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**CRIMINAL WOMEN AND BAD GIRLS:
REGULATION AND PUNISHMENT IN
MONTREAL, 1890-1930**

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**A thesis submitted to the Faculty of Graduate Studies and Research in partial
fulfillment of the requirements of the degree of Doctor of Philosophy**

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March, 1996**



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ABSTRACT

Society's attitudes toward criminal offenders changed dramatically over the nineteenth century. By the early twentieth century the system of handling offenders in Montreal was highly institutionalized and based on sex- and age-specific treatment involving the Catholic Church, civic and legal authorities, and Protestant reform organizations.

A thematic study of the relationship of female offenders, concerned organizations, and the criminal justice system at the height of industrial capitalism shows that as the economy expanded and the city grew, there were increasing opportunities for women to break the law. Women's crimes were largely determined by their socio-economic status in Canadian society, often crimes of poverty and survival. The growing potential to commit crime was met with a more organized and institutionalized response and the definition of what was considered wayward female behaviour broadened. The growth of the state over the latter part of the nineteenth century in the form of new and expanded juridical and penal structures resulted in an increase in disciplining the population. For women this meant the use of laws and institutions to punish inappropriate social and sexual behaviour.

This thesis explores the gender-specific treatment of female offenders in the new institutions created ostensibly to rescue them: Fullum Street Prison for Women, the École de Réforme, the Girls' Cottage Industrial School, the Juvenile Delinquents' Court, and the female police force. It looks at the construction of "criminal" and "bad" and the flexible usage of certain laws to curb unruly behaviour.

RÉSUMÉ

L'attitude de la société envers les contrevenants a changé considérablement au cours du 19^e siècle. Puis, dès le fin du 19^e siècle, le système de traitement des contrevenants à Montréal était très institutionnalisé et établi sur des traitements déterminés selon l'âge et le sexe, dans lesquels étaient engagés l'Église catholique, les autorités municipales et judiciaires, ainsi que les organismes d'orientation protestants.

Une étude thématique de la relation entre les contrevenantes, les organismes concernés et le système de justice pénale à l'apogée du capitalisme industriel démontre que plus l'économie prend de l'ampleur et que la ville augmente en importance, plus les occasions pour les femmes de contrevenir à la loi augmentent. Les crimes perpétrés par les femmes sont en grande partie reliés au milieu socio-économique de femmes dans la société canadienne. Ce sont souvent des crimes reliés à la pauvreté ou à la survie. L'étude approfondie de la criminalité féminine a entraîné l'élaboration d'un système de traitement plus organisé et institutionnalisé, et la définition de ce qu'on considérait comme un comportement féminin déviant a été élargie. La croissance de l'État au cours de la dernière partie du 19^e siècle quant aux structures juridiques et pénales a mené à l'augmentation des mesures coercitives dans la population. Pour les femmes, cela s'est traduit par l'utilisation des lois et des institutions pour sanctionner leurs comportements sociaux et sexuels inadéquats, conduisant à la criminalité et à la <<méchanceté>> féminine.

La société montréalaise a créé cinq nouvelles structures d'autorité visant à récupérer les contrevenantes. Il s'agit de la prison des femmes de la rue Fullum (1870), de l'École de réforme (1870), de la Girls' Cottage Industrial School (1911), de la Cour des jeunes délinquants (1912), et d'une force policière féminine (1918). Le fonctionnement de ces institutions était dirigé vers le raffermissement des stéréotypes sexuels et du pouvoir patriarcal. La vie des femmes qui ont été confrontées au système de justice pénale est marquée par la résistance, soit par leur capacité à < <disparaître> > dans la ville en cas de nécessité, soit par l'organisation de rébellions dans les institutions.

ACKNOWLEDGEMENTS

Many archivists, librarians and teachers aided this research, while the financial support of McGill and Quebec grants, and of my parents, made it possible. I would like to thank S. Madeleine Rufiange, archivist for the Religieuses Notre-Dame du Charité du Bon Pasteur and the Youth Horizons Foundation for permitting me access to invaluable institutional records on criminal women and bad girls. As well, I am indebted to the Cour municipale de Montréal and the Préarchivage of the Quebec Ministry of Justice for access to judicial documents that have yet to be organized as formal archives. At the McGill History Department I wish to thank Mary McDaid and Georgii Mikula for making the process easier.

For me, one of the pleasures of graduate school was discovering and being embraced by a community of scholars. My experience at McGill was enriched by many people who not only taught and challenged me but who also offered their friendship and support. My supervisor, Andrée Lévesque, shared with me her vast knowledge of, and passion for, women's and Montreal history, and welcomed me into her intellectual and feminist community. I thank Andrée for her commitment to this project and her determination to treat graduate students as colleagues.

Working collectively with the Montreal History Group - Bettina Bradbury, Kathryn Harvey, Brian Young, Peter Gossage, Suzanne Morton, Kate Boyer, Mary Anne Poutanen, Sarah Schmidt, Alan Stewart, and Don Fyson - has been intellectually and emotionally very rewarding. Mary Anne Poutanen and Kathryn Harvey in particular shared with me their friendship and their commitment to feminist history.

My work with the Post-Graduate Students' Society took me away from my thesis for a time, but what it took it gave back in important ways. In particular, it allowed for me to meet Michael Temelini, who showed me how everything is political. Having a penchant for uniting theory and action, Michael inspired me and others to change our small corner of the world; McGill is a better place for it.

Other historians, feminists, and friends listened to me talk of the thesis for years and once it was written, read and offered their gentle criticisms. Megan Davies and Colin Coates were always encouraging and set fine examples for me to follow. Maureen Malowany offered guidance, confidence, and more than once, a pleasant distraction. Janis Housez and Tim Frakes, also graduate students, were a pleasure to study and learn with. Sandra Clancy, Valerie Nofle, and Lynne Powell offered places to stay and always exceptional company. My colleagues at Trent University, especially Joan Sangster and Keith Walden, were very encouraging in the last stages of the thesis.

Final thanks and appreciation must go to my parents, Peter and (the late) Diana Myers, and my sister, Friday. I am privileged to have grown up within a family that esteems education and values the study of history.

DEDICATION

To the memory of my Mom,
Diana Emily Nelson Myers (1939-1991)

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INTRODUCTION

At the turn of the century a small but growing number of female Montrealers appeared before the law courts and were incarcerated in the city's Fullum Street Prison for Women or one of the two reform schools for girls. However insignificant their numbers the "problem" of criminal women and bad girls became the subject of social surveys, judicial inquiries, and religious treatises. Solutions designed to protect women resulted in a heightened campaign regulating female behaviour. This thesis explores the kinds of crimes women committed but more particularly looks at the process of the criminalization of women's activities, especially their sexual behaviour. It argues that with an expansion of structures concerned with the female offender in the name of "treatment" came an increase in the regulation and punishment of women's behaviour.

My interest in the study of women and criminality began strangely enough with a nineteenth-century medical textbook. In it a doctor specializing in female disorders suggested a causal link between enlarged female genitalia (graphically represented on the page) and prostitution. This image was so powerful and the explanation so curious it was difficult to ignore. As ludicrous as it may seem today to suggest that women were driven to prostitution by their biology - a physical sign of which was the condition of the clitoris and labia - medical science in the late nineteenth century looked to women's bodies to explain their behaviour, especially when it fell into the realm of sexual "excess", that is,

deviance.¹ A parallel to the emergent medical experts' construction of normal and deviant female sexuality was the legal authorities' own binary (legal and illegal) approach to women's sexual behaviour. Both the law and medicine were constitutive of a society increasingly troubled over what women did, especially with their bodies. Deviations from prescribed norms were upheld as evidence and warning of disease or criminality.

That the female body was criminalized relates to widespread anxiety in the late nineteenth and early twentieth centuries over women's responsibility for the future of the nation and importantly of white women of northern European heritage to the future of the "race" in Canada. These anxieties coalesced around women's alleged deviant sexuality, particularly its most public and threatening face, prostitution. Focus on the evils of prostitution also raises the question of the social power and position of women. The strong response to women's criminality suggests a desire to quell the female challenge to a prescribed gendered world that circumscribed their lives.

Women's experience in the criminal justice system must be placed in the context of elite male power; the police, the courts, and the jails traditionally have been structures and expressions of that power. Changes at the end of the nineteenth and beginning of the twentieth centuries meant challenges to the male-dominated criminal justice system. For example, during World War I the police experimented with a gendered system where the new policewomen tackled the problem of female crime. This move was lauded as a progressive step in crime prevention but as the Montreal experience illustrates it

¹Carol Groneman, "Nymphomania: the Historical Construction of Female Sexuality," *Signs* 19:2 (Winter, 1994): 337-367, 348.

increased the range of female behaviour that came under the surveillance of the police and was thereby criminalized. At the punishment end of the process, female offenders since the 1870s were placed in institutions designed and administered by other women.

The creation of the women's reformatory, female jail, and girls' reform school has given rise to assumptions held by historians of a kinder, gentler carceral experience. Estelle Freedman's now classic Their Sisters' Keepers and Carolyn Strange's article on the Mercer (female) Reformatory critique the attempts of maternal feminists to create female-friendly jails.² From a class and a feminist perspective, these institutions were at best efforts on the part of earnest bourgeois men and women to use laws and locks to correct wayward behaviour. The most recent addition to the debate attempts to rescue middle-class, female reformatory administrators from what the author sees as harsh and unfair criticism of feminist historians who claim the experiment in women's reformatories failed.³ The debate points to an ambivalence felt by scholars toward the female "pioneer" police officers and jail administrators.⁴ These women fought hard to succeed in implementing a gender-specific treatment of female offenders;

²Estelle Freedman, Their Sisters' Keepers: Women's Prison Reform in America (Ann Arbor, Mich.: University of Michigan Press, 1981) and Carolyn Strange, "'The Criminal and Fallen of their Sex': The Establishment of Canada's First Women's Prison, 1874-1901," The Canadian Journal of Women and the Law 1:1 (1985): 79-92. See also Lucia Zedner, Women, Crime, and Custody in Victorian England (Oxford: Oxford University Press, 1991).

³Peter Oliver, "'To Govern by Kindness': The First Two Decades of the Mercer Reformatory for Women," in Jim Phillips, Tina Loo, and Susan Lewthwaite, eds., Essays in the History of Canadian Law: Vol. V Crime and Criminal Justice History (Toronto: The Osgoode Society, 1994): 516-571.

⁴One can include the first social workers here too.

but, this did not automatically guarantee an improved experience for criminalized women. This thesis explores the nature and impact of new police and penal structures.

In Montreal, the majority of criminal women and "bad girls" appeared before the Recorder's Court (and beginning in 1912 young women came before the Juvenile Delinquents' Court) and paid a small fine or were incarcerated for short periods of time. Although there can be no claim made for the "typical" experience of a female offender in turn-of-the-century Montreal there were certain commonalities among the women and girls.

Their experience was determined first by social class: most of the prostitutes, vagrants, and other disorderly women constituted part of the city's economically marginal. Gender also defined that experience as it shaped attitudes toward the crime and the criminal. This thesis focuses on women offenders in a time period when crime and the response to it were constructed along gender lines. A century ago Cesare Lombroso, a man considered the "father" of criminology, explained female criminality in the context of women's "true" nature.⁵ The low rate of female crime relative to men's, he claimed, could be related to women's innate characteristics. He joined other members of the scientific community in constructing "woman" as a function of maternal instinct and a

⁵Cesare Lombroso, The Female Offender (New York: D. Appleton, 1915).

highly evolved morality.⁶ Those women who did commit crimes were deemed aberrant, likely to resemble men in character if not appearance.⁷

While class and gender can be used as unifying concepts in a study of criminal women, religion and culture break it down. This is most clear in the incarceration facilities created for women and girls in Montreal a century ago. The confessional nature of these institutions - based on religion - contributed to a further fragmentation of the "woman's" experience of criminalization and punishment. A female religious order, the Soeurs du Bon-Pasteur ran the larger, Catholic division of the women's jail whereas the province hired lay prison matrons to administer the smaller, Protestant wing. The same order of nuns ran the girls' *école de réforme*; Protestant philanthropists of Montreal's elite ran the Girls' Cottage Industrial School. Each of these groups of women created facilities that reflected their views of correcting wayward womanhood and delinquent girls. At the same time these institutions reflected class, religious, and ethnic tensions within Montreal itself.

This thesis is situated at the confluence of criminal justice history, women's history, and feminist criminology. In the last two decades there has been a proliferation

⁶For a discussion of the nineteenth century scientific and medical view of women, see Wendy Mitchinson, The Nature of their Bodies: Women and Their Doctors in Victorian Canada (Toronto: University of Toronto Press, 1991).

⁷Lombroso described a girl aged 9 as having "habits [that] were vagabond and unruly." In examining her photograph, Lombroso concluded she had the features of a born criminal: immense jaws and cheek-bones, flat nose, assymetry of face, "precocity and virility of expression...(s)he looks like a grown woman - nay, a man." Lombroso, 99.

of work on the history of law and society.⁸ The major theoretical framework for such histories revolves around social control which asks to what extent were the police, judicial, and prison systems state-sanctioned instruments of discipline over a "disorderly" working class. In recent years the Marxist and neo-Marxist use of social control theory has been challenged from feminist circles. The rejection or tempering of the social control model has been in part based on a desire to attribute historical agency to the people - particularly women - confronted by the law and other structures of the state.⁹ Studies of moral regulation, influenced in large measure by Michel Foucault, identify the role and power of discourse in constructing the space between normal and marginal. The result is that women as historical subjects have been resurrected from their victim status to agents in their own lives.¹⁰ This thesis also looks at the law as a force governing class relations; further, it seeks to understand the gender dimension of that relationship. It casts women and their families in a more active historical role, while acknowledging that

⁸For an overview see Brian Young, "Law 'in the Round'," *Acadiensis* (Fall, 1986). The proliferation of anthologies on the subject is also evidence of the growing popularity of legal history. See the five volumes of Essays in the History of Canadian Law; R.C. Macleod, ed., Lawful Authority: Readings on the History of Criminal Justice in Canada (Toronto: Copp Clark Pitman, 1988); Tina Loo and Lorna R. McLean, eds., Historical Perspectives on Law and Society in Canada (Toronto: Copp Clark Pitman, 1994).

⁹Linda Gordon, "Feminism and Social Control: The Case of Child Abuse and Neglect," in Juliet Mitchell and Ann Oakley, eds., What is Feminism?: A Re-Examination (New York: 1986); Heroes of their Own Lives: The Politics and History of Family Violence (New York: Penquin Books, 1988).

¹⁰Carol Smart, "Disruptive Bodies and Unruly Sex: the Regulation of Reproduction and Sexuality in the Nineteenth Century," in Carol Smart, ed., Regulating Womanhood: Historical Essays on Marriage, Motherhood and Sexuality (London: Routledge, 1992): 7-32, 31. See also Marianna Valverde, "Introduction," in Canadian Journal of Sociology 19:2 (1994).

women determined their lives within a class-based, patriarchal society in which they were largely lacking in social, economic, and political power.¹¹

There has been little systematic writing about women criminals in Canadian history. (Women's historians have, though, created a literature that dispels the assumption that prostitutes were too elusive to study in historical perspective; James H. Gray in his popular history Red Lights on the Prairies and Terry Copp in The Anatomy of Poverty, for example both eschewed the possibility of writing on women who broke the law.¹²) In the 1970s and 1980s a body of historical work emerged on prostitution.¹³

¹¹Joan Sangster writes: "The most useful and complex analyses in both social control and moral regulation studies explicated the processes of resistance as well as control and explored class, gender and race relations, informal and formal social controls, discursive as well as non-discursive powers." See her "Incarcerating 'Bad' Girls: The Operation of the Female Refuges Act in Ontario, 1920-45," Paper Presented to the Canadian Historical Association, (Montreal, 1995), 7.

¹²Gray would write: "Most of them [prostitutes], like the single settlers themselves, eventually must have drifted back into respectability, marriage, and a family, with the secret of their past buried so deeply that no male historian is ever likely to unearth a trace of it." James H. Gray, Red Lights on the Prairies (Toronto: Macmillan of Canada, 1971), 25. Copp wrote: "Crime, prostitution, venereal disease, alcoholism, and other by-products of a culture of poverty are ignored because no consistent body of evidence for dealing with them was discovered." Terry Copp, The Anatomy of Poverty: The Condition of the Working Class in Montreal, 1897-1929 (Toronto: McClelland and Stewart, 1974), 10.

¹³Judy Bedford, "Prostitution in Calgary, 1905-1914," Alberta History 29:2 (Spring, 1981): 1-11; Gerald Boucher, "The 'Fallen' Women at Work: Prostitution in Vancouver, 1890-1920," The Ascendant Historian 3 (1985):130-153; Joy Cooper, "Red Lights of Winnipeg," Historical and Scientific Society of Manitoba Series III 29 (1972-73); M. Elizabeth Langdon, "Female Crime in Calgary, 1914-1941," in Louis Knafla, ed., Law and Justice in a New Land (Toronto: Carswell, 1986): 293-312; Andrée Lévesque, "Le Bordel: Milieu de Travail Contrôlé," Labour/Le Travail 20 (Fall, 1987):13-32, and "Eteindre le Red Light: les Réformateurs et la prostitution à Montréal entre 1865 et 1925," Urban History Review 17:3 (February, 1989):191-201; John McLaren, "The Canadian Magistracy and Anti-White Slavery Campaign, 1900-1920," in W.Wesley Pue and Barry Wright, eds., Canadian Perspectives on Law and

Using largely prescriptive sources complemented by judicial data, historians described the proliferation of mostly urban prostitution and the mounting hostility to it at the turn of the century. These historians revealed that the motivations for women to practise prostitution were complex and that the trade prevailed even in the face of intense campaigns to eradicate it.

But the definition of prostitution was a slippery one, as historians of "bad girls" have noted. Some of those young women labelled prostitutes by evangelical reformers were in fact not plying the trade but creating and exploring new rituals of courting behaviour. In the United States, Joanne Meyerowitz, Kathy Peiss, and Christine Stansell have broken new ground challenging definitions of working-class women employed by reformers and explored the lives of young women in urban America.¹⁴ Building on this work, recent studies by Carolyn Strange on Toronto and Mary Odem on Los Angeles have explored the reaction to young women engaging in premarital sex - a behaviour

Society: Issues in Legal History (Ottawa: Carleton University Press, 1988): 329, and "Chasing the Social Evil: Moral Fervour and the Evolution of Canada's Prostitution Laws, 1867-1917," Canadian Journal of Law and Society 1 (1986): 125-165; Deborah Nilsen, "The 'Social Evil': Prostitution in Vancouver, 1900-1920," in Barbara Latham, ed., In Her Own Right: Selected Essays on Women's History in British Columbia (Victoria: Camosun College, 1980); Lori Rotenberg, "The Wayward Worker: Toronto's Prostitute at the Turn of the Century," in Janice Acton, Penny Goldsmith and Bonnie Shepard, eds., Women at Work, Ontario, 1850-1930 (Toronto: Canadian Women's Educational Press, 1974): 33-69.

¹⁴Christine Stansell, City of Women (Chicago: University of Illinois Press, 1987); Joanne Meyerowitz, Women Adrift: Independent Wage Earners in Chicago, 1880-1930 (Chicago: University of Chicago Press, 1988); and Kathy Peiss, Cheap Amusements: Working Women and Leisure in Turn-of-the-Century New York (Philadelphia: Temple University Press, 1985).

constructed as delinquent.¹⁵ In the rapidly expanding body of literature on 'bad girls', historians have identified the first two decades of the twentieth century as the historical moment when the blame for sexual immorality shifted from wiley men to indulgent female delinquents.¹⁶ The construction of the girl problem in the 1910s precipitated a coercive response to women's sexual behaviour. Nineteenth-century paternalism which had been responsible for the legal regulation of female minors in the name of protection, then, gave way to a new and more coercive response to unbound female sexuality. In the first decades of the twentieth century a host of new institutions and organizations addressed the 'problem' of good girls going bad. Increasingly those spearheading these associations and institutions were middle-class women educated in the 'helping professions', especially social work.

Where women's historians have been addressing questions of the nature of women's crime in the past, feminist criminology has grappled with both why women commit crimes and why some of their behaviours are criminalized. In the 1970s, women's crime was explained relative to women's changing status in society. Freda Adler in Sisters in Crime (1975), proposed that the women's liberation movement had the effect of making women more assertive and competitive, that is, more masculine, and

¹⁵Originally doctoral dissertations, these two studies are now published as: Carolyn Strange, Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930 (Toronto: University of Toronto Press, 1995) and Mary E. Odem, Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920 (Chapel Hill, N.C.: University of North Carolina Press, 1995).

¹⁶See Strange, chapter 4; and Odem, Delinquent Daughters; and Regina Kunzel, Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890-1945 (New Haven: Yale University Press, 1993).

more likely to commit crime. The theory was that women's newly-achieved higher status in society gave them more opportunity and less inhibition for crime. This assertion followed earlier studies that showed that as women shed "traditional" roles (mostly through paid employment in the public sphere) the female crime rate would increase.¹⁷ Critics of the "liberation thesis" refute the idea that has underpinned much of criminology: that criminal activity is male and women who commit crime are deviant females.¹⁸

Feminist criminologists dismissed the arguments of biology and the relative equality of the sexes in their explanations of female criminality. Most have pointed to the profound economic disparities in the experience of men and women to illustrate why women commit crimes of poverty, in particular, prostitution and petty theft.¹⁹ In 1976 Carol Smart suggested that the traditional studies in criminology pathologized the criminal thus negating self-determination on the part of the perpetrator.²⁰ A decade later

¹⁷Otto Pollack, The Criminality of Women (1950); John Fox and Timothy Hartnagel, "Changing Social Roles and Female Crime in Canada: A Time Series Analysis," Canadian Review of Sociology and Anthropology 16:1 (1979): 96-104.

¹⁸See for example Ngaire Naffine, Female Crime: The Construction of Women in Criminology (Sydney, Australia: Allen and Unwin, 1987), Chapter 7; and Meda Chesney-Lind, "Women and Crime: The Female Offender," Signs (Autumn, 1986): 78-96.

¹⁹See Laura Crites, ed. The Female Offender (Lexington, Mass.: Lexington Books, 1976); Jane Chapman, Economic Realities and the Female Offender (Lexington, Mass.: Lexington Books, 1980); Clarice Feinman, Women in the Criminal Justice System (New York: Praegar, 1980).

²⁰For a critique of early criminology see Carol Smart, Women, Crime and Criminology: A Feminist Critique (London: Routledge and Kegan Paul, 1976); Eileen Leonard, Women, Crime and Society (New York: Longman, 1982).

Meda Chesney-Lind called for more research into the character of women's deviance and the nature of the response to women's actions, suggesting that the way the authorities respond to women's misconduct is as gendered as the behaviour of the offender.²¹

How does the historian use a century of theorizing about women criminals? Can it help explain why female arrests increased over the period under study? In the period 1890 to 1930 women gained significant political rights and World War I solidified trends in women working outside the home. While married women's property laws still institutionalized women's dependence on men,²² at first glance it appears that some women made substantial ground in improving their legal and political status in this period. For example, in 1892 Quebec gave widows and unmarried women the right to vote in municipal and school elections, certain women won the right to vote in federal elections in 1918, women were deemed persons in 1929 in the British North America Act, and as a result of the Dorion Commission, Quebec wives won the right to control their earnings in 1931.²³ What is clear from historical investigations is that, as American historian Mary Odem has argued, while women in North America gained rights in the

²¹Smart (1976), 5; Chesney-Lind, 86 and 96.

²²On married women's property laws see Bettina Bradbury et al, "Property and Marriage: The Law and the Practice in Early Nineteenth-Century Montreal," Social History/Histoire Sociale XXVI:51 (May, 1993): 9-39; Constance B. Backhouse, "Married Women's Property Law in Nineteenth Century Canada," Law and History Review 6:2 (1988).

²³Susan Altschul and Christine Caron, "Chronology of Some Legal Landmarks in the History of Canadian Women," McGill Law Journal 21:4 (1975): 476-494. Not all women won the right to vote in 1918; for example, First Nations women were excluded.

area of property and divorce under common law, the status of women in conflict with the law did not improve as they faced increased surveillance and control.²⁴

The topic of women and crime in Montreal at the turn of the century has been largely ignored by historians and criminologists.²⁵ There are no published histories of the evolving structures of law in Montreal. New to the late nineteenth and early twentieth centuries were the separate female incarceration facilities, the juvenile court, and female police officers. This thesis addresses this relatively unexplored area in Montreal history, using court and police records, collections from the Soeurs du Bon-Pasteur Archives and the Girls' Cottage Industrial School, and municipal and provincial reports on the subject of women and crime.

Chapter I asks what kinds of crimes women were charged with and why they committed them in the period 1890-1930. Arguing that in this time frame women's economic options were severely circumscribed, this chapter examines the relationship between work, lifestyle, and crime. Chapter II looks at the other side of this question - which of women's behaviours were criminalized - by examining the structures that established and reinforced rules of public and sexual morality. It looks specifically at

²⁴Mary E. Odem, "Fallen Women and Thieving Ladies: Historical Approaches to Women and Crime in the United States," Law and Social Inquiry: Journal of the American Bar Foundation 17:2: 351-61, 351-2.

²⁵In Quebec history there are several studies of women's crimes. See Marie-Aimée Cliche, "L'infanticide dans la région de Québec (1660-1969)," Revue d'histoire 44:1 (été 1990): 31-59; Danielle Lacasse, La Prostitution féminine à Montréal, 1945-1970 (Montréal: Boréal, 1994); Andrée Lévesque, "Eteindre," and La Norme et les déviantes (Montréal: Boréal, 1989); André Lachance, "Women and Crime in the Early 18th Century," in Louis Knafla, ed., Crime and Criminality in Europe and Canada (Waterloo, Ont.: Wilfred Laurier Press, 1981).

the gendered definitions of vagrancy, the rise of Montreal's anti-vice campaigns, and the construction of the sex delinquent. Chapter III is based on the reports of Montreal's first female police officer: in 1918, Elizabeth Vand scoured the city's streets and amusement venues looking for female delinquents. Chapter IV picks up the thread of the sex delinquent and explores the legal "processing" of the bad girl. New to this era was the Montreal Juvenile Delinquents' Court. Chapters V and VI examine the institutional facilities for criminal women and bad girls. Chapter V extends back to the 1870s and the origins of the women's prison on Fullum Street. It looks at the nuns that were appointed by the province to run the facility and it uses the Protestant wing as a point of comparison. In the following chapter the focus is the Protestant reform school, the Girls' Cottage Industrial School, which is compared to its sister facility the *École de réforme*.

