Excerpt from the Conservative budget speech, in Castell Hopkins, *The Canadian Annual Review*, 1930, p. 515. The Liberals did not dispute the figure.

¹⁷ Martin Robin, *The Rush for Spoils* (Toronto: McClelland and Stewart, 1972), pp. 167 - 168. See also "Prohibition Act is Now Law of Land", *Victoria Times*, August 18, 1917.

¹⁸ *Ibid.*, p. 168.

¹⁹ According to Attorney-General Macdonald, the government decided to introduce its own measure because "Had the government awaited the overseas return, it would have meant that the women would not be able to exercise the franchise for two or three months." "Woman's Franchise Was Liberal Policy", *The Colonist*, March 30, 1917.

²⁰ "Women Secure Equal Municipal Rights", *Victoria Times*, April 11, 1917.

²¹ "Every Woman's Vote Her Own Business", *The Province*, April 16, 1918.

²² "Women are Given the Right to Serve on B.C. Juries", *Vancouver Sun*, December 15, 1922.

²³ See "Women to Sit on B.C. Juries", *Victoria Times*, December 15, 1922, and "Women are Given the Right to Serve on B.C. Juries", *Vancouver Sun*, December 15, 1922.

²⁴ "May Sign Deeds in Husband's Presence", *The Province*, February 22, 1921.

²⁵ The conflicts between the goals of middle and working class women, and between each of them and working class and middle class men are beyond the scope of this essay.

²⁶ "Minimum Wage Bill Is Asked by Women", *Victoria Times*, March 6, 1918.

²⁷ Helen Gregory MacGill, *Laws*, 1935, pp. 31-33; see also "Provisions of Minimum Wage Law", *Vancouver Sun*, April 18, 1918.

²⁸ "Mrs. Smith's Bill Read Second Time", *Victoria Times*, April 5, 1918.

²⁹ Liberal Party of B.C., "Synopsis of Legislation, 1916 - 1928" (PABC), p. 117.

³⁰ "Anti-Chinese Bill is Illegal, Lawyer Says", "Broader Act to Protect Women in Restaurants is Urged by Henry Hall", "Would Prevent Undesirables of any Race Employing Women in Restaurants", *Victoria Times*, December 134, 1923. See also "Synopsis, *Ibid.*, for a summary of the Act.

³¹ Patience Day, "Female Aid Association" in *Pioneer Days: Provincial Royal Jubilee Hospital* (Victoria, 1924), pp. 13 - 20.

³² Margaret Street, *Watch-fires on the Mountains: The Life and Writings of Ethel Johns* (Toronto: University of Toronto Press, 1973), p. 118.

³³ Frances McConkey, "A Woman in a Man's World - 1917" in Millicent A. Lindo, *Making History: An Anthology of British Columbia (Canada: by the author, 1974)*, pp. 164-165.

³⁴ "Radical Changes in Disposal of Estates Planned: New Law Protects Illegitimate Heirs", *Victoria Times*, November 24, 1925.

³⁵ "Putative Fathers Bill is Aimed at Scoundrels", *Victoria Times*, November 18, 1922.

³⁶ Elsie Gregory MacGill, *My Mother, the Judge: A Biography of Judge Helen MacGill*, (Toronto: Ryerson, 1955), p. 157.

³⁷ John D. MacLean, "Speech on the Second Reading of the Bill Providing for Pensions for Mothers" (PABC: The Provincial Secretary. Mental Health Planning, box 1, File 2).

³⁸ *Ibid.*

³⁹ Diane L. Matters, "Public Welfare: Vancouver Style, 1910 - 1920", *Journal of Canadian Studies*, Vol. 14, no. 1 (1979), p. 9. See also Veronica Strong-Boag, "Wages for Housework: Mothers' Allowances and the Beginnings of Social Security in Canada", *Journal of Canadian Studies*, Vol. 14, no. 1 (1979).

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