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THE STATUS OF WOMEN IN THE PROVINCE OF QUEBEC

I. L. MACDONALD, B.A.

Published by the Canadian Reconstruction Association

MONTREAL
1920

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This thesis embodies the results of an investigation made as Graduate Research Scholarship Work for the Canadian Reconstruction Association and is submitted in partial fulfilment of the requirements for the Master of Arts Degree

CONTENTS

CONTENTS—*Continued*

THE STATUS OF WOMEN

in the

PROVINCE OF QUEBEC

CHAPTER I.

INTRODUCTORY.

A general view of the advancing status of women in the last century—political and legal rights—marriage—industrial status, etc. Examples of France, England, United States, New Zealand, etc.

The struggle for democracy has for the last 25 years been closely connected with what is popularly known as the movement for "Women's Rights," comprising of course the vote, the right to hold office, higher education, the entrance to the professions, etc., etc. But this association has not always existed. On the contrary practically all of the great political thinkers of the 18th (and indeed most of the 19th) century carefully left the feminine side of the question out of their calculations altogether. True, many of the leaders of the French Revolution received their greatest inspiration from the "Salons" of the French society ladies. Miss Peixotto tells us that "Each hostess had in her own way taken eagerly to politics, and to the notion of the Revolution, and the deputies and their satellites, who were to be the active instruments in the formation of the principles of revolution, found a welcome at one or the other of these drawing rooms. . . . But no matter which lady was favored the talk at any one of these salons was politics; in all

cases the result was to feed high the new hope and to increase the certainty that the old institutions must give way to a new era."*

But this was only more or less passive influence, and in general there was no demand for woman suffrage even in those times when the foundation of all things political was the belief that all human beings were born free and equal. A few bold thinkers braved public opinion on this matter amongst whom were Lanjuinais, Romme and Guyomar. Previous to 1790 Condorcet had been considered an advocate of the emancipation of woman, but he refused to second her claims to equality at the polls when the matter came up in connection with the Constitution of 1793. But to quote Aulard ("French Revolution," Vol: II, 173). "The Commission of Six did not meet the feminist claims with an absolute refusal. On the contrary, it made this exclusion of women from the State politic only for reasons of opportunism declaring such exclusion to be only provisional and of short duration." The "short duration" just mentioned has extended for long over a century, and the women of France are still without their vote. But they are not without it because they have not tried to obtain it. The Code Napoleon subjected women to their husbands to an even greater extent than the Common Law of England of that time,† and all through the Napoleonic period the woman's rights advocates carefully concealed their views. But with the revolutions of 1830 and 1848 they came to the fore again led by the Saint Simonians, the Fourierists, George Sand and later on by Marie Deraismes and Léon Richer who in 1876 organized the "Society for the Amelioration of the Condition of Woman and for Demanding Woman's Rights." In France this movement was somewhat hampered by the fact that girls were married at an early age, almost always through the negotiations of the parents. Also their education was in some respects very deficient and they were almost all members of the Roman Catholic Church. At present the most active organi-

*"French Revolution and Modern Socialism."
†See below, under J. S. Mill.

zations are in Paris; those in the districts further from the capital being less numerous as well as less important.

Thus it was on one side of the Channel. On the other, in England, one voice, that of Mary Astell had wailed in the wilderness of the 17th century crying for a wider education for those of her sex, but it was not until 1792 when Mary Wollstonecraft published her "Vindication of the Rights of Woman" that the first really important work on this subject appeared. She, too, advocated better education for women, but not with Mary Astell's idea that they should thus make themselves more desirable to men. Miss Wollstonecraft said that woman ought to mount with man "the arduous steeps of knowledge" and that the most perfect education in her opinion was "such an exercise of the understanding as is best calculated to strengthen the body and form the heart . . . . to enable the individual to attain such habits of virtue as will render it independent." For how, she asked were women to exist in that state where there was neither to be marrying nor giving in marriage, if they lived only to please men? Miss Wollstonecraft's own life was not such as would allow her to believe that benefits for women naturally followed their theoretical protection by men. From an early age she had had to deal with a drunken and vicious father. As she grew older, her two sisters used continually to apply to her for help, and her three brothers to whom in theory she should have been able to turn, proved no better than her sisters and were a constant drain on her resources. It was no wonder that she felt constrained to demand that women should at least be prepared for independence and self-support in case they might have to lead a life such as hers.

Seventy-seven years then seem to have lapsed before the next epoch-making pamphlet on the subjection of woman appeared, although in this interval some few magazine articles were published. The most diligent search has shown that these were far from numerous, and their authors agitated more for a general widening of the educational and vocational horizon for women, than for political rights. The first handbill repre-

senting women's suffrage did not appear until 1847, and it was ten years later than this that the Sheffield Female Political Association was formed. Then in 1869 John Stuart Mill published his essay on "The Subjection of Women." He opens this with the flat statement: "That the principle which regulates the existing social relations between the two sexes—the legal subordination of one sex to the other—is wrong in itself and now one of the chief hindrances to human improvement, and that it ought to be replaced by a principle of perfect equality admitting no power or privilege on the one side, nor disability on the other." Thus we see that with him the question did not resolve itself into merely a matter of education or of voting, but that he seems to have demanded a change in the general status of women, all the specific privileges being included. He argues that the legal subordination of women was not first adopted because it was the best social arrangement. It was rather the result of the mere physical fact of men's superior strength, and was sanctioned by society, thus being converted into a legal right. But now, he goes on, the subjection of women is merely primitive slavery lasting on. A second point on which Mill insists is that no harm would be done if women were given free choice as to their vocations, for free competition would induce them to perform only those services for which they were most needed and most fitted. On the contrary, he says, "any limitation of the field of selection deprives society of some chances of being served by the competent, without ever saving it from the incompetent." Chapter II of this pamphlet deals with the injustice and evil effects of legal inequality in marriage. Mill sets forth clearly the condition of the married woman in the middle of the 19th century. She is, says he, "the actual bond-servant of her husband. . . . She can do no act whatever but by his permission, at least tacit. She can acquire no property but for him; the instant it becomes hers, even if by inheritance, it becomes, ipso facto, his." The father "alone has any legal rights over the children. . . . . Even after he is dead she (the mother) is not their legal guardian unless he, by will, has made her so. He

could even send them away from her and deprive her of the means of seeing or corresponding with them,—until this power was in some degree restricted by Serjeant Talfoud's Act—This is her legal state . . . . If she leaves her husband she can take nothing with her, neither her children nor anything which is rightfully her own. If he chooses he can compel her to return, by law or by physical force; or he may content himself with seizing for his own use anything which she may earn, or which may be given to her by her relations. It is only legal separation by a decree of a court of justice which entitles her to live apart. . . . This legal separation, until lately, the courts of justice would only give at an expense which made it inaccessible to anyone out of the higher ranks. Even now it is only given in cases of desertion or of the extreme of cruelty. . . . But no amount of ill usage, without adultery superadded, will, in England, free a wife from her tormentor."

Mill's third chapter treats of the unfortunate fact that the political functions and other opportunities favorable to intellectual originality are monopolized by men. All the little petty reasons brought forward from time to time why women should not be allowed to have anything to do with politics are considered, such as the relative smallness of the feminine brain as compared with the masculine, and the idea on the part of men that domestic life should fill the woman's horizon. These and many others are refuted so ably and emphatically that one wonders that anti-suffragists should ever bring them to light again. This brings us to the fourth and last chapter, outlining the probable benefits of granting women equal opportunities with men. In the first place it is pointed out that men would no longer be artificially stimulated to an unjust self-preference. Secondly, "the mass of mental faculties available for the higher service of humanity" would be doubled. Then thirdly, if women were better educated, and brought face to face with the facts of life, they would exercise a more beneficial influence upon public virtues than heretofore when an account of their limited education and experience their desires may not have been always for the best. Mill next says

that the ideal marriage is one in which both the man and wife can each "enjoy the luxury of looking up to the other, and can have alternately the pleasure of leading and being led in the path of development," and such marriages would undoubtedly be the result of the emancipation of women. Lastly, comes the happiness of those to whom this freedom is to be granted; happiness both for the woman who is married—for she would then be a party to the ideal union,—and for the unmarried woman also, as her scope of activities would no longer be limited to teaching and tea-drinking, but she would be able to undertake that work for which she felt herself to be best fitted when the privilege of home-making was denied to her. On the whole, Mills' pamphlet is not only one of the first, but even to-day, it is one of the most important treatments of a question still before the public and still of vital interest. As he says, the chief difficulty of a matter of this kind is not the actual proof of the thesis, however logical, obvious or practical it may be, but rather is it the tremendous mass of public opinion which must be moved, and nothing contributed more to the movement of general thought in this case than Mill's own pamphlet. This is clearly seen by the following legislative changes in the status of women which followed shortly after the publication of his work. In 1886 an act was passed called the Married Women (maintenance in case of desertion) Act, and under this, a wife whose husband had deserted her could make him contribute towards her own maintenance and that of his deserted children. In 1895 the Summary Jurisdiction (Married Women) Act ameliorated the condition of the deserted or abused wife by providing that she might apply for an order:

(1) Not to have to live with her husband.

(2) To have legal custody of the children until they reached 16 years of age.

(3) To force her husband to provide a fixed sum of money for her use, either directly to her, or indirectly through an officer of the court.

In 1884 the Matrimonial Causes Act put an end to the punishment by imprisonment of the husband or wife who refused to obey the decree of the Court for

the restitution of conjugal rights. Turning now from personal liberty to privileges with regard to property, it appears that in 1870 the Married Women's Property Act conferred some special rights on married women. Thus the following were all to belong to her for her separate use:—

(1) Wages and earnings of a married woman employed separately from her husband, including the returns from literary, artistic or scientific work.

(2) Deposits made after the Act in savings banks.

(3) Personal property devolving upon a woman married after the Act as next of kin of an intestate, or any sum up to £200 coming to her under any deed or will.

(4) Rents and profits of real or landed property inherited from an intestate. She could also insure her own life or the life of her husband for her separate use, and have stocks, funds, shares and securities registered in her name as her separate property, and lastly she could sue in her own name for the recovery of all this property. But this was by no means the general control of property rights. That was to come by a second Married Women's Property Act in 1882, by which married women might acquire and exercise the ordinary rights of ownership as if they were unmarried. In 1886 the Guardianship of Infants Act made the mother the guardian of her infant children, either alone when no guardian had been appointed by the father, or jointly with any guardian appointed by the father. She was also given the right to appoint a guardian to act after her own and the father's death. Improvement though this was, it was by no means sufficient, and so the struggle went on, the Suffragists gaining in strength through the political organization of the women. During the Boer War the movement slipped into the background for some years, but in 1906 the Suffragettes, as they were now called, adopted militant tactics, as these appeared to them to be their last resource. At that time the House of Commons was predominantly Liberal, and although the Liberals had previously declared themselves to be in sympathy with the suffrage movement, when it came to the fine point, with the power in their hands, they refused to

grant political emancipation to those whom they had formerly supported in order to obtain their political influence. This state of affairs continued until the Great War occupied people's minds to the exclusion of all else, and in 1918 about six million women were enfranchised. Now a woman voter must be thirty years of age (a man need only be twenty-one) and entitled to be registered as a local government elector in respect of the occupation of premises of a yearly value of not less than £5, or of a dwelling house, or she must be the wife of a husband entitled to be so registered. So much for the franchise. Now let us consider for a moment the education of women in England. Since 1870 elementary education has been compulsory, but the principle of the schools has not been co-education. Later, higher institutions of learning, subject to inspection by the universities were established in all the large cities. At both Oxford and Cambridge women's colleges have been organized in direct connection with the universities though at neither may a woman obtain a degree, even should she succeed in all her qualifications. But all the other leading universities in that country do confer degrees on women in all the usual subjects on practically the same terms as on men. Women may practice medicine (they have their own school of medicine in London, founded is 1870), and the artistic professions; they may also teach, but the Temple and Gray's Inn refuse absolutely to open their doors to them.* Women may also engage in industry. They not only may, but even before 1914 over two million of them did, and since then of course this figure has increased tremendously. Both before and during the war women received much less remuneration for their labors than did men for the same work; the only case where a parity was maintained being in the Lancashire textile industry. But this condition was by no means peculiar to England. During the war, however, so many causes other than economic affected the determination of

*Since the above was written four women have been admitted to Middle Temple Hall.

wages that it will be better to leave that period out of our consideration for the present. For the rest, it is not so much a question of inability or incompetence on the part of the women, as that by the size of their labour market they are bound to force wages down. Then also it must be remembered that women often work without the idea of supporting a family, and that they so often leave their positions in order to marry that employers may be willing to pay more to ensure having a steady laborer who can continue to work after he is married, and who will probably work all the better for that reason.

To turn now to the United States of America,—even before 1783, nine out of the thirteen states which were later to ratify the constitution of the Union, had practically granted to women the right to vote as "free-born citizens," "taxpayers," and "heads of families," etc., but gradually this privilege was withdrawn, and when about 1840 such women as Abby Kelly and Elizabeth Cady Stanton tried to take an active part in the anti-slavery movement they were thwarted in every way, so they determined in Mrs. Stanton's own words, "to call a convention to discuss the slavery of women." This was held in 1848 when Susan B. Anthony joined the ranks of the seekers after women's rights. Since then an energetic suffrage movement has been carried on all through the Union, each State having its "Woman's Suffrage Society," and each of these organizations belonging to a national woman's suffrage league. The demand for the vote was based on the American Constitution, which, the emancipationists claimed, granted the suffrage to women as a natural right. "We, *the people* of the United States . . . do ordain and establish this Constitution for the United States of America . . ." etc., etc. Put the fact that the emancipationists considered women to be people had no weight in the eyes of the law, on account of the fact that the men who drew up the Constitution did *not* consider them to be people. The Declaration of Independence too has been cited, but the same holds true of it, as Thomas Jefterson most certainly would never have included women amongst those by whom governments were instituted

"deriving their just powers from the consent of the governed."

Wyoming and Utah have had woman suffrage ever since they were inaugurated as States in 1869 and 1870. Other States have followed this example more or less slowly and by 1918, fifteen had granted full suffrage to women. In two States primary suffrage has been granted, in four municipal. and in nine presidential. As far as state officers are concerned women's suffrage is controlled by each State Constitution, and members of Congress are elected by those who can vote for the State House of Representatives, and by those only. But the National Constitution allows the electors of President and Vice-President to be appointed in each State, "in such manner as the legislature thereof may direct." This puts it in the power of a legislature to allow women to vote for presidential electors without the formality of an amendment of the Constitution. As an example:—In 1913 women in Illinois were granted by legislative act the right to vote for all officers except congressmen and state officers. They thus gained the privilege of voting for electors of President and Vice-President, and this explains the possibility of having presidential suffrage as differentiated from other forms. It is hard to make general statements about suffrage in the United States, owing to the fact that each State decides this question for itself, but the above outline should give a fairly good idea of the general advancement along these lines. A point of interest here is the approval of the movement which the leading men in those States in which women vote, have voiced. In 1913, the Governor of Wyoming said, "She (the woman voter) has exercised her privileges wisely and well. So satisfactory has it been to the people of Wyoming that I do not believe one per cent. of the male population would vote to deprive her of the political privileges she enjoys. She votes and takes an interest in public affairs . . . . we never have any difficulty at the polls." As early as 1893 the Wyoming House of Representatives passed the following resolution:—"That the possession and exercise of suffrage by the women of Wyoming for the past quarter of a century has . . . . done much good in

many ways . . . . and as the result of experience we urge every civilized community on earth to enfranchise its women without delay." Colorado passed a similar resolution in 1899, and the opinion of prominent men in those States in which women suffrage has been tried is all in favor of it. In 1898 the Governor of Colorado and three ex-governors, beside many other men of note signed the following "We . . . . desire . . . . to give our testimony to the value of equal suffrage. We believe that the greatest good of the home, the State and the nation is advanced through the operation of equal suffrage." In 1913 the Governor of Idaho wrote, "It has, in general, been most satisfactory. A large majority of women not only vote but vote intelligently." In Utah, Governor Wells found that the influence of women in politics was distinctly elevating, Governor Cutler that it was an integral part of civil life, and the mayors of Utah, thirty-seven in number, all agreed that they could recommend woman suffrage in cities. In Washington facts speak for themselves. Eighty-five to ninety-five per cent. of the women eligible to vote, do so, and in March, 1913, two women were members of its House of Representatives. In California, ninety to ninety-nine per cent. of the eligible women vote, and in general wherever it has been tried for a length of time sufficient to give accurate returns, woman suffrage in the different States has certainly been a success. Just recently there have been attempts made to pass a suffrage amendment to the United States Constitution. For instance, in 1918, the House of Representatives approved of the following amendment:—

Section I. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of sex.

But the Senate rejected this amendment by a vote of 53 to 31, or three less than the two-thirds required for the passage of an amendment to the federal constitution.

So much for the political side, but with regard now to education, it seems that girls received the most meager education until 1821 when the first school which went beyond the elementary grades was found-

ed, and even this was but an early forerunner of higher educational institutions. Mount Holyoke Seminary succeeded this in 1837 but it was not until the latter half of the century that other universities were either founded for women, or opened their doors to them. At present both sexes have the same educational opportunities, except that Harvard, Yale, Columbia and Johns Hopkins still exclude women and will not grant them academic degrees. Women are admitted to the bar to practice law before the Supreme Court of the United States, and all inferior Federal courts. They are also admitted to practice law in all the State courts except Arkansas, Georgia, and Virginia. They may practice medicine in all the States and Territories. Some have entered the police service. Many have been mayors and justices of the peace. There are women preachers, journalists, architects, engineers, inventors, bankers, merchants, contractors, stock brokers and commercial travellers; indeed it is hard to find a field into which they have not penetrated. As for marriage, divorce, property rights under the former, and the rights and obligations of parents concerning minor children, they all come under the regulation of the separate states, and here again the difficulty of speaking for the whole union in general terms arises. Divorces may be obtained in all the States except North Carolina, but not always on the same grounds, some States being much more strict than others. The need for a uniform law is admitted, but it would be very difficult to find one which would suit 48 States, when the differences in their opinions as reflected in the present divorce laws are seen. And it would have to come in this way—one law ratified by all the States, as this is a matter in which the jurisdiction of the individual States is unrestricted.

With regard to married people's property rights, Ellen Spencer Mussey, speaking in general terms for all the States, says: "In no branch of the law has there been greater progress than in that governing the personal and property rights of married people. Fifty years ago, the married couple were one in the eyes of the law, and that *one* was the husband. He owned her person, her property and her children born in wedlock.

He was responsible for her wrongs and her earnings were his and liable for the debts she owed at marriage. She could not make a will without his consent, and at her death, provided living children had been born, her personal estate became his absolutely. All this has been completely changed in the United States within the last fifty years. In all States, the wife is recognized by the statute law as a separate legal entity. Her earnings are hers, free of her husband's control, and without liability for his debts. She can contract, sue, and be sued, as to her separate estate. She still owes the duty of caring for the home and family, and in such case the law says that the husband must support her and maintain the home. In the various States the degree of separation of legal interest differs largely, but the above is a good general outline. In thirteen States there is equality of guardianship rights as between father and mother. In the other States the father is preferred to the mother, but she comes next to him and the Courts usually have the power to change the custody of the child should its welfare require it.

The next country here to be considered is New Zealand, the first self-governing and self-contained country to enfranchise its women. In 1893 women were given the vote, and ever since then New Zealanders have considered woman suffrage to be an integral part of the spirit of democracy, and have based their actions on the principle that no ideal of government for the benefit of the people can attain to any appreciable measure of success unless it proceeds on the assumption that *women are people*. At present then women in New Zealand have school board and municipal council suffrage, and are eligible as candidates for both. They also have Parliamentary suffrage although eligibility to sit in the legislature is still to come. The result of women's emancipation has been felt more freely in this country than in any of the United States which have granted women the suffrage as there, conditions are affected to a certain extent by the United States Congress, but in New Zealand there is no such restraining body. As soon as women got the vote they turned their attention to social legisla-

lation, struggling with child welfare and domestic relation problems, and seeking for the protection of women workers, the elevation of community morals, the relief of poverty and the prevention of sickness. By the Factory Act the principle of equal pay for equal work was acknowledged, and the economic partnership of husband and wife was recognized by the Old Age Pensions Act. The law for divorce is the same for both man and wife, and this sets up the same standard of morality for both sexes. By the Summary Separation Act a legal separation can be obtained quickly and with little expense, the homes and earnings of working women being thus protected from idle or otherwise vicious husbands. All the available testimony on this subject shows that the New Zealand women not only have the vote, but they have the interest and the courage to use it and use it well. New Zealand is well advanced with regard to education also. Girls and boys enjoy the same educational opportunities in the schools, part of which are co-educational, and women may secure all the academic degrees granted in Arts, Law and Medicine by the New Zealand University. On the whole New Zealand is noted far and wide as one of the most advanced countries along political, industrial and moral lines, to say nothing of the reputation which it lives up to of being one of the healthiest parts of the globe, not only from climatic conditions but also from careful legislation and the enforcement of the same.

This must by no means be supposed to be an exhaustive account of the evolution of the Woman's Rights Movement, even in those countries which we have considered. Rather let us think of it as a brief foundation on which to base our more detailed investigations on the status of women in the Province of Quebec. It is, in a few pages, an outline of what has been happening in other countries during the last century or so, and as we noticed above this was all, until very recently, completely separated from politics. John Stuart Mill was the first member of Parliament in England to suggest that women should actually vote, but people treated this as one of his whims, elected him in spite of it, and trusted to the House of Commons to

veto any bill of his on this subject, which it did. As years passed and the women's organizations increased in strength the struggle became more acute, and an actual war for democracy, as the Suffragettes considered it, was waged by window-breaking, museum-wrecking, hunger-striking, and in a dozen other ways. By 1913 things had reached such a pass that the houses of prominent politicians had to be guarded by police; museums and art galleries had to be closed to the public, while shop windows were always in danger of being broken. Then came the war, and women had other and more serious affairs to occupy them. So well did they acquit themselves that in 1918 they received their vote. But it was the struggle of the world for democracy which gave it to them, not their own little struggle in England. In the United States it seems that the women realized at an earlier date that their movement was connected with the larger one. How, indeed, could they help realizing it, when they saw uneducated negroes receiving those privileges which they themselves so desired? But the Great War has been a war for democracy indeed, as it has given the women who had to stay at home a chance to show what they were made of. They have shown it, and now the vote is coming to them. In England they have it already. In France, the probability is that they will receive it at the next meeting of the legislature. In the United States, as the years pass State after State is enfranchising its women, while New Zealand and Australia did it years ago. And Quebec—? But that is another story.

CHAPTER II.

QUEBEC—POLITICAL RIGHTS.

1. **Dominion Franchise.**
2. **Provincial Franchise.**
3. **Municipal Franchise.**
4. **The Right to Hold Office.**

In studying the franchises in Quebec, it will be necessary to consider briefly the chief legislation on this subject as a background on which to work. Nothing of an elective nature was instituted in Canada until 1791, when the Constitutional Act provided for separate legislatures to be established in both Upper and Lower Canada. The latter was to have a lieutenant governor, a legislative council appointed by the governor, and a legislative assembly elected by the people. Certain property qualifications were necessary as well as those of age, birth or naturalization, before one could vote. By the Act of Union, 1840, this system was changed and one legislature, of the same type as that described above was to take the place of those instituted in 1791. Upper and Lower Canada were to be represented equally, and the laws then in existence in the separate provinces, relating to the qualification or disqualification of voters were to remain in force. In 1849 these laws were consolidated and in 1853-54 a considerable extension in the franchise took place, along property qualification lines. It was in 1849 too, that the Rebellion Losses Bill was passed. On this occasion Lord Elgin, by his policy of refusing to impede the action of the legislature finally established in Canada the principle of responsible government, and thus 1849 marks the beginning in our country of that type of government which we know to-day, though the outline of it had been there since 1791. Ever since

this latter date the voters of Canada had received their franchise directly from the Imperial Crown,* but in 1867 came Confederation and with it another change, for by the British North American Act, power was given to the Parliament of Canada to govern the franchise for the Dominion House of Commons, as it should see fit.† At that time it was considered expedient that the qualifications, for electors, already in force in the several provinces should be applied to those who were to vote for the members of the Dominion House. Later on there were alterations in this policy, the most important of which took place in 1885, when the Dominion adopted for its own elections the provincial manhood franchises of British Columbia and Prince Edward Island, and prescribed for the other provinces an elaborate parliamentary franchise, classified under a series of ten electoral titles. This act was repealed in 1898, and the provincial franchises for provincial elections were again adopted for Dominion parliamentary elections, excluding, however, the electoral disqualification of officials and others under the several provincial statutes. This system is still in use, and to-day all male persons, 21 years of age, who are British subjects by birth or naturalization, and whose names are registered or entered on the list of voters for provincial legislative elections may vote for the members of the Dominion House. In the Province of Quebec the suffrage is based on indicated categories,‡ and in the same article in which these categories are outlined, women are expressly excluded from the franchise. Then it follows from this that women should have no power with regard to Dominion elections as the suffrage is the same in both cases.** Until 1917 this was the case, but in that year the Dominion Government made use of the power granted to it by Confederation,†† to pass the "War Time Elections Act." Under this act a woman was entitled to

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* See Constitutional Act, 1791; Act of Union, 1840.

† 1867 B. N. A. Act; Article 41.

‡See Revised Statutes of the Prov. of Que. Art. 180, 1-11.

**Revised Statutes of Canada, Chap. 6, Art. 10.

††B. N. A. Act, 1867, Art. 41.

have her name entered upon the voter's list, if she were:—

(1) Of the full age of 21 years.
(2) A British subject. (Not alien enemy race.)
(3) Residing at the address given within the electoral district.
(4) Either the wife, widow, mother, sister or daughter of one of the following persons:—

a—A Canadian soldier overseas.
b—A Canadian soldier who had died overseas.
c—A returned Canadian soldier honourably discharged.
d—A Canadian army nurse.
e—A person who, during the war had been on active service in the Imperial Army or the British Navy.
f—A member of the Canadian naval forces, who had not become so after the passing of the act.

And any number of women possessing one of the above relationships might qualify in respect of the same soldier. This act applied to all the provinces, and hence of course, to Quebec, but it was only a temporary measure—to be used for the general election of 1917. In May, 1918, a last and sweeping enactment on this subject came into being in the "Act to Confer the Electoral Franchise upon Women" (8-9 Geo. V., Chap. 20). Under this legislation every female person is entitled to vote at a Dominion election who,

"(a) Is a British subject.*

"(b) Is of the full age of 21 years and upwards.

"(c) Possesses the qualifications which would entitle a male person to vote at a Dominion election in the province in which the said female person seeks to vote: Provided that a married woman or an unmarried daughter living with her father or mother shall be deemed to have any necessary qualification as to property or income if the husband or either of the parents is so qualified."

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*Specially defined in the Act for the purposes of the Act.

This is the extent of Dominion legislation on the subject of women's franchise.*

As a province, Quebec flatly and absolutely excludes all women from the voter's lists. "The following persons, and no others, *being males* . . . . shall be entered upon the list of electors." . . . runs the act.† Hence the paragraph on Provincial Franchise is brief.

Municipalities on the other hand do allow some women a certain measure of political action. According to the list of qualifications for electors, every widow or spinster whose name is entered on the valuation roll in force as the owner or occupant of immoveable property in the municipality, of $200 or more assessed value, or of the annual value of $20 or more, shall be entitled to vote.‡ Widows and spinsters may also vote, should they be tenants in the ward for which the list is made, of a dwelling house valued at $200 or more, or of the anual value of $20 or more. Married women, it will be observed do not come under these heads. Their condition will be considered in the suc ceeding chapter.

With regard now to the right of a woman to hold an elective office in the Province of Quebec. A woman in that province has the right to hold no such office whatsoever. She may not be elected to the membership of the Dominion House. She may not be elected as a representative to the Provincial Legislative Assembly. She may not be elected to any municipal office,** and she may not be elected to any school board, neither as a member, nor as a trustee, nor as a commissioner.†† In the first case she is excluded from eligibility as a member of the Dominion House of Commons because the British North America Act decrees that whatever regulations are in force in the province, concerning

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*See below, Chapter VIII.

†Statutes of the Province of Quebec, Election Act, 3 Edw. VII., Ch. 9, Sect. 2, P. 180.

‡Revised Statutes of Quebec, Art. 5638, Par. 1.

**Revised Statutes of the Prov. of Que., Art. 5362.

††Revised Statutes of the Prov. of Que., Art. 2639.

the eligibility for a seat in that province's lower house shall apply to that province's representatives in the Dominion Legislature.* And in the provincial statutes we find that a woman may not be elected as a member of the Legislative Assembly, nor may she vote or sit as such,† hence her legal inability to enter the Dominion House.

At first one might think that appointive offices were not so closely barred to women, as elective, for according to the different revised statutes the actual words excluding women are absent. To the uninitiated in legal ways, it might appear that a woman might be anything from a legislative councillor‡ to a police constable.** But this is only on the surface. In point of fact, a lawyer will tell you, that the articles are worded thus freely, simply because it never would have occurred to the compilers of the act that women would ever attempt to fill these positions—such a state of affairs was so remote and impossible that the lawmakers never even thought of putting in the extra prohibitive phrases. Far from women being able to take advantage of this, as soon as they tried to do so, the law would step in, saying that even if the actual words did not exclude women, the interpretation of the words (based on what the original compilers might reasonably be thought to have meant by them) would do so. A point of interest not to be omitted here is that in spite of the above a woman professor of McGill University has recently been appointed a member of the Protestant Committee of the Council of Education. This is the first time that a woman has held such a position in this province, and she holds it on exactly the same footing as a man.

The women of Quebec, however, have by no means accepted their lot without trying to better it. As early as 1892 the Women's Christian Temperance Union of the Province of Quebec presented a petition to the Legislative Assembly asking that the women of that

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*B. N. A. Act, 1867, Art. 41.

†Revised Statutes of the Prov. of Que., Art. 305.

‡ R. S. of P. Que., Art. 84.

**R. S. of P. of Que., Art. 3287.

province be granted the right to vote.* Since then the Premier of Canada and other ministers† have been interviewed and appealed to, both formally and informally on the subject, and the Local Council of Women has presented petitions for the extension of the municipal franchise to married women in the province —but all to no purpose. Both the Women's Club of Montreal,‡ and the Local Council of Women have petitioned the legislature that women should be allowed to take their place on the school boards, but so far this, too, has been of no avail.

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*Journals of the Legislative Assembly, 1892; Vol. XXVI.

†1913. Deputation from Canadian Suffrage Association waited on Sir Robert Borden.

1918. Sir T. White expressed government's intention to grant woman suffrage for Canada.

1919. Request by Montreal Women's Club and Administrative Commission that married women should be granted municipal vote.

‡Journals of the Legislative Council, 1894, pg. 34.

CHAPTER III.

RIGHTS OF PROPERTY AND CONTRACT—MARRIAGE—DIVORCE—PARENTAL RIGHTS OVER CHILDREN—PROPERTY UNDER MARRIAGE, ETC.

This chapter properly begins with a quotation of the two articles in the British North America Act, 1867, dealing with marriage and divorce in the Dominion and in the Provinces. In Section 91 the Dominion Parliament is given "exclusive legislative authority" over marriage and divorce. But in Section 92 we find that the provincial legislatures "may exclusively make laws concerning the solemnization of marriage in the province." How then are these apparently contradictory articles reconciled? As far as the actual "solemnization of marriage in the province" is concerned, this has been left strictly to the provincial legislatures. In Quebec it is a purely religious ceremony performed by each church for the members and adherents of that church. The law merely gives civil effect to this religious ceremony when it is validly celebrated by regularly ordained ministers authorized to keep marriage registers. But what about the question of mixed marriages? Who is to perform these? The "Ne Temere" decree of the Roman Catholic Church in 1907 did not prohibit such marriages, but held them to be invalid in the eyes of the Church unless performed by a priest of the Church, under special dispensation. But in Quebec the Civil Code (Art. 127) declares that "All priests, rectors, ministers, and other officers authorized by law to keep registers of acts of civil status are competent to solemnise marriages." Then might a properly qualified Protestant minister perform the marriage ceremony for Roman Catholics, or in the case of a mixed marriage? Of course, the Roman Church said not, and as Article 3 of the "Ne

Temere Decree" states that only those marriages are valid which are contracted before the curé of the place in which either or both of the parties to the marriage live we can see that there was a disagreement between the Church Law and the Civil Code. Between 1907 and 1912 the number of applications filed for marriage annulments under the "Ne Temere Decree" was so large as to bring into great prominence the peculiar and unsettled state of the law. With the idea of annulling the effects of the above mentioned decree the following bill (No. 3, 2 Geo. V.) was brought before the Parliament of Canada:—

"Every ceremony or form of marriage heretofore or hereafter performed by any person authorised to perform any ceremony of marriage by the laws of the place where it is performed, and duly performed according to such laws shall everywhere within Canada be deemed to be a valid marriage notwithstanding any differences in the religious faith of the persons so married and without regard to the religion of the person performing the ceremony."

This meant that the new Conservative Government (1911) was to be burdened with a strife-laden question, for the bill was a direct attack on the Church of Rome. To avoid the difficulties and ill-feeling that such a measure was certain to rouse, the House of Commons resorted to its privilege of asking a direct question of the Judicial Committee of the Privy Council. Would or would not such a bill be "ultra vires"? The Privy Council decided that it would be, on the grounds that it would infringe on the jurisdiction of the separate provinces, which provinces in legislating on the solemnization of marriages within their own boundaries, could impose conditions affecting the validity of the contract. Hence the bill was abandoned, and it would appear that to-day only a Roman Catholic priest may perform the marriage ceremony for two Roman Catholics* or in the case of a mixed marriage.

Then comes the question of divorce. Owing to the differences in religious beliefs in the different parts

*See the decision in the case of Hébert vs. Cloûtre, 1911-1912, where two Roman Catholics had been married by a Methodist minister.

of the Dominion, the federal legislature, though it has the warrant for such an act, has considered it inexpedient to pass a general divorce law. Instead, such provinces as had divorce laws prior to Confederation, namely, Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, kept them. Since then Alberta and Manitoba have assumed them, basing their action on the fact that at the time when Manitoba and the Territories were made parts of the Dominion, English law was in force over these areas, and that under the English law of that period divorces could be granted. Hence both Manitoba and the Territories, previous to their entry into the Federation possessed, as it were, latent divorce laws; and hence the decision of the Privy Council in 1918, that both Alberta and Manitoba could constitutionally grant divorces. But as far as Quebec is concerned there is not, and has never been a provincial divorce law. In place of this, it is possible for those wishing to be divorced to have a private bill put through the Parliament of Canada. The application for divorce presented to the Dominion Parliament in practice is based upon a specific charge and the facts necessary to support that charge have always been established by satisfactory evidence. The application is dealt with by the Senate's standing committee on divorce. This body appears to have been guided by the principle that divorce has been recognized as a moral and legal consequence of certain adequate causes which by the general sanction of law nullify marriage* and for no other reason has the Senate granted a divorce.

In the Province of Quebec there is a second expedient for those who find they cannot live together, far more commonly resorted to than divorce, and that is what is known as a "separation from bed and board." It is really an order of the provincial court that the parties concerned do not have to live together, but they may neither of them marry again. On the other hand they may return to each other at any time should they both so desire (Civil Code Art. 217). The order of the court is given only for specific causes (C. C. Arts. 186-191), and not at the mutual desire of the

*Bourinot "Parliamentary Proceedure." Pg. 798.

parties themselves. The courts have also jurisdiction to annul a marriage (C. C. Arts. 148-164), where there is no consent, or the parties are within certain prohibited degrees of propinquity, and in other cases which are very limited in this province where the Roman Catholic Church declares marriage to be a sacrament. As the Church claims that death alone can dissolve a marriage, the provincial law does not permit anything farther than separation from bed and board.

As far as the children of a marriage are concerned, when it comes to a question of guardianship, there is a strong presumption in favor of the father. Children remain subject to the authority of their parents until they reach their majority, but the father alone exercises this authority, during the marriage (C. C. Art. 243). If, by chance, the father should prove an unsatisfactory guardian the child may be removed from his care under a writ of Habeas Corpus, the idea being that the child is being improperly detained by a person who has shown himself to be an unsuitable guardian. But short of this extreme measure, under the Civil Code, the mother is powerless, the father controlling absolutely the lives of his children. The consent of the mother is not necessary for the marriage of her children, if the consent of the father be obtained, (C. C. Art. 119). Thus, at 12 years of age, the age of consent for a girl, a daughter may be married at her father's wish no matter how much her mother may object. In the case of a separation, the father has a legal right to the children, unless the court were to order otherwise, and such an order would only be made upon proof positive that the father was incapable of properly caring for the children. Thus it is in the case of legitimate children. If the child is illegitimate the mother alone is recognized as the parent, except where the father is known, in which case he can be forced to contribute to the child's support, but of the responsibility he has none. The father, however, is not without restrictions as to how he shall treat his children. It is true that the Civil Code gives him absolute control over them, but the Canadian Criminal Code provides that he is under a legal duty to supply them with the necessaries of life until they reach 16 years of age, and that he is

criminally responsible for omitting without lawful excuse to perform this duty, if the death of one of the children is caused, or if the child's life is endangered, or his health has been, or is likely to be permanently injured by such omission, (Criminal Code of Canada, Sec. 242). "Necessaries of life" include food, clothing, lodging; in general, a home according to the father's station in life; medicines, and medical treatment, the latter in cases where ordinarily prudent persons would obtain them, (see note to Section 242, Canadian Criminal Code). Thus, under the law, protection of the children from the father or guardian is provided, and the Canadian Criminal Code should be read with the Civil Code of the Province of Quebec to avoid a very common error, the belief that there are no restrictions as to how the father shall care for his children.

The unmarried woman in the Province of Quebec whether under or over the age of twenty-one, except in the matter of her right to vote, stands in exactly the same position under the law as a man of the same age, but with property rights under marriage the case is different. In times now so far gone by as to be considered almost pre-historic we find that the married woman of the Aryan race had no property rights whatsoever. These came at a later date, being the result of the following custom. The father of the bride would sell her to her husband and then would give back the price to her in the form of a dowry. Only when this occurred did a woman have any property, and hence not until this was the common practice was there any need for her to have any property rights. From that time until to-day the legal emancipation of women has been gradually progressing until at the present time in England and in eight of the Canadian provinces, to say nothing of various states of the American Union and other parts of the globe, a married woman to put it in the words of the revised statutes of Saskatchewan, "shall be capable of acquiring, holding, and disposing by will or otherwise, of any real or personal property as her separate property, in the same manner as if she were a "femme sole" without the intervention of any trustee'—but Quebec

in this case is the ninth Canadian province, and in it this is far from so. When a Quebec woman enters the matrimonial state she does so either with or without a marriage contract. In the latter case she pools her resources with those of her husband, and he acts as the administrator for both. This means that everything which the wife may have possessed before marriage—except immoveable property—is at the command of her husband and he may dispose of it in any way he pleases without her consent. The immoveable property—that is, lands and houses which belonged to the wife before her marriage or to which she becomes entitled during the marriage by succession or an equivalent title,—does not fall into the community of goods, but any returns from it do. The husband has absolute control of the property and the wife—short of getting her husband interdicted as a prodigal, or of procuring a separation of goods, both rather extreme measures—is helpless. The husband though he may not actually sell his wife's immoveable property may lease it for a period not exceeding nine years. A woman married in community of goods has no power whatever of binding herself by contract unless her husband becomes a party to the deed or gives his consent in writing (Civil Code Art. 177). There is an exception in favor of a married woman who is carrying on a public trade with the authorization of her husband. Also she enjoys the privilege of having a bank account of her own to an amount not exceeding $500 and may deposit to the amount of $2,000 in certain local savings banks. A married woman may not appear in court either to sue or to be sued unless assisted or authorized by her husband. When such a marriage is dissolved by death the property held in common is divided into two equal parts, one of which goes to the heirs however remote of the deceased husband or wife as the case may be, and the other to the survivor. In case the husband should be the first to die the wife has in addition to the one half of the goods previously held in common the right to what is known as her dower. This consists of the usufruct or life-rent of one half of such of the husband's immoveables as belonged to him at the marriage or have since fallen to him from his father or some other

ascendant, and therefore never formed a part of the community. This dower right however is subject to two conditions. First, it must appear on the register, and second, the widow must not have renounced her right over such immoveables as her husband has in his life time either sold or mortgaged. This "community of goods" system in which the husband and wife pool their resources, and the former is the sole administrator has come down the ages to us from the Francs. The early idea seems to have been that marriage was a partnership, but that the wife's side had to do only with the domestic economy, and that it was really not necessary for her to take even partial charge of the administration of the joint estate. And as in such matters of administration one head is not only all that is necessary, but all that is desirable, the consequence was that the husband, accustomed as he was to dealing with the outside world, wielded the power. The wife had little or no property of her own, and if she did have any it was much better looked after by her husband who was accustomed to such matters than if she herself had controlled it. Obviously this system was originally for the good of the home as well as the protection of the wife, and undoubtedly it served its purpose well in the days previous to the present capitalistic regime. With the increasing use of money and the decreasing duties of the house-wife due to inventions, machinery, etc., the situation has changed. Linen is no longer spun and woven in the home—it is bought by the yard. Each house no longer has its dairy—butter and milk are brought to the door. Baking day is fast becoming a thing of the past—everything is bought, and this brings the wife in contact with the money world. How far the duties of the house-wife will continue to be diminished it is hard to say, but it will be easily seen that at least for the average city woman the circumstances are no longer such as produced the "community of goods" system. But even now most women are not accustomed to managing large sums of money, and as it is always better to have one individual in the position of responsibility than two, one sees that both historically and at the present time something may be said for the community system.

The position of the woman who has secured a marriage contract for separation as to property is somewhat better. Under this arrangement the wife retains the entire administration of her property moveable or immoveable, and the free enjoyment of her revenues (Civil Code Art. 1422). She cannot alienate her immoveables without the special consent of her husband, or on his refusal without being judicially authorized (Civil Code Art. 1424). But she can apparently alienate her moveables though even this is not free from doubt, and she may by herself do all acts and make all contracts connected with the administration of her property (Civil Code, Art. 177). Finally in matters of simple administration she may sue and be sued alone (Civil Code, Art. 176). This is the extreme limit of legal action which the Province of Quebec allows to married women, but this must always be read subject to the following: (Civil Code, Art. 1259), "the consorts cannot derogate from the rights incident to the authority of the husband over the persons of the wife and the children, or belonging to the husband as the head of the conjugal association." The circumstances arising from the death of either the husband or wife married in community of goods has already been considered. What happens when the wife who obtained a contract for separation as to property at her marriage, survives her husband is this. In case he has omitted to make a will, she inherits absolutely nothing, except when he leaves no relations within the heritable degree (i.e., the twelfth degree) (Civil Code, Arts. 606; 636). But if he should make a will, it is not necessary for him to leave anything at all to his wife. He may dispose of his property "freely by will without distinction as to its origin or nature either in favor of his consort, or of one or more of his children, or of any other person capable of acquiring and possessing . . . ." (Civil Code, Art. 831). Of course should he have stipulated in the marriage contract that she was to receive a certain settlement at his death that has a prior lien over all other claims, but if he has omitted to do this, and if he dies intestate, she receives nothing. Generally some such settlement is agreed upon, but as at the time of marriage the husband cannot possibly be expected to know how

much the value of his worldly goods will be at his death, nor how many children he will have it is rather unsatisfactory to have to determine at that time just how much his wife is to receive when he dies. True, this difficulty may be obviated by the husband making a will; he may have every intention of making a will; lots of people intend to make wills, but many of them never carry out their intentions.

By way of throwing some light on the practical state of affairs which the statutes, etc., outlined above are supposed to govern, the following quotation from an article by R. W. Lee* is of interest. ". . . . it is obvious that everything turns upon the meaning which the Courts assign to the phrase 'administration' as well as upon the general construction of the articles in which the rights of women separate as to property are defined. Interpreted liberally and in conformity with the spirit of the age the articles in question might be taken to allow the married woman separate as to goods to dispose freely of her moveable property and to the extent thereof to bind herself by contract in all respects as if she had remained unmarried. But I do not feel any assurance that the Courts would adopt this view. There are decisions (perhaps of no great value) which limit even the power of purchase to the purchase of necessaries. There are other decisions (entitled to more respect) which, while according to the married woman the power of administering her property—whatever that may mean—deny to her all power of disposition. It is highly unsatisfactory that on a subject of such fundamental importance one can get no guiding light either from the jurisprudence of the Courts or from the doctrine of the text books —still less from the conversation of lawyers. The latter naturally play for safety, and create a professional opinion which is unfavorable to liberty. For my own part I shall borrow some of their caution, and say that the freedom of the woman separate as to property is not, so far as I can judge, a freedom of a very extensive or valuable character. Be that as it

*See "The Legal Disabilities of Married Women," by R. W. Lee, Dean of the Law Faculty, McGill University, in "McGill Daily," February 1, 1917.

may, it is the fullest freedom that the law of this Province allows to a married woman."

There are, however, opinions more in favor of the existing conditions with regard to a woman's property rights under marriage. Mr. F. E. Meredith, K.C., in a monograph upon the subject placed at the disposal of the present writer, writes as follows: "Community being, as respects marriage, an implied contract such as the law makes where partners in business have been either too ignorant, hasty or indifferent to make a written one, it has to be upon those general lines which experience has shown to be most likely to be fair to both parties. . . .

"These provisions of our law" (i.e., the community system as well as the provisions for marriage contracts), "are not as is sometimes suggested by ignorant people, framed with the object of oppressing the wife, neither are they framed with the object of unduly favouring her. In fact, they were not framed in a day at all, nor are they the result of any conscious effort of the legislators of any particular period. They are the resultant growth of some two thousand years of experience amongst the peoples of the world that enjoy the highest measure of education and of civilization, and in which women's rights to an independent individuality were most fully recognized. They represent firstly her right equally with a man to make any kind of pre-nuptial contract she sees fit. If, through haste or ignorance, she fails to protect herself then they represent, in a general way, ideal conditions of contract that two thousand years of experience have found to be the fairest to apply to her case.

The whole doctrine you will find in detail petween articles 1257 and 1471 inclusive, of the Civil Code. They are short, clear and concise. You can read them over and understand them in the course of an afternoon. . . . For the concise statement of our law . . . . we are indebted to the Code Napoléon. This code which was an essential part of the great constructive system upon which the first Napoleon reorganized the internal Government of France and placed it upon the basis which it still endures, was not an attempt to introduce a new law, but only to make

a clear statement of the law most generally understood in France, and to make it uniformly applicable to the whole of France. It was not force that introduced it into the Province of Quebec. We copied it because it was such a clear and concise statement of our law. It was adopted in the Rhine Provinces of Germany, in Wurtemberg, Baden and Bavaria, in Italy, in Spain and throughout Central and South America. This was not done as a matter of compulsion, but because of the inherent fairness of the rules contained in it, the clear conciseness with which they are expressed and a knowledge of the value to a country of the possession of its laws in such a form. . . .

The Province of Quebec can, I think, fairly claim to be in advance of and not behind the other Canadian provinces, both in its recognition of the rights of women and in the clear expression of such recognition."

CHAPTER IV.

INDUSTRIAL STATUS—THE SAFEGUARDING OF WOMEN'S LABOUR IN FACTORIES, ETC. HOURS—CONDITIONS, ETC.

From the very nature of the land in the Province of Quebec, a large part of the population is, and always has been, rural. In 1916 the census figures showed that the urban and rural populations were as follows: the former 1,151,174, and the latter 1,154,580. But such centres as Montreal, Quebec, Sherbrooke and Three Rivers have gradually come into being, and as is always the case, cities mean industrial establishments, manufactories, workshops, etc. In December, 1916,* there were said to be 133,000 people working for wages in industry, in the province, and of these over 27,000 were women, over 1,000 of these again being under 16 years of age. In comparison this number may seem insignificant, but it is surely large enough to warrant our considering the position of women in industry, and the conditions which affect their status there.

Under the British North America Act, 1867, Art. 92, Sec. 10, it is provided that the different provinces shall each have control over such local works and undertakings as are wholly situated within their boundaries, and which have not been declared by the Parliament of Canada to be either for the general advantage of Canada, or for the advantage of two or more provinces. Hence it is to the Revised Statutes of Quebec that we must turn to see what the conditions are in that province as regards the regulations for work in factories, safeguards for the employees, hours of labor, inspection, etc. By the "Quebec Industrial Establishments Act" (Revised Statutes of P. Que., 1909, Sec. 3829), no boy, girl, or woman shall be em-

*Statistical Year Book of Quebec, 1918.

ployed for more than ten hours in one day or for more than sixty hours in any one week. This (R. S. P. Que., Sec. 3837) applies to all manufactories, works, workshops, work-yards and mills of every kind and their dependencies, with the exception of mines (R. S. P. Que., Art. 3830), but as by R. S. P. Que., Art. 2212, "no woman or girl shall be employed in the working of a mine," this does not interest us here. One hour is to be allowed at noon each day for meals, but that hour is not to be counted as part of the working day. The ten-hour day is not to commence before 6 A.M., nor is it to end after 9 P.M., but any employer may, however, apportion the hours of labour per day for the sole purpose of giving a shorter day's work on Saturday. Under certain circumstances, deemed by an inspector to be sufficient cause for such an action, the working day may be lengthened by two hours, thus making it a twelve-hour day, leading to a seventy-two hour week; but this extension must not come before 6 A.M., nor after 9 P.M. This extra work is allowed only for a period not exceeding six weeks, (R. S. P. Que., 3838).

No child under 14 years of age, either boy or girl, is allowed to work in a factory, and in all those establishments classified by the Lieutenant-Governor in Council as "dangerous, unwholesome or incommodious" boys must be 16 years of age and girls 18 before they may be employed (R. S. P. Que., 3833). In all cases where young girls (i.e., over 14 and under 18 years old) are employed, the employer has to be able to show to the inspector, at his request, a certificate of age signed by the girl's lawful guardian, or by a physician. In case the inspector doubts the authenticity of this certificate he may demand that it be verified by affidavit. A new examination of any girl working in a factory may be made at the request of the inspector, and if the girl in question proves to be under age or physically unfit, she may be discharged. All young girls under 16 years of age employed in an industrial establishment must either be able to read and write, or else attend night school until they are able to do so. When they have satisfied the necessary requirements, a certificate to this effect must be kept

by the employer, and shown to the inspector, if he should ask to see it.

The general provisions for the safety of workers in factories, and the sanitary condition of all such establishments are dealt with in sections 3831 and 3832 of the Revised Statutes as follows:—

"The industrial establishments . . . . shall be built and kept in such manner as to secure the safety of all employed in them; and in those which contain mechanical apparatus, the machinery, mechanism, gearing, tools and engines are to afford every possible security for the employees.

"They shall also be kept in the cleanest possible manner; be lighted and have a sufficient quantity of air for the number of persons employed; be provided with effective means for expelling the dust produced during the work, and also the gases and vapours which escape, and the refuse which results from it; in a word fulfil all sanitary conditions necessary for the health of the persons employed, as required by and in conformity with the regulations made by the Board of Health of the Province of Quebec, with the approval of the Lieutenant-Governor in Council."

Fire escapes are provided for under Art. 3841, which states that, "The owner, tenant, and occupant of the property on which the industrial establishment is built are jointly and severally responsible for the construction and repair of fire escapes. . . . The dimensions and form of the fire escapes as well as the changes made to them shall be approved by the inspector."

There is one piece of legislation by the Dominion Parliament, which should be considered here, and that is the "Act to prohibit the manufacture, importation and sale of matches made with white phosphorus." (4-5 Geo. V. Ch. 12). It was found upon investigation* that the use of this white or yellow phosphorus was extremely dangerous, but that the leading match-factories insisted on making use of it, refusing to substitute other and less dangerous chemicals. Hence the above legislation was rendered necessary. Although

*By the Royal Society of Canada.

the prohibition in this act refers to men as well as to women and children, it was the latter who benefited most by the change, and as according to the census of 1911 three of the five Canadian factories which were producing matches at that time were in the Province of Quebec, this legislation, both in theory and in practice affects the women in the province which we are considering.

The sanitary condition of factories, etc., is under the control of the Board of Health of the Province of Quebec, and this body is empowered (Art. 3875, Sec. 2) to "make directly by itself, or indirectly through municipal councils or their boards of health, sanitary investigations and inquiries into . . . the effect which the employment, conditions, habits and other circumstances of the people may have upon their health." It may also make, amend, repeal and replace by-laws to insure the good sanitary condition of factories, workshops, etc. (Art. 3876). On the recommendation of this Board one or more sanitary physisians may be appointed by the Lieutenant-Governor in Council, with special authority to supervise, under the Board's direction, the sanitary condition of industrial establishments (Art. 3842). In addition to these physicians the Lieutenant-Governor in Council also appoints inspectors, and these as well as the doctors may visit the factory premises at "all reasonable times by day or night" (Art. 3846). This section goes on to provide that "they may require the production of the registers, certificates, notices or documents prescribed by this section" (i.e., Quebec Industrial Establishments' Act) "and the regulations, examine the same and take copies of, or extracts from them, make any suggestions and put any questions which they may consider pertinent . . . they may get a constable to accompany them when they have reason to fear that they will be molested in the execution of their duty.

They have concurrent powers with the authorities charged with the execution of the law and of the regulations respecting safety and health in industrial establishments. . . .

The inspectors may hold inquiries whenever they

deem proper, and for such purpose examine any person employed in the establishment, summon witnesses, administer the oath to them and exercise all the powers which may be necessary to carry out the provisions of this section. . . .

They may . . . in cases of fire or accident in an industrial establishment . . . . examine the witnesses with a view to ascertaining the cause of such fire or accident.

They may make any suggestions they think advisable to the proper authorities in the interest of health and safety in industrial establishments." Special inspection of all steam-boilers, motors and steam pipes is also provided for (Art. 3840), "Every person," says Art. 3847, "who wilfully delays one of these officers in the exercise of the powers conferred on them . . . . or who fails to comply with an order or summons received, or who conceals or attempts to conceal a . . . . young girl or woman, to prevent one of them from appearing and being examined, shall be deemed to obstruct the officer in the performance of his duty and be liable to . . . . fine or imprisonment. . . ."

Regulations may be made by the Lieutenant-Governor in Council, under Art. 3832, "to determine the special precautions necessary for the safety, health and morality of employees in industrial establishments. Such regulations may be modified and may be applied either wholly or in part, to all industries or to certain methods of working." The Lieutenant-Governor in Council may also exempt from the operation of this Act all such industrial establishments as he shall think it proper to classify as dangerous or unhealthy (Art. 3865). He may, too, determine the following items:—

1. The duties of employers and managers of establishments, which have not been formally determined by the Act.

2. The powers and duties, not formally determined by this Act of the officers appointed to see to the execution of this Act.

3. The method of inspection of steam boilers and steam pipes in factories.

4. The districts for purposes of inspection and the tariffs for the charges of such inspections.

5. All special precautions which he may consider necessary or expedient.

The duty of the employers is the next point to be taken up here. The head of each factory or workshop, etc., must fulfill the following requirements:

1. He must keep a register in which shall be entered:

a—The names, ages and addresses of all boys, girls or women whom he employs.

b—The period of each day and week during which such boys, girls or women are employed; and the hours at which they commence and finish working.

2. He must afford the inspector every means necessary for facilitating the thorough inspection of the establishment and its dependencies.

3. He must keep hung up, in the most conspicuous places in the establishment, the notices and provisions of the law and regulations supplied to him by the inspector, and keep them entire and legible until the latter orders them to be altered or removed.

4 He must furnish the inspector with a certificate from a health officer that his establishment fulfills the conditions required by this Act and the regulations of the Board of Health of the Province of Quebec, approved by the Lieutenant-Governor in Council.

5 He must furnish the inspector every year with a certificate of the inspection of the boilers and other motors in the establishment, as well as of the steam-pipes.

6. He must send, within forty-eight hours of an accident, a written notice to the inspector, informing him of any accident whereby any workman has been killed or has suffered serious bodily injury, whereby he has been prevented from working. This notice must state the place of residence of the person injured or killed, or the place to which he has been removed, so as to enable the inspector to hold the inquiry required by law.

7. He shall in general comply with all the provisions of the Act concerning him.

In general, all the above regulations compare very favorably with those in other parts of the world. In

both England and Ontario the ten-hour day is still the maximum allowed by law, except, as in Quebec, when special circumstances render overtime work necessary. In both cases the provisions for time extension are very much as in the province we have been considering. In England the age at which children may enter factories is 12, and it is 12 too in Ontario, but in the latter it is necessary for a boy or girl under 14 years of age who is working during school hours to have a special certificate provided for under the Truancy Act (Statutes of Ontario, 9 Ed. VII, Ch. 92). In Quebec education is not compulsory, and hence there is no Truancy Act. This renders it much easier for the age limit to be evaded as while children are compelled to go to school, very obviously they cannot work in factories, but if there is no law to make them attend school, the temptation to break the law forbidding children to work in factories is very great. Quebec in its actual statutes has not the detailed provisions for sanitation, safety, precautions, etc., that both England and Ontario have. Instead, a great deal of power is vested in the Provincial Board of Health, and the inspectors, and physicians appointed by the Lieutenant-Governor in Council.

With regard to women's wages it is of interest here to note that in March, 1919, assent was granted to "An Act to provide for fixing a minimum wage for women." Under the authorization of this act* "the Lieutenant-Governor in Council may appoint. . . . a commission consisting of three members. . . . One of such members may be a woman. Two members shall be a quorum. . . . No member. . . . shall receive any remuneration for his services. . . . The jurisdiction of the commission shall extend to all the industrial establishments of the Province, as defined in articles 3829 and 3830 of the Revised Statutes, 1909. The Commission is empowered either itself through one of members, or by any person authorized by it, to investigate the conditions of the work done by women in industrial establishments and of the wages paid them.

It may also examine the employers' books and pay

*9 Geo. V., Ch. 11.

lists and exact from them all information it may judge necessary in connection with the work done by the women employed in them. . . .

If the commission is of opinion that the wages or salaries paid in an industrial establishment coming within the purview of this act, are insufficient, it may convene in a conference a number of persons, who shall be selected one-half by the employers and one-half by the employees, and add a number of disinterested persons to it. . . .

After hearing the employers and employees, such conference shall by the vote of the majority of the members constituting it, determine the minimum wage to be paid to the women employed in question. . . .

The decision of the conference shall be submitted to the commission which may approve, reject, or amend the same. . . . .

The decision of the commission fixing a minimum wage shall be binding upon employers and employees.

The commission may issue special permits in favour of apprentices or of women whose physical condition does not allow of their doing the work of an ordinary workwoman in order that they may be employed at lower wages than those fixed by any order.

The commission may fix a special scale of wages for girls under eighteen years of age.

When an employer pays an employee wages lower than those fixed by the commission such employee may recover the difference by a suit before any court of competent jurisdiction, either during the course of her engagement or after the same has ended.

Every employer who employs a woman at wages lower than those fixed under the provisions of this act, after the decision of the commission has come into force shall incur a penalty of not more than fifty dollars."

The last item for consideration in this chapter is the question of the liability of the employer in case of an accident happening to an employee. Previous to 1909 it was necessary for the plaintiff to prove that there had been fault on the part of the employer, or

of some one for whom he was responsible, and that this fault had caused the injury in question.*

The employer was responsible, not only for his faults, but for those of all his workmen†. Of course, when the sole cause of the accident was the imprudence of the plaintiff himself he was not entitled to recover damages for the injury which he had suffered. But in a case where it was shown that, though there had been some negligence on the part of the employer, there had also been carelessness to a certain degree on the part of the worker what was to be done? In England this was sufficient to keep the injured worker from receiving any compensation at all, but in Quebec the practice followed that employed by the French. In France the damages were simply made greater or less according to the amount of negligence which could be proved. But the public were beginning to be dissatisfied with a system which would allow an innocent workman, who had sustained a serious injury, to go without compensation simply because it was difficult to find any precise fault on the part of the employer. The idea seemed to be that the basis of the system was wrong—that "contributory negligence" should be a thing of the past, and that "professional risk" should take its place. This meant that every workman was entitled to compensation for injury caused to him by an accident in the course of his work ,quite apart from the question as to whether or not the accident was caused by any fault on the part of the employer. In other words, it was considered that compensation for accidents should be charged as one of the ordinary expenses of industry, just as the cost of machinery, etc., is. This new principle was embodied in the "Act respecting the responsibility for accidents suffered by workmen in the course of their work, and the compensation for injuries resulting therefrom" which passed the Quebec Legislature in 1909. According to this Act, "accidents happening by reason of, or in the course of their work to workmen, apprentices and employees . . . . in factories, manufactories or

*See Walton's "Workmen's Compensation Act of the Province of Quebec," 1909. Page 11.

†Ibid, page 13.

workshops . . . . or in any industrial enterprise in which explosives are manufactured or prepared, or in which machinery is used moved by power other than that of men or animals, shall entitle the person injured or his representatives to compensation in accordance with the following provisions:—"

(1) For absolute and permanent incapacity,—to a rent equal to 50% of his yearly wages.

(2) For permanent and partial incapacity,—to a rent equal to half the sum by which his wages have been reduced in consequence of the accident.

(3) For temporary incapacity,—to compensation equal to one half the daily wages received at the time of the accident, if the inability to work has lasted more than seven days.

(4) When the accident causes death the compensation consists of a sum equal to four times the average yearly wages of the deceased, at the time of the accident. It is never to be less than $1,000, or more than $2,000. This compensation is payable as follows:

a. To the surviving consort, not divorced nor separated from bed and board at the time of the death, provided that the accident took place after the marriage.

b. To the legitimate children or illegitimate children acknowledged before the accident, to assist them to provide for themselves until they reach the full age of 16 years.

c. To ascendants of whom the deceased was the only support at the time of the accident.

But there is a limit to the compensation which may be applied for, and also to the application of the act, as is shown in section 6, which runs as follows:—"If the yearly wages of the workman exceed $600, no more than this sum shall be taken into account. The surplus up to $1,000 shall give a right only to one-fourth of the compensation aforesaid. This act does not apply in cases where the yearly wages exceed $1,000." In view of the general advance in wages since the passage of the act, the revision of this section is contemplated.

Of course, no compensation is granted if the accident was brought about intentionally by the person

injured, and the court may reduce the compensation if the accident was due to the inexcusable fault of the workman, or increase it if it was due to the inexcusable fault of the employer. The medical examination of the person injured is performed by a practicing physician chosen and paid by the employer, but the person injured is entitled to demand that the examination take place in the presence of a physician whom he himself has chosen.

CHAPTER V.

THE PROFESSIONS — RIGHTS OF WOMEN TO EXERCISE THE PROFESSIONS, MEDICINE, DENTISTRY, PHARMACY, ARCHITECTURE, LAW.

The survey of the right of women in the Province of Quebec to exercise the professions is one of peculiar interest on account of the anomolies with which it is filled. As an example of this, take medicine. Women have always been allowed to practice in the province, but from the time the University of Bishop's College closed its medical faculty in 1905, until 1918, when McGill University opened its medical faculty to women it was impossible for English-speaking women to study medicine in Quebec. As far as the French Canadian women are concerned no application has ever been made to Laval,* so their policy in this regard is, as yet, unknown. Just the contrary to this is the case where law is concerned. No objections have been raised to having women students in that faculty at McGill University. In 1914 the first woman graduated in that department, and yet even now she may not be called to the Bar.

But to consider the question of the study and practice of medicine first. In the Province of Quebec the decision as to who shall, or who shall not be permitted to practice medicine, as well as what the requirements for admission to practice shall be rests exclusively within the powers of the Province, and the regulations which the provincial legislature has made are set forth in the "Quebec Medical Act" (Revised Statutes of P.

*Laval University, Montreal, was originally only a branch of Laval University, Quebec, but in course of time the branch became larger than the parent institution. In 1919 a change was made, and The University of Montreal was inaugurated, taking the place of Laval University, Montreal.

Q., 1909, Art. 4894). Under this act the control of the practice and study of medicine is vested in the College of Physicians and Surgeons of the Province of Quebec, and the affairs of this college are conducted by a Board of Governors, called the "Provincial Medical Board." This body appoints qualified people to examine candidates for admission to the study of medicine and presents certificates to those who pass the examination. Exemption from this test may be granted if the candidate possesses any of the following degrees: Bachelor of Letters, Bachelor of Science, or Bachelor of Arts conferred by any recognized university of Canada or the British Isles. The full course in the study of medicine lasts five years, and no person who has passed the examination for admission to practice medicine may commence to practice as a physician or surgeon until after the expiration of five consecutive years from the date of the registration in the office of the College of his bachelor's diploma, or certificate of admission to study. Also no person may practice medicine in Quebec unless he has been granted a license from the Provincial Medical Board to obtain which he must comply with all the above requirements and be the holder of a university degree of doctor of medicine granted by a university approved by the Provincial Medical Board. In 1902 an attempt was made to render possible the federation of the medical systems of the different provinces in Canada by the "Canadian Medical Act," which was brought forward at Ottawa by Dr. Roddick. This aimed also at a uniform registry, and reciprocal rights, together with Imperial recognition of Canadian licenses. But as until this time the control of this matter had rested with the provinces, it was necessary that the assent of each province be obtained for the complete acceptance of the measure. Nova Scotia, Prince Edward Island, Manitoba and the Territories almost immediately passed the necessary legislation, but Quebec held back, maintaining that her educational system was superior to those of the other parts of Canada; that the scheme was against the interests of the French Canadians, and that it would deprive Quebec of a portion of her educational rights. Hence Quebec's refusal to join in the Dominion plan.

This then is the law in the Province of Quebec, and not only is there nothing in it which keeps women from practicing medicine, but many women have practiced as physicians and surgeons under it. The chief difficulty for women as far as this profession is concerned was the obtaining of a medical education. From the opening of the faculty of medicine of the University of Bishop's College until 1905 women were accepted as students there, but at the latter date this faculty was absorbed by McGill University and McGill refused to admit women. According to the statement of the Registrar of the University, the reason commonly put forward for this exclusion was that the hospitals would not open their wards to women students. This policy was continued until 1917 when the first year in medicine was opened to women, and in 1918 the whole faculty at last opened its doors to them. Thus it is now possible for English-speaking women students to receive a thorough medical training in the province. As noted above, no French women have applied for this training.

Closely connected with medicine is dentistry, and this profession, too, is controlled by a special provincial corporation known as the College of Dental Surgeons of the Province of Quebec, the affairs of which are administered by a Board of Governors. The system of controlling the study and practice of dentistry is very similar to that of medicine, except that the period of studentship is four instead of five years. An examination, set by the Board, for entrance to the study and practice of dentistry, is necessary, except where exemption is granted in the case of a candidate holding a bachelor's degree of any recognized Canadian or British university. The candidate must also register in the office of the Board his bachelor's diploma, or his certificate of admission to study, four years before he may practice and finally he must receive a license which will only be granted by the Board, if its members are satisfied that the person in question is duly qualified to practice dentistry, and that he is a person of integrity and good morals, etc. The Faculty of Dentistry at McGill, founded in 1919, is open to women students, but none have, as yet,

applied to take the course. Laval University, however, has had three applications and one of its woman-graduates is now a practitioner of dental surgery in the city of Montreal.

Laval, too, has had several women following the course of lectures in the School of Pharmacy. So has McGill. But such students after graduation may not become licensed pharmacists, though they may and do hold important subordinate positions. This state of affairs was brought to public attention a short time ago by the fact that a woman was refused admittance to the Pharmaceutical Society of Quebec. This gave rise to a letter of protest from the Montreal Local Council of Women, which was submitted to the Pharmaceutical Society early in February, 1920, and which that organization has promised to consider duly at its next meeting. The letter pointed out that there is no law preventing women from entering this sphere of activity; and upon investigation it was found that the Pharmaceutical Society had never actually put itself on record as being favorable to their exclusion from the practice of this profession, so that a revision of this condition of affairs may be expected in the near future.

Architecture is the fourth profession to be touched on here, and as far as the Province of Quebec is concerned, this is not a "closed profession" in the sense that medicine and dentistry are. True, a man may not call himself an architect, unless he is registered under Art. 5247 of the Revised Statutes of Quebec 1909, but under the title of "designer" or some other such name, he may perform the same work as an architect without violating the law in any respect whatsoever. "The Province of Quebec Association of Architects" controls the profession, and this corporation, in turn, has its affairs managed by the "Council of the Association," all the actions of which, however, are subject to ratification by the whole association at its annual meetings. As far as women are concerned they have never entered this profession in Quebec. In the first place the difficulty of their acquiring an architectural education would have had to be overcome. Four years ago applications were made by women to enter the

School of Architecture at McGill, but permission was refused them, not on the grounds that the department was closed to women as a point of policy, but that at that time the course was already overcrowded, and space for their accommodation could not be provided. Future applications might, and probably would receive different treatment. There is nothing in the Provincial Statutes expressly preventing a woman from exercising this profession, but so far there have been no women members of the Association of Architects of the Province of Quebec.

The idea of women as lawyers has evidently not appealed to those in charge of the exercise of this profession, for under the interpretation of the law of the Province of Quebec, women may not be admitted to the Bar. They may be trained as lawyers, as the Faculty of Law at McGill University has shown — no woman has ever applied to take law at Laval—but they may not practice it, though the matter has several times been under discussion, and several proposals to the effect that this prohibition be removed have been put before the provincial legislature. The matter first came up in 1916 when, on February 9th, a bill advocating that permission to be called to the Bar be granted to women was brought forward by Lucien Cannon (Bill No. 177, to amend article 4524 of the revised Statutes of the Province of Quebec, 1909, respecting the Bar of the Province of Quebec). This bill was rejected on March 10th by 22 votes against 21. Early in 1918, a new bill was introduced before the legislature by Mr. Bouchard (Bill No. 171, to amend article 4524 of the Revised Statutes of the Province of Quebec, 1909, relating to the Bar of the Province of Quebec). But it swiftly followed the path of the first, and the way was left clear for a third to put in its appearance in January, 1920, brought forward by Mr. Miles. The claim was made by the advocates of the proposal that women had met with great success at the bar in other countries, such as the State of New York, Ontario and France. It was also claimed that during the war women had shown themselves to be capable of accomplishing the work of men, and that now it was only just that they should at least have the privilege of entering the

legal profession should they so desire. It was urged more particularly as the professions of medicine and dentistry had already opened their doors to women. Mr. Miles' sentiments were endorsed by the leading women of Montreal* and also by a large number—about fourteen—women's societies in the Province. But against all this came the arguments that the woman's place is in the home; that the French-Canadian women are not seeking this privilege and that in general the feeling is that men do not want women to enter the masculine world—they want her to be a thing apart. On February 14th, 1920, this most recent attempt at legislation on the subject was given a six months' hoist by a vote of 38 to 19. Hence, at present, women may not practice law in the Province of Quebec, and as in most cases this bill—hoisting process is nothing more or less than a slow death it seems improbable that this privilege will be granted them in the near future.

Thus, on the whole, we see that women doctors and dentists may both practice and be trained in the Province, women lawyers and pharmacists may receive their training here, they may do law and chemical work in subordinate positions, but they may never become masters of their profession. As for architecture—the final policy here remains to be formulated when further applications are put forward.

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*See Montreal Gazette, Feb. 9, 1920.

CHAPTER VI.

CHARITABLE RELIEF — STATUS OF WOMEN PAUPERS — PROVINCIAL AND MUNICIPAL AID — PRIVATE BENEVOLENT INSTITUTIONS, ROMAN CATHOLIC, JEWISH, PROTESTANT AND NON-SECTARIAN—MATERNITY CASES — WIDOWS AND CHILDREN — PENSIONS, SICK BENEFITS, ETC.

Broadly speaking, there are three ways in which charitable relief might be carried out in any country. The institutions for such work might be controlled absolutely by the government, or they might be entirely the result of private enterprise, or they might be controlled by private individuals or corporations, and at the same time receive subsidies from the government. In Canada the establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for each province are all left within the control of the separate provinces (British North America Act, 1867, Art. 92, Section 7), and hence it comes that in Quebec the Revised Statutes, 1909, provide for the formation and incorporation of mutual benefit and charitable associations on the part of private individuals in articles 6895, 5 and following But for the regulations concerning both the government establishment of such institutions and the power of the government to subsidise private charitable organisations we must turn to the municipal Code of the Province of Quebec.* Here we find (Art. 587) that the municipalities may "contribute to the maintenance or support of poor persons residing in the municipality who, from infirmity, old age, or other cause are unable to earn their own livelihood," but this power is discretionary and a municipality cannot be condemned for

*"Municipal Code of the Province of Quebec," edited by R. S. Weir, D.C.L. 1903.

the non-exercise of it, as was shown in the case of Parnell vs. Municipality of Hatley 15 R. L. 339*. The Municipalities may also (Mun. Code, Art. 591)" estab lish and maintain poor houses, houses of refuge, or other establishments for the refuge and relief of the poor and destitute; . . . give domiciliary relief to the poor residing within the limits of the municipality, and . . . aid charitable institutions established in the municipality or its neighborhood." So much for the legal authorizations for charitable relief in Quebec. When it comes down however to the actual state of affairs now in existence, it appears that in this province there are 106† registered benevolent institutions and not one of them is controlled by either the Provincial or municipal governments.‡ But 90 of these receive some sort of grant from either or both of the above goverements, and 34 derive some financial benefit from what is known as the "Poor Tax."** As almost all of these charitable societies are organized by religious bodies, they have been subdivided accordingly, the Roman Catholic considered first, the Jewish second, and the Protestant and non-Sectarian last. The

*See ibid. Page 147.

†See Annual Statistics of Benevolent Institutions, 1918. There are, of course, a great many more which are not registered.

‡It would appear from the financial statement of the benevolent institutions that the municipality alone supported the Refuge Meurling, Montreal; but this is deceptive, because the money for the endowment of this organization was left to the municipality on the condition that it should be used for some such purpose as this. Hence, although now the municipality controls the Refuge Meurling, its inception was due to private philanthropy, and not to any action on the part of the government.

**This tax was imposed as an entrance fee on tickets of admission to places of amusement, under 7, Geo. V., Chap. 17, Section 29, Article 1292a, and following. This came into force on the 1st day of January, 1917. This tax was collected by the Provincial Government and half the proceeds were divided proportionally amongst the municipalities wherein it was collected, for charitable purposes, the other half being retained by the Provincial Government. By the Act. 9, George V., Chap. 61, which came into force July 1st, 1919, the Provincial Government relinquished its share of the tax, and the whole matter was left in the hands of the municipalities, who make the collections, and distribute the receipts, as set forth in the Act.

Roman Catholics in Montreal alone have 13 institutions where old men and women may be cared for, with no charge, except in two cases, where a nominal fee is asked if it is at all possible for the person who is being benefited to pay it. Over 1,400 persons can be accommodated at these refuges. A second very helpful Roman Catholic enterprise is the system of day nurseries where the small children of working parents are cared for during the day, and in many cases provided with at least one meal. Elementary tuition, too, is given free in some of these crèches. There are 7 of these day nurseries in Montreal and about 1,900 children can be looked after in them. This, needless to say, is a great boon to those mothers who have to work by the day, and who otherwise would have no-one with whom to leave their children. In addition to this there are, of course, many children's homes, orphanages, etc., but to pass on to matters more directly concerning women—in Montreal there are 2 temporary homes for Roman Catholic women who are seeking employment, and 7 employment bureaux through which they may obtain work. During the winter months meals are served free of charge at 15 different centres in the city and many are the provisions for the visiting and the relief of the poor as well as the free distribution of clothing, etc. In cases of sickness and affliction trained nurses and sisters visit and take care of the poor, in some cases medicine is supplied, and special treatments may be obtained from various hospitals. There are also three pure milk depots where sterilized milk for infants and invalids is distributed daily between certain hours. There are 2 Roman Catholic general hospitals in Montreal, where free patients are received, but where payment is expected if it is possible; 2 hospitals for contagious diseases (1 being for smallpox); 3 for the treatment of ophthalmic diseases; 2 where women suffering from epilepsy are attended; 1 hospital for incurables; 2 sanitoria for the prevention and treatment of tuberculosis; and 3 hospitals for the insane to which admission may only be obtained upon the presentation of certificates from a physician, a clergyman, and a municipal officer. There is also a maternity hospital, originally founded for girl-mothers, where no one is refused except in the

case of contagious disease, and where admission is free when the patient is unable to pay. This is a very brief synopsis of the charitable work of the Roman Catholics in Montreal, but it should serve to show what a tremendous amount of this sort of work they undertake, and how very widespread their influence is. Of course, the Roman Catholic charitable activities have by no means been confined to the city of Montreal. All through Quebec Province we find hospices, orphanages, asylums, etc., totalling over 50 in number; and in Quebec city there are 10 at least on the list of registered benevolent institutions. In this discussion, as well as in that which follows in this chapter more emphasis has been laid on those particular forms of philanthropy which most help women, many other organisations having been omitted as irrelevant to our subject.

The Jewish charitable organizations in Montreal have formed a "Federation of Jewish Philanthropies" with the following aims in view:—

(1) To eleminate indiscriminate and unauthorized forms of solicitation.

(2) To assure the community a fair and equitable distribution of the funds collected, to the end that the greatest number may benefit in the largest measure possible.

(3) To ensure to the public a full and detailed accounting of the distribution of funds, both of the central body and the constituent organizations.

(4) To enable the institutions to give their full time and attention to the work before them.

(5) To investigate proposed philanthropic undertakings and to advise as to their necessity or merit.

(6) To represent for the community an organized effort for good.*

One of the chief departments of this federation is that which deals with general relief. "Signals of distress including poverty, sickness, death, accident, desertion, non-support, juvenile delinquency, unemployment, insanity, crime, old-age, neglect of children, etc., pour in daily, and these, after a process of investi-

*See, Second Annual Report of the Federation of Jewish Philanthropies, Page 99.

gation, are directed into the proper channels either of the Federation or some outside agency as the case may require."* The second department is that of Health and Sanitation which in 1918 gave attention to more than 900 patients, about half of whom were visited in their homes.

The Legal Department, too, is one of great use. Free advice is given to needy persons who are in legal difficulties and free services rendered when it becomes necessary to bring cases into the courts. The Friendly League of Jewish Women, the Young Women's Hebrew Association and several other similar organizations try to prevent rather than to cure social evils, and do all in their power to become formative influences for good in the lives of growing girls. In addition to these, there are other spheres of activities entered into by the Jews. They have their Beth Israel Infants Home and Day Nursery, the Herzl Dyspensary (with an X-ray clinic) where a total of 4,772 women were relieved in 1918, and lastly the Mount Sinai Sanatorium at Ste. Agathe des Monts where 49 women were treated for tuberculosis in that same year.

A large part of the philanthropic activities classed as Protestant and non-sectarian have taken the form of hospitals, sanitaria, asylums, etc., and in the city of Montreal alone there are under this heading four general hospitals (including one homeopathic), all of which make provisions for both public and private wards, one hospital for the following contagious diseases, scarlet fever, measles, diphtheria, and erysipelas; one hospital for the blind where such education as may prove helpful is provided; three maternity hospitals, four sanatoria for those suffering from tuberculosis,† three convalescent homes for women; two homes for chronic invalids, as well as Old People's Homes; five refuges where women may go temporarily in time of need; and one hospital for the insane. In the case of this asylum, the government pays $200 a year for every public patient, but the actual cost of each such inmate is over $330 a year.

In addition to all these, there is also a great deal

* I bid. Page 37.
†Two of these are at Ste. Agathe des Monts.

accomplished in the line of what is known as outdoor relief. For instance, there is the Quebec branch of the Canadian National Committee for Mental Hygiene, whose chief activity is a psychopathic clinic, to which any person suspected of mental deficiency, or any mental abnormality may be brought for examination, and where follow-up work with mental defectives and patients on parole from the hospitals for the insane is carried on. Then there is the Montreal Dispensary, the purpose of which is to provide for the examination and treatment of the sick poor, of the city, whose condition enables them to attend the Dispensary. Thirdly, there is the Victorian Order of Nurses, who will care for any case of sickness (not contagious) under the care of a physician in Montreal or Westmount, such services being given free to those who are unable to pay. The Diet Dispensary is another institution of great help in times of illness, for here nourishment is given free to the sick poor on the presentation of an order from a doctor, clergyman or social worker. There are also at least four establishments whose aim is to provide women with work, one of these, the Protestant Industrial Rooms, arranging for work to be supplied for women to do in their own homes. Another institution which has a very wide influence in Montreal is the Charity Organization Society, the purpose of which is to relieve poverty by securing immediate adequate assistance, to attempt to cure it by sympathetic trained intelligent service, and to prevent it by active constructive community work. Mention must also be made of six establishments which are prepared to give care and attention free to maternity cases, whether the mother is married or not; and of such institutions as the Women's Directory of Montreal, The Committee of Sixteen, and the Society for the Protection of Women and Children. These do all in their power to protect women and children from any kind of abuse, wrong, cruelty or unwholesome influence; to bring into existence in the community adequate agencies for the reformation of woman delinquents; and to restore to her sphere of usefulness the unmarried mother. To be added to these as having a salutary influence on the lives of women and children especially, and in general on those of the whole community are such

organizations as the different Settlement Houses, the Star Fresh Air Fund, the Griffintown Clubs, the Montreal Parks and Playgrounds Association, etc., etc.

Lastly under this class of benevolent activities we come to the list of those affecting women more indirectly, that is, through the children. Here come such institutions as the Children's Hospital, the work of which is at the present time confined to clinics for out-patients, but wards for in-patients are to be established as soon as it becomes financially possible. A consultation fee of five cents only is charged for each visit. The Children's Memorial Hospital is a general hospital for children, with a capacity of eighty beds, and three classes of patients are admitted—those whose parents are not able to pay anything towards their support while resident in the hospital, those whose parents are able to pay something, and those whose parents are able to cover all the cost of the care received. The first two classes are not expected to pay anything to the physician or surgeon in charge. The School for Crippled Children was organized to provide a regular public school curriculum for crippled children, from five to eighteen years of age, followed by a commercial course, during which time every effort is made in co-operation with the Children's Memorial Hospital to improve the physical condition of the children. The capacity is 150, and of charges there are none, the parents in some cases contributing small amounts voluntarily. Deaf and dumb children receive care and attention at the MacKay Institution for Protestant Deaf Mutes. The age limit is from five to eighteen years for both sexes, and certain fees are necessary, but these may be either reduced or dispensed with altogether upon reliable recommendations. There are eight homes for orphans, half-orphans, and children of needy parents, with a total capacity of 587 beds. Then there is the affiliation of eleven baby welfare stations, whose purpose is to keep babies well, and to restore sick babies to health by teaching mothers and young girls "mother-craft," improving sanitation, and milk supply and disseminating information to the end that there may be a reduction in infant mortality. In 1915, in Quebec Province over 12,000 babies under one year of age died, and over 3,000 between the ages

of one and five years. Considered in relation to the birth rate, this is a ratio of 153 deaths per 1,000.* Seven of these stations sell milk, and all of them provide information as to home modification, etc. Also, there is the Baby Welfare Committee, composed entirely of volunteer representatives from organizations actively engaged in the various phases of child conservation. Its objective is the creation of an educated and enlightened public health conscience, particularly as it affects the Canadian child. Lastly, there is the Montreal Day Nursery, with a capacity of 115, and with the purpose of providing care during the day-time for children from ten days to ten years of age, whose mothers have to work by the day. A small fee (ten cents a day) is charged.

In the Province of Quebec then there is no direct Provincial or Municipal aid. There are no sick benefits, no mothers' pensions, no provisions for maternity cases, and no aids for widows and children, except through private philanthropy. The government may and does help the private benevolent institutions by grants of money, but even where these grants are largest they are inadquate, and do not cover the cost of the public patients who receive care in these institutions.† A similar state of affairs is obviated in Manitoba by the "Charity Aid Act" (Revised Statutes of Manitoba, 1913, Ch. 28, Art. 16), which provides that each municipality has to pay the expenses of each public patient from that municipality, who is in a hospital of over fifty beds. This is said to have proved a very effective way of securing all the advantages of a private institution through the means of public support.

As far as Mothers' Pensions are concerned, in the last ten years this form of philanthropy has come very much to the fore, particularly in the United States, Denmark, New Zealand, and the Western Provinces of Canada (with the exception of British Columbia). In Mani-

*This is a very large proportion, as may be seen from the following figures: In the United Kingdom, in 1915, the coefficient per 1,000 births was 91. In Australia it was 67. In New Zealand it was only 50. See Statistical Year Book of Quebec, 1918.

†In 1918 the Provincial Government grants amounted to $37,943; those of the municipalities to $68,408, and $39,953 were derived from the "poor tax." (See above).

toba, recently (February, 1920), application was made to the Provincial Government by the Mothers' Allowance Commission for $350,000 with which to carry on their work. The general conditions necessary before such an allowance can be granted, seem to be that the mother should have at least one dependent child; that she should be in every way a suitable guardian for that child; and that her property should not exceed a certain fixed sum. Ontario, British Columbia, and Nova Scotia are considering legislation on this subject, but so far there has been no movement in this direction in the Province of Quebec.

CHAPTER VII.

TREATMENT OF CRIMINALS — PRISONS, JAILS, REFORMATORIES—WOMEN ADMINISTRATORS —PHILANTHROPIC ASSOCIATIONS.

It is necessary here to revert again to the British North America Act, 1867, this time to Article 92, Section 6. By this each separate province is given control of "the establishment, maintenance and management of public and reformatory prisons in and for the province." Under this authorization the Province of Quebec has established at least one prison for every judicial district (except Nicolet.) In the district of Gaspé there are four, on account of the extent of territory, and in Montreal there are three. This makes a total of 28 for the province.

In Quebec Province there are no special courts for women. All those women who are arrested are taken before the Recorder's Court,* the Police Court, or if under 16 years of age to the Juvenile Court. The first court is used when the prisoner is in custody for having violated certain sections of the Criminal Code, for street-walking and general "Red Light District" behaviour. Such cases are dealt with under the Summary Convictions Act.† Crimes such as theft, arson, etc., lead to the Police Court and all offenders under 16 years of age are taken to the Juvenile Court. In Montreal those women who are convicted, if Roman Catholic are sent to the Roman Catholic (women's) jail on Fullum street, where they are looked after by nuns. These sisters have formed an organized corporation (9 Victoria, Ch. 91), with which the government has entered into the following contract. According to the Act. 9, George V., Chapter 5, the "*Dames religieuses* bind themselves to take in and care for . . . -

*See Revised Statutes of P. Que., Art. 2052, 1 g.
†See Criminal Code of Canada, Parts XV., XVI.

the female prisoners whom the government may entrust to them," to provide them with food, clothing, lodging, medicine, etc.; and in the case of the death of a prisoner, burial. In return for this, the "*Dames religieuses*" receive from the government the sum of $11 per month for each of the Roman Catholic prisoners under their charge, and also "a fixed sum of $115 a month . . . during the whole time that . . . . Protestant prisoners shall be entrusted to the care of the said "*Dames religieuses.*" If the prisoners are Protestant they are sent to the Protestant (women's) jail, also on Fullum street. These prisons are maintained under the authorization of Article 3556 of the Revised Statutes of the Province of Quebec, 1909, and together with all the other jails in the Province must be inspected at least twice a year by men assigned to this duty by the Lieutenant-Governor in Council (Articles 3559, 3560, 3561, R. S., P. Que., 1909). These inspectors (Art. 3563) "may make amend or repeal rules and regulations for the administration of the common gaols of the province, in matters relating to:—

1. The maintenance of the prisoners in regard to diet, clothing, bedding, and other necessaries;

2. Their employment to the profit of the public revenue;

3. Medical attendance;

4. Religious instruction;

5. The conduct of the prisoners and the restraint and punishment to which they may be subjected;

6. The treatment and custody of the prisoners generally, the whole internal economy and management of the gaol, and all matters connected therewith as they may think useful and expedient.

Such rules and regulations shall not come into force until after they have been submitted to the Lieutenant-Governor in Council for his approval." Also (Art. 3567), "The inspectors shall make a full and accurate annual report, to the Attorney-General, as far as gaols, houses of correction, and prisons or places of confinement are concerned . . . of the state, condition, and management of the various institutions subject to their inspection . . . together with such suggestions for the improvement of the same as they may deem necessary."

The following extract from the report of the secretary of the Committee on the Survey of Protestant Social Agencies shows a striking contrast to what the above sections would lead one to believe were the jail conditions in Montreal: "The Fullum Street Protestant Gaol, into which are herded together girls of one day over sixteen years of age when convicted, with the hardened prostitutes and keepers of all ages from the red light district would disgust anyone who takes the trouble to visit it."

The majority of the girls who come up before the Juvenile Court are released on probation, but those who are committed, if Roman Catholic, are sent to the Home of the Good Shepherd, and if Protestant, to the Girls' Cottage Industrial School. Here the capital for the institution was provided by private benevolence, but the government pays the maintenance of those sent to the establishment from the courts. This corporation, according to the "Act to authorize the entering into a contract with the 'Girls' Cottage Industrial School' "* agrees to "receive, feed, lodge, maintain, clothe and teach all the children of the female sex who shall be sent to its reformatory and industrial schools . . . . to give them all necessary care, as well in health as in sickness, and in case of death, to bury at its expense all the bodies which have not been claimed by their families; to teach them all work in accordance with their age; and in general to deal with the said children for the said reformatory and industrial schools, and to require them to work so as to give perfect satisfaction, and so as to carry out the ends for which the said schools have been established.

The Government of the Province of Quebec undertakes on its part to pay the said corporation at the office of the Provincial Treasurer a sum of $10 per month for each of the said children for the time of detention in the reformatory industrial school." Children may be sent to this school from any court in the Province, and in addition, some few are accepted as voluntarily committed and paid for by their parents.

As seen above, in Chapter II there are no women administrative officers in Quebec. There are no women

*See 8 Geo. V., Chap. 6.

police constables, no women magistrates, no women on juries, and as there are no women lawyers, a woman prisoner cannot be defended by a woman.

To be considered at the same time as the prisons and reformatories are two philanthropic organizations which have the welfare of both the prisoner, and the ex-prisoner at heart. The first of these is the Canadian Prisoners' Welfare Association. Its purpose is to further in every way possible the intelligent treatment of offenders against the law, through the development of probation, legal aid, term payment of fines, special courts for women, and by-law offenses, public instead of private institutions for women delinquents, farm colonies instead of prisons, independent inspection of gaols and the abolition of capital punishment. This organization also provides libraries for the different gaols. Then there is the Salvation Army Receiving Home for Women, which provides a temporary home for women discharged from prison, or released on suspended sentence from the Courts or entrusted to the care of the Salvation Army by the Court. The capacity of this home is 15, and the superintendent attends all sessions of the Court and she visits all the women in the cells before they come up for trial, and make recommendations to the Recorders as to the disposition of such cases as she feels are amenable to reformative influence.

In this chapter, as in those which precede it, emphasis has been laid only on those phases of activity which affect women and girls. Needless to say, much has been omitted that is of the greatest importance from other points of view, and many institutions have remained unmentioned not because they are not a great power for good in the community, but simply because they have no direct effect on the women of the Province of Quebec.

CHAPTER VIII.

CONCLUSION—A GENERAL SURVEY OF THE COMPARATIVE POSITION OF THE PROVINCE OF QUEBEC IN RELATION TO PROGRESS ELSEWHERE.

From a broad survey of examples taken from many and widely separated countries it appears that the general tendency with regard to the status of women has been change. In some places, such as France, the change came slowly. In others such as New Zealand and Wyoming it came with great rapidity. And exactly what is this change? Briefly, it is a propensity to give women the same status as men. All over the civilized world women are being admitted to the franchise. In many places they are entering offices and exercising professions which have hitherto been considered exclusively the field for men. With regard to contractual and property rights under marriage wives are being placed on the same level as their husbands, and the mother is being granted parental rights over her children, equal to those of the children's father. But the condition of affairs in the Province of Quebec is very different. Here it seems that in matters which are under provincial control changes are few and far between. True, the Dominion Franchise Act of 1918* conferred the suffrage on women on a very broad basis, and the Act of 1920 gave new life to this power of the women of Canada to vote—but this is a federal affair, and no move is being made on the part of Quebec Province to include women on its voters' list. In 1918 English women were given their suffrage with the age qualification placed at thirty years. In 1920 it was proposed to change this to twenty-one years but the bill embodying this change was re-

*See above, Chapter II.

jected. Then such states of the American Union as Wyoming and Utah need only be mentioned to recall the enthusiastic approval which their inhabitants voiced for woman suffrage.* It would seem then that Quebec has not been as forward as most parts of the English-speaking world in the matter of woman suffrage.

The laws of marriage and divorce remain immutable—though practically every other province has, or is assuming, the right to dissolve marriages. In this case it is, of course, the Roman Catholic Church which is the conservative influence. It will not recognise divorce, and hence in Quebec, where over 86% of the inhabitants are Roman Catholic, it is impossible to obtain a divorce from provincial authorities.

Parental rights over children, and the system of the disposition of property under marriage, are both relics of the time when the husband was the lord and master, and when he alone had dealings with the outside world. That the wife derives advantages as well as disadvantages from this regime is undoubtedly true, and the father's control over his children is by no means as absolute as the Civil Code would lead one to believe, as the Criminal Code of Canada provides numerous qualifications as to how he shall treat them and provide for them.† The often-mooted question of the desirability or otherwise of the present state of the law concerning property rights of married women led to the quotation of the opinions of two eminent legal men, whose ideas are diametrically opposed. Mr. Meredith speaks of the Province of Quebec as being in advance of, and "not behind the other Canadian provinces, both in its recognition of the rights of women and in the clear expression of such recognition," while Dean Lee maintains that the position of the woman who has secured a marriage contract is somewhat better than that of the woman married in community of goods, but that even in the former case her freedom is not of a very extensive or valuable character. Dr. F. P. Walton‡ seems to agree with Dean Lee, only he

*See above, Chapter I.
†See above, Chapter III.
‡University Magazine, Oct., 1912.

states the matter more forcibly, thus, "I have not sought to conceal my opinion that reforms are greatly needed. There is, in my judgment, no branch of our law of which we have less reason to be proud. Laws ought to be intelligible and equal, but the law of community is unequal and full of obscurities and complications. But Mr. Meredith says. "The whole doctrine you will find in detail between articles 1257 and 1471 inclusive, of the Civil Code. They are short, clear and concise. You can read them over and understand them in the course of an afternoon."

In England this question of the control of a woman's property under marriage was finally settled by the Married Woman's Property Act, 1882. Under this act a married woman might acquire and exercise the ordinary rights of ownership as if she were unmarried. This without doubt means greater freedom of action for women, but whether it is to their ultimate interest or not is apparently an open question.

With regard to the status of the women and children of Quebec in industrial life, it appears that they have all the usual legislative protection. All the customary precautions are provided for, and the length of their working day compares favorably with that of other countries. One point to be noted here is that the lack of a compulsory education law renders the evasion of the age limit regulations for children employed in factories very easy. These regulations, as well as the stipuations as to the degree of education which it is necessary for such children to possess, are found in the Provincial Statutes, but in practice it has been found so hard to determine the exact age and degree of literacy of these children that a new plan is being evolved to meet this difficulty. The Department of Factory Inspection has opened a court room in Montreal, for the purpose of examining each child employed in industry and providing him or her with a certificate, regarding age and education which must be carried by the child. It is to be stamped by the Department when the qualifications are satisfactory and in the case of illiterates the children will be required to attend night school until such time as they are able to read and write. This legislation concerns every child between 14 and

16 years of age, who is working. Those employed in department stores are not included as they come under the legislation for working in public buildings, but this is the only exception. In the case of children found to be physically unfit for certain industries, other employment is sought for them by the Department.

Coming now to the rights of women to exercise the professions, law and pharmacy seem to be the only two which women really desire to enter, and which they may not. The restrictions as to the latter will probably be removed at an early date, and as for the former the matter is continually under discussion. In a great many countries women have been admitted to the bar, and the number of these places is increasing all the time. The two latest to be added to the list are England and New Brunswick, but Quebec instead of making a third here, turned down the most recent bill proposing the change*. Women have never been architects in Quebec, but so far as the writer can discover there has never been any demand that this profession should be opened to them.†

The very large field covered by private enterprise in the domain of charity organizations in Quebec is worthy of special consideration. Both the provincial and municipal governments, it is true, grant small subsidies to these societies, but it is interesting here to note that in Manitoba it has been estimated roughly that 90% of the Winnipeg outdoor relief is carried on with municipal funds. These private organizations in Quebec are very much alive, and a hard struggle is being waged for such things as a psychopathic hospital; an institution corresponding to New York's Ellis Island to relieve the immigration situation; adequate and suitable accommodation for prisoners, and in general the betterment of the life of the community.

The situation in Quebec concerning government aid, particularly in connection with such work as Mothers' Allowances, is a decided contrast when the record of Manitoba is considered. But the very fact

*See above, Chapter V.

†Two applications on the part of women to study in the McGill School of Architecture can scarcely be considered as a demand for the opening of that profession to them.

that Manitoba is expending $350,000 on Mothers' Pensions this year is in itself worthy of consideration. This is a very large sum of money—about 65 cents per capita for the population of that province. Is it too much to spend in one particular form of charitable work? It is being spent in a manner which will show the cause of the necessity? Or is it merely aiding people without helping others to avoid similar circumstances? Wth these points in mind the following suggestion was made by the Secretary of the Manitoba Government Mothers' Allowance Commission*. "It is to be hoped that with the added experience within the Dominion with regard to the operation of "Mothers' Allowance" work, due to the enactment of similar legislation in Saskatchwan and the probable enactment of such legislation in Ontario at the next session of the Legislature every effort should be made by the Provinces administering "Mothers' Allowance" Acts to make a comparison between the families of mothers under allowance, the families of women working out to support small families and the families of women in receipt of ordinary "Out-door Relief." By some such careful study as this it should be possible to get convincing evidence as to the value or otherwise of this legislation.

If a careful record was kept for three or four years of 100 cases in each of the above classes, both as to the health of the families, the education attainments of the children and delinquency records, a comparison should result in showing whether Mothers' Allowances justified the money expended."

From a fairly detailed consideration of prison conditions and reports upon investigations into these conditions it would appear that at least the social service institutions are alive to the need of further changes here. The Montreal Council of Social Agencies, in its Committee's report of November, 1919, speaks of the women's prison conditions as demanding "the immediate erection of a Training School and Farm for all women amenable to reformation, either by the Provincial Government, or with the promise from the

*See their report, 1917-18.

Provincial Government that they will give an adequate per capita per annum grant. . . . As a necessary complement to such an institution there must exist a temporary shelter in the city for girls and women, which should be run in conjunction with an agency whose functions would be: (1) Probation; (2) Parole; (3) Protection. These three fields are quite inadequately covered at the present time."

There are no special courts for women in Quebec, but the Canadian Prisoners' Welfare Association is including the establishment of such courts in the list of things which it proposes to advocate, being influenced no doubt by the success of the New York Women's Court which was established in 1910. In New York too, as well as several other states, women may be police officers and magistrates. In Quebec it will be remembered, there are no women in such positions, nor may women sit as juries, and as no woman may be called to the bar a woman cannot be defended by a woman.

This conservative condition of affairs in the Province of Quebec is not one deliberately planned to give women a lower status than men, as many people seem to think. Rather, it is a very typical regime reflecting French traditions and Roman Catholic ideas as to the place of the woman. Quebec's so-called "backwardness" may be explained as largely a racial and religious matter, and the French Canadian women themselves are quite contented with their present status. Agitations for reforms find enthusiastic support from English-speaking Quebec women, but a far larger percent of the feminine population that is the French, prefer their present condition. Thus, such as the circumstances are in Quebec, they are what have been evolved in a largely French province, by people of French origin to suit their peculiar needs, temperament and religion.