CHAPTER I:
THE CRIMINALIZATION OF WOMEN: GENDER ECONOMICS AND A
PROFILE OF FEMALE CRIMINALS, 1890-1930

In the period from *la belle époque* to *les années folles* - roughly the 1890s to the 1920s - thousands of Montreal women transgressed prescribed normative behaviour and pursued activities that society labelled deviant and/or criminal. This chapter explores the question of why women might have turned to crime in turn-of-the-century Montreal. It focuses on women's particular material circumstances and investigates the connections between the socio-economic status of women and criminal activity. In the myriad of female arrests certain cases appear self-evident: the case of Diana Dugas, for example, who turned to begging on a Montreal street in 1912 when her husband died and she was left penniless with three young children. Poverty explains Dugas' slide into criminal behaviour. Her gender, or rather the severely limited position of women in an industrial-capitalist society determined that poverty and the kind of crime she was likely to commit. The case of Dugas suggests that criminal acts can be contextualized through an examination of women's lives in Montreal in relation to opportunities for work, housing, and crime.

This chapter has two main parts: the first establishes the socio-economic status of women in Montreal between 1890 and 1930; the second surveys crimes committed and

the women responsible for them. This chapter seeks to understand which Montreal women committed crimes and why; the next chapter will discuss why certain of women's behaviours and leisure activities were criminalized.

OPPORTUNITIES FOR WOMEN IN INDUSTRIAL MONTREAL

From the late 1890s to the First World War, Canada's preeminent financial, manufacturing, and cultural centre was in a golden age of economic expansion. During *la belle époque* Montreal's manufacturing sector alone was responsible for almost twenty percent of Canada's industrial output.¹ The city housed textile, clothing, shoe and boot, and tobacco factories, as well as those fed by the burgeoning construction industry. As the financial sector developed, the availability of white-collar jobs exploded. Economic growth between 1896 and 1914 benefitted local industrialists but the majority of working-class and new Montrealers suffered a subsistence-level existence.² Many factors affected

¹Paul-André Linteau defines *la belle époque* as 1896-1914 in Histoire de Montréal depuis La Confédération (Montréal: Boréal, 1992), 148. See also Linteau and Sylvie Taschereau, "The Industrial Development of Montreal," in Donald Kerr and Deryk W. Holdsworth, eds., Historical Atlas of Canada Plate 14 (Toronto: University of Toronto Press, 1990). Bettina Bradbury looks at the expansion of industrial capitalism in the decades 1860 to 1890, see chapter 1 of Working Families: Age, Gender, and Daily Survival in Industrializing Montreal (Toronto: McClelland and Stewart, 1993).

²Herbert Brown Ames, The City Below the Hill (Montreal, 1897; Toronto: University of Toronto Press, 1972); Terry Copp, The Anatomy of Poverty: The Condition of the Working Class in Montreal, 1897-1929 (Toronto: McClelland and Stewart, 1974). Copp found that during these years the "urban-industrial working class in Montreal had lived within a culture of poverty, created primarily by subsistence incomes and an absence of job security," 43.

the experience of subsistence: social class, age, marital status, proximity to support networks, and especially gender.

Many of the industries that had begun in the mid-nineteenth century - shoe, clothing, and tobacco, in particular - relied heavily on women and child workers, and many families depended on these members' ability to convert their labour into wages. In this period of Montreal's history, women's paid work was characterized by limited opportunity in a gendered labour market; as well, most workers faced cyclical unemployment. Women's work outside the home was determined by social class, marital status, and to a lesser extent ethnicity. Traditionally the largest employer of single women, domestic service was performed by recent immigrants or women from the countryside. Well-paying jobs fell to the educated; job openings for women in the clerical sector required education and proficiency in English which eliminated many working-class women. Most women entered the labour force during their adolescent years for a period of time before marriage. In this context, marriage and family became crucial for survival.³ Young women's already insufficient wages went into the family economy or to pay for miserable living quarters in the boarding houses and apartment houses in the city.

Most women in this period lived in family households. As Bettina Bradbury has shown, women's involvement in the economy was central to the family's survival, though a woman's experience with wage labour might be sporadic and mitigated by

³On the contribution of married women to the family economy in the mid to late nineteenth century, see Bradbury, Chapter 5.

responsibilities in the home.⁴ Decisions about family members' work represented "a complex and often unconscious balance between basic need, existing ideology and practise regarding gender roles, the structure of the economy, and the particular economic conjuncture."⁵ These decisions about who should earn wages in turn affected the composition of the workforce.⁶ In the mid- to late-nineteenth century, young women worked outside the home in Montreal if they were the oldest child in a family with no or very young boys or in the case of destitute families where all of the children were sent to work at about age fourteen.⁷ During adolescence, many working-class daughters stayed home to work with mothers at home-work such as sewing while boys ventured into the labour market. The advantages of this, as Bradbury has found, were that the teenaged daughters could, in addition to home-work, shop, cook, clean, look after the elderly and the sick all the while being supervised by mother.⁸ How young women felt about this arrangement is not clear. For some, the home was rife with generational

⁴Bettina Bradbury, "Women and Wage Labour in a Period of Transition: Montreal, 1861-1881," Histoire sociale/Social History 17:33 (May, 1984): 115-131.

⁵Bettina Bradbury, "Gender at Work at Home: Family Decisions, the Labour Market, and Girls' Contributions to the Family Economy," in Bettina Bradbury, ed., Canadian Family History (Toronto: Copp Clark Pittman, 1993): 177-198, 178.

⁶Ibid.

⁷Ibid., 185. There was no compulsory schooling in Quebec until 1941.

⁸Bradbury, "Gender at Work," 187. See also Denise Lemieux and Lucie Mercier, Les femmes au tournant du siècle, 1880-1940 (Québec: Institut québécois de recherche sur la culture, 1989), 88-96.

conflict, which, in its most extremes was dealt with in the courtrooms of the day.⁹ It was not uncommon for parents to bring their daughters to Montreal's Recorder's Court and later the Juvenile Delinquents' Court for willful neglect of work.¹⁰

Throughout these decades women were dependent on men or their families. The economic system encouraged this dependence; the idea of a family wage reinforced women's economic marginality in the work place and contributed to the narrow construction of the woman as home worker. Women, of course, did work, even if the Census rendered women's unpaid work invisible.¹¹ This dependence of women on men, or women on the family economy meant that when deserted or widowed women could face extreme hardship. Women who found themselves destitute and alone or with dependent family members would have to be resourceful in their approach to survival.¹²

In the beginning of the twentieth century, women increasingly came to Montreal without families, being drawn by the promise of work in factories or the burgeoning white collar sector. Women who travelled alone to Montreal seeking paid employment found their material well-being frequently jeopardized by unsteady employment and expensive living conditions, as the Royal Commission on Industrial Training and Education revealed in 1913. These women, too, were resourceful, often doubling up in

⁹Mary Odem, "Single Mothers, Delinquent Daughters, and the Juvenile Court in Early 20th-Century Los Angeles," Journal of Social History 25 (Fall, 1991): 27-43.

¹⁰See Chapters II and III.

¹¹Bettina Bradbury, "Pigs, Cows, and Boarders: Non-wage Forms of Survival among Montreal Families, 1861-91," Labour/Le Travail, 14 (Fall, 1984): 9-46.

¹²Bettina Bradbury, "Surviving as a Widow in Nineteenth-Century Montreal," Urban History Review 17:3 (February, 1989): 148-60.

their residences, sharing food and cooking, and in some cases, turning to prostitution to augment wages.

With an eye to submitting a brief to the Royal Commission on Industrial Training and Technical Education, a Sub-Committee of the Montreal Local Council of Women¹³ surveyed the "conditions prevailing amongst wage-earning women in Commercial and Industrial Establishments in Montreal."¹⁴ They, along with the Fédération Nationale St-Jean-Baptiste¹⁵ concluded that only women with secondary education could afford sound

¹³The Montreal Local Council of Women was founded in 1893, following the creation of the National Council of Women. Its first president was Julia Drummond, a member of Montreal's elite Protestant community. An umbrella organization, the MLCW brought together such organizations as the Young Women's Christian Association, the Parks and Playgrounds Association, the Girls' Friendly Society, the Protestant Orphan Asylum, and the Ladies' Benevolent Society. Although chiefly Protestant, affiliated committees included the Ladies' Hebrew Benevolent Society and prominent francophones such as Caroline Béique; Josephine Marchand Dandurand and Marie Gérin-Lajoie joined in the years before the founding of the Fédération Nationale Saint-Jean-Baptiste. The orientation of the MLCW was maternal feminist; its members promoted women's volunteer work to help the young, the sick, and the aged. Various member committees aimed to improve urban life through green spaces, clean water, and safe milk. See Montreal Local Council of Women, Annual Reports; Veronica Strong-Boag, The Parliament of Women: The National Council of Women of Canada, 1893-1929 (Ottawa: National Museum of Man, Mercury Series, 1976); and Jeanne M. Wolfe and Grace Strachan, "Practical Idealism: Women in Urban Reform, Julia Drummond and the Montreal Parks and Playgrounds Association," in Caroline Andrew and Beth Moore Milroy, eds., Gender, Household and Employment (Vancouver: University of British Columbia Press, 1988): 65-80.

¹⁴National Archives (NA), Montreal Local Council of Women (MLCW), MG 28, I 164, Vol. 6, Briefs and Reports, 1908-1960, "An Inquiry into the conditions prevailing amongst wage-earning women in Commercial and Industrial Establishments in Montreal," 1910. See also the Report of the Royal Commission on Industrial Training and Technical Education (hereafter RCIT), Part IV, (1913), 1974.

¹⁵In 1907 Marie Gérin-Lajoie and Caroline Béique founded the Fédération, an organization influenced by French Christian feminism which addressed the need for improving women's rights in a Catholic context. The organization challenged the status of married women in Quebec's Civil Code, and lobbied for the right of women to vote.

living quarters and pleasurable yet "appropriate" leisure activities.¹⁶ Their findings on women's place in the work force therefore supported a call for compulsory education.¹⁷

The 1910 survey of commercial and industrial establishments divided women's paid work into three categories: women in clerical positions, saleswomen in shops, and women in industrial establishments. The omission of domestic service in their study can be attributed to two factors. First, whereas this kind of work occupied 41% of the female workforce in Canada twenty years earlier, by the second decade of the twentieth century, it was no longer the largest employment category for women.¹⁸ In Montreal in 1911, 15% of the female workforce was in domestic service.¹⁹ The second factor was that the MLCW was most interested in "business women", the independent wage earner

Affiliated members addressed social problems such as intemperance, poverty, illiteracy, and illness. See La Bonne Parole, official organ of the Fédération; and Marie Lavigne, Yolande Pinard, and Jennifer Stoddart, "La Fédération Nationale Saint-Jean-Baptiste et les revendications féministes au début du 20 siècle," in Marie Lavigne and Yolande Pinard, Les Femmes dans la société Québécoise (Montreal: Boréal, 1977).

¹⁶The Fédération also submitted a report to the Royal Commission arguing for better education of girls and women, especially in the area of domestic science. RCIT, 1988-1993.

¹⁷RCIT, 1979-80. Both the MLCW and the Fédération Nationale Saint Jean-Baptiste submitted reports outlining the need for more education of girls and young women, especially compulsory for ages from 5 to 14.

¹⁸Alison Prentice et al, Canadian Women: History (Toronto: Harcourt Brace Jovanovich, 1988), 123. In 1911 approximately 33% of the Montreal female work force was engaged in personal service, whereas 40% was employed in factories. Marie Lavigne and Jennifer Stoddart, "Ouvrières et travailleuses montréalaises, 1900-1940," in Marie Lavigne and Yolande Pinard, Les femmes dans la société québécoise (Montreal: Boréal Express, 1977), 127.

¹⁹Canada, Census, 1911, Vol. 6, Occupations of the People, 250-262. Approximately 6,000 of 40,000 workers were in domestic service.

that had recently become a new addition to the urban landscape. The surveyors did, however, show some general concern about the activities of girls who left school at 9 to 14 years of age who were not permitted by law to work in shops and factories: "Are they serving as inefficient nursemaids or little domestic drudges?"²⁰

According to the 1911 Census, the manufacturing sector employed 40% of the Montreal female labour force.²¹ By the 1910s some women had moved toward better-paying jobs and more agreeable work in the clerical sector. In 1921 as many as 20% of Montreal's female labour force found employment in the city's commercial and transportation sectors.²² In its survey of secretaries, typists, stenographers, telephone operators, and book-keepers in banks, offices and industrial establishments, the sub-committee found that the work was "congenial", the hours "reasonable", and potentially offered a living wage and steady employment.²³ These jobs remained out of reach for many women due to the expected qualifications of good secondary education and excellent English.²⁴ This type of work required some training at one of Montreal's four private business colleges which meant that this work was only available to women of

²⁰ RCIT, 1976.

²¹Canada, Census 1911, 250-262.

²²Clio Collective, Quebec Women: A History, 209. There were approximately 60,000 wage-earning women in Montreal according to the 1921 Census, Vol. 4, Occupations, 54-70.

²³Women worked in institutions such as Bank of Montreal, the Canadian Bank of Commerce, the Banque d'Hochelaga, Sun Life Insurance, and the Canadian Pacific Railway.

²⁴RCIT, 1975.

some financial means.²⁵ Women with these qualifications and good business training could earn as much as \$600 to \$1200 annually, that is, those at the higher end of the scale were able to support themselves independently.

The second group in the MLCW survey worked in sales in Montreal's burgeoning retail sector. Women worked in small retail stores that proliferated along the main corridors of the downtown, as well as in large department stores like Morgan's, Ogilvie's and Dupuis et frères.²⁶ The women interviewed in the survey claimed that sales work was superior to domestic service (because the saleswoman was addressed as Miss or Mrs.) and that their 8 a.m. to 5:30 p.m. schedule Monday to Saturday meant evenings and Sundays were their own. Saleswomen considered their work more satisfying because they were "brought in contact with an ever varying stream of life which lends an interest and even a charm to [their] environment."²⁷ Wages and conditions, however, were very poor indeed. In good establishments women made \$8 per week, though many made only \$4, and only in rare circumstances did a saleswoman make \$20.²⁸ Saleswomen were rarely permitted a chance to sit and often the stores were not warm enough nor did they have proper ventilation.²⁹ Even with the time to enjoy leisure hours, saleswomen might

²⁵A fifth business college opened in 1916. Clio Collective, 216-17.

²⁶Ste-Catherine Street in particular became an important commercial street in this period. Linteau, 155.

²⁷RCIT, 1976-7.

²⁸Ibid, 1976.

²⁹During the 1910s, the FNSJB and the Local Council of Women lobbied for the right for women to sit, and to protest their poor working conditions saleswomen created the Association des demoiselles de magasin. Clio Collective, 217.

find that not only could they not provide for their own maintenance, but "recreation of a desirable character [was] offered to [them] only at prohibitive prices."³⁰ Those in charge of the survey were none too aware of the connection between poor wages and inappropriate leisure. "Cheap amusements" purportedly led otherwise respectable working women into occasional prostitution.³¹

Factory workers made up the third group in the MLCW's survey. There were 49 responses representing 25 different kinds of industries in Montreal. In the early part of the twentieth century, the garment, textile, and tobacco sectors absorbed large numbers of female workers.³² The minimum wage in most factories was \$2 per week for unskilled work. Some women made \$10 to \$15 per week and the exception was the skilled millinery worker who made up to \$30. Skilled ironers, for example made \$12 to \$15 per week on piecework.³³ The factory women who responded to the MLCW's questions placed the minimum living wage at between \$7 and \$10 per week. The average worker made less, which meant they were not "economically independent."³⁴ As for the educational level of these three groups of workers, the surveyers found that the

³⁰RCIT, 1977.

³¹Kathy Peiss, Cheap Amusements; Carolyn Strange, "From Modern Babylon to a City Upon a Hill: The Toronto Social Survey Commission of 1915 and the Search for Sexual Order in the City," in Patterns of the Past, Roger Hall, William Westfall, and Laurel Sefton MacDowell, eds. (Toronto: Dundurn Press, 1988): 255-277.

³²The Clio Collective, 208. Canada, Census, 1911, 250-262.

³³RCIT, 1978.

³⁴Ibid.

average shop woman had minimal education but at least the ability to read, write and do simple arithmetic. Female factory workers on the whole were illiterate.³⁵

Many women undoubtedly lived with families when possible. For women without families in Montreal or for those who chose to live apart, a wide assortment of boarding houses had sprung up in Montreal to meet the needs of independent working women. Labelled "women adrift" in the United States, independent, wage-earning women were drawn to many North American cities for employment in this period.³⁶ The presence of independent wage-earning women in urban areas presented a problem for women's organizations like the Local Councils of Women and the Young Women's Christian Association who were concerned about the dangers faced by unsupervised single women. Their living conditions and leisure as much as their work gave rise to lively debate about the nature of this new urban dweller. As early as 1908 the Lady Superior of the prison for Roman Catholic Women at Montreal wrote that "a fair number of young girls ... have come to earn a living in our big city, where they have unfortunately found only dangers and perils...".³⁷ It is in these dramatic terms that the mother superior explained the slippery slope between "honest" living and debauchery. A poignant illustration of slippage was the life of American-born Maimie Pinzer, a sometime prostitute and the

³⁵Ibid, 1979.

³⁶See Joanne J. Meyerowitz, Women Adrift: Independent Wage Earners in Chicago, 1880-1930, (Chicago: University of Chicago Press, 1988); and Carolyn Strange, "The Perils and Pleasures of the City: Single Wage-Earning Women in Toronto, 1880-1930," Ph.D Thesis, Rutgers State University of New Jersey, 1991.

³⁷Quebec, Sessional Papers, Report of the Lady Superior of the prison for Roman Catholic Women at Montreal, (1908).

manager of a wartime boarding house establishment, the Montreal Mission for Friendless Girls.

Arriving in Montreal in the summer of 1913, Maimie Pinzer pronounced the city the most expensive in North America.³⁸ The Royal Commission found that boarding outside the family could not be done in Montreal for less than \$3 or \$4 per week.³⁹ She would have fit into the first group of women the MLCW surveyed for their brief to the Royal Commission. Excellent with languages, Maimie had also been to business-training school and while working in Philadelphia was promised a well-paying job in Montreal. Her wages of \$50 per month, she soon found, put her at the low end of the scale for stenographers. On \$50 she could not afford room and board. She wrote, "for the sort of place I would live in wouldn't consider less than \$50 a month - or my salary in full."⁴⁰ She found a "mild" place with a modern bathroom for a monthly rate of \$22 in an apartment house on Sherbrooke Street.

Relative to other working women, Maimie's wages were not that meagre, but still she struggled to make ends meet. In December 1914, in a letter she wrote to Boston philanthropist Fanny Howe, she voiced the thoughts of many independent wage-earners:

hordes and hordes of girls work for a pittance, but most of these girls have homes, and when they get there have good, warm suppers - so they don't demand

³⁸Ruth Rosen and Sue Davidson, eds. The Maimie Papers (Indianapolis: The Feminist Press, 1977): 183.

³⁹RCIT, 1978.

⁴⁰Rosen and Davidson, 183.

much. But I have to earn a fairly decent wage as everything is high...and frankly I'm hungry half the time.⁴¹

Montreal drew women from the countryside and overseas because of its status as industrial and financial centre of Canada. Increasingly women were looking for places of their own, a phenomenon noticeable especially in the 1910s. Boarding houses sprung up to meet the recent demand for women's lodgings. Some of these establishments were run by religious groups and women's organizations. Unlike the non-sectarian, more casual boarding houses, those run by Catholic nuns or Protestant organizations were divided by religion and language. French Catholic women were welcomed at Le Foyer (located on Champ de Mars and Mansfield) as well as others on St. Hubert, St. Denis and Viger Streets in central Montreal; Irish Catholic women stayed at Killarney House on de la Gauchetière Street; and Protestant women used the YWCA's dormitories in the central building on Dorchester as well as a rooming house on Ste. Famille and a boarding house on MacKay Street.⁴²

Many women may have sought out these well-organized women's residences when they first arrived in the city. The YWCA recognized the plight of the independent working woman having expanded its home for "working girls" from a residence that could accommodate several hundred women who were temporarily out of work to actual

⁴¹Ibid, 244.

⁴²This information is taken from the files of Elizabeth Wand, the city's first policewoman, who in 1918 investigated the boarding house arrangements for women alone in the city. (NA, MLCW, MG 28, I 164, Vol. 7, K. Ward Protective Officer, Correspondence and Reports 1918-19, "Resume of Work for Local Council of Women", July 1918); and YWCA, Annual Reports, (1916-1918).

boarding houses that served thousands of women who were both permanent and transient populations.⁴³ The number of permanent spaces in each of them, however, was much lower than the demand and therefore women were forced to look elsewhere for affordable housing.

This inexpensive accommodation could be had at a price. The Catholic Foyers which housed roughly 50 women, for example, cost just \$10 per month but offered little privacy. Women living there did so under constant supervision. The YWCA boarding homes likewise offered women a place to live (2500 in 1916-17) but were expected to live up to the spiritual and moral ideals of this Protestant organization.

In the 1910s the crisis in housing for independent women caught the attention of the city's women's organizations. The wartime opportunities for work drew women to Montreal and exacerbated this trend. The YWCA remarked that "never before in the history of Montreal have there been so many girls employed in banking institutions, stores, offices and factories, and never before in the history of the Association has it been so difficult to secure satisfactory accommodation for these girls."⁴⁴ Various organizations addressed the need for "comfortable and respectable boarding accommodation at reasonable rates" for all working women. Thus began the talk of a business women's hotel and social clubs to regulate leisure.

⁴³YWCA (Montreal), Annual Report, 1899, 1916-17. See also Diana Pedersen, "'Building for the Womanhood of Tomorrow': Businessmen, Boosters and the YWCA, 1890-1930," Urban History Review XV:3 (February, 1987), 225-242.

⁴⁴YWCA (Montreal), Annual Report, 1916-7.

During World War I, the Montreal Local Council of Women protested the uncontrolled spread of boarding houses and demanded that the city license all boarding and rooming houses.⁴⁵ Concern over poor sanitation at boarding houses prompted the MLCW to call for regular inspections by the Medical Health Department. But it was the immoral side of independent life that led the organization to demand that these accommodations have a common reception room (presumably to keep potential lovers in the open) and a registry of all inmates.⁴⁶ Katherine Chipman, of the Council's Reformatory Committee, insisted that licensing and supervision of all boarding houses and apartment houses "would be of great advantage and assistance in a much needed vice crusade."⁴⁷

In its 1910 study of working women the MLCW had outlined the main problems: that the woman who boards does not have a place in which to receive her friends, and there is no one to provide "authoritative guidance".⁴⁸ The result of this situation was that "in an innocent search for pleasure natural to all, she is frequently exposed to temptations of a particularly insidious nature, the true character of which she sometimes does not recognize till too late."⁴⁹

⁴⁵NA, MLCW, MG 28, I 164, Vol.6, Projects (1 of 3), "Plan to License and Supervise all Boarding and Rooming Houses".

⁴⁶Ibid.

⁴⁷Ibid., "K. Chipman to Mrs. Plumptre," 30 April, 1918.

⁴⁸RCIT, 1977.

⁴⁹Ibid.

Over the 1910s Maimie Pinzer encountered many women whose failed attempts to support themselves had led them into trouble. In her first apartment house she met a recent immigrant from England who was a "maid-of-all-work" who had come to the city to earn enough money to send back to her ailing mother but who found herself in desperate straights. Having herself a number of jobs that worked her to the bone, and knowing how easy it would be to turn to prostitution, Maimie decided to create a new fund to make it unnecessary to go on the streets, "which seems the only resource in these horrible times."⁵⁰ The result was the Montreal Mission for Friendless Girls. In the course of running the Mission, Maimie befriended many young women who found themselves turning to prostitution to alleviate hunger. In 1915, of the 207 women incarcerated in the women's jail claiming to be unemployed, 175 (85%) lived away from family.⁵¹

Family responsibilities and the exigencies of subsistence sent women into Montreal's booming economy during *la belle époque*. Women's opportunities for paid work were determined by a gendered labour market that discriminated against them. Increasingly women came alone to Montreal but when they got there they found only the best educated received sufficient wages. Women chose to live with their families whenever possible; when it was not, they stayed at "respectable" boarding houses where

⁵⁰Rosen and Davidson, 245. The wartime emergency had, of course, focused attentions on the welfare of the soldiers, a point not missed by Maimie. She saw the future of the nation being forced into prostitution while "the rich people... sen[t] Christmas boxes to the soldiers."

⁵¹Quebec, Sessional Papers, Report of Inspectors of Prisons (1915).

their actions were scrutinized, or at unregulated places that tended to be expensive or dismal. As Maimie Pinzer found, making ends meet in early twentieth-century Montreal was sometimes impossible and a turn to prostitution not unreasonable given the condition of many women's lives.

ARRESTS IN MONTREAL, 1890-1930

A Montrealer who was charged with criminal activity at the turn of the century was likely arrested by a police officer and brought before the city's lowest criminal court. Over the course of the nineteenth century, the Montreal police had evolved from a small professional constabulary and a night watch system into a modern police force imitative of London's Metropolitan Police Force devised by Sir Robert Peel. The major difference in policing was the size and purpose of the new force. The emphasis of new urban police institutions in the nineteenth century was public order, as police historian Greg Marquis has noted.⁵² In the early part of the nineteenth century, the small constabulary concerned themselves with "outsiders" such as sailors, vagrants, and destitute immigrants as well as prostitutes and beggars; a century later the focus continued to be the regulation of public order, although policing methods changed and city by-laws expanded to cover a much broader base of urban activity.

In order to deal with the increasingly arduous task of administering laws and the growing numbers of apprehended lawbreakers, the criminal court system was

⁵²Greg Marquis, Policing Canada's Century: A History of the Canadian Association of Chiefs of Police (Toronto: University of Toronto Press, 1993): 37-38.

transformed. Established by statute at mid-century, the municipal Recorder's Court assumed the jurisdiction of the abolished Mayor's Court and became the city's most widely used criminal court.⁵³ Throughout the 1850s and 1860s further statutes expanded the role of the court until it had covered infractions of city by-laws, and lesser criminal offenses such as larceny, assault, and bawdy house offenses. Its importance in dealing with simple criminal matters and the city's system of licensing was bolstered in the City Charter of 1899.⁵⁴ In the period between 1890 and 1930 the Recorders heard cases in any number of categories: indictable offences that were tried summarily (chiefly disorderly house offenses and assault); summary offenses such as vagrancy and drunkenness; breaches of civic by-laws which related to streets and sidewalks, the markets, the hackmen and carters, construction of buildings, the abattoirs, public health, peddling, water works, theatres, and street railways; civil cases which included actions for recovery of rent and writs of seizure; cases under Quebec License Law; and commitments to insane asylums, and reform and industrial schools.⁵⁵ In the 1890s the population of Montreal was just over 200,000, the Recorders heard around 10,000 cases per year; in the 1920s the population had grown to almost 800,000 they heard as many as 40,000 cases annually.⁵⁶

⁵³The court was established by statute 14 & 15 Victoria c.128 (1851). Donald Fyson, The Court Structure of Quebec and Lower Canada: 1764-1860 (Montreal: 1994), 56-57.

⁵⁴ Recorder's Court, Annual Report, 1899-1900.

⁵⁵Ibid, 1899.

⁵⁶Canada, Census, 1891-1931.

Montrealers accused of minor crimes had a choice between appearing before the Recorder or a Police Magistrate. The majority chose the former for a simple reason: it was not mandatory that the accused be represented by a lawyer in the Recorder's Court, thus they were spared often burdensome legal fees.⁵⁷ Due to this option many of the accused defended their cases themselves, the result being that the courtroom was transformed into "a fascinating spectacle of alibis and expectations."⁵⁸

A thriving metropolis at the turn of the century, Montreal had its share of criminal activity. According to the Montreal chiefs of police, arrests followed the fourfold increase in population: 7239 arrests in 1891 rose over the next forty years to over 25,000.⁵⁹ The increase was not a smooth progression, however, as the numbers were subject to trends in policing. From yearly arrests rates general trends emerge over the forty years: the number of arrests declined at the turn of the century, then climbed in the 1910s, peaking at the end of the war years and falling off again until the end of the 1920s when the numbers soared once more. (See Table 1).⁶⁰

⁵⁷Judge DeMontigny made this point clear in his address to the Royal Commission on the Liquor Traffic, Minutes of Evidence, Volume II (1893), 169.

⁵⁸Edgar Collard, All Our Yesterdays (Montreal, 1988): 118, cited in Kathryn Harvey, "Amazons and Victims: Resisting Wife-Abuse," Journal of the Canadian Historical Association (Kingston, 1991), 131-148. Several historians have focused on the courtroom as theatre. See Paul Craven, "Law and Ideology: The Toronto Police Court, 1850-80," in David Flaherty, ed., Essays in Canadian Law, Vol. I (Toronto: Osgoode Society, 1978).

⁵⁹Montreal, Department of Police, Annual Reports, (1890-1930).

⁶⁰The Recorders frequently commented about these trends in their Annual Reports. The decline at the turn of the century was attributed to the "uncontaminated state of morality of the working classes" (RC, Annual Report, 1898, 14). The increases were often the result of pressure put on the police by anti-vice crusaders and damning reports

While women comprised just over fifty percent of Montreal's population, the majority of those apprehended for unlawful activity were men. During this period as for all of the twentieth century, men outnumbered women in arrests. In the eighteenth century women made up 20% of total indictments in Quebec; in more recent times the percentage of women offenders has declined to 10%.⁶¹ As Table I indicates, female arrests averaged 15% of male.⁶² The ratio of female to male arrests tended to fluctuate between 1:10 in 1900 to 1:4 in 1918. These Montreal arrest statistics differ from Toronto's in this period in two ways: first, Toronto's arrested women made up a lower average percentage over the period 1880-1930 (11.5%), and as Carolyn Strange has found, the female proportion of arrests declined over time,⁶³ whereas the figures for

about the police tolerance of prostitution and intemperance. See Jean-Paul Brodeur, La délinquance de l'ordre (Montreal: Hurtubise, 1984).

⁶¹André Lachance, "Women and Crime in Canada in the Early Eighteenth Century, 1712-1759," in R.C. Macleod, ed., Lawful Authority: Readings on the History of Criminal Justice in Canada (Toronto: Copp Clark Pitman, 1988): 10-21, 10. Lachance notes his statistics are similar to rates found in Paris and England at the same period. For an analysis of more recent statistics see Marie-Andrée Bertrand, La femme et le crime (Montreal: L'Aurore, 1979).

⁶²This statistic is comparable to Australian statistics taken at the time. See Judith A. Allen Sex and Secrets: Crimes involving Australian Women Since 1880 (Melbourne: Oxford University Press, 1990), 17. Joan Sangster has found that in Peterborough, Ontario the male to female arrest ratio was 9:1 from 1920-50. See Joan Sangster, "'Pardon Tales' from Magistrate's Court: Women, Crime, and the Court in Peterborough County, 1920-50," Canadian Historical Review 74:2 (June, 1993): 161-197, 165.

⁶³Carolyn Strange found that women's arrests account for 16.9% (1880-1893) which dropped down to 8% between 1920-1930. "The Perils and Pleasures of the City: Single Wage-Earning Women in Toronto, 1880-1930." Ph.D Thesis, Rutgers University, 1991, 377.

Montreal women fluctuated but remained at between 14 and 16% per decade. Not until the post-World War II period do female arrests drop to the 10% mark.⁶⁴

Women were also charged with fewer offenses than men. Women's confrontations with the law involved prostitution, public order offenses (drunkenness, loitering, vagrancy) and to a lesser extent, property offenses. Crimes against the person were uncommon and usually limited to assault, infanticide, and very rarely, homicide. For the entire forty year period under study, women's arrests can be divided into two main categories that represent the majority (as much as 90%) of women's offenses: brothel-related charges and offenses against the public order (See Table 2).⁶⁵ A smattering of other charges were also brought against women but none as statistically significant as the first two categories: abortion, assault, blaspheming, cocaine/morphine possession, neglecting children, selling liquor without a license, and stealing. Characteristic of women's crimes was that they were of a minor nature. Property damage, violent crimes, drug-trade crimes and involvement in organized crime were more typical of the male criminal.

In this period women committed crimes that related to their work, whether it was the work itself that was criminalized as was the case of prostitution, or failing to have

⁶⁴Danielle Lacasse, La Prostitution Féminine à Montréal, 1945-1970 (Montreal: Boréal, 1994): 27.

⁶⁵Brothel-related charges were frequenting, found in, keeping, being an inmate of a disorderly house/house of ill-fame. Offenses against public order include: disturbing the peace, drunkenness, drunk and disorderly, drunk and loitering, loitering, indecent conduct, obstructing the sidewalk, exposing her person, fornication in a public place, begging, and vagrancy.

the proper license for "legitimate" work, or theft in the case of a servant. Agnes Monaghan, for example, stole from her employers just six months after she began working for the Liggets on Workman Avenue. Her object of choice was a golden ring, valued at sixteen dollars. For a single, 17 year-old daughter of Irish immigrants, what would a ring have represented? It is doubtful that Agnes knew its actual value, though she would know that jewelry of this sort could catch a handsome price - was it her key to escaping a life of drudgery? It could be too, that she simply admired the adornment, one that she would probably never own herself. Perhaps she dreamt of a romance in which finery was showered upon her. The court records reveal that servants caught stealing from employers were dealt with harshly. In this case, Agnes received six months in jail for her insolent behaviour.⁶⁶

Contemporaries ascribed domestic servants to the persona of the criminal, the child, or the virtuous.⁶⁷ The popular press of the day even had special columns addressing the problem of the criminal servant. Claudette Lacelle found in her study of nineteenth-century urban live-in domestics that servants were thought to be susceptible to theft, drunkenness and prostitution.⁶⁸ Although it is difficult to characterize the master-servant relationship, by virtue of being young and female, the domestic servant

⁶⁶ Québec. Ministère de la Justice (hereafter PMJ), Pre-Archivage, Court of Special Sessions of the Peace (SSP), 29 November 1894.

⁶⁷Claudette Lacelle, Urban Domestic Servants in 19th-Century Canada (Canada: National Historic Parks and Sites, Environment Canada-Parks, 1987): 126.

⁶⁸Lacelle, 121. Even by the 1920s when other job opportunities existed for women "domestiques" still made up 1/4 to 1/3 of female prisoners in the Montreal Women's Prison. This made up the largest single occupational category next to the vague "married woman" category. Statistics compiled from the Quebec Sessional Papers, 1920-1930.

would occupy a fairly low standing in the hierarchy of the home in which she worked. Stealing represented the lowest form of betrayal and was dealt with harshly as an example to other domestics.⁶⁹ Serving the wealthy in St. Antoine, Westmount, and Outremont, these female workers faced long hours, a lack of privacy, and the threat of sexual harassment and abuse. The relationship between domestic service and prostitution has been well established by historians: most women charged with prostitution claimed domestic service as their former occupation.⁷⁰ For some women there was not a huge leap from being poorly paid as a domestic where sex was another chore, to being paid directly for it.

In 1926, a Mrs. Sam Silverstein was also arrested while working. She earned a livelihood by selling goods to the public like many other Montrealers who had more or less casual stalls in the various markets around the city. On the sidewalk Silverstein peddled fruit. It appears that she had been selling her stock without a license which contravened Council Regulation 270 Section 19. Licensing regulations had become more strict over time and it is likely she could not afford the license. For this she paid a \$5 fine.⁷¹ In 1902 License Inspectors Albert Lancey and Joseph Choquette caught Rose

⁶⁹André Lachance has found that this was true for Quebec in the early eighteenth century as well. See his "Women and Crime in Canada in the Early Eighteenth Century, 1712-1759." Emphasizing its particularity, "theft by servant" was singled out from other acts of theft in the reports of Penal Establishments in the Quebec Sessional Papers in the period under study.

⁷⁰Lori Rotenberg, "The Wayward Worker: Toronto's Prostitute at the Turn of the Century," in Janice Acton, Penny Goldsmith and Bonnie Shepard, eds., Women at Work, Ontario, 1850-1930 (Toronto: Canadian Women's Educational Press, 1974): 33-69.

⁷¹Recorder's Court Archives (Hereafter RCA), 14 July 1926.

Hoffmann keeping her butcher shop without a license. A widow, Rose Hoffmann, attempted to keep open her husband's butcher shop, Brown Brothers at 2289 Ste. Catherine. Her punishment was to pay for a license and court costs of \$2.15 or 8 days in jail. She was able to pay.⁷²

There were also women who had no visible way of earning a living and turned to crime to relieve their desperate situations. An even more obvious example of women driven to desperate acts that landed them in court, was the case of Diana Dugas. At twenty-three years, Dugas was already a mother of three and widowed. One July day in 1912, dressed in ragged garments, she went door to door begging for money. Dugas was apprehended on Sherbrooke Street East and brought before the Recorder. Her indigence and a judge's pity saved her from a jail sentence. Issued a warning, she was allowed to go free, sentence suspended.⁷³ This kind of minor crime, or public irritant in the minds of some, was policed but judges and news reporters tended to be lenient.

Opportunity for crime sometimes presented itself on the streets and in the rhythms of everyday commerce. Some women were deliberately cunning in their attempts to make financial or material gain. On a cold night in February 1895, Lilly (alias Elizabeth) Anderson was walking on Ste. Catherine Street East. In the stretch between St. Christophe and St. Denis Streets, she came upon Albert Brisson, a journalist, who she asked to help her as the road had become quite slippery. She took the opportunity of this close contact to pick his pocket. Had she gotten away with it, she would have

⁷²RCA, 23 June 1902.

⁷³Montreal Gazette, 15 July 1912, 3.

been \$23 richer. Three years in the provincial penitentiary may seem harsh for this 34 year-old, single, Irish woman, however, given her multiple arrests for theft, drunkenness, and vagrancy, the judge had no sympathy and gave her the limit.⁷⁴

The above cases from the criminal courts illustrate that women were willing to take risks for material gain in homes, at the market, and on the street. Given the economic condition of women it is not difficult to understand why some might hazard a jail sentence. One night a ruse staged by Lilly Anderson for material gain landed her in prison, who knows how long she had survived practising the damsel-in-distress act. The courts tended to treat women in a paternalistic manner; as long as women were simply trying to feed themselves and their families, they were treated with leniency. On the other hand, women who sought finery or money for apparent luxury were dealt with severely.

While work may have given women the opportunity to commit crime, work may also have driven them to it. Anna Yancy was charged with attempted suicide after she took a razor to her own neck in December, 1895. In a letter to the judge presiding over the case, Anna wrote:

My ill health and business cares caused me to be temporarily insane...I have worked all summer without taking any vacation as my customers can tell you and this fall I opened the shop hoping to make a living for myself and child. I did like a great many others gave all my time to work and did not take proper care of myself.⁷⁵

⁷⁴PMJ, SSP, February, 1895.

⁷⁵PMJ, SSP, 9 December 1895.

Yancy was one of five Montreal women who were charged with attempted suicide in 1895.⁷⁶ It was her claim that the stress of work drove her to this desperate act. Perhaps Anna knew well how to make a judge sympathetic to a working woman, her defence may nevertheless hint at the condition of her working life. An articulate shopkeeper and single parent, Anna pleaded with the judge to understand that she was a respectable, hard-working citizen and not a criminal. This was sufficient for Judge Desnoyers to let her off without penalty.

The broad category of morals offenses also occupied a large percentage of women's crimes. Common to all of these crimes was their very public nature: those charged with drunkenness, loitering, and vagrancy were arrested on the streets, and in the parks and squares around the city. Late nineteenth-century Montrealers believed in a direct connection between alcohol and crime. In 1873 the Montreal Chief of Police wrote in his annual report to the city:

Mostly all offences are due directly or indirectly to intemperance. What is the cause of almost all larcenies? - drink! Of assaults? - drink! Disorderly conduct? - drink! Fights, furious driving, interference with the police, foul language blasphemies? - drink, drink, drink! Of cowardly wife beating? - drink! In short, intemperance is to be found as the universal, direct and indirect cause of all evils.⁷⁷

⁷⁶Between the 1890s and the First World War, the number of women arrested each year in this category ranged from 1 and 5. The numbers increased in the late 1920s to over 20 per year, reflecting the rise in population.

⁷⁷Quoted in William Burgess, "Liquor and Crime (1887)," in Paul Rutherford, ed., Saving the Canadian City: The First Phase 1880-1920 (Toronto: University of Toronto Press, 1974): 93-101, 95.

General concern about alcohol in the nineteenth century was fairly widespread as is evidenced by the popularity of temperance societies over the century and the 1890s Royal Commission on the Liquor Traffic.⁷⁸

Throughout the entire forty years of this study, drunkenness was the main offense committed by men.⁷⁹ There was no shortage of drinking establishments in Montreal, even during Prohibition.⁸⁰ Drunkenness was not a "male" offense, however, in fact, until World War I it was also the most common reason for female arrests, making up the majority of public order offenses. Lilly Anderson was just one woman who seemed caught in a cycle of petty crimes to feed herself and support her habit of drinking.

The meaning of drink in nineteenth century Canada depended on who was the imbibor. Class, race, and gender determined the public attitudes towards the drinker. Temperance workers deemed alcohol the demon drink, responsible for idleness and a loss of self control that led men into a downward spiral of "blue Mondays", unemployment, and indigence. While members of all classes drank, it was the working class that was subject to police harassment and arrest. Rarely would a wealthy Montreal businessman emerging from his drinking establishment be charged with public drunkenness. Elite

⁷⁸The histories of temperance and alcohol consumption in late nineteenth-century Montreal have yet to be written. For works on earlier period see Ghislaine Blais Hildebrand, "Les Débuts du mouvement de tempérance dans le Bas-Canada, 1828-1840," M.A. Thesis, McGill University, 1975; and Jan Noel, Dry Millenium: Temperance and a New Social Order in Mid-Nineteenth-Century Canada and Red River Ph.D Thesis, University of Toronto, 1987.

⁷⁹See Annual Reports of the Chiefs/Superintendent of Police. In 1901, for example, of 4745 male arrests 1922 (40.5%) were for drunkenness.

⁸⁰Greg Marquis, Policing Canada's Century: A History of the Canadian Association of Chiefs of Police (Toronto: University of Toronto Press, 1993), 110.

male drinking clubs were considered a symbol of male privilege. A man who stopped for a drink at Joe Beef's canteen on the waterfront, on the other hand, could be arrested on his way home. It was generally understood that the high numbers of those incarcerated for drunkenness were a problem connected to the working classes and was caused by poverty and the "continuance of hard times in Montreal and the want of work."⁸¹

The head of the household who drank his family's wages featured prominently in temperance tracts and literature about the morality of the working class in this time period. The connection between drink and crime was illustrated at the Child Welfare Exhibition that was held in Montreal in 1912. In the exhibit were cartoons depicting husbands' and fathers' drinking habits causing them to fail at supporting their families. When the Society for the Protection of Women and Children stepped in and brought these men to court for failing to provide for their families, the result was that the family still starved and the man involved lived with criminals and "learn(ed) habits of idleness".⁸² As Kathryn Harvey's work has shown, the working-class male's insobriety was also linked to wife-battering.⁸³

Women who drank played havoc with prescribed gender roles and boundaries. In temperance literature and medical discourse, women who drank were considered fallen

⁸¹Quebec, Sessional Papers, (1897).

⁸²Child Welfare Exhibition, Souvenir Pamphlet, Montreal, 1912: 33.

⁸³Kathryn Harvey, "Amazons and Victims: Resisting Wife-Abuse in Working-Class Montréal, 1869-1879," Journal of the Canadian Historical Association (Kingston, 1991): 131-148, 135.

women.⁸⁴ Their plight resulted from a rejection of family and their domestic role. Women who drank, then, were thought to be threatening not just their own livelihood but the future of the nation, giving birth to a generation of criminals and idiots.⁸⁵ Far beyond a simple moral issue, women's drinking tapped into fears of unbridled sensuality and night-time pleasure, and was often linked to prostitution.

In 1884 the Women's Christian Temperance Union opened a Montreal chapter. Its work with female prisoners led it to believe that intemperance was "at the root of almost all the crime" in Montreal.⁸⁶ The Montreal members of the WCTU also believed in the dangers of "the social glass" to women and recounted numerous stories in the 1880s and 1890s of the moral ruin of young women in Montreal.⁸⁷ The story of a young woman found wandering near the Windsor Hotel and rescued by the the Home for Friendless Women (an institution run by the Evangelistic Committee of the WCTU) makes the connection between the dangers of drink and its power to influence a woman's ways.

She was a stranger in the city, had come from Ontario, was met at the station, as so many are, help offered her in various ways, and was at last induced to take some brandy. She was by no means a bad girl, was refined and lady-like even

⁸⁴Cheryl Krasnick Warsh, "'Oh, Lord, pour a cordial in her wounded heart': The Drinking Woman in Victorian and Edwardian Canada," in Cheryl Krasnick Warsh, ed. Drink in Canada: Historical Essays, (Montreal and Kingston: McGill-Queen's University Press, 1993): 70-91.

⁸⁵Ibid, 84.

⁸⁶Women's Christian Temperance Union (Montreal Chapter), Annual Report, 1884: 18.

⁸⁷For tales of the young woman and the peril of city see Carolyn Strange, "The Perils," Chapter 2.

when drunk, and ashamed beyond measure when once more herself. Yet, but for the kindness of those who brought her to me, and of the Matron of the Home for Friendless Women, who, at our earnest entreaty broke rules and took her in for a few days, she would now, in all probability, be in one of those dens of iniquity where it is so difficult to find and rescue one who has however unwillingly plunged into it.⁸⁸

At the hearings of the Royal Commission on the Effect of the Liquor Traffic, the Honourable Calixte A. Dugas, Judge of Sessions and Police Magistrate of Montreal (since 1878) and Honourable Benjamin A.D. De Montigny, the City Recorder agreed that drunkenness was responsible for many other crimes.⁸⁹ Evidence to back up this claim was not hard to find: intemperance among the female prison population was fairly high. Annual statistics reveal that it was not uncommon to have more than one third of the population labelled as intemperate.⁹⁰ Recorder De Montigny suggested that liquor brought women to houses of ill-fame, that is, led them to a life of prostitution.⁹¹ Which came first was a debatable point: Toronto morality squad Staff Inspector David Archibald claimed prostitution led women into drunkenness, not the reverse.⁹²

⁸⁸WCTU (Montreal), Annual Report, 1887: 21-2.

⁸⁹Royal Commission on the Effects of the Liquor Traffic, Minutes of Evidence, Volume II, (1893): 170 and 186. Neither of these men felt prohibition was an answer to crime in Montreal: the prudent imbibing of beer and wine, they believed, was beneficial to most but the stronger liquors caused foolish behaviour and led to criminality, 169.

⁹⁰Based on statistics from the Quebec Sessional Papers, Reports of Inspectors of Prisons and Asylums.

⁹¹RC on the Effects of the Liquor Traffic, Vol. II, 186.

⁹²Warsh, 85. See also Judith Fingard, The Dark Side of Life in Victorian Halifax (Pottersfield, N.S.: Pottersfield Press, 1989).

Evident in the court documents is that women were arrested for public drunkenness in every month of the year and at all times of the day. A sample from the Recorder's Court shows that women were arrested for drunkenness (*flanant ivre* or *gisant ivre*) in the early hours of the morning, in the afternoon, and in the evening. They were found in the city streets, in the parks and even in the city's churches. For example, Lizzie Miller was arrested in June 1902 in Place Dufferin between the hours of 6 and 7 p.m. The following January she was apprehended again, this time indoors - no doubt due to Montreal's inclement winter weather - at l'église St. Joseph.⁹³ The judge gave Lizzie Miller a fine of \$3 and because she could not pay, she stayed for 20 days in the Fullum Street Female Jail. The fines ranged from \$1 to \$20 and failure to pay the fine resulted in a maximum sentence of one month. Most of these women were single and worked (or had worked) as domestic servants or listed no occupation.⁹⁴ They tended to be the poorest of female offenders.

The cycle of using criminal activity to support the habit of drinking was often broken by a jail sentence. The Lady Superior of the Soeurs du Bon Pasteur, who ran the Catholic division in the women's jail in Montreal, commented on the struggle of women who were addicted to drink. A young anglophone (probably Irish) prisoner had repeatedly been arrested for drunkenness for two to three years. Because of her record, in December 1906 she was given a six month sentence instead of the usual shorter fifteen

⁹³RCA, 28 June 1902, and 19 January 1903.

⁹⁴This is based on a sample of the drunkenness charges before the court in 1902 and 1903.

days to one month. According to the Lady Superior this long sentence enabled them to convince her that she was "ruining her health and destroying her future". In 1907 she was placed with a family in Ontario and left the women's prison "strong in her promises to God, and firm in her resolutions...was able to meet the dangers of the world without fear of lapsing into her sad inclination."⁹⁵

While the temperance lobbyists concerned themselves with drinkers from all social classes in the home and in public, the police force targeted those women who took their drink outside. It appears, then, that a certain type of behaviour that was policed, not just drinking itself.

Given the precarious economic condition of women some criminal acts suggest desperate and clever attempts at survival. Some women were caught pickpocketing to supply their habits of drinking, others were arrested while begging on the streets. A feature of turn-of-the-century Montreal was prosperity but so was public drunkenness and destitution.

PROFILE OF WOMEN ARRESTED AND INCARCERATED

Who were these women who chose prostitution when times were tough or who drank in streets? The Chiefs or Superintendents of Police Annual Reports contain useful demographic information about arrested persons, however, none of the information was sorted by sex. The only way to get a profile of criminal women is to look at the

⁹⁵Quebec, Sessional Papers, Report of the Lady Superior of the prison for Roman Catholic Women at Montreal, (1907).

Montreal jail records which reveal demographic information according to sex. This source has limitations, of course, because not all women in conflict with the law were imprisoned. Often it was the poorest who could not pay the optional fines to avoid a jail sentence.

Although Montreal increasingly attracted thousands of people from around the world in this period, municipal authorities would be hard pressed to blame its crime problem on a foreign element in its midst. Between 1890 and 1930 a majority of people incarcerated in Montreal were Canadian born. In the men's jail, three-quarters of the population was born in Canada in the 1890s, which dropped slightly during the 1910s and rose again to its 1890s level in the late 1920s. The proportion of Canadian-born prisoners in the female jail in the 1890s was lower than in the men's (just over half), but the numbers grew to more than three-quarters in the 1920s.(See Table 3).

Of the Canadian-born female prisoners, French Canadians always outnumbered English Canadians. In general terms this fact is consistent with the population of Montreal at the time. In the early to mid-nineteenth century, a small majority of Montrealers originated from the British Isles but during the Confederation period the French Canadian population began to comprise more than half the population and this trend continued into the twentieth century.⁶ From World War I to 1930 between half and two-thirds of the total female prison population were French Canadian compared to 7 to 20 percent that was of English origin. By 1921 51% of Montreal women prisoners

⁶Paul André Linteau, Histoire de Montréal depuis la Confédération (Montreal: Boréal, 1992), 44-5.

were French Canadian and only 8% were English Canadian. When compared to Montreal's population in the Census, French Canadian women were underrepresented in jail: 63% of Montrealers were of French origin in that Census year.⁹⁷ A small percentage of women prisoners were English Canadian, then, but if this 8% is added to the 27% of these women born in the British Isles the result is a not insubstantial 35%. Looking at the proportion of Montrealers that were "*Britannique*" in 1921 - 24% - it appears that these women were overrepresented in the jails.⁹⁸ Indeed, the problem of female crime had long been attributed to the "problem" of Irish Catholic women.⁹⁹ In their 1895 Annual Report to the province, the Inspectors of Prisons and Asylums wrote that in the Roman Catholic Women's Division of the Women's Gaol there were nearly always more Irish than French Canadian women.¹⁰⁰

The jails of Montreal were always filled with a majority claiming their nationality to be Canadian. In the incarcerated female population, the percentage of Canadians rose from 52% in 1891 (58% of the Catholic Women's Department and 23% in the Protestant

⁹⁷Ibid, 318.

⁹⁸Linteau discusses the "francisation" of Montreal in the first decades of the twentieth century: In 1901 just below 61% of Montrealers were of French origin. Thirty years later this figure was at 64%. Linteau, 162, 317-318.

⁹⁹Joan Sangster has noted that the idea that the Irish were more prone to crime "was still a feature of the social imagination [in early twentieth-century Canada]." Sangster, 171.

¹⁰⁰Quebec, Sessional Papers, 1895. This claim could be understood as somewhat impressionistic, as Irish women were probably no more numerous than French Canadian.

Women's Division) to 84% in 1930.¹⁰¹ The largest category of foreign-born prisoners were from Ireland: in 1891 in the Roman Catholic Women's Department 30% of the female prisoners were labelled Irish (16.5% of the women in the Protestant Women's Division). The percentage declined across the time period under study to a mere 2% in 1930. When compared to the Census of Canada (1891, 1901, 1911, 1921, and 1931) the Irish were statistically overrepresented in the jails. For example, in 1891 the Irish-born population of Montreal made up just over 4% of the city's population;¹⁰² by 1931 female Montrealers born in Ireland represented less than 1% of the female population.¹⁰³ This is not to deny the strong, though declining, Irish presence in Montreal: at mid-century the Irish comprised one-quarter of Montreal's population, this declined to 15% at the turn of the century.¹⁰⁴ In terms of nationality women who committed crimes were a fairly homogenous group, being mainly of French, Irish, or British origin.

In the years of heavy immigration to Montreal, arrest statistics reveal an expanding assemblage of countries from which alleged criminals were coming. What is interesting, though, is that the male criminal population experienced a wider representation of countries than their female counterpart. The women's prison population remained fairly consistently of French or British stock with only a handful of women from other countries. For example, in 1910 one Italian woman was imprisoned and 1

¹⁰¹See Table 3. Numbers for the women's jail were not separated by Department in 1921 and 1930.

¹⁰²Canada, Census, Vol. II, 1891.

¹⁰³Canada, Census, Vol. IV, 1931.

¹⁰⁴Linteau, 45.

Chinese or Japanese woman in 1921, whereas the men's jails would see far greater numbers of people from other continents. That more men than women came to Montreal from certain countries at this time explains this difference.

Consistently over the forty years under study, women who spent time in the Montreal female jail were Roman Catholic. (See Table 4). About 80% of women prisoners gave Catholic as their faith, which is higher than their male counterparts whose percentage of the jailed population was 75. To a certain degree religion follows nationality: French Canadians and most of the Irish claimed to be Catholic. That Catholic male prisoners formed a slightly smaller majority than women is due to the wider variety of backgrounds from which these men came.

The majority of men who were sent to jail were single - as many as 60% over the forty years. Married men made up the other 40% of male criminals, widowers usually not accounting for more than 6%. For women the situation was almost the inverse. In the 1890s and early 1900s approximately 60% of women prisoners were married. Only in the mid-1910s did the single female prison population edge up toward 50%. Table 5 illustrates that in the 1920s between 10 and 20% of female prisoners claimed to be widows. When adding widows and single women together for the years 1921 and 1931, the numbers indicate that a majority of women prisoners likely had no male support. As well there is no way of telling how many married women over the forty years had been deserted or separated from their husbands. (See Table 5)

In the 1910s the Reports of the Inspectors of Prisons began to indicate the age distribution of incarcerated Quebecers. (See Table 6) Generally the age distribution of

female offenders remained constant over the decades. More than 50% were between sixteen and thirty. One third was in the 30 to 40 year range and just over one fifth was over forty years of age. The average ages for men followed this distribution but were slightly older. Just over 40% were less than thirty years, one quarter were in their thirties and one third were over forty years.

Women incarcerated in the Female Jail in the District of Montreal were overwhelmingly economically marginal. Many women were listed as domestic servants, vagrants, without occupation, or the more vague "married woman". Many of these women had little or no education with a core group being unable to read or write. Before World War I the majority of incarcerated women claimed they were charwomen or domestic servants. During the war years this occupational category declined to a third of the female prison population and during the 1920s it remained around one quarter. (See Table 7) From the 1910s onward from 10-20% of prison women claimed to be unskilled workers. This declined by 1930 as the Depression hit and the category of "vagrants, beggars and nomads" took up a greater proportion of women prisoners - as high as 26% in the first year of the economic crisis.

The education level and previous work experience of jailed women in Montreal reveals that most women worked in the worst job ghettos and were destined to remain there because of limited education. Over the entire period, an average of one-quarter of the female population in jail were unable to read or write.¹⁰⁵ As the white collar sector

¹⁰⁵Based on statistics from Quebec Sessional Papers for the years 1890 to 1930.

opened in the twentieth century, women had a chance at better jobs but literacy and some education were mandatory for the best-paying jobs.

The incarcerated woman in Montreal between 1890 and 1910, then, was typically a Catholic French-Canadian or an Irish woman recently arrived from Ireland or the daughter of immigrants. She would likely have been married in the late nineteenth century. During the war years the female criminal would be just as likely to be single as married. In many cases these were women on their own, having never been married or having been widowed. Youth was also a defining feature of the woman criminal, although women of all ages were incarcerated. They were also likely to have few economic options open to them, having little or no education.

CONCLUSION

At the turn of the century, Montreal was a very desirable place to be, with a booming economy it appeared to be a land of opportunity. For women this meant the increasing availability of paid employment. A minority of jobs paid well enough for women to live free of poverty. For many women who had little education, weak support networks, and few resources, destitution was not unfamiliar. In the 1910s, Maimie Pinzer came to Montreal and found herself helping young women who lived perilously close to prostitution. Having once been on that slippery slope, Maimie recognized that women needed more options.

Women's crimes always remained a low percentage of all crimes and minor offenses. Women's crimes were characteristically related to women's economic and

social marginalization. In the patriarchal justice system, judges were lenient towards women who committed crimes to feed a family, and harsh on those repeat offenders whose addiction to alcohol led them before the Recorder numerous times.

Women incarcerated in Montreal between 1890 and 1930 were typically Catholic, French Canadian or to a lesser extent of Irish heritage, often the daughters of Irish immigrants to Quebec. Before World War I they would likely have been married women; by the mid-1910s, though, single women were as common in the jail as married women. A consistent slight majority of those incarcerated were under thirty years of age. Probably the most central feature in a profile of incarcerated women was that few economic options existed for them; most of these women had little or no education and were no strangers to the lowest-paying jobs and unemployment.

TABLE 1
MONTREAL ARRESTS BY SEX, 1890-1929

YEAR	TOTAL ARRESTS	MEN	WOMEN	WOMEN PERCENTAGE OF TOTAL
1890	9087	7917	1170	13
1891	8396	7239	1157	14
1892	6896	5909	987	14
1893	6483	5634	849	13
1894	7698	6794	904	12
1895	7977	6979	998	13
1896	7041	6036	1005	14
1897	6598	5739	859	13
1898	5996	5094	902	15
1899	5973	4942	1031	17
1900	4757	4354	403	8.5
1901	5636	4745	891	16
1902	5420	4458	962	18
1903	6991	5874	1117	16
1904	7760	6344	1416	18
1905	8652	6941	1711	20
1906	8357	7110	1247	15
1907	6534	5512	1022	16
1908	8707	7319	1388	16
1909	8995	7512	1483	17
1910	11 005	9292	1713	16
1911	13 436	11 483	1953	15
1912	17 732	15 716	2016	11

YEAR	TOTAL ARRESTS	MEN	WOMEN	WOMEN PERCENTAGE OF TOTAL
1913	21 470	18 829	2641	12
1914	20 944	18 135	2809	13
1915	N/A	N/A	N/A	
1916	N/A	N/A	N/A	
1917	16147	12 701	3446	21
1918	17131	13 244	3887	23
1919	21652	18 211	3441	16
1920	24316	21 357	2959	13
1921	N/A	N/A	N/A	
1922	16580	14 379	2201	13
1923	15705	12 974	2731	17
1924	16049	13 580	2469	15
1925	17271	14 991	2280	13
1926	15820	13 877	1943	12
1927	17255	15 368	1887	11
1928	19662	17 216	2446	12
1929	25564	21 484	4080	16

Source: Montreal, Police Department, Annual Reports, (1890-1929).

TABLE 2
FEMALE ARRESTS IN MONTREAL, 1900-1929
BROTHEL-RELATED AND PUBLIC ORDER OFFENSES

YEAR	BROTHEL CHARGES	PUBLIC ORDER OFFENSES	TOTAL FEMALE ARRESTS
1900	152 (38%)	191 (47%)	403
1901	282 (32%)	401 (45%)	891
1902	260 (27%)	485 (50%)	962
1903	224 (20)	893 (80%)	1117
1904	224 (16%)	936 (66%)	1247
1905	540 (32%)	N/A	1711
1906	264 (21%)	386 (31%)	1247
1907	308 (30%)	N/A	1022
1908	495 (36%)	N/A	1388
1909	567 (38%)	711 (48%)	1483
1910	777 (45%)	809 (47%)	1713
1911	826 (42%)	865 (44%)	1953
1912	691 (34%)	1040 (52%)	2016
1913	1039 (39%)	1261 (48%)	2641
1914	1206 (43%)	1323 (47%)	2809
1915	N/A	N/A	
1916	N/A	N/A	
1917	2013 (58%)	1028 (30%)	3446
1918	2593 (67%)	829 (21%)	3887
1919	2248 (65%)	771 (22%)	3441
1920	1793 (61%)	800 (27%)	2959
1921	N/A	N/A	
1922	919 (42%)	640 (29%)	2201

YEAR	BROTHEL CHARGES	PUBLIC ORDER OFFENSES	TOTAL FEMALE ARRESTS
1923	1683 (62%)	646 (24%)	2731
1924	1376 (56%)	648 (26%)	2469
1925	1206 (53%)	580 (25%)	2280
1926	691 (36%)	638 (33%)	1943
1927	N/A	N/A	1887
1928	1106 (45%)	796 (33%)	2446
1929	2540 (62%)	847 (21%)	4080

Source: Montreal, Police Department, Annual Reports, 1900-1929.

Public Order Offenses include: begging, disturbing the peace, drunk, drunk and disorderly, drunk and loitering, exposing her person, fornication (in public), indecent conduct, obstructing sidewalk, loitering, vagrancy

Those marked N/A often indicate that the public order offenses were not separated from the breach of city by-law category.

TABLE 3
NATIONALITY OF INCARCERATED MONTREALERS: PART I
(Roman Catholic Women's Department, Protestant Women's Division and Men
Jail)

1891, 1901, 1911, 1921, and 1930

Year	Popula- tion	Canadian	English	Scottish	Irish	others
1891	RC women	302	19	10	157	*
	Prot. women	25	46	13	18	*
	men	1606	180	72	191	*
1901	RC women	452	55	10	159	*
	Prot. women	29	30	13	26	*
	men	1691	162	50	135	*
1911	RC women	749	49	25	142	*
	Prot. women	23	29	13	15	*
	men	3250	410	175	241	*
1921	women	412	68	29	86	3
	men	4172	477	244	294	26
1930	women	954	34	14	21	8
	men	5041	314	189	113	71

Others = other British Subjects

*not a category in specified year

TABLE 3: PART II

Year	Popula- tion	U S	French	Ger man	Ital- ian	Chinese Japan.	Syr ian	Other	Total
1891	RC women	20	4	*	*	*	*	5	517
	Prot. women	4	0	*	*	*	*	3	109
	men	80	21	*	*	*	*	67	2217
1901	RC women	32	24	4	0	*	*	9	725
	Prot. women	15	4	2	0	*	*	5	120
	men	67	0	8	0	*	*	121	2258
1911	RC women	58	11	2	0	0	0	12	1048
	Prot. women	20	0	8	0	0	0	0	108
	men	179	51	29	107	11	22	383	4858
1921	women	49	7	2	2	1	0	40	699
	men	465	34	8	84	66	2	746	6618
1930	women	25	9	3	15	0	1	51	1135
	men	187	39	44	118	35	14	825	6990

Source: Quebec, Sessional Papers, 1891-1931.

TABLE 4
RELIGION OF INCARCERATED MONTREALERS, 1891-1930

Year	Sex	Catholic	Protestant	Jewish	Other	Total
1891	women	517	106	*	3	626
	men	1808	366	*	43	2217
1901	women	725	109	*	11	845
	men	1819	353	*	86	2258
1911	women	1048	97	*	11	1156
	men	3686	1017	*	155	4858
1921	women	588	84	10	17	699
	men	4734	1424	89	371	6618
1930	women	972	141	17	5	1135
	men	5328	1155	267	240	6990

*Protestant includes:

1891: Church of England, Presbyterians, Methodists

1901: Church of England, Church of Scotland, Presbyterian, Methodist

1911: Church of England, Baptist, Presbyterian, Methodist, Lutheran

1921: Anglican, Baptist, Presbyterian, Methodist, Lutheran

1930: Anglican, Baptist, Presbyterian, Methodist, Lutheran

*indicates not a category in specified year

Source: Quebec, Sessional Papers, Report of the Inspector of Prisons...(1891-1930)

TABLE 5
CIVIL STATUS OF INCARCERATED MONTREALERS
1891, 1901, 1911, 1921, 1930

Year	Sex	Single	Married	Widowed	Total
1891	women	266	360	*	626
	men	1322	895	*	2217
1901	women	386	667	*	1053
	men	1262	996	*	2258
1911	women	463	693	*	1156
	men	2883	1975	*	4858
1921	women	299	330	70	699
	men	4537	1940	141	6618
1930	women	442	573	120	1135
	men	4122	2593	275	6990

1891, 1901 category "unmarried" is used
 *indicates not a category in specified year

Source: Quebec, Sessional Papers, Report of the Inspectors of Prisons...(1891-1930)

TABLE 6
AGE OF INCARCERATED MONTREALERS
1915, 1921, 1930

YEAR	SEX	14-16	16-20	20-25	25-30	30-40	40-50	50-60	60 Plus	Total
1915	F	0	64	282	220	255	195	59	41	1116
	M	0	428	747	704	1117	758	501	261	4516
1921	F	0	67	174	123	183	92	34	26	699
	M	0	634	1087	9867	1637	1238	727	309	6618
1930	F	3	111	269	204	328	152	43	25	1135
	M	1	845	1190	1349	1872	984	494	255	6990

Source: Quebec, Sessional Papers, 1915-1930.

TABLE 7
OCCUPATIONS OF INCARCERATED MONTREALERS: PART I
1915, 1921, 1925, 1930

YEAR	SEX	TOTAL	AGRIC./ FISHERY	ANNUIT- ANTS	SKILLED LABOUR- ER	UNSKILL ED LAB- OURER	COM- MERC E
1915	F	1116	0	0	41	108	4
	M	4516	31	20	1187	2388	315
1921	F	699	0	0	52	135	3
	M	6618	81	0	2254	3117	341
1925	F	1120	0	0	42	196	0
	M	6612	54	0	2057	3511	739
1930	F	1135	0	0	66	94	11
	M	6990	62	10	1769	4322	395

TABLE 7: PART II

YEAR	CARRY ING TRADE	NO PROF.	SERV- ANTS	CIVIL SERVAN TS*	SAILORS SOLD- IERS	MARR- IED WOMEN	VAGR ANTS*
1915	0	207	342	0	0	414	81
	35	0	169	70	17	-	284
1921	0	0	177	2	0	330	0
	379	0	33	187	222	-	4
1925	0	0	358	0	0	383	141
	2	0	32	42	174	-	1
1930	0	0	100	0	0	573	291
	240	0	14	34	141	-	3

*Includes civil servants, liberal professions

*Vagrants includes beggars and nomads

Source: Quebec, Sessional Papers, 1915-1930.

CHAPTER II:
CRIMINALIZING FALLEN WOMEN: VAGRANTS, PROSTITUTES, AND
SEX DELINQUENTS IN MONTREAL

This chapter examines the way in which structures of authority established and enforced rules of public and sexual morality in turn-of-the-century Montreal. These structures - the police, the judiciary, and to a lesser extent parents - reflected tensions in industrializing Canada over the declining state of morality that social reformers had recently brought to public attention. In an era characterized by heightened anxiety over unbound female sexuality, fallen women were defined not simply as a social problem but a criminal one.

A common nineteenth-century definition of fallen women was based on their rejection of bourgeois propriety and often their willful public behaviour. In Montreal, this category of womanhood was ever-expanding as women challenged prevailing attitudes towards sexuality. With the rise of the social purity campaign in Montreal during World War I, concern over the sexual order mounted. As social purity discourse highlighted prostitution and disease, it ultimately justified the use of the state, in particular legislation and police forces, to harass women in the name of protection. This chapter analyses the construction and shifting meanings of "fallenness" and uses court records to give voice to women caught in a system which increasingly targetted them.

With the rise of an organized social purity campaign in Montreal, concern over sexual order spun around commercial prostitution. The fallen woman then fell into a category of womanhood in need of legal protection from wily men. Attempts at protecting women, however, led to an increased harassment of prostitutes themselves. Social purity activists also created and harassed a new category of fallen women: the sex delinquent.

CONSTRUCTING THE CITY'S FALLEN WOMEN

The nineteenth-century notion of fallen women included what one American historian has defined as "a broad category including prostitution, tramps and nearly every adult woman who challenged middle-class assumptions about domesticity."¹ In the literature about "city sex", blame was directed at aberrant women who lured innocent men into lives of depravity; the insatiable fallen woman became the peril of the modern city.² In an era during which "natural" women were assumed passionless³, sexual power

¹Jeffrey Adler, "Streetwalkers, Degraded Outcasts, and Good-for-Nothing Huzzies: Women and the Dangerous Class in Antebellum St.Louis," Journal of Social History 25:4 (1992): 737-755, " 740.

²Andrea T. Kornbluth, "City Sex: Views of American Women and Urban Culture, 1869-1990," Urban History Yearbook 18 (1991).

³On nineteenth century sexuality and passionlessness in women see Nancy Cott, "Passionlessness: An Interpretation of Victorian Sexual Ideology, 1790-1850," Signs 4 (1978): 219-236; and John D'Emilio and Estelle Freedman, Intimate Matters: A History of Sexuality in America (New York: Harper and Row, 1988). Ideas about human sexuality were supported by an emerging medical science that claimed a territorial expertise on the body. See Wendy Mitchinson, The Nature of their Bodies: Women and their Doctors in Victorian Canada (Toronto: University of Toronto Press, 1991); and Peter Gay, The Bourgeois Experience Victoria to Freud: Vol. 1 Education of the Senses (New York: Oxford University Press, 1984).

in women threatened to destroy the social order.⁴ Fallen women, then, were defined as deviant and of necessity had to be controlled by modern police forces and a series of public order regulations. As Philippa Levine has argued, the law was "a powerful vehicle for constructing sexual identity, defining deviance and asserting control over women."⁵

City streets if not whole areas of Montreal were understood in gender and class terms. Civic projects of the late nineteenth century accorded "respectable" women parcels of city space appropriate for their use, including parks such as Mount Royal.⁶ But if certain public space was designated for genteel society, other areas sustained the "dangerous". A connection between the immoral behaviour of women and certain areas of the city was apparent in social reform discourse at the end of the nineteenth century. While activities could define women as fallen, so too, could the associations with particular public spaces. In a study of Toronto's urban spaces in the 1940s, Mary Louise Adams has suggested that certain areas gained a reputation for sexual danger that tainted the women who frequented them.⁷ In Montreal at the end of the nineteenth century, the red-light district was just such an area. Over the course of the nineteenth century, the

⁴Adler, 740.

⁵Philippa Levine, "Women and Prostitution: Metaphor, Reality, History," Canadian Journal of History/Annales canadiennes d'histoire 28 (December, 1993), 484-7.

⁶On the social geography of nineteenth-century American cities, see Mary Ryan, Women in Public: Between Banners and the Ballots, 1825-1880 (Baltimore: Johns Hopkins University Press, 1990), 78.

⁷Mary Louise Adams, "Almost Anything Can Happen: A Search for Sexual Discourse in the Urban Spaces of 1940s Toronto," Canadian Journal of Sociology 19:2 (1994): 217-233.

red-light district had moved from the area surrounding the Quebec barracks in the old city and the port to the area bordered by Ste. Catherine to the north, Craig to the south, St. Laurent to the west, and St. Denis to the east.⁸

Areas such as the open red-light district of Montreal tainted the reputation of women who lived, worked, and sought leisure there. Tourist guidebooks featuring Montreal in the period 1890-1930 verify and embellish the primacy of Montreal in the metropolises of North America.⁹ Travelling to Montreal in these years was likened to a European adventure without the ocean crossing.¹⁰ From the Ritz-Carlton Hotel one had a view of a harbour full of great ocean liners that sailed the "mighty St. Lawrence", Mount Royal "the extinct and tree-clad volcano", and a complex city housing half a million souls.¹¹ Its magnificence was witnessed in its grand Hotel de Ville, the stately Champ de Mars, and Notre-Dame Basilica. The splendour of one of its main arteries, Sherbrooke Street, stood second only to New York's 5th Avenue.¹² But the "modern and

⁸Tamara Myers and Mary Anne Poutanen, "Tales of Women's Lives on the Street: Urban Space, Women, and the Policing of Vagrancy in Montreal, 1810-1842 and 1890-1930," presented to the Canadian Historical Association Annual Meeting, Calgary, June, 1994, 17. I would like to thank Mary Anne Poutanen for sharing her research with me on the evolution of the red-light district.

⁹See Henry Phelps, Montreal for Tourists, c.1904; the Ritz-Carlton Hotel's Montreal and Its Attractions Summer and Winter, 1911; and Sights and Shrines: An Illustrated Guide to Montreal (Montreal: A.T. Chapman, 1920).

¹⁰Montreal: Historic, Romantic... (1932)

¹¹Montreal and Its Attractions Summer and Winter (1913).

¹²St. Lawrence Hall (1911).

progressive, historic and romantic"¹³ character of Montreal could also be deceptive. As a witness to the drugs, gambling, and sexual perversity, one visitor claimed Montreal as the "rottenest town" he had ever seen.¹⁴ Its openness to immoderation and depravity won Montreal the title of the "Sodom of North America".¹⁵

With its striking architecture, mixture of cultures, and successful financial world came "the district". Ranked as a major port of entry for white slavers,¹⁶ Montreal did indeed have an established and well-known red-light district that attracted Montrealers and visitors alike. While tourist guidebooks did not mention prostitution, most cab drivers would be well-acquainted with the geography of the sex trade. Like other urban areas in North America, Montreal's red-light district was in the centre of the city, near its financial district.¹⁷ This large district also bordered on the major tourist venues such as the waterfront Sohmer Park and fabulous hotels like the five-hundred room Turkish Bath Hotel at the foot of McGill College Avenue.

¹³Montreal: Historic, Romantic... (1932)

¹⁴Montréal. Enquête sur la police, "Coderre Inquiry." Testimony of George O. Hadick, Vol. I, 1925, 601.

¹⁵Montreal Recorder's Court, Annual Report (1923), 12. The Recorders were summarizing the Committee of Sixteen's view of Montreal.

¹⁶Ruth Rosen, The Lost Sisterhood: Prostitution in America, 1900-1918 (Baltimore: Johns Hopkins University Press, 1982), 120.

¹⁷Neil Larry Shumsky, "Tacit Acceptance: Respectable Americans and Segregated Prostitution, 1870-1910," Journal of Social History 19 (1986): 665-679.

Reformers' depictions of Montreal's red-light district rife with lewd activities shocked and titillated readers.¹⁸ Elizabeth Wilson has shown how social commentators in London were obsessed with the street for "its lack of boundaries and its freedom".¹⁹ Similarly, in Montreal, St. Laurent Boulevard captured the social imagination, representing as it did a stripped-down, naked organism - the city "au naturel".²⁰ Lined with saloons, theatres, and retail stores, St. Laurent was frequented by indiscreet individuals (pimps, prostitutes, and alcohol vendors) prying their wares and by countless souls willing to avail themselves of vice. In the same area, just east of the corner of Bleury and Ste. Catherine Streets, "prowlers and night hawks of every kind and both sexes loiter[ed] and l[ay] in wait, like Satan, seeking whom they may devour".²¹

In late nineteenth-century Montreal, authors of anti-prostitution literature also warned of the danger certain women brought to the city. Mary Ryan has argued that the urban gender cartographer of antebellum American cities simultaneously represented the dangerous and the endangered urbanite as female. The threat of dangerous women contaminating the virtuous was pervasive as prostitutes "converted public space into an erotic marketplace."²² *Flâneurs'* descriptions of their forays into the seedier side of the

¹⁸On discourse and "Urban Spectatorship" in London see Judith Walkowitz, City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London (Chicago: University of Chicago Press, 1992).

¹⁹ Elizabeth Wilson, The Sphinx in the City: Urban Life, the Control of Disorder, and Women (Berkeley, California: University of California Press, 1991), 41.

²⁰Anonymous, Montreal by Gaslight (1889), 154.

²¹Ibid, 152.

²²Ryan, 71.

city, especially after dark, were well-publicized warnings to endangered women and men.

One Montrealer warned:

the Canadian will recognize that London is not alone 'the modern Babylon' but that the Minotaur of brutal lust and the blind worshipper of Mammon live in their midst. He will see then that because Montreal has no Haymarket, no Chelsea Garden, it is not therefore a very citadel of virtue, but that the scarlet woman is our neighbor and flaunts her sin in our faces.²³

It is no coincidence that the harbinger of social decline - or, indeed, the coming of Babylon - was the woman in public. Mariana Valverde has pointed out that by the turn of the century a discourse emerged that gendered "night/pleasure as female" and daytime/work as male.²⁴ Like the anonymous author of Montreal by Gaslight, social purity activists employed visions of Babylon - "the nighttime city of lights and temptations, the city of leisure and of sex"²⁵ - to explain the modern city and the perils of the street. Indeed, it was the "hunting for men by women who lead a bad life and walk the streets" that was considered the modern "plague" in Montreal.²⁶

In the late nineteenth century, then, fallen women in Montreal were associated with the city's red-light district and prostitution. As such, they were attributed with causing a decline in sexual morality - a threat to both men and women. One of the most common methods of controlling fallen women was to charge them with public order violations, especially vagrancy.

²³Montreal by Gaslight.

²⁴Mariana Valverde, The Age of Soap, Light and Water: Moral Reform in English Canada, 1885-1925 (Toronto: McClelland and Stewart, 1991), 79.

²⁵Ibid.

²⁶Annual Report of the Recorder's Court (Montreal, 1898), 14.

THE POLICING OF DISORDERLY WOMEN: HISTORIANS, PROSTITUTES, AND THE VARIETIES OF VAGRANCY

Historians writing about vagrancy in the last twenty-five years have created a perception that the urban streets of nineteenth-century cities were teeming almost exclusively with men. According to "tramp" historiography, the vagrant or unemployed male became a noticeable problem on North American streets in the mid-nineteenth century;²⁷ employing a social control model, historians have suggested that in the mind of 'respectable', middle-class society, vagabonds comprised a central component of the dangerous class that warranted repressive laws and a modern police force. Consequently, drunkenness, disturbing the peace, and homelessness have been constructed by historians as male "crime".²⁸ The assumption was that in terms of urban geography and criminal statistics, street life was male, and women were to be found elsewhere in society - in the kitchen, the schoolroom, or the brothel.

"Gender" played an important part in tramp historiography in the 1970s and early 1980s; the focus on men who refused to or simply could not work paralleled 1970s

²⁷See Jeffrey S. Adler, "Vagging the Demons and Scoundrels: Vagrancy and the Growth of St. Louis, 1830-1861," Journal of Urban History 13:1 (November, 1986): 3-30; and Paul T. Ringenbach, Tramps and Reformers 1873-1916: The Discovery of Unemployment in New York (Westport, Conn.: Greenwood Press, 1973).

²⁸Adler; Ringenbach; Sidney Haring, Policing a Class Society: The Experience of American Cities, 1865-1915 (New Brunswick, N.J.: Rutgers University Press, 1983); Eric H. Monkkenen, "A Disorderly People? Urban Order in the Nineteenth and Twentieth Centuries," Journal of American History 68 (December, 1981): 539-559; and James Pitsula, "The Treatment of Tramps in Late Nineteenth Century Toronto," Historical Papers (1980): 116-132. Vagrancy is still treated as a male crime, see John Weaver, Crimes, Constables, and Courts: Order and Transgression in a Canadian City, 1816-1970 (Montreal and Kingston: McGill-Queen's Press, 1995), 132-135.

labour history that focused almost solely on male workers. Since the mid-1980s feminist women's historians have begun to chronicle the nature of the urban woman's experience on the street, in the neighbourhood, and in the courtroom, breaking down the notion of separate spheres of public and private.²⁹ While a study of vagrancy demands a class-sensitive approach, it is as important to comprehend the meaning of gender in its history. Vagrant women threatened more than a disorderly working class; they added an unruly sexual element to the public.

The Vagrancy Act of 1869 was the first federal legislation to be used to curtail immoral behaviour, begging, and idleness. The act was broadly defined to include all common prostitutes or night walkers, brothel keepers, those living on the avails of prostitution, those who had no visible means of maintaining themselves, and those who lived without employment.³⁰ The Vagrancy Act was then incorporated into the 1892 Criminal Code of Canada in Section 238 and was amended over the period 1906-1920 specifically to increase the fines and sentences.³¹ Vagrancy generally applied to men who

²⁹See, for example, Christine Stansell, City of Women: Sex and Class in New York, 1789-1860 (Chicago: University of Chicago Press, 1986); Marcia Carlisle, "Disorderly City, Disorderly Women: Prostitution in Ante-Bellum Philadelphia," Pennsylvania Magazine of History and Biography 110:4 (1986): 549-568; Ryan; and Linda K. Kerber, "Separate Spheres, Female Worlds, Woman's Place: The Rhetoric of Women's History," Journal of American History 75:1 (June, 1988): 9-39.

³⁰Jim Phillips, "Poverty, Unemployment, and the Administration of the Criminal Law: Vagrancy Laws in Halifax, 1864-1890," in Philip Girard and Jim Phillips, eds., Essays in the History of Canadian Law Vol. III, Nova Scotia (Toronto: University of Toronto Press, 1990): 129-162, 130.

³¹Under the Act respecting Vagrants (1869) and Section 238 of the 1892 Criminal Code of Canada, women who were night walkers, common prostitutes, keepers of bawdy houses and those who frequented them and those who had no peaceable profession but chose to support themselves on the avails of prostitution could be imprisoned for two

were idle, failed to provide for their families, or who were causing a disturbance in the street; and it was used against women who were practising prostitution on the streets or who demonstrated suspicious moral behaviour.³² The Criminal Code stipulated that a woman walking alone at night could be arrested as a prostitute if she could not produce 'a satisfactory account of herself'.³³ A gendered offense, vagrancy was never used to charge men with prostitution, and rarely women for failing to provide for their families.

Controlling vagrants' activity (or inactivity in the case of work) would become the major preoccupation of the police force of the nineteenth-century Canadian city, though this practice had existed in the eighteenth century.³⁴ The birth of the modern municipal police force can be linked to the perceived need to maintain public order.³⁵ In Montreal, for example, as the city grew, so did the police force: at the turn of the

months or fined \$50 or both. Vagrancy remained in the Criminal Code until 1974. Constance Backhouse, "Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminating Society," Histoire Social/Social History 18:36 (November, 1986): 387-423, 394-5.

³²For a detailed overview of Canada's prostitution laws, including vagrancy, see John McLaren, "Chasing the Social Evil: Moral Fervour and the Evolution of Canada's Prostitution Laws, 1867-1917," Canadian Journal of Law and Society 1 (1986): 125-165.

³³Valverde, 79. See also Backhouse, "Nineteenth-Century Canadian Prostitution Law."

³⁴Jim Phillips, 129; and Nicolas Rogers, "Policing the Poor in Eighteenth-Century London: The Vagrancy Laws and their Administration," Histoire sociale/Social History 24:47 (May, 1991): 127-147. In the annals of the police department, vagrancy, loitering and drunkenness offenses predominated; these were so primary in their work that the Reports of the Inspectors of Prisons in the province's Sessional Papers (Documents de la Session) cited these statistics each year and commented on the relative change.

³⁵Greg Marquis, Policing Canada's Century: A History of the Canadian Association of Chiefs of Police (Toronto: University of Toronto Press, 1993), 37-38.

century the force comprised 15 police stations with a staff of just over 400 which would explode to well over 1000 men working in 34 police stations within twenty years.³⁶ With the expansion of city by-laws and the growth of the police force public behaviour was increasingly targeted.

The vagrant, that unemployed male rogue, had a female counterpart: it was the fallen woman who crossed the line between respectable and immoral living. Certainly historians interested in prostitution have shown how vagrancy legislation was used by police and the courts to crack down on street prostitution, but female vagrancy typically has been discussed only in the limited context of the proliferation of prostitution in the late nineteenth and early twentieth centuries.³⁷ However, if not all vagrants were male, not all female vagrants were prostitutes, but they were doing something in a public place that was perceived as sufficiently inappropriate. That is, certain women on the street triggered the same response as the prostitute by virtue of their public activities, whether they were drinking, flirting, or loitering.

Seen by some as a yardstick for morality, vagrancy arrests were constitutive of (that is, shaped and were shaped by) a discourse on social and sexual organization of the public as it applied to working-class men and women. Some social critics and social

³⁶From the Annual Reports of the Chiefs of Police, 1890-1930.

³⁷Backhouse, "Nineteenth"; Judy Bedford, "Prostitution in Calgary, 1905-1914," Alberta History 29:2 (Spring, 1981): 1-11; Elizabeth M. Langdon, "Female Crime in Calgary, 1914-1941," Law and Justice in a New Land, Louis Knafla, ed. (Toronto: Carswell, 1986): 293-312; McLaren, "Chasing"; Lori Rotenberg, "The Wayward Worker: Toronto's Prostitute at the Turn of the Century," in Women at Work, Ontario, 1850-1930, Janice Acton et al, eds. (Toronto: Canadian Women's Educational Press, 1974): 33-69. A notable exception is an article by Jeffrey S. Adler, "Streetwalkers."

purity activists did not differentiate between women who occupied the streets (especially after dark) and prostitutes.³⁸ In fact, in the popular imagination these women were to be feared for their power to unleash the erotic in the public sphere. Vagrancy was a complex charge, imposed on women who were soliciting for purposes of prostitution on the streets, women and girls who refused to work and contribute to a family economy, desperate unwed mothers, and women whose behaviour was considered unruly by parents and the community. Strictly speaking, then, vagrancy was not simply a prostitution-related offense. When coupled with other public order violations, it made up the majority of female crimes until the First World War. Vagrancy cases provide clear examples of the criminalization of women's social and sexual behaviour.

Upon arrest in Montreal between 1890 and 1930, vagrant women were processed through the Recorder's Court but as Constance Backhouse has observed, "there are few records available to document their experience."³⁹ A cursory system of justice meted out in the city's lowest criminal court has meant that the documents of the court are scanty. But however meagre the dossiers, they do reveal the varieties of vagrancy. A sample

³⁸Historians are also responsible for encouraging this view. Lionel Rose, in his study of the vagrant underworld in Britain, accepts uncritically Mary Higgs' 1905 report that all women in commercial lodging houses were prostitutes. This conclusion was based on the fact that they made themselves up, came in very late, drunk and singing, used foul language, and smoked cigarettes. See his book, 'Rogues and Vagabonds': Vagrant Underworld in Britain 1815-1985 (London: Routledge, 1988), 125.

³⁹ Backhouse, "Nineteenth-Century," 396.

of dossiers from the court illustrate the way vagrancy was used by police, the judiciary, and families to control women in public places.⁴⁰

The common thread among the various definitions of vagrancy was the assumption of some form of disorderly public behaviour. Two examples suggest the complexity of the charge and its flexible usage. First is the case of Alberta Lafortune and Jeannette Doré, residents of 109 de Montigny Street East in the middle of the red-light district, who were apprehended for being loose, idle and disorderly on de Montigny Street. Their offense was described in the following way: loitering and "*gêner les passants en encombrant le trottoir de la dite rue, et en invitant les dits passants à aller commettre la prostitution*".⁴¹ While soliciting for purposes of prostitution was central to their arrest, their occupation of the sidewalk and use of vulgar and insulting language was duly noted.⁴² The second example involves a 15 year-old named Laura Delage, the daughter of a brickyard worker. She was arrested for being disorderly and "*n'ayant pas*

⁴⁰The dossiers of this court exist from 1899 onwards but the plumitifs or ledgers of the court can be found at the préarchivage of the Quebec ministry of justice on Bleury Street in Montreal. The dossiers dating from 1899 are located in the water treatment plant in Ville Lasalle under the management of the Municipal Court of Montreal. For purposes of this paper I have used the plumitifs and registry of vagrants for the years 1890-1898; for the period 1899-1929 I selected for analysis bundles of dossiers equivalent to approximately 2 months per year, for a collection of cases totalling 2230. The information offered by the plumitifs is restricted to court date, name of accused, charge, and occasionally the outcome. The dossiers tend to provide more information about arresting officer or plainant, occasionally the address of the accused, plea, and outcome. From the collection of cases on average 2 months per year from 1899 to 1929 I was able to identify 169 cases of female vagrancy out of a 2230 case sample.

⁴¹Montreal, Recorder's Court Archives, (hereafter RCA), 4 November 1916.

⁴²For example: RCA, Louise Pecron and Marguerite Beaufils, 15 November 1916; Dolly King, 23 January 1918; Gertrude Bryant, 11 December, 1922.

de moyens visibles d'existence" for several months in 1907. Eloise Konig, Laura's 53 year-old mother had brought the complaint against her, claiming that while Laura did live at home, her disobedience was intolerable. Not only did she refuse to work during the day but at night she returned home late having spent the evening in the company of married men. One of the witnesses, Henri Mandeville, a carter, claimed to have been acquainted with Laura for the past three years. He confirmed that she refused to work and in the past year she had been particularly difficult, often frequenting the theatre and running in the streets with reputedly bad young people. The fact that her parents were at a loss to control her contributed to a stiff penalty for Laura of reform school for three years.⁴³ Juxtaposing these two examples illustrates the broad range of behaviour that the vagrancy net could embrace. (See Table 8)

In the mélange of vagrant women there were women who were obviously practising prostitution, who lived with "no visible means of maintaining themselves," and who neglected to work, and those who were charged with loitering and obstructing the sidewalk. Although not all vagrant women were obviously practising prostitution, their lives and actions tread perilously close to prostitution and triggered fears of unbound female sexuality.

Some women were caught fornicating in a public place - almost always on Mount Royal in the summertime - or running in the streets with men and attending dance halls and theatres. These policed activities suggest that the city's green spaces and streets provided young women with a freedom from parental authority and scrutiny - when they

⁴³RCA, 27 May, 1907.

got away with it. New commercial amusement establishments such as dance halls and theatres increasingly gave new contours to leisure hours as young women sought out what historian Kathy Peiss has called "cheap amusements" which sometimes led them into confrontation with the law.⁴⁴

Women arrested for vagrancy were stopped all over Montreal from the market stalls on St. Dominique Street to Parc Lafontaine to the red-light district. Those charged with vagrancy explicitly involving prostitution were often arrested on streets within the red-light district: St. Laurent, St. Dominique, Cadieux, Hotel de Ville, ruelle Charlotte, Dumarais, St. Justin, and Dorchester.⁴⁵ For example, one woman was arrested for vagrancy in 1925 for not having any peaceable profession and supporting herself on the avails of prostitution: Eva Cummings (alias Rolande Marcil) was arrested in the red light district, and gave her address as 303 Cadieux, a known disorderly house kept by Jeanne Moreau.⁴⁶ Those charged with having no visible means and neglecting to work were located in various parts of the city, and were often arrested in their place of residence if a complaint had been made against them by a family member.

⁴⁴Kathy Peiss, Cheap Amusements: Working Women and Leisure in Turn of the Century New York (Philadelphia: Temple University Press, 1986).

⁴⁵ According to one anti-vice organization these streets were lined with brothels that served a large number of men in a rather open fashion. They proposed that girls and women "went wrong" in this area more than any other because the police and courts chose only to fine those who worked or visited there. See the Committee of Sixteen, Preliminary Report of an Unofficial Organization Upon the Vice Conditions in Montreal, 1918. Andrée Lévesque has found that 3/4 of Montreal prostitution happened in the district bordered by Sherbrooke to the north, Craig to the south St. Laurent to the west and St. Denis to the east. Lévesque, "Eteindre," .

⁴⁶RCA, 24 February, 1925.

In a sample of Recorder's Court dossiers, shown in Table 1, just over one-third of vagrancy cases explicitly involved prostitution.⁴⁷ The most common of vagrancy cases was 'having no visible means of maintaining oneself', making up 40% of the vagrancy cases brought against women in the sample. This category, which related to idleness and work discipline, seemed to be more conventionally employed against men. Perhaps this particular classification was used against women who were suspected of practising prostitution, but who were not caught in the act. Most soliciting occurred on the streets in a casual manner, so this may have been a way for officers to pick up suspicious women; however, the case of Laura Delage demonstrates the flexible usage of this category.

Families were instrumental in bringing forward charges of vagrancy that involved neglecting or refusing to work.⁴⁸ In 1903, Jennie Mortimer, a fifteen year old Protestant Montrealer, was charged with vagrancy for refusing to work. Her father, a Canadian Pacific Railway agent, had brought the charge against her. Since she was eleven years of age she had worked outside her home as a live-in domestic servant. Her father claimed Jennie had been unable to hold on to her situations for a year prior to her arrest and therefore wanted the police to arrest her as a vagrant. But it was not simply her refusal to work that ultimately condemned her to three years in the reformatory. Jennie's

⁴⁷Vagrancy was not the only charge dealing with prostitution: the Recorder's court saw a lot of "*tenir, habiter, fréquenter une maison de désordre*"; streetwalkers could also be picked up for "*errer la nuit*", wandering by night, and loitering. Vagrancy makes up only a small number of prostitution-related charges.

⁴⁸This charge was much more common with men who were charged with vagrancy.

social and alleged sexual behaviour was central to her father's statement in court: she had been sleeping out nights and sometimes was arrested at night with men on the streets.⁴⁹ Jennie Mortimer received three years in the reform school.⁵⁰ Carolyn Strange's doctoral research on Toronto provides evidence that adolescent girls were routinely arrested and charged with vagrancy for premarital sexual behaviour.⁵¹ Maggie Wynd's mother, upon registering a complaint of vagrancy against her daughter in March 1923, provided the police with a photograph in order to have her arrested. This "bad girl" appeared to be an apple-cheeked adolescent. Against her mother's wishes, Maggie had left her mother's home in Pointe St. Charles and moved to 324 St. George Street. For having defied parental authority and alleged sexual immorality, she was condemned to two months in the women's prison.⁵²

Men charged with vagrancy could also have their families involved in the procedure. For example, 35 cases from June and July, 1913 illustrate that almost three-quarters of male vagrants were charged with refusing to work. Eighty percent of these cases were brought forward by the family, often the wife with the aid of the Society for the Protection of Women and Children.⁵³

⁴⁹Recorder's Court dossiers, 1903 January 26, Jennie Mortimer.

⁵⁰The majority of arrested women over the age of sixteen charged with a similar offense, were dismissed. Note the maximum sentence for people over sixteen was six months.

⁵¹Carolyn Strange, "The Perils and Pleasures of the City: Single Wage-Earning Women in Toronto, 1880-1930." Ph.D Thesis, Rutgers University, 1991, 254.

⁵²RCA, 22 March, 1923.

⁵³RCA, June and July, 1913.

Women were also arrested on the street for causing a disturbance, swearing, drinking, and accosting others. This category illustrates the proximity vagrancy had to prostitution; often these women were arrested in the red-light district. While vagrant women raised the ire of citizens' groups and were subject to the inconsistencies of police concern, Recorders gave out small fines and sentences. (See Table 9)

The cursory system of justice practised by the Recorder's Court has left but a hint of the lives that led women to appear before the judge; the fragments of information that were recorded, however, offer plenty of evidence that vagrancy was a charge used to control certain social and sexual behaviour. Vagrancy was employed to control the offensive public face of prostitution, as historians of the sex trade have noted, but it was also used to define and punish unruly women who were not explicitly practising prostitution. Also, in the years before the juvenile court was established in Montreal, families were turning to the law to discipline wayward daughters.

RECONCEPTUALIZING THE PROBLEM OF FALLEN WOMEN: THE DECLINE OF VAGRANCY AND ADVENT OF THE ANTI-BROTHEL CAMPAIGNS

Though vagrancy remained in the Criminal Code until the 1970s, by the late nineteenth century the numbers arrested for the offense fell off dramatically.⁵⁴ Ironically, at the time the Recorders were writing about the decline of criminality in Montreal the city's social reformers were beginning their assault on vice and police corruption in their midst.⁵⁵ What accounts for the decline of vagrancy especially at a time when prostitution was increasingly the target of the reformers and an expanding police force had as its duty to maintain public order in a rapidly growing city? The answer, in part, lies with

⁵⁴The Montreal Recorders addressed this matter in their Annual Reports in the late 1890s. They believed that criminal behaviour in general was on the decline, in large part due to the state of morality of the working classes: "our people are simple in manners and uncontaminated in their moral life". The Recorders were somewhat surprised that the 1890s economic recession had not caused a dramatic increase in vagrancy and drunkenness. It is true that in Montreal by the 1890s, vagrancy charges were in sharp decline. Religion, the judges surmised, played a leading role in regulating the behaviour of Montrealers. The church played a more specific role as well: young women arriving from the country were not forced to live on the streets but could find a place at the houses of refuge or boarding houses, many of which were run by nuns. What the Recorders were witness to was part of a larger trend that American historian Eric Monkton has identified across the United States: that beginning in the second half of the 19th century public order was on the rise. For a discussion of the rise of public order over the 19th and 20th centuries, see Eric H. Monkton, "A Disorderly People? Urban Order in the Nineteenth and Twentieth Centuries," Journal of American History 68:3 (December, 1981): 539-561. The decline of vagrancy charges or the rise of orderliness in the city was not the impression that contemporaries would give and did not end attempts to control use of public space. This decline in vagrancy was not universally true for historians have found vagrancy rates were on the rise in this period elsewhere. On southern Alberta see Thomas Thorner, "The Incidence of Crime in Southern Alberta, 1878-1915," in David Bercuson and Louis Knafla, eds., Law and Society in Canada in Historical Perspective (Calgary: University of Calgary, 1979).

⁵⁵Andrée Lévesque, "Éteindre le Red Light: les réformateurs et la prostitution à Montréal entre 1865 et 1925," Urban History Review 17:3 (Feb., 1989): 191-201.

growing concern over the red-light district and the growth of residential prostitution. While most prostitution still occurred on the street, it was the highly-organized brothel that became the target of police activity and a main preoccupation of reformers. Female arrest statistics bear this out: in the 1910s brothel-related charges began to outnumber charges against the public order.⁵⁶ Montreal was just one of many Canadian cities that experienced a public outcry against red-light districts and unrestrained prostitution.⁵⁷

Another answer may lie in the vagrancy act itself and the changing practices of policing. Legal historian Constance Backhouse proposes that perhaps charges other than vagrancy were more easily brought against women in place of vagrancy. In the late nineteenth century, certain court challenges to the vagrancy act resulted in restricting its use as a status offense for prostitutes. And, with the police needing to prove public disorder and indecent behaviour along with prostitution it was pushed aside in favour of other lesser charges.⁵⁸ John C. Weaver has argued for the case of late nineteenth-century Hamilton that the decline in arrests for moral order offenses relates directly to the

⁵⁶ Compiled from Annual Reports of the Chiefs of Police, 1890-1929. Brothel related charges are keeping, frequenting and living in a disorderly house; public order offenses are disturbing the peace, drunk, drunk and disorderly, drunk and loitering, indecent conduct, obstructing the sidewalk, exposing her person, fornication, loitering, and vagrancy.

⁵⁷ McLaren, "Chasing", 147.

⁵⁸ Constance Backhouse, "Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminating Society," Histoire sociale/Social History 18:36 (November, 1985): 387-423, 409-410.

shifting role of the police force. The provision of shelter by police stations, he argues, spared transients' arrest, at least for one night.⁵⁹

In the early twentieth century, focus on fallen women would shift toward the woman who was allegedly tricked, drugged or sold into organized prostitution. Concern over sexual immorality began to revolve around prostitution, unlike in the mid-nineteenth century when "prostitutes themselves were not the centre of a social debate on sexuality and moral order."⁶⁰ Indeed, a competing discourse emerged that cast fallen women as victims of male lust and greed. City police forces, at the urging of citizens' organizations, began to launch raids on brothels in the early twentieth century, attempting ostensibly to protect women who worked there.

In the last decades of the nineteenth century a social purity movement was visible in many cities in North America. Social purity activists, consisting mainly of urban bourgeois professionals, believed in their ability to reform the sexual mores of citizens, mainly of the working class, by offering limited sexual education, abolishing pornography and prostitution, and curbing alcohol use.⁶¹

Social purity activists subscribed to a belief system that defined women as sexually passive and in need of protection from male lust specifically, and commercial society more generally. Modern life in industrial capitalist society had proven itself hazardous to female chastity: images of fallen women were pervasive. Seduced

⁵⁹Weaver, 132.

⁶⁰Carlisle, 550.

⁶¹Mariana Valverde The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925 (Toronto: McClelland and Stewart, 1991).

daughters, outcast single mothers and downtrodden prostitutes made headlines in the period's reform literature and investigative news stories. The traditional moral regulators of sexuality, the church and the family, appeared helpless in face of male perpetrators of sexual ploys against chaste daughters.

The state, then, was called upon to deal with this heretofore private matter of sexuality.⁶² In the final decades of the nineteenth century, Canadian legislators passed an unprecedented number of laws intended to protect vulnerable women from male sexual predators.⁶³ In seduction and age of consent cases we see the law echoing ideas about women's passive sexual nature and the state assuming responsibility for protecting Canadian womanhood.⁶⁴

Suppression of female sexuality in the name of protection reached a new level beginning in the late 1880s with the passage of the Canadian age of consent laws. At Confederation, it had been illegal to have carnal knowledge of girls under twelve years of age; by the end of the century the age had been raised to sixteen, or twenty-one if the seduction had taken place under a promise of marriage. Several factors had led to the bolstering of criminal law regulating female sexuality. Legislators, social purity reformers and feminist groups believed that working-class women needed protection from

⁶²For an overview of the regulation of sexuality see John D'Emilio and Estelle Freedman, Intimate Matters: A History of Sexuality in America (New York: Harper and Row, 1988).

⁶³Graham Parker, "The Legal Regulation of Sexual Activity and the Protection of Females," Osgoode Hall Law Journal 21:2 (June, 1983): 187-244.

⁶⁴Karen Dubinsky, Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880-1929 (Chicago, University of Chicago Press, 1993).

male sexual predators. The late Victorians' acknowledgement of the sexual vulnerability of working girls in the city and their proximity to the state of fallenness through unwed motherhood or prostitution encouraged the notion that traditional modes of "patriarchal protection" had failed.⁶⁵

Civil law already provided fathers with the possibility of avenging their unwed daughters' pregnancy through suing the seducer. Seduction cases ranged from rape of servants to consensual sexual relations that had resulted in pregnancy but not marriage.⁶⁶ As single women moved from the countryside to the industrial cities of the late nineteenth century, paternal rights over a daughters' chastity became increasingly obscure. Constance Backhouse points out that where the Tort of Seduction had asserted a father's property rights over his daughter's sexuality before marriage, the criminalization of seduction "transpose[d] the problem of seduction from the family to society as a whole."⁶⁷

Fears of declining sexual mores and a weakened patriarchal family led John Charlton on a campaign to wield the force of criminal law against the sexual exploitation of women. A Minister of Parliament from Norfolk, Ontario, Charlton spent the better part of a decade campaigning for the criminalization of seduction. He garnered support

⁶⁵Odem, 33.

⁶⁶A variety of seduction cases in Quebec are contained in legal case reports. A father avenging the seduction of his daughter who worked as a servant appeared in a case before the Superior Court of Quebec, *Neill v. Taylor*, Lower Canada Repor. 25 (1865): 102. In *Turcotte v. Nacké* a man was sued for breach of promise to marry a woman he had lived with for several years. Quebec Law Reports 7 (1881): 230.

⁶⁷Constance Backhouse, Petticoats and Prejudice: Women and the Law in Nineteenth-Century Canada (Toronto: Women's Press, 1991), 70.

of women's organizations, temperance leagues, and Protestant groups, notably the Montreal Society for the Protection of Women and Children.⁶⁸ In 1886, the Charlton bill became law, making it an offense to have sex with a woman under sixteen (or under the age of twenty-one if sex was accompanied by a promise of marriage or in the case where she was an employee of the seducer).⁶⁹ The law also stipulated that it was an offense only if the woman "was of previously chaste character." Age of consent was raised in 1920 to eighteen.

The powerlessness of the family to protect women in the face of commercialized vice had been played up in "discourses of danger."⁷⁰ These discourses were created and fuelled through the press's war on the alleged international trade in white women for purposes of prostitution. The most infamous case involved Englishman William Stead who wrote for the Pall Mall Gazette. In his series of articles entitled "The Maiden Tribute of Babylon," he exposed how daughters of the poor were abducted, tricked, or drugged into prostitution. As one historian has shown, the articles had enormous political effect, "amplify[ing] the fear of sexual danger for women and ...mobiliz[ing] public outcries against it."⁷¹

⁶⁸Ibid.

⁶⁹Karen Dubinsky, Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880-1929 (Chicago: University of Chicago Press, 1993), 68.

⁷⁰Dubinsky, Chapter 2. See also Judith Walkowitz on "narratives of sexual danger" City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London (Chicago: University of Chicago Press, 1992).

⁷¹Walkowitz, 95.

Closer to home, "narratives of sexual danger" also roused public concern over the plight of women in the late nineteenth-century city. Karen Dubinsky has remarked that Charlton had a propensity for the melodramatic and a "paternal vision" of women in seduction stories.⁷² Women as victims of male procurers were featured in Montreal scenarios as well. The Montreal chapter of the Women's Christian Temperance Union described an elaborate underworld scheme to trick women travelling alone to Montreal. As "respectable girls" from the countryside stepped from trains, they were allegedly met by individuals promising good jobs and housing but who in fact drove them into a "life of sin."⁷³ A year after the Charlton Act was passed the Montreal WCTU took matters into their own hands, posting placards in both English and French in railway stations outside of Montreal, warning unsuspecting women of the dangers that awaited them in the city.⁷⁴

Shortly after the adoption of legislation concerning seduction, WCTU engaged a lawyer to pursue cases of criminal seduction, especially those in which a woman engaged in sex under a promise of marriage and found herself pregnant and abandoned. The membership's understanding of seduction involved a rejection of the sexual double standard and represented a challenge to male power⁷⁵: "White Ribbon women will not see their weaker sisters crushed under a weight of life-long sorrow, and allow their

⁷²Dubinsky, 66.

⁷³W.C.T.U. (Montreal), Annual Report (1887), 20.

⁷⁴Ibid.

⁷⁵Walkowitz, 87; Odem, 20.

partners in sin to escape exposure."⁷⁶ Their attempts at justice for wronged women were ultimately frustrated. In 1889 the W.C.T.U. lawyer considered nine cases of 'seduced' women but "that law, with all its boasted strength, fails to right a weak, defenceless woman, or to punish the man who wrongs her in any just proportion to his guilt."⁷⁷ They did use the threat of a law suit to gain some leverage in making the guilty man pay support for the wronged woman and the child.⁷⁸

Well into the twentieth century stories of girls being victimized for purposes of commercialized prostitution could be found in the press. In 1912, the Montreal Witness published a story on City Alderman Blumenthal's rescue of an eighteen year old woman who had been forced into an "evil life" in Montreal's underworld after having been seduced in her home town in Ontario.⁷⁹

According to the Soeurs du Bon-Pasteur, the order of nuns that ran the female jail and a reform school for girls, "poor young girls" who came before the courts fell prey to "miserable persons" who paid girls' fines in order to keep them in a constant state of dependence and sin.⁸⁰ Andrée Lévesque has found that as late as the 1930s the

⁷⁶WCTU, Annual Report (1889), 15.

⁷⁷WCTU, AR (1889), 15.

⁷⁸Ibid.

⁷⁹Montreal Witness, 27 September, 1912. Canadian Jewish Congress National Archives, A. Blumenthal Scrapbook, Bobine ZE140.

⁸⁰Quebec, Sessional Papers (1910), "Report of the Lady Superior."

Fédération St-Jean-Baptiste warned parents against letting their daughters take certain jobs lest they be pawns in the white slave trade.⁸¹

The criminalization of seduction in the 1880s was a direct response to the changes that urbanization and industrialization had made in young women's lives. Ostensibly created to protect adolescent girls from the male seducer, in reality the law placed restrictions on women's sexual lives, as a woman's desire was irrelevant to the law on seduction. As Karen Dubinsky writes, "[p]rotection, especially of the powerless, slid easily into surveillance."⁸² The statutory rape laws and the rhetoric of the reformers rejected female sexual agency.

Increasingly as information about an international trade in innocent white women for purposes of prostitution spread across Europe and North America, the culprits became the male ring leaders of commercialized prostitution and sympathy for the fallen woman became more commonplace. The powerful image of female prostitute as victim persisted well into the twentieth century.⁸³

In Montreal, prostitutes could be found throughout the city but a concentration of those plying the trade worked the red-light district. For most of the century the fallen woman was considered an eyesore on the urban landscape, something unpleasant yet inevitable. In fact, many Victorians viewed prostitution as a necessary evil: a solution to working-class unrest, or a vice that fed the weaknesses of men and prevented rape of

⁸¹Lévesque, 61.

⁸²Dubinsky, 85.

⁸³Andrée Lévesque, Making and Breaking the Rules: Women in Quebec, 1919-1939 (Toronto: McClelland and Stewart, 1994), 62.

innocent women. Prostitution may have been accepted as necessary also because it was a source of municipal revenue through fines and bribes. It also spawned a host of other related businesses.

The categorizing of prostitution as a necessary evil meant it was subject to state regulation. In the nineteenth century, many European states had passed laws to control the prostitute through compulsory medical examination and incarceration of the infected. The 1860s Contagious Diseases Acts in Britain, for example, permitted the arrest and medical inspection of any woman suspected of being a prostitute in the area surrounding soldiers' and sailors' barracks. When regulationists, comprised mainly of medical and municipal authorities, wanted to subject female prostitutes to medical exams and hospitalize those with venereal disease, feminists came to the defense of these women, launching an attack on this infringement of civil liberties. They proposed the end to regulation and the eradication of prostitution and hypocrisy.⁸⁴

Prostitution would become the social evil of the early twentieth century. Social purity activists across Canada and the United States had grown intolerant of disorderly districts in their midst and launched campaigns to rid their cities of brothels and quell the rising incidents of venereal disease.⁸⁵ By the turn of the century, a nascent social purity

⁸⁴On the 1860s Contagious Diseases Acts see Judith Walkowitz, Prostitution and Victorian Society: Women, Class, and the State (Cambridge: Cambridge University Press, 1980).

⁸⁵American sources on prostitution: Timothy J. Gilfoyle, City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920 (New York City: W.W. Norton and Company, 1992); Ruth Rosen, The Lost Sisterhood: Prostitution in America, 1900-1918, (Baltimore: Johns Hopkins Press, 1982); Neil Larry Shumsky, "Tacit Acceptance: Respectable Americans and Segregated Prostitution, 1870-1910," Journal of

movement was visible in Montreal, which reached its zenith at the close of World War I. Its chief focus was a campaign to control commercial prostitution. The dispute over tolerance, regulation, and eradication of prostitution, though, was not settled in the nineteenth century and continued well into the twentieth. The panic tone of the reformers' discourse on prostitution can be attributed in part to the openness of the trade in Montreal; not until the Second World War and the "*grand nettoyage*" of the 1950s was prostitution forced underground.⁸⁶ The debate over prostitution in Montreal eventually pitted reformers, religious leaders, and feminist organizations against politicians, judges, and the police who more often than not supported a European model of regulation and tolerance. Through the late nineteenth century, supporters and detractors of a system of tolerance published their views; by World War I, the debate hit a climax with the advent of the anti-vice crusade led by the city's Committee of Sixteen. Reform agitation of this sort was not unusual; unlike other cities in North America, however, Montreal maintained a system of tolerance and the red-light district prevailed throughout the reform era.⁸⁷

Social History 19 (1986): 665-79.

⁸⁶Danielle Lacasse, La Prostitution Féminine à Montréal, 1945-1970 (Montréal: Boréal, 1994).

⁸⁷See Andrée Lévesque, "'Eteindre le Red Light: les Réformateurs et la prostitution à Montréal entre 1865 et 1925,'" Urban History Review 17:3 (February, 1989): 191-201.

MONTREAL'S AMBIVALENCE ON PROSTITUTION

For many years Montrealers argued about the role of prostitution in their city. Did it have a place in Montreal? Was it an inevitable part of urban life? Could it be eradicated, and if so, whose responsibility was it to rid the city of commercialized vice? During the latter half of the nineteenth century the city invoked neither a system of regulation as many European countries implemented, nor a method to eradicate prostitution as was popular in many American cities; what existed in this major North American port was what one judge would label "the Montreal system": an irresistibly Canadian hybrid of the European and American models. Punctuating years of toleration were sporadic campaigns to close down brothels especially in the red-light district. Commercialized vice, though, would prove to be a stubborn nuisance.

In 1878, after twenty years of contact with prostitutes and keepers of disorderly houses City Recorder DeMontigny had recommended tolerance.⁸⁸ Beginning in 1894, several inquiries into the Montreal police force's relationship to brothels in the red-light district proved that a system of tolerance and even regulation existed in the city and was officially sanctioned.⁸⁹ The attitude of the law enforcement agencies would not go unnoticed: at the turn of the century, Catholic and Protestant clergy mounted campaigns to abolish the sex trade. In 1904, l'abbé Luche of the Notre-Dame parish formed a society of concerned citizens with an aim to closing the city's brothels.⁹⁰

⁸⁸Lévesque, "Eteindre...", 192.

⁸⁹J.-P. Brodeur, La Délinquance de l'ordre. Recherche sur les commissions d'enquête (Montreal: Hurtubise, 1984).

⁹⁰Lévesque, "Eteindre...", 192.

In 1905, Quebec Superior Court Judge Henri Taschereau reviewed the intent of the laws in Canada regarding prostitution in the "Report.. on the Police Investigation and Its Result." Having investigated Chief of Police David Legault and several officers for having received gifts of wine and money from female brothel keepers he used his report to voice his opinion on the system of tolerating prostitution. Whereas European countries may support regulation, he wrote, in the Canadian Criminal Code such a system was "positively discountenanced" and according to the Charter of the city of Montreal, bawdy and disorderly houses were to be suppressed.⁹¹ While Taschereau cleared the names of the police officials allegedly involved in an extortion scheme, he did condemn the "deplorable" way Montreal dealt with dens of vice. The police officers' worst offense was their reluctance to raid brothels unless a neighbour filed a formal complaint. Many of the almost 200 brothels known to the police had never been raided.⁹² He pointed to the 1902 report of New York City's Committee of Fifteen which advocated an end to tolerance of any sort. The conclusions of the study of prostitution in that city incited a thorough cleansing various neighbourhoods through constant raids on brothels.⁹³

Fears that venereal disease would spread uncontrollably led other officers of the court to reject repression in favour of medical regulation. Recorder F.-X. Dupuis believed that a system whereby madams cooperated with police would at least ensure a

⁹¹Hon. Mr. Justice Henri Taschereau, "Report on the Police Investigation and Its Results," (18 February, 1905), 16.

⁹²Ibid, 17-18.

⁹³Ibid, 13-14.

modicum of medical control of venereal disease.⁹⁴ A system of regulation existed for a short time in Montreal in the first decade of the twentieth century. The major components of the system were the medical exam and cooperation between sex trade workers and police, with the prostitutes working as informers for the police. As Andrée Lévesque has noted, the system seemed to address all parties concerned: *"Tous les partis profitent ainsi du réglementarisme: la maison sera protégée, l'ordre y sera maintenu et les policiers seront mieux renseignés pour exercer leur métier"*.⁹⁵

Several years later another inquiry and report would once again condemn the system of unofficial regulation and tolerance. In 1909, Judge Lawrence John Cannon headed an inquiry into the civic administration, including the police and their handling of prostitution. He found evidence of widespread corruption in Montreal's municipal affairs, and regarding prostitution, he concluded that the police and medical authorities were complicit in the city's regulation of prostitution.⁹⁶ Declaring that medical exams were completely illegal, he concurred with Taschereau's earlier report, that in fact, the laws did not permit the option of regulation.⁹⁷ The Cannon Report resulted in the reorganization of the police, including the creation of a morality squad in November.

⁹⁴Lévesque, "Eteindre...", 192.

⁹⁵Ibid.

⁹⁶Jean Turmel, Le Service de Police de Montréal, 1796-1971 Tome 2 (Montreal: Service de Police de la C.U.M., 1974), 6-7.

⁹⁷Levesque, "Eteindre," 193.

1909 whose chief responsibility was to investigate disorderly houses, halt the cocaine and morphine trade, and crack down on the illegal sale of alcohol.⁹⁸

While the First World War raged in Europe, the debate over regulation and suppression exploded in Montreal. Certainly the panic over prostitution and the white slave trade had given the citizens of Montreal cause to want the trade suppressed earlier, but the wartime atmosphere intensified certain beliefs about the danger prostitution presented to society. The escalation of the controversy was in part due to a panic over disease and the future of the nation. Widespread fears about soldiers being infected with venereal disease at an alarming rate and spreading the disease to the civilian population were enough to convince certain people to close the red-light district. Venereal disease, the military, and the health of the nation were the subject of the February, 1918 edition of The Public Health Journal. "Controlling the source of infection" - read prostitutes - became urgent.⁹⁹

A research report on vice in Montreal was also responsible for the invigorated campaign by the abolitionists and incited the establishment of the Committee of Sixteen. Late in the war citizens' outrage over the seemingly lackadaisical approach of the police and municipal administration to commercialized vice coalesced in the founding of an anti-

⁹⁸Turmel, 29.

⁹⁹Major J.G. Fitzgerald, "The Advisory Committee on Venereal Diseases for Military District No. 2," The Public Health Journal 9:2 (February, 1918), 49. Also in 1918, Ontario established a royal commission on venereal disease and feeble-mindedness. The repressive state reaction to the perceived crisis is the subject of Mary Louise Adams' "In Sickness and in Health: State Formation, Moral Regulation, and Early VD Initiatives in Ontario," Journal of Canadian Studies 28:4 (Winter 1993-4): 117-130.

vice organization, the Committee of Sixteen. What compelled citizens to establish the organization was the construction of Montreal as a "spectacle of triumphant vice."¹⁰⁰ These citizens saw a "great city of churches and charities"¹⁰¹ that had shamefully ignored the rampant growth of vice. Modelled on similar committees based in New York City, Chicago, and other cities, the purpose of the organization was to foster work and communication between societies and individuals concerned with prostitution and the spread of venereal disease. It claimed as its goals "the reduction and final extermination of commercialized vice in the community."¹⁰² Its membership represented religious groups (Protestant, Catholic, and Jewish), many philanthropic organizations, and medical professionals. It was not to be exclusionary based on religion, language, or race, although a majority of its members came from the minority Protestant, anglophone population.¹⁰³

¹⁰⁰Committee of Sixteen, Preliminary Report, 9.

¹⁰¹Ibid.

¹⁰²Committee of Sixteen, Fourth Annual Report, (1923), 6.

¹⁰³ Among its 26 original members were: Anglican minister Rev. Herbert Symonds, Methodist Rev. Dr. E. I. Hart, Rev. Father Gauthier of St. James Parish, Dr. Alfred K. Haywood of the Montreal General Hospital, Dr. W.W. Chipman of the Montreal Maternity Hospital, J. Howard T. Falk of McGill's Social Service Department, Miss. L. E. F. Barry of the Catholic Social Service Guild, W. B. Colley of the Salvation Army, Mrs. F. Wilson Fairman, President of the Sheltering Home, Eleonor Tatley of the Local Council of Women, Miss. B. Glassman of the Federation of Jewish Philanthropies, Lady Hingston of the Catholic Social Service Guild, Dr. Samuel C. Schwartz of Temple Emanu El, Miss Mabel C. Jamieson of the Montreal YWCA, Miss Bessie Hall of the University Settlement, and Kathleen Moore of the Girls' Cottage Industrial School.

The founding of the Committee came on the heels of a damning report from the New York Bureau of Municipal Research. In 1917 the Bureau had surveyed conditions of vice in Montreal and concluded that:

Notwithstanding the fact that the law prohibits commercialized prostitution and professional gambling, and that the police officials are charged with the responsibility for the suppression of vice and the apprehension and prosecution of those engaged in such pursuits, houses of commercialized prostitution and gambling dens are tolerated and exist openly in large numbers.¹⁰⁴

The system that had taken hold in Montreal, the report claimed, was, in effect, one of licensing disorderly houses through fines.¹⁰⁵ Although the report in its entirety was not made public, it had an extensive impact on police administration and public opinion. Following the recommendations of the report the police department was reorganized and the position of Director of Public Safety was created to oversee the police department, the fire department, and the Recorder's Court.¹⁰⁶ Refusing to take all the blame, the police department pointed a finger at the Recorders, claiming that tolerance of brothels existed because of the leniency of the courts and their failure to give those accused the full penalty.¹⁰⁷ Inspired by what they knew of the report, the Committee of Sixteen conducted their own survey of vice conditions in Montreal in the fall of 1918.

¹⁰⁴Committee of Sixteen, Preliminary Report, 13.

¹⁰⁵Ibid, 14.

¹⁰⁶Turmel.

¹⁰⁷Committee of Sixteen, Preliminary Report, 17.

The Committee's "scientific study" of existing conditions of vice was intended to eradicate the "ignorance and apathy" of Montrealers.¹⁰⁸ The report began with an exploration of the houses of prostitution in the red-light district. Stationed outside five adjoining houses on Hôtel-de-Ville Avenue, the surveyors one night watched almost two hundred people, including American and British soldiers, come and go in the space of a couple of hours. People who had entered sober emerged some time later drunk. Cab and car drivers left the houses carrying cash, having allegedly been paid off by the managers.¹⁰⁹ Their claim was to produce an "unsensational" tract about vice in Montreal. The report, however, was surely stimulating with its tales of fifteen-year old prostitutes receiving Asians and Blacks, widows prostituting their own daughters, a boy of eleven contracting syphilis from a prostitute, and a young girl whose "little mind was so filled with sexual matters that she was found to be abusing other children as well as herself."¹¹⁰

Three thousand copies of the Committee's first report were published in the autumn of 1918.¹¹¹ It was an indictment of the city's police, judges, and vice conditions. The committee recommended a stop to the system of tacit acceptance and the total suppression of vice. The first report of the Committee of Sixteen marked the beginning of an escalated public debate over vice and complicit institutions: the civic administration, police, and the judges. Shortly after the launching of the first report, the

¹⁰⁸Ibid, 20-21.

¹⁰⁹Ibid, 23-25.

¹¹⁰Ibid, 27-31.

¹¹¹Montreal Gazette, 12 November, 1918, 7.

press called on public officials to defend themselves against the Committee's allegations. The anglophone press and certain of the francophone newspapers supported the report and used it to attack Mayor Médéric Martin's stance on the issue. The Mayor had gone on record stating that vice could not be abolished and therefore public regulation and segregation of vice was the solution. When Martin proposed that money collected from fines should go toward a hospital, headlines raged: "Devil's Money to Build Hospital."¹¹² Some commentators in *La Patrie* criticized the Committee's lack of discretion in its report.¹¹³ Mayor Martin condemned the report for harming the city's reputation.

The police, having reorganized in the wake of the report of the New York Bureau of Research a year earlier, had already stepped up its campaign against disorderly houses. In fact, with Joseph Tremblay as Director of Public Safety in 1918, the red-light district "resembled the Mount Royal Cemetery at night."¹¹⁴ Tremblay claimed years later when he appeared before the Coderre Inquiry that of the 350 existing brothels he closed 250 in 1918. The victims in all of this were the women working as prostitutes. This is clear in the dossiers of the Recorders' Court: brothel-related offenses constituted a minor portion in the first decade of the twentieth century. By 1918, however, these were the most numerous. (See Table 2, Chapter I)

Some police administrators turned then to their colleagues in the administration of justice and demanded that they cooperate. Director of Public Safety, Joseph

¹¹²Montreal Gazette, 3 December 1918, 4.

¹¹³Lévesque, "Éteindre...", 194.

¹¹⁴O. Dawson testimony, Enquête Coderre, Vol. I, 472.

Tremblay, wrote to Recorder Amédée Geoffrion on November 25, 1918, notifying him of an expanded campaign against prostitution and imploring him to use the law to its fullest extent against the keepers and prostitutes. Geoffrion warned the police not to overstep their bounds.¹¹⁵

In 1919 the Committee continued to study houses of prostitution and began to analyse systematically the outcomes of court cases involving prostitution. The system of handing down fines rather than jail sentences continued to incense the Committee.¹¹⁶ To help combat this practice, the Committee supported the 1920 federal bill proposing an amendment to the Criminal Code (Bill 137, amending Article 781) that would ensure keepers went to jail for the third offense or if they were arrested at an address in which more than two convictions had been made. The bill was made into law, but Montreal recorders remained loath to implement this amendment.¹¹⁷

After four years of criticisms from the Committee of Sixteen and their supporters, Recorders Geoffrion and Semple responded, using their Annual Report of 1923 as a vehicle to vindicate their actions. Geoffrion was not in the habit of publicly defending his work, though he confessed he was used to criticisms levelled at him in the meetings of the Committee of Sixteen, "over the dinner table (*entre la poire et le fromage*), and in the pulpit where the Ezekiel of Westmount storm[ed]".¹¹⁸ This time, however, he had

¹¹⁵Annual Report of the Recorder's Court of Montreal, (1923), 20-21. Geoffrion reprinted his response to Tremblay in this Annual Report.

¹¹⁶Committee of Sixteen, Second Annual Report, 7.

¹¹⁷Committee of Sixteen, Fourth Annual Report, (1923), 10.

¹¹⁸Annual Report of the Recorder's Court of Montreal, (1923), 5.

had enough. The last straw, according to Recorder Geoffrion, was an article published in *La Patrie* on 26 March, 1923, in which it was asked, "Are the Recorders afraid of the keepers?" In response he wrote that he was not afraid of prostitutes, but nor was he afraid of the wrath of the Committee of Sixteen.¹¹⁹

He countered these attacks using two basic arguments: first, that the Committee of Sixteen lacked expertise in legal matters and that they therefore were in no position to comment on prostitution and the law; second, he argued that the Committee of Sixteen was attempting to import Americanisms into Montreal in the form of puritanism. With an acerbic and sly wit, Geoffrion wrote of his critics, "With their naive candour, they make no distinction whatever between the domain of the law and that of morals; and they imagine that the function of the law is to render men happy and women virtuous."¹²⁰ Leave crime to the administrators of justice, he demanded, and he would leave religion and morality to the pastor.

Geoffrion wrote disapprovingly of American hypocrisy and the propensity to overlegislate. Calling recent anti-vice legislation from the United States "Old Maid Law", he warned against the laws infringing on personal liberty.¹²¹ Geoffrion claimed

¹¹⁹Ibid, 6.

¹²⁰Ibid, 10.

¹²¹The amendment to Article 781 of the Criminal Code he claimed, "came to us all wrapped up from the United States." (12). He wrote: "Raised in the school of the great English and French jurists, I confess that the unbridled claims made for a law imported from the United States left me somewhat cold. Ordinarily, these whitened blocs of Puritanism tell me nothing worth while. Perhaps there is a flaw in my judicial education, but I cannot help it. It seems to me that we could well seek our models of social legislation elsewhere than in a country which tolerates the functioning of the lynch law... and which is raising divorce - that solvent of the family and of society - to the

to have been taught by Recorder DeMontigny not always to punish, but to forgive. He stated that being "indulgent to the misfortune of these *filles de joie*" made sense because imprisonment did not teach them to mend their ways and furthermore upon release from prison, many were penniless and had few options.¹²² If there was a true reformatory in Montreal, then, perhaps, he would be convinced to render jail sentences on women who came through his court.¹²³

In the three systems of prostitution he felt the "Montreal model" was appropriate. The first he called the American system, supported by the Committee of Sixteen, which he characterized as "war to the death by imprisonment of keepers of disorderly houses".¹²⁴ Second was the European system of regulation. Third, was the Montreal system of prostitution where the sex trade was supervised without being tolerated. The problem with the American system was that it threatened to push the trade everywhere and it gave too much power to policemen.¹²⁵ He recognized that North American sensibilities would not suffer European regulation, so the Montreal system - a combination of both, seemed agreeable.

The 1920s witnessed one more major report on Montreal prostitution in the form of an inquiry headed by Superior Court Judge Louis Coderre. The inquiry began as an

height of a sacrament." (13).

¹²²Ibid, 25-26.

¹²³The debate over a female reformatory and Quebec's ultimate rejection of it will be discussed in Chapter 5.

¹²⁴Ibid, 27.

¹²⁵Ibid, 29.

investigation into the Montreal underworld but revolved around the subjects of prostitution and police corruption. Again, witnesses for and against a segregated red-light district and toleration appeared before the judge. While a few voices still supported regulation with medical exams ensuring against the spread of venereal disease, most of the witnesses rejected tacit acceptance and promoted repression of the sex trade. Perhaps the most damning witnesses were representatives of the medical establishment who claimed that medical regulation would not stop an epidemic of venereal disease because the prostitutes might be tempted to falsify their certificates.¹²⁶ Among the four doctors appearing before the Coderre inquiry was Dr. Alfred Haywood, who had recently given a public lecture at the Canadian Club during which he claimed that of forty one women arrested for loitering on Windsor Street, thirty eight were "diseased"; that is, 95% of women found in disorderly houses were infected with venereal disease.¹²⁷

In his report of 1925, Judge Coderre took issue with Geoffrion and came out against tolerance and proposed that prostitution be eliminated in Montreal. He rejected the notion of a red-light district, claiming that clandestine prostitution was not worse, as Geoffrion had proposed. Repressing prostitution, he believed, would eliminate police corruption, save women from the exploitation of prostitution, and save the race from collective suicide due to venereal disease.¹²⁸

¹²⁶Lévesque, "Eteindre", 197.

¹²⁷Annual Report of the Recorder's Court of Montreal (1923), 17. Geoffrion attacked this speech claiming that each morning he received the health records of those arrested in disorderly houses and according to these figures the doctor was wrong. Geoffrion stated that the proportion neared 5% not 95%. 20.

¹²⁸Lévesque, 198.

After the Coderre report, the Committee of Sixteen ceased to remain a force in Montreal. By the mid to late 1920s, however, there were few voices of regulation left and the police would continue their sporadic raids on disorderly houses in the red-light district.¹²⁹ The early twentieth-century campaign against residential prostitution which had been spurred by social purity activism, had a harsh impact on prostitutes and women who were defined as living dangerously close to it. Prostitutes working especially in the red-light district were subjected to an intense campaign and beginning in 1919 they had to submit to a medical examination once arrested. An almost incidental result of the debate over sexual morality that focused on prostitution was the harassment of "sex delinquents."

CONSTRUCTION OF THE SEX DELINQUENT: FROM PROTECTION TO CORRECTION

As the reform period unfolded, female sexuality and criminalization became progressively bound as women's social and sexual lives were subjected to new forms of surveillance and regulation.¹³⁰ By the early years of the twentieth century, an image emerged which challenged the idea that disorderly women, specifically prostitutes, were victims. Changes in the work and leisure lives of young, single women and their teasing

¹²⁹Ibid.

¹³⁰Mary E. Odem makes this point for American cities in her review article, "Fallen Women and Thieving Ladies: Historical Approaches to Women and Crime in the United States," Law and Social Inquiry: Journal of the American Bar Foundation 17:2 (1992):351-61, 352.

apart of sexuality from the confines of marriage heralded a warning to parents, the "respectable" middle-class, and an assortment of new professionals, especially social workers. Historians have documented the vigorous campaigns to shut down the red-light districts in Canada and the United States in this period; however, the emphasis on this movement has obscured another current in the regulation of female sexuality. The tactics and weapons¹³¹ used against commercialized vice in this period permitted the construction of, and harassment of, the "sex delinquent".

The image of women as victims of male seducers began to wane in the early twentieth century as it faced competition from the "problem" girl. In the first two decades of this century, social surveys of American and Canadian cities revealed a new image of the young working woman in the city - not the fallen woman but rather the recalcitrant adolescent.¹³² These moral surveys of the city were motivated by a desire to document the white slave trade in North American cities, though little evidence of such activity was found. What the surveys revealed was that young, single, female employees of factories and businesses by day were taking advantage of the new opportunities for commercialized leisure by night. They willingly met and engaged in sexual flirtation with strange men in dance halls, theatres, and clubs.¹³³ The young women who exchanged an evening of dining or the movies for sex were labelled

¹³¹Tactics and weapons of social purity activists included scientific investigations, legislation, a female police force, and social workers.

¹³²Social surveys were conducted in New York City (1902), Chicago (1911), Toronto (1915) and a smaller survey in Montreal in 1918 by the Committee of Sixteen.

¹³³Kathy Peiss, Cheap Amusements: Working Women and Leisure in Turn-of-the-Century New York (Philadelphia: Temple University Press, 1985).

"occasional prostitutes".¹³⁴ In his anti-vice pamphlet, Montreal Reverend Evanston Hart made little distinction between women working in brothels and women who frequented moving picture theatres and dance halls.¹³⁵ Girls, then, were going wrong not because they had fallen prey to pimps, but because they were in search of a "good time".¹³⁶ In turn the girl problem captured the imagination of social reformers: Carolyn Strange has shown that "women adrift" or single, wage-earning women in Toronto became the subjects of cautionary tales that "link[ed] independence to danger, and pleasure to immorality...".¹³⁷

In their first report of 1918, Montreal's Committee of Sixteen focused less on commercialized vice than on a seemingly more manageable problem: the sexual delinquent. The Committee's report, Montreal's answer to Toronto's 1915 Social Survey, was a study of 124 "delinquent, wayward and immoral", yet recoverable girls. Three-quarters of them were under the age of twenty-one. The great majority of those studied were not professional prostitutes and were not "widely promiscuous."¹³⁸ Only a few fitted the profile of the innocent who fell victim to pimps and procurers; most were

¹³⁴Carolyn Strange, "From Modern Babylon to a City Upon a Hill: The Toronto Social Survey (1915) and the Search for Sexual Order in the City," in Roger Hall, Laura Sefton MacDowell and William Westfall, eds., Patterns of the Past: Interpreting Ontario's History (Toronto: Dundurn Press, 1988): 255-277.

¹³⁵Evanston Hart, Wake Up! Montreal! Commercialized Vice and its Contributories (Montreal: The Witness Press, 1919), 7.

¹³⁶Strange, "Perils", Chapter 4.

¹³⁷Ibid, 123.

¹³⁸This "epidemic" of syphilis and gonorrhea was seen as worse than the scourge of influenza that hit Montreal in the autumn of 1918.

the victims of moral neglect at home, illegitimacy, poor living and working conditions, a lack of organized recreation, or mental deficiency.¹³⁹ Once fallen, however, these women had little recourse but a life of vice.

The Committee of Sixteen members showed sympathy for the working girls of the city and their constant battle against the overwhelmingly negative influences of urban life.¹⁴⁰ At every turn young women faced the dangers of Montreal, a city that had earned a reputation for harbouring wiley male characters. As early as 1910 the Montreal Herald ran reports of male "mashers" making the city unsafe for women. These men, aged 15 to 40, were known to smoke cheap cigarettes, dress in "faddy" clothes, and grease their hair. They assumed a slouched position on street corners; their detractors claiming this as evidence of disease. They were a "menace to society" according to the newspaper because they sought recreation on the streets, and when they successfully led a young woman to their downfall, they proceeded to "live a useless and parasital life on the proceeds of her shame."¹⁴¹ The newspaper's attack on mashers elicited a response that turned the solution on its head by suggesting the removal of "the cause". Rather than target these men, one letter to the editor argued, stop young women from using the streets to "parade". Asserting that men were "not always to blame" this letter writer pointed to the increase in women using the streets for "promiscuous flirtation".¹⁴²

¹³⁹Committee of Sixteen, Preliminary Report, 33.

¹⁴⁰Ibid, 40.

¹⁴¹Montreal Herald, 9 August, 1910, 1 and 6.

¹⁴²Montreal Herald, 12 August, 1910.

The Committee of Sixteen turned their attention to young women who arrived alone in the city and who came upon predatory characters at train stations offering them housing or employment.¹⁴³ The housing situations available to women also presented certain risks: without a supervised and regulated system of boarding houses, unscrupulous persons could lure unsuspecting women into dens of vice. The Committee supported other organizations in calling for the licensing of boarding houses.¹⁴⁴ The Committee recognized that the lifestyles of single women placed them in moral peril: with no chance of meeting potential romantic partners except on Dominion Square, St. Catherine Street, or in dance halls and movies, meeting women were bound to develop unwise recreational habits. Their solution was chaperoned recreational activities organized by the city's churches and welfare societies. And when women slid through the cracks of these solutions, a sure-fire way of safeguarding the moral health of Montreal women was an army of older, wiser women tracking them down under the auspices of Girls' Protective Leagues. Along the same lines the Committee called for supervision of young women released from the Girls' Cottage Industrial School and the École de Réforme.

The focus on the sex delinquent, rather than professional prostitutes, was likely due to the influence of new developments in American social work. At the Committee's first gathering in June, 1918, Maude Miner gave her expert opinion on the conditions affecting "young girls" in Montreal.¹⁴⁵ As Director of the Committee on Protective

¹⁴³The Committee advocated expanding the work and function of the Traveller's Aid to combat the danger faced by women coming to Montreal.

¹⁴⁴Committee of Sixteen, Preliminary Report, 35.

¹⁴⁵Ibid, 10.

Work for Girls in the United States, Miner spearheaded a national campaign to prevent the moral downfall of teenage girls in the area of military training camp communities.¹⁴⁶ Her influence was direct: at the first meeting, this group, which was formed ostensibly in response to commercialized vice, decided that an agency for dealing with "delinquent and wayward girls" was of immediate necessity.¹⁴⁷ Reverend Dr. H. Symonds, Rector of the Christ Church in Montreal and member of the Committee of Sixteen and the juvenile court committee, reproduced Miner's arguments about young women in a publication of December, 1918. He wrote of young girls, influenced by the excitement of wartime, turning to army camps to fulfill their undisciplined desires.¹⁴⁸

The wave of concern over social and sexual habits of youth mounted as the First World War drew to a close. In May, 1919, Abbé Gauthier, who worked with the Committee of Sixteen, addressed the Fédération nationale Saint-Jean-Baptiste about the declining state of morality in Montreal.¹⁴⁹ That year Archbishop Bruchési issued a pastoral letter on the same issue, and encouraged membership in the Ligue des Bonnes Moeurs.¹⁵⁰ Fear of American influences such as women's fashion and dance clubs, as Andrée Lévesque reminds us, were in part behind the campaign to preserve the morals

¹⁴⁶Odem, 197.

¹⁴⁷Committee of Sixteen, Preliminary Report, 10.

¹⁴⁸Rev. Dr. H. Symonds, "The Social Evil," Bulletin #19 (Council for Social Service, December, 1918), 6.

¹⁴⁹La Bonne Parole 7:2 (avril, 1919), 2.

¹⁵⁰Lévesque, Making and Breaking, 55.

of young people.¹⁵¹ In the heady days following World War I, there was a firm response to youth culture.

The new social and sexual exploits of unmarried women did not go unnoticed. Revealed by social reformers concerned with the presence of commercialized vice in the city, the 'girl problem' became a major preoccupation of female social workers in the 1920s. American historians suggest a generational cleavage between the moral reformers who targeted men for seducing innocent, naive women, and professional social workers whose focus was the "promiscuous young woman."¹⁵² Whereas the reformers and their penchant for melodramatic narratives of sexual danger sympathized with the seduced and fallen woman, the social worker claimed a professional and scientific distance.¹⁵³

In Canada, new schools of social work provided staff and volunteers for reform organizations and generally by the late 1910s their impact on the reformers was noticeable. Reform organizations such as the Montreal Local Council of Women and the Committee of Sixteen deferred to social work professionals from the United States as well as McGill University's Department of Social Service which opened in 1918. Dr. Helen Reid taught at the School and sat on the Canadian Council on Child Welfare and also supervised field work of students in various social agencies like the Big Sister and

¹⁵¹Ibid, 56-60.

¹⁵²Odem, 166. Mary Odem writes, "This group of social work professionals replaced the religiously-inspired moral reformers who had addressed the problem of the "fallen woman" in the 19th century," 144.

¹⁵³Kunzel, 62-63.

Big Brother Associations.¹⁵⁴ But the professionalization of social welfare work apparent in the United States was not as uniform or comprehensive in Canada until the 1940s.¹⁵⁵ In other words, social workers modified some reformers' approach to bad girls in Canada but the cleavage that occurred south of the border happened much later here.

In Montreal traditional methods of dealing with 'deviant' women remained entrenched and constructions of fallen women persisted as religious orders continued to incarcerate various groups of bad girls, like unwed mothers.¹⁵⁶ Social work developed in French Canada in the 1940s, but imitated a religious vocation more than a social science profession. Only in the 1950s, almost two decades after the new École de service social at the Université de Montréal opened, did social work adopt a secular character.¹⁵⁷ Not surprising, the inroads that social workers made in this area of work were with the Protestant organizations such as the Girls' Cottage Industrial School (and its follow-up program) and the Montreal Local Council of Women. New structures developed to 'treat' delinquents - the female police force and the probationary services of the juvenile court - also were penetrated by social work methodology.

¹⁵⁴School for Social Workers, McGill University, Annual Report, 1925, 37.

¹⁵⁵Dorothy E. Chunn, From Punishment to Doing Good: Family Courts and Socialized Justice in Ontario, 1880-1940 (Toronto: University of Toronto Press, 1992), 29-33.

¹⁵⁶Lévesque, Making and Breaking, Chapter 6.

¹⁵⁷Jacques Rousseau, "L'implantation de la profession de travailleur social," Recherches sociographiques 19:2 (May, 1978).

CONCLUSION

In the nineteenth century, fallen women were familiar characters on the urban landscape. They contributed to and were created in areas of bad reputation like Montreal's red-light district. As the nineteenth century came to a close, the debate surrounding sexual order narrowed to focus on prostitution, and disorderly women were cast as victims. The campaigns to eradicate prostitution in the name of protecting women, however, led to the discovery and harassment of sex delinquents. At this time Montreal was an important North American port city with an accessible red-light district. There was strong ambivalence about sexual order among those who wielded power in Montreal; indeed, there was considerable disagreement on importing the English-Canadian or American model of purity to this city. As a result, disorderly women were subjected to sporadic sweeps of the red-light district. The modern police force was one weapon against working-class "unruliness," a behaviour which was gendered as the charge of vagrancy has illustrated. Not given voice in many of the debates over fallen women, prostitutes and others defined as disorderly, consistently exhibited a challenge to the way things "ought to be", whether it was using foul language as in the cases of Alberta Lafortune and Jeannette Doré or refusing to contribute to the family economy and pursuing nightly leisure activities like the "wayward" Laura Delage. In an atmosphere of heightened anxiety over vice and disease, sexual delinquency was created, broadened, and attempts to control it multiplied.

TABLE 8

Vagrancy Cases by Definition, 1899-1929

27 (16%)	A. living on the avails of prostitution
36 (21%)	B. loitering, obstructing, and enticing men to commit prostitution
67 (40%)	C. no visible means of maintaining oneself
11 (7%)	D. neglecting or refusing to work
28 (17%)	E. <i>rôder et gêner</i> , drunk
TOTAL 169 (101%)	

Source: Records' Court Archives, Dossiers, 1899-1929.

TABLE 9
169 VAGRANCY CASES FROM THE RECORDER'S COURT, 1899-1929
Outcomes: Sentences, Fines...According to Vagrancy Definitions in Table 1

Sentence or Fine	A. (%)	B. (%)	C. (%)	D. (%)	E. (%)	Total (%)
Total	27 (100)	36 (100)	67 (100)	11 (100)	28 (100)	169 (100)
6 m and \$25			4 (6)	1 (9)		5 (3)
6 m	2 (7)		10 (15)		4 (14)	16 (10)
4 m	1 (4)		7 (10.5)			8 (5)
3 m and \$50	2 (7)					2 (1)
3 m		4 (11)	5 (7.5)		1 (3.7)	10 (6)
2 m	2 (7)		2 (3)		1 (3.7)	5 (3)
1 m	1 (4)				1 (3.7)	2 (1)
\$50 or 3 m	5 (19)	4 (11)				9 (5)
\$40 or 2 m		1 (3)	1 (1.5)			2 (1)
\$25 or 1-3m	4 (15)	9 (25)	2 (3)		5 (18)	20 (12)
\$10-20/15 days - 4 m	2 (7)	8 (22)	2 (3)	1 (9)	5 (18)	18 (11)
< \$10 or 8 days- 1m	2 (7)	2 (6)	4 (6)	1 (9)	5 (18)	14 (8)

Sentence or Fine	A. (%)	B. (%)	C. (%)	D. (%)	E. (%)	Total (%)
Total	27 (100)	36 (100)	67 (100)	11 (100)	28 (100)	169 (100)
Reform School 3- 5y			4 (6)	1 (9)		5 (3)
Insane			3 (4.5)		2 (7)	5 (3)
N/A	1 (4)			1 (9)		2 (1)
dismissed,suspend. sentence,not found	5 (19) (100)	8 (22) (100)	23 (34) (100)	6 (55) (100)	4 (14) (100. 1)	46 (27)

Source: Recorder's Court Archives, Dossiers, 1899-1929

CHAPTER III:
"NO WOMAN'S LAND"¹: MONTREAL'S FIRST POLICEWOMEN
CONFRONT UNRULY GIRLS AND DISORDERLY WOMEN

On a summer day in 1918, Flora Barr arrived in Montreal at the city's Grand Trunk Railway station. A pail of freshly-picked berries that swung from one hand summed up the reason for coming to Montreal: a visit to friends or family. By sundown, though, Barr was back on the train returning to where she had begun that day, having had the dubious fortune of encountering one of the city's first policewomen. Due to wartime circumstances, Barr had been forced to bid good-bye to her husband who enlisted in the forces at Montreal. Like many women she had come to Montreal that August day on the chance that she might visit with him. As she wandered through the train station alone and unsure of where she might begin a search for her husband, a Travellers' Aid worker approached. Finding that Barr had no place to stay in the city and that her only lead on her husband was that he might be in Sohmer Park², Barr's "case" was handed over to police officer Elizabeth Wand. Wand assessed the case in the

¹Mary E. Hamilton, the Policewoman, Her Service and Ideals (1924 reprint; New York: Arno Press and the New York Times, 1971), 3.

²For a history of Sohmer Park see Yvan Lamonde and Raymond Montpetit, Le Parc Sohmer 1889-1919: Un Lieu Populaire de Culture Urbaine (Quebec: Institut Québécois de Recherche sur la Culture, 1986).

context of the danger the city presented to women and surmised that Barr needed protection. And that is how Wand and Barr ended up at police station 10. Presumably it was Wand's idea to deposit Barr in a police cell while she checked out her story. The problem was, however, that the policemen at the station disagreed with how Wand wanted to use the station facilities. What was Barr's crime, anyway? So Wand did the only thing she could - she persuaded Flora Barr to agree to a quick return home to Huntingdon.³

Over seventy years ago Montreal joined many North American and British cities in appointing women to its police force as protective officers.⁴ But while women officers were effectively hired by urban police forces, their work remained distinct from that of male officers, the typical patrol woman being a social worker armed with the responsibility of policing the actions of girls and women. As the case of Flora Barr indicates, the policewomen's work bridged a gap between urban policing and rescue work undertaken by philanthropic agencies such as Travellers' Aid. This work required educational experience and a methodology and philosophy of policing not common to the male officer. The addition of policewomen to city forces, then, provided college-educated women with a challenging, even dangerous job that took them into a line of

³National Archives of Canada (hereafter NA), Montreal Local Council of Women (MLCW), MG 28, I 164, Volume 7, K. Ward Protective Officer file, E. Wand, "Resume of work for Local Council of Women During the Month of August", 31 August 1918. The reports of the policewoman are incorrectly labelled "K. Ward, Protective Officer..". The file should read "E. Wand".

⁴ Women were also called patrol women, safety workers, women constables, and policewomen.

work and public places that were not ordinarily accessible to women, especially of their social class. The effect of this work was an organized challenge to other women's claim to that same public space.

This chapter explores the history of the policewoman movement and the hiring of women by the Montreal police force during World War I. Late in the war, Montreal's civic authorities hired, for a trial period of six months, four women - two anglophone, two francophone - to patrol the streets of the city and deal with women criminals and moral offenders. Elizabeth Wand was one of these women. Her reports have survived and are a fascinating source illuminating the nature of policing practices advocated by women in this time period as well as their definition of crime and discipline. They allow us, furthermore, to assess the impact of the women patrols on those who came into contact with them - mostly young, working-class women - and the many ways in which these young women resisted the new form of discipline practiced by the first generation of women police officers.

During the 1920s, members of the International Association of Police Women (established 1915) published surveys and histories of women's work on police forces⁵, but in more recent years, however, historians have not given adequate attention to women crime fighters and the international policewoman movement. Only very recently have women's historians turned to this area of study which has the potential to illuminate

⁵Hamilton; Chloe Owings, Women Police: A Study of the Development and Status of the Women Police Movement (1925 reprint; Montclair, N.J.: Patterson Smith, 1969).

many fields of historical interest: police work, the professionalization of social work, women's paid employment, and ideas about women and public space.⁶

The foundation of women policing can be found in the 1910s, though a few women were hired before and many were fired after. In Britain, the shortage of manpower during World War I resulted in more than 5000 women taking to the streets for law-and-order duty.⁷ In North America, the hiring of women onto police forces often occurred in conjunction with the "Great War" but the motivation and inspiration had more to do with undisciplined leisure habits of the young women than with accute labour shortages.

American historian Mary Odem and Canadian historian Carolyn Strange both place new women police in the context of a campaign to control young - mainly working-class - women's sexuality. Both have shown that the construction of a problem - the sex delinquent - fostered the creation of various solutions, including policewomen.⁸ The "girl

⁶On the first women police officers in Britain see Alison Woodeson, "The First Women Police: a force for equality or infringement?" Women's History Review 2:2(1993): 217-232 and Philippa Levine, "'Walking the Streets in a Way No Decent Woman Should': Women Police in World War I," The Journal of Modern History 66:1 (March, 1994): 34-78; on American policewomen see Dorothy M. Schulz, "From Social Worker to Crimefighter: A History of Women in United States Policing," Ph.D. Dissertation, New York University, 1992; on Canadian policewomen see Greg Marquis, "The Police as a Social Service in Early Twentieth-Century Toronto," Histoire Sociale/Social History 25:50 (November, 1992): 335-358, and my article "Women Policing Women: A Patrol Woman in Montreal in the 1910s," Journal of the Canadian Historical Association (Ottawa, 1993): 229-245.

⁷Woodeson, 217.

⁸Mary Odem, "Delinquent Daughters: The Sexual Regulation of Female Minors in the United States, 1880-1920," Ph.D. Thesis, University of California, Berkeley, 1989; and Carolyn Strange, "The Perils and the Pleasures of the City: Single, Wage-Earning Women in Toronto, 1880-1930," Ph.D. Thesis, Rutgers University, 1991.

problem", indeed, was discovered or constructed in the early part of this century by Progressive reformers who conducted social surveys of the city.⁹ While reformers thought these surveys would aid them in assessing sexual danger in the city, the research inevitably led them to focus on the social and sexual habits of working "girls". From their findings, reformers began to reconceptualize young women's sexuality. No longer was it accurate to portray these women as victims of male lust as the campaign to criminalize seduction and the white slave trade panic had done.¹⁰ Rather, working "girls" had established a new relationship to city life that included exploration of commercial amusement places where they were free to develop relationships with the opposite sex,¹¹ and women who willingly swapped an evening of dancing or a movie for sexual activity were labelled "occasional prostitutes" or sex delinquents.¹²

⁹Note, for example, New York City (1902), Chicago (1911), Toronto (1915), and a smaller survey in Montreal in 1918 conducted by the Committee of Sixteen.

¹⁰On seduction see Constance Backhouse, "The Tort of Seduction: Fathers and Daughters in Nineteenth-Century Canada," Dalhousie Law Journal 10 (1986): 45-80; and Karen Dubinsky, Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880-1929 (Chicago: University of Chicago Press, 1993). On the white slave trade see John P.S. McLaren, "Chasing the Social Evil: Moral Fervour and the Evolution of Canada's Prostitution Laws," Canadian Journal of Law and Society 1 (1986): 125-165; and Mariana Valverde, The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925 (Toronto: McClelland and Stewart, 1991), Chapter 4.

¹¹Carolyn Strange, "The Perils and the Pleasures," see Chapter 4 on 'good times' girls; on women's relationship to and influence on the city in this time period see Joanne J. Meyerowitz, Women Adrift: Independent Wage Earners in Chicago, 1880-1930 (Chicago: University of Chicago Press, 1988).

¹²See Carolyn Strange, "From Modern Babylon to a City Upon a Hill: The Toronto Social Survey (1915) and the Search for Sexual Order in the City," in Roger Hall et al, eds., Patterns of the Past: Interpreting Ontario's History (Toronto: Dundurn Press, 1988): 255-277.

Having constructed the "girl problem", reformers prescribed a remedy that involved new forms of sexual regulation, with the result that by the 1910s, leisure activities of young women were heavily scrutinized and labelled deviant and delinquent. When they decided their "protective" work had proved an inadequate solution to the problem of young working women who violated social and sexual mores, these urban reformers initially looked to the city's police forces to solve this problem, but it appeared to warrant a new corrective. A different method of policing the city developed with the "preventive" work of women police officers. Policewomen, then, became one of the solutions to controlling the "girl problem".

POLICE MATRONS AND THE BIRTH OF THE INTERNATIONAL POLICE WOMEN MOVEMENT

In the 19th century, police matrons had been hired to oversee women arrested and detained in police stations. Expanding on this initial toe-hold required lobbying, the momentum of an international policewomen's movement, and a sex-specific job description of the new female officer's duties. Women policing began as a solution to new urban problems and as women struggled to get positions on the forces, the gender-specific nature of the work remained important for their success.

The initiation of women working for pay on city police forces began with the police matrons of the 19th century. In New York City, for example, following the creation of the New York Police Department in 1834, reform associations lobbied

persistently for the installation of female matrons to supervise arrested girls and women.¹³ Spurning objections that respectable women would not seek employment that involved contact with prostitutes and vagrants, the Women's Prison Association and the American Female Moral Reform Society were ultimately successful by 1845 in getting the first matrons hired at police stationhouses in the United States.¹⁴ Throughout the latter half of the 19th century, cities across the United States and Canada hired police matrons to oversee the temporary detention of arrested girls and women.

In the 1880s the Montreal branch of the Women's Christian Temperance Union identified the problem of male supervision of incarcerated women. "The authorities themselves admit that disgraceful scenes have resulted from [policemen searching arrested women]," they wrote in their Annual Report of 1884. Placing a "true hearted woman" on the police staff was their solution.¹⁵ During the late 1890s, the Montreal Local Council of Women (MLCW), a mainly Protestant umbrella organization concerned with the well-being of women and children in the city, established a committee to lobby for police matrons. Since the 1890s the Local Council had been investigating the plight of women who were arrested and detained by city officials. Their Committee on Police Matrons had mounted a campaign to eliminate the sexual danger of incarceration that affected the thousand women arrested each year. At the time there was only one police

¹³The call for police matrons was also part of a movement to implement a "womanly presence" in any institution where women and girls were held in custody, such as police stations, detention houses, and insane asylums.

¹⁴Clarice Feinman, Women in the Criminal Justice System (New York: Praeger Publishers, 1980), 66.

¹⁵Women's Christian Temperance Union, Annual Report (1884), 18.

matron in the city of Montreal (at the City Hall station), and, as MLCW President Julia Drummond put it, Montreal should uphold the principle that institutionalized women be placed only under the care of other women. The current situation, the committee reported in 1897, was unacceptable: it "precludes the necessary supervision, and it is not difficult to imagine what might take place in the best regulated police quarters."¹⁶ The committee members were incensed that many of the women brought into police stations were in an "unconscious condition" and were left in the sole charge of men, not always out of reach of male prisoners.¹⁷ The number of police matrons increased very slowly but by the early years of the 20th century the MLCW had registered its voice with the civic administrators, particularly with the police bureaucracy.

Police matrons marked only a beginning and a partial step in integrating women into the administration of criminal justice. The next step in the police woman movement placed women protective officers - often called safety workers, woman patrols, and policewomen - on the street. Equipped with experience in new social work techniques, middle-class, professional women laid yet another claim to the urban landscape, building on achievements of the last century.¹⁸ As law enforcement officers these women seemed poised to transgress gender role divisions and mount a challenge to prevailing power relations. The potential threat to male hegemony in the administration of criminal justice

¹⁶Local Council of Women of Montreal, Third Annual Report (1897), 19.

¹⁷Ibid. The Superintendent of Police reported that over a third of the women arrested were charged with being drunk and disorderly.

¹⁸See Mary Ryan, Women in Public: Between Banners and the Ballots, 1825-1880 (Baltimore: Johns Hopkins University Press, 1990).

was contained, however, as policewomen's power was diminished and that bastion of male domination - the police force - held strong against the encroachment of women. Women were relegated to very specific "female" jobs on the force and even marginalized into women's bureaus. This was not simply a result of the unwillingness of men to allow women access to policing. Rather, women themselves fashioned a kind of policing for the woman officer in order to secure a space for themselves on urban police forces.

In the 1910s the pressure to hire women onto Montreal's police force came from two main sources. One was the report of the New York Bureau of Municipal Research based on a study of Montreal's civic administration. The Driscoll Report of 1918 advocated a new Committee on Public Safety and hiring at least three women officers.¹⁹ The other major source of pressure was the lobbying of the Montreal Local Council of Women. The MLCW lobbied persistently in the 1910s for female officers, drawing on examples set by women patrols and safety workers in the United States, Britain, and other Canadian cities.

In Britain there was considerable agitation for women officers to oversee the protection of women and children. In the 1880s and 1890s the National Vigilance Association called for women wardens at police stations and courts.²⁰ By the 1910s the National Council of Women launched a public appeal to the Home Secretary to appoint

¹⁹Jean Turmel, Le Service de Police de Montréal 1796-1971 Vol. 2, (Montreal: Service de Police de la C.U.M., 1974), 61; NA, MLCW, MG 28, I 164, vol. 7, Women's Patrols file, K.Chipman, "The Employment of Women Patrols".

²⁰Sheila Jeffreys, The Spinster and Her Enemies: Feminism and Sexuality, 1880-1930 (London: Pandora Press, 1985), 60.

women to the police forces of Britain. Aside from lobbying Members of Parliament to change the laws banning women from police duty²¹, several women's organizations took it upon themselves during the war to create women police volunteer groups, namely, the Women Patrols and the Women Police Volunteers. The WPV were used in garrison towns to ensure that other women obeyed the 8 p.m. to 7 a.m. curfew. Members of the feminist Women's Freedom League were horrified that women were used to restrict other women's movements and demanded that Margaret Damer-Dawson, of the Criminal Law Amendment Committee, who supported this work, resign from the WPV.²² In turn, Damer-Dawson created the Women's Police Service which provided a corps of women officers to patrol the factory areas, and the streets more generally, to keep an eye on delinquent adolescents.²³ Many of the wartime volunteer patrols stayed on to become the first women employed by the Metropolitan force²⁴, but the reputation of the WPV and the splinter WPS of being run by suffragettes (some of whom had been arrested during the suffrage campaigns) meant that when the Metropolitan Police Force finally recruited women, they did not call on these experienced patrol women. Instead, the force looked

²¹According to the Act of 1890 women were not persons for the purposes of the police. Owings, 13.

²²Jeffreys, 62.

²³Owings, 14-17. For a discussion of juvenile delinquency control during WWI in Britain see David Smith, "Juvenile Delinquency in Britain in the First World War," Criminal Justice History, 11 (1990): 116-145. Smith focuses on male offenders and does not specifically explore the role of the woman patrols.

²⁴Owings, 23-24. See also Lilian Wyles, A Woman at Scotland Yard: Reflections on the Struggles and Achievements of Thirty Years in the Metropolitan Police (London: Faber and Faber, Ltd, 1952).

to the Women Patrols, the voluntary police women's corps that had been set up by the National Council of Women. Their duties included surveying Hyde Park and other open spaces in London for moral offenders and accompanying arrested women to court. According to Lilian Wyles, one of the first women on the Metropolitan Police Force, the establishment of a separate women's bureau on the police force did not spare them antagonism from male officers or a skeptical public.²⁵ The female officers corps survived the war but was in effect wiped out with the Geddes Expenditure Axe in 1922.²⁶

Alice Stebbins Wells of California has traditionally been identified as the first American policewoman, though, as Dorothy M. Schulz has pointed out, she was easily the most famous but clearly not the first. For example, upon the death of her policeman husband in 1893, Mary Owens was appointed to the Chicago Police Department. This in itself was not unusual, for widows of policemen had been given jobs as matrons over

²⁵Lilian Wyles worked for thirty years on the Metropolitan Police Force and began as one of those women who worked as a Women Patrol in the Woolrich Arsenal during the war, "help(ing) and protect(ing) girls who by their own folly and inexperience...get into trouble..."(14) Her story may be typical of the first generation of women officers in Britain. Wyles had been studying law when the war broke out but gave up her studies to take up hospital work in the war effort. Late in the war, she had noticed the women patrols and decided to join up in June of 1918. For five months she worked for very little or no pay with other women patrolling the streets of London looking out for those young women who were attracted to the city because of the wartime job opportunities and excitement.(14) In her memoirs she writes that the personal significance of being engaged in such work and the collective dread the Women Patrols felt at the thought of having to return home after the war: "Were we to retire to our homes and take up again a life of domesticity, and gradually forget that we had been of some slight use to our country when it had been at war?"(15).

²⁶Woodeson, 230.

the nineteenth century, but Owens was not sworn in as a matron but as a "policeman".²⁷

The first safety workers in the United States were employed during the 1905 Lewis and Clark Exposition in Portland, Oregon. A Travellers' Aid Society²⁸ worker was hired to prevent young women from consorting with the male population, especially the miners and lumbermen who worked in the area. Within five years, the first full-time, permanent policewoman was hired in the United States. Alice Stebbins Wells had been engaged in a long struggle to convince Los Angeles officials to put women on the city's police force in an effort to improve the preventive-protective work of private organizations.²⁹ A graduate of a theological seminary and a social worker, Wells exemplified the first generation of women police officers, and she became a national symbol over night. Journalists attacked her for the direct manner in which she pursued her work and portrayed her as most unwomanly, the caricatures suggesting a tightly bunned, gun-wielding, muscular woman who was "anything but feminine".³⁰ It was not

²⁷Schulz, 29.

²⁸In the late 19th century, women's organizations such as the W.C.T.U. and Y.W.C.A. across the United States and Canada formed Travellers' Aid societies. The workers were stationed at major depots to greet women arriving in town and to direct them to employment bureaus and "safe" lodgings.

²⁹Odem, 170.

³⁰Owings, 103.

uncommon at this time for women entering "male" professions to be transformed into masculine personae at the hands of the press.³¹

Despite the sarcastic coverage and the demeaning images of Wells, she became a much demanded expert in policewomen's work and travelled as far afield as Dallas, Montreal, and New York City, reaching thousands of people and a multitude of organizations. When she was not on speaking tours, Wells was on duty at the city's commercial amusement sites (dance halls, skating rinks, penny arcades, picture shows), searching for missing persons, or tackling those responsible for "unwholesome" billboard displays.³² Many cities followed the Los Angeles example and by the end of World War I over two hundred American and Canadian cities had policewomen. Because of her tremendous popularity at home and abroad, Wells fostered connections that enabled her to found the International Association of Police Women in 1915. At its first meeting in 1916 twenty-two American states and Canada were represented and through the association, Wells supported the sex-specific tasks in woman policing, encouraged women to lobby for separate women's bureaus within city police forces, and defined requirements for policewomen as experience with social work methods.

Just as in Britain, the call for a force of policewomen in Canada was sounded by suffrage associations such as the Equal Franchise League in Toronto and the many

³¹See Constance Backhouse, Petticoats and Prejudice: Women and Law in Nineteenth-Century Canada (Toronto: Osgoode Society, 1991). See her chapter on Clara Brett Martin, Canada's first woman lawyer, who faced ridicule as a student and much publicity when she entered the profession.

³²Owings, 101-102.

chapters of the Local Councils of Women³³, but the Canadian policewomen movement was also strongly influenced by the American model set by Wells. By 1918, cities such as Winnipeg, Toronto, Vancouver, Ottawa, Kingston, St. Thomas, London and Halifax all had policewomen, but Montreal had none.³⁴ In each of these cities the new officer on the beat was assigned to a "morality squad" as special investigator of female victims of crime, would-be criminals, and prostitutes. The job description for the policewomen of Winnipeg, for example, was to patrol railroad stations, moving picture houses, dance halls, and to apprehend women, especially those who might be "mentally deranged".³⁵

Information about the development of female policing came to the MLCW through the NCW, and a visit by Alice Stebbins Wells herself. A dynamic and influential speaker, Wells has been attributed with inspiring the appointment of women police in many cities in North America.³⁶ Wells addressed the 1914 Annual Meeting of the MLCW (that year it represented 45 societies, 170 associate members, and 44 annual

³³Veronica Strong-Boag, Parliament of Women (Ottawa: National Museums of Canada, 1976), 191. NCW lobbying for policewomen followed a 1894 resolution supporting the hiring of police matrons and proposing local investigations into the conditions women experienced when confronted by the law.

³⁴NA, MLCW, MG 28, I 164, Vol.7, Women's Patrol file, K.Chipman, "The Employment of Police Women". Five Canadian city police administrations responded to Chloe Owings' survey on the state of the international women police movement, the results of which were published in 1925; Toronto, Winnipeg, Edmonton, Halifax, and Vancouver all reported employing at least one policewoman beginning in the 1910s. Owings, 60-62.

³⁵Ibid, 61.

³⁶The President of the Toronto-based Equal Franchise League, Constance E. Hamilton told Owings that Wells was responsible for the appointments in Toronto. Owings, 60 and Marquis, 351.

patrons). In the same year that Wells visited Montreal, the Council sent a delegation to discuss the matter of employing women police with Mayor Lavallée, the City Commissioners, and the Chief of Police. Pressured by their persistent lobbying, Chief Campeau suggested that a woman be sworn in temporarily as policewoman.³⁷

The city finally authorized the hiring of women police officers in an amendment to the City of Montreal By-laws in 1915³⁸, and on April 23, 1915 City Recorder Amédée Geoffrion swore in Lilian Clearihue as the city's sole female officer of the law. Clearihue's background and experience eminently qualified her for the job: a Travellers' Aid worker for the Women's Christian Temperance Union, Clearihue had patrolled the city's railroad stations, meeting women coming to Montreal and directing them to safe lodgings.³⁹ As a police officer, Clearihue would continue to do that work, but since the

³⁷National Council of Women of Canada, Yearbook (1914-15), vi-vii. There was a precedent for hiring women officers, as the Montreal Star noted. The Star observed that while the Mayor and the Chief of Police were mulling over the concept of policewomen, the federal immigration department had already employed two Montreal women to serve deportation warrants and make arrests of "undesirable" female immigrants. The newspaper applauded the efforts of these two immigration officers who "work(ed) along efficiently and quietly...never need(ing) to call on the men officers for help", and advocated the employment of women officers by the city. Montreal Star, 5 February, 1914, 6. See also Montréal, Bureau des Commissaires, Dossier 127-02-02-04, février-avril, 1914 for letters to the Mayor and Controller of Montreal supporting policewomen.

³⁸Act 62 Vict., Chap. 58, Article 562a of the Montreal Charter.

³⁹Miss Clearihue seems to have been a compromise candidate. In February of 1914, the MLCW submitted to Chief Campeau an application from Mrs. Florence Woodley for a position on the Police Force; the Chief, under pressure from the MLCW, suggested that a solution they both could live with might be that "the present Travellers' Aids be temporarily sworn in and paid by the societies already supporting them." See letter acknowledging receipt of the application, NA, MLCW, Women's Patrols file, O. Campeau to E. Kohl, 20 February, 1914; and the Report of the Local Council of Women to the National Council, NCWC Yearbook, (1914-15), vii.

city had not provided the necessary budget or infrastructure to develop a women's police force, she would do so under the direction of (and would be paid by) Travellers' Aid.⁴⁰ In effect, she had been sworn in by the City Recorder to perform exactly the same job she had been doing and under the same auspices, and as a result not only was her status on the police force nebulous, but her employment entailed little responsibility for the police administrators.

No flood of hirings followed Clearihue's appointment, and the MLCW soon concluded that the 1915 amendment to the city by-laws and Clearihue's subsequent appointment were small victories in the war against vice and disease in the city. Turning the tide in this struggle would require a full staff of policewomen. The lobbying efforts under Katherine Chipman of the Committee on Reformatory Work would be ultimately successful in the spring of 1918 with the new municipal administration and establishment of the Committee on Public Safety (le Service de la Sécurité Publique).⁴¹ Whereas the police chief had conceded their demands in half measures as in the case of Clearihue, the Director of Public Safety responded more eagerly to their wishes and made way for the first policewomen to work the streets of Montreal.⁴² These women would introduce a new trend in policing the city.

During the war years Katherine Chipman launched an attack on the Montreal police force with a view to convincing the public of the need for female police officers.

⁴⁰Montreal Gazette, 24 April, 1915, 9.

⁴¹Turmel, 61.

⁴²MLCW, Annual Report (1919-20); NA, MLCW, Women's Patrols file, J. Tremblay, Commissioner of Public Safety to K. Chipman, 16 May, 1918.

She argued that the strength of the police force had been diminished by military recruiting, a rapid increase in juvenile delinquency, and the rise of "social offenders" in the city. In particular, the police had proved incompetent in preventing young working-class women from committing moral offenses. The police force, she wrote, "which serves as a comb to bring to light active agents against the public welfare, needed sharpening." In short, the police were inadequate for the kind of clean-up she advocated, for "much escaped the policeman...[and] for a thorough clean-up a finer implement must be shaped."⁴³ That more finely toothed comb would be the woman patrol officer. The woman on the beat would deal with anything passed over by the police because it was defined as beyond the court's jurisdiction. So while policemen dealt with crime on the streets that lay within the purview of the law, the policewomen could deal with those undesirables who, "if allowed to flourish unchecked [would] become a fruitful source of evil" - female pre-delinquents.⁴⁴ Philippa Levine has found that the British organizations which advocated a female police force "articulated little distinction between what they saw as immoral behaviours and those strictly forbidden by law."⁴⁵

⁴³NA, MLCW, Vol.7, Women's Patrols file, K. Chipman, "Report: Patrol Work for Three Months, Summer 1918". For years Montreal reformers had complained about the city police's tacit acceptance of prostitution and the lackadaisical attitude the police held toward vice. See Lévesque, "Eteindre le Red Light: les réformateurs et la prostitution à Montréal entre 1865 et 1925," Urban History Review 17:3 (February, 1989): 191-201; and Jean-Paul Brodeur, La délinquance de l'ordre (Montreal: Hurtubise, HMH, 1982), on inquiries into the activities of the police.

⁴⁴NA, MLCW, Vol 7, Women's Patrols file, K. Chipman, "Report: Patrol Work for Three Months, Summer 1918."

⁴⁵Levine, 45.

Because the goal of employing women on police forces was the overall improvement of the moral environment of the city, the MLCW argued for license to expand the list of behaviours that were policed.⁴⁶ In creating a job description for women police officers, the Council employed a rigid standard of middle-class morality with which to measure young women's social and sexual behaviour. On this issue, the MLCW gained the support of the francophone women's organization, the Fédération nationale Saint-Jean-Baptiste, which also promoted the policewomen's work: "*les femmes détectives qui devront aider à la surveillance des lieux de réunion...seront d'une grande utilité pour le maintien des bonnes mœurs*."⁴⁷ The goal, according to the FNSJB, was "*l'épuration des mœurs*".⁴⁸

ELIZABETH WAND AND THE FIRST "FEMMES CONSTABLES" IN MONTREAL: PATROLLING THE PUBLIC AND THE CRIME OF DISAPPEARING

Following a recommendation in the Driscoll report, four women were appointed the first female constables in Montreal in the summer of 1918. The Chief of Police hired four women (two francophone, two anglophone) for what would be a short period of time but one of the most troubling in Montreal police history.⁴⁹ Permitted to select one of the

⁴⁶NA, MLCW, Vol.7, Women's Patrols file, K. Chipman, "The Employment of Police Women".

⁴⁷La Bonne Parole (organ of La Fédération nationale Saint-Jean-Baptiste), 6:4 (juin, 1918), 14.

⁴⁸Ibid, 7:4 (juin, 1919), 2.

⁴⁹Turmel, 116. Following the Driscoll Report and the creation of the Service de la Sécurité publique, Chief of Police Olivier Campeau asked for a holiday of six months to

four (the Chief selecting the other three), the MLCW chose Elizabeth Wand because of her education and experience. A bilingual, trained nurse and social worker, Wand had employment and volunteer experience in New York and Montreal, including a long history of volunteer work with the MLCW representing the Parks and Playgrounds Association. Importantly, the MLCW believed that she was able to cope with the "discouragement and danger of the job".⁵⁰ Because of the nature of her appointment, Wand was ultimately responsible to both the Chief of Police and the MLCW.

The MLCW insisted that Wand be familiar with the methods and ideas of the policewoman movement. Before embarking on her career as policewoman, she was instructed by Chipman to immerse herself in the American literature on woman policing⁵¹ and was sent to Toronto for preliminary training. In January, 1918, the United States War Department Commission on Training Camp Activities' Committee on Protective Work for Girls under social worker Maude Miner sent Chipman their pamphlets entitled

commence 1 July, 1918. The Director of Public Safety, Joseph Tremblay, then temporarily replaced Campeau as head of the Police Department. Tremblay was sympathetic to the women police but failed to gain the support the majority of policemen who organized the Union Ouvrière Fédérale des Policiers local 62 in September 1918. The union struck 12-13 December, 1918, and Tremblay was forced to resign as a result of his apparent inability to negotiate successfully. Campeau then refuses to return to his post after his six month leave was over and Pierre Bélanger stepped in as interim chief of police. The Service de la Sécurité publique consequently was disbanded until September, 1920. Turmel, 62, 71, 98, 99.

⁵⁰NA, MLCW, K. Ward file, K. Chipman "The Employment of Police Women".

⁵¹Guides to female policing proliferated during and after the First World War. One such book, The Policewoman, Her Service and Ideals, written by Mary E. Hamilton in 1924 even included a self exam for women who might be interested in police work in New York City.

"Committee on Protective Work for Girls" and "Girls and Khaki".⁵² Miner convinced Chipman, at least, of the benefits of running interference between girls and khaki-clad boys. In a report summarizing the work of patrol women, Chipman parroted Miner's argument that the social hygiene problem of World War I was not one of commercialized vice (prostitution) but one of girls' weakness for the glamour of the uniform.⁵³ The literature prescribed the task of the woman officer as protecting young women "from the excitement and thoughtlessness produced by the emotions of war playing upon the emotions of sex."⁵⁴ As a representative of Chipman's committee, Wand would be expected to assimilate Miner's philosophy and methodology into her work.

Financial contributions of MLCW patrons enabled Wand to travel to Toronto to survey the work of the two officers there, and for two weeks in late June she observed their system of protecting girls and preventing immorality. While gaining insight into policewomen's work and practical training in patrolling public space, Wand was nevertheless disappointed by the fact that Toronto's policewomen were relegated to mainly office work, focusing primarily on cases of "marital infelicity", in which their principal task was to interview families in the hope of patching up bad marriages.

On the other hand, Wand found the work carried out by the agencies involved in protective-preventive care like the Big Sisters and the Girls' Protective League instructive. The patrol work of the latter was particularly so. From evenings spent in

⁵²NA, MLCW, K. Ward file, Committee on Protective Work for Girls to K. Chipman, 17 January, 1918.

⁵³Levine has found the same for Britain, 42-3.

⁵⁴NA, MLCW, K. Ward File, K. Chipman, "Patrol Women", 6 February, 1918.

public places where she witnessed couples improperly entwined on benches, to days on Toronto beaches where outrageous bathing suits created a public outcry, she learned the rudiments of patrolling the public. She even learned to use a flash of light to put a stop to affectionate and sexual encounters in public. The supervision of parks and beaches specifically interested her as she had noticed that Montreal, too, was fraught with people making exceptional use of public spaces. Visits to the Juvenile Court, rescue homes, shelters, industrial schools and reformatories rounded out her exploration of Toronto's institutions that dealt with women.⁵⁵

Upon her return, Wand and the other three officers were sworn in as protective officers. The women were given some training at City Hall (mostly restricted to learning city by-laws and procedures, duties, and limitations of police work) after which the Captain divided the city into east and west and assigned each woman to an area. After observing court procedure at the Recorder's and Juvenile courts, Wand began her work and as she put it, "blaze[d her] own trail".⁵⁶ These policewomen did not have the power to arrest or serve warrants but relied often on coercion and moral suasion to accomplish their jobs.

Elizabeth Wand submitted monthly reports to the MLCW and the Chief of Police throughout the six month trial period. These reports offer insight into the work of the first policewomen, a view of the city's public spaces and the actions of young women

⁵⁵Ibid, K.Ward, Protective Officer file, E.Wand, "Report of Survey made in Toronto, Re Women's Social Service Work," 2 July, 1918.

⁵⁶Ibid, E. Wand, "Resume of work done by the protective officer for Local Council and City, from June 1918 to January 15, 1919."

through her eyes. The other women officers unfortunately remain just a shadow in Wand's reports, so we are left with only one woman's experience, influenced as it was by the Protestant and anglophone organizations. Wand's reports are of two types: the first a general assessment of her walks about town; the other consists of case histories of women she investigated.

The summer of 1918 provided Wand with an excellent opportunity to identify the outdoor public and social behaviour of Montrealers and intervene when moral danger looked imminent. While on patrol, she covered railway stations (Windsor and Grand Trunk Railway), squares (Dominion and Windsor), parks (Mount Royal, Fletcher's Field, Ile Ste. Hélène), movie houses, and the barrack environs (including the Khaki Club). In general what she saw she did not like; or rather, her training had provided her with a new way to view and absorb the city and critique the behaviour of its inhabitants.

Public decorum in particular she found wanting. She saw men and women sitting upon benches in Windsor Square "in a most improper manner" and young women flirting on Ste. Catherine Street. Roadside benches along Cedar Avenue were also defined as sites of inappropriate behaviour.⁵⁷ One night after one of Montreal's sweltering heatwaves, Wand strolled up to Fletcher's Field to observe how the space was being used. Among the mothers and their babies who were out enjoying the fresh air was a collection of "unfortunates" (a euphemistic term for immoral girls and women) in need of supervision. She described a "motley throng" on Fletcher's Field, "including soldiers

⁵⁷Ibid, E. Wand, "Resume of Work for Local Council of Women, July 1918".

and young girls."⁵⁸ A hot July evening on Fletcher's Field, then, brought out the worst elements of social activity and yet the city's policemen were nowhere in sight.⁵⁹

Wand also collaborated with the Travellers' Aid workers to direct women coming into Montreal to "respectable" lodgings. Having surveyed Montreal lodging homes and hotels that served the female population, she concluded that Catholic women had many options but that few existed for Protestants outside the Y.W.C.A.⁶⁰ Working women who were "strangers in our gates" found accommodation at the Friendly Home at 115 St. Antoine Street, but the demands upon it were much greater than the proprietors could handle. The limited number of "respectable" boarding houses in the city prompted the Montreal Local Council of Women to take up the issue in the 1910s. The Council would embark on a mission to ensure that boarding and rooming houses were licensed, inspected, and regulated by the state⁶¹; but until such time that the city licensed boarding houses, Wand would direct women only to those boarding houses she deemed respectable, that is, that provided some form of chaperonage.

For the most part, Wand had been relieved of patrolling the barracks by the military police. Wand reported that fewer "of that class of woman" were seen around

⁵⁸Ibid.

⁵⁹In the 1910s, Chief of Police Olivier Campeau increased the number of policemen patrolling Mount Royal Park to six mounted uniformed officers and several plain clothes policemen due to the increasing popularity of the park and the problem of surveillance. Montreal Gazette, 19 May, 1913, 20.

⁶⁰NA, MLCW, K.Ward file, E.Wand, "Resume of work for July".

⁶¹MLCW, Annual Report (1917-18), 25-26.

the Guy and Peel Street barracks, although she was still called in when women were caught hanging around the Khaki Club.

In September, she visited moving picture houses: The New Grand, Strand, Holman, Connaught, Princess, Loew's and the Tivoli. The houses were inspected as to the appropriateness of the film for all viewers. Wand followed up orders from the Commissioner of Public Safety that children under 16 years of age were not to be admitted without parents.⁶²

Widespread public flirtation, unchaperoned boarding houses, and the proliferation of moving picture theatres suggested to Wand that a chaotic social order had evolved in Montreal. Given the discrepancy between the behaviour Wand advocated and what she found, Wand must have felt intensely frustrated in trying to lift the moral standards of Montrealers. In the fall of 1918 she began a more systematic, case by case approach to immorality in the city.

In the autumn of 1918, Wand's work shifted toward investigating individual cases, due at least in part to the close relationship of the policewomen to the city's philanthropic agencies and their social purity concerns. The Women's Directory, (a Protestant organization focusing on single mothers), Travellers' Aid, the Y.W.C.A., the Department of Inland Waterways and Docks referred cases, mostly involving disappearance, to her. In the fall of 1918 twenty cases were "thoroughly investigated,

⁶²NA, MLCW, K. Ward, Protective Officer file, E. Wand, "Resume for September, 1918."

reported, recorded and followed up."⁶³ Wand's cases ranged from the trivial to the serious. In October, for example, she was alerted to the case of an office worker who was blowing kisses to employees in the next building. A quick resolution to this problem was found: Wand lectured the woman about stealing her employer's time, and the woman apparently thanked her for pointing it out.⁶⁴ At the other end of the spectrum was a case of a woman who was allegedly held captive in a brothel.⁶⁵ These cases illuminate the method of policing used by a network of women, including the women police officers. In conjunction with women's organizations such as the Women's Directory and Travellers' Aid, the policewomen tracked down disappearing women, interviewed them, and often strongly recommended institutionalization. In most of the cases it is not clear that specific laws had been broken. A careful read of these cases reveals how young women slipped through the web of investigators, using aliases, frequently changing addresses, leaving town, and lying in general. Wand rose to the challenge these cases presented, sometimes successfully "rescuing" them, sometimes not.

The reports of the protective officer suggest that women moved about the city easily and regularly during the war. Her subjects offered a multitude of reasons for this transience: some, like Flora Barr, claimed they were searching for brothers or husbands who had come to Montreal to sign up for military duty; others were looking for work; most, Wand feared, were simply drawn into the big city by the allure of the uniform.

⁶³Ibid., Women's Patrols file, K. Chipman, "The Employment of Police Women".

⁶⁴Ibid., K. Ward, Protective Officer file, E. Wand, "Resume of work for October for Local Council of Women", 31 October 1918.

⁶⁵Ibid.

Chipman and Wand expressed considerable suspicion of women who came to the city with no previously secured place of residence: "it is high time that these undesirables know that our gates are closed to them."⁶⁶ In their efforts to quell this unregulated movement about the city they defined a new kind of policing; indeed, a new form of justice was meted out by the women constables.

Women who travelled to Montreal by themselves often explained that they were in search of their husbands and brothers who had come to the city to enlist. Gertrude Peterson, for example, had ventured to the city to send off her brother who was going overseas with the forces. Three days before Private Peterson left for overseas duty, he had fallen madly in love with a young Montrealeise, Annie Taylor. When his 18 year-old sister Gertrude arrived in town, he suggested she stay with Annie who did more than put her up: she also found Gertrude work in a restaurant. Gertrude went from job to job claiming she was uncomfortable with the clientele. The story was brought to the attention of officer Wand after a soldier's wife befriended Gertrude and took her to the Canadian Patriotic Fund (an institution that helped families of men in the forces). Wand criticized Gertrude's independent lifestyle and Annie Taylor's influence. Wand sternly advised Gertrude to contact her relatives. Once her sister in Boston sent ten dollars she was sent on her way⁶⁷: a light sentence for a dubious crime.

Laura Thibault (alias Fairfield, Kranz) also had a husband in the forces. Her case is far more complex than the Gertrude's or Flora Barr's, involving as it did a pregnancy,

⁶⁶Ibid, E. Wand, "Resume for September 1918", 30 September 1918.

⁶⁷Ibid, E. Wand. "Office Report", 1 August 1918.

a disappearance, and possibly forced prostitution. It illustrates the ambivalence felt by Wand and her associates over whether their role was to protect women in need or punish those who did not conform to acceptable standards of behaviour. The case history and reports constructed by Wand are full of contradictions -lies that Laura fed her? - and leaps in interpretation on Wand's part. What follows is the story of Laura Thibault Fairfield that Wand and her associates compiled.

Laura Thibault lost her mother when she was a child. The difficulty of this loss was compounded by her father's alcoholism, resulting in a very unhappy childhood. Eventually Laura ran away from home with George Fairfield, a young man she had known since childhood. It is unclear what prompted her to leave, but it is evident that her father disapproved of her relationship with an English Protestant boy. The two teenagers came to Montreal from the Eastern Townships in the winter of 1918. By this time Laura was 17 years old and George was old enough to sign up for military duty. Private George Clayton Fairfield enlisted in Montreal on January 3, 1918 and declared Mrs. Laura Fairfield as his next of kin. Wand never found proof that a marriage had occurred, and she did not believe that it had ever been made legal. When George left, Laura moved into a boarding house where she lived between January and April 1918. She was asked to leave in April because she was unable to pay the rent. She was also pregnant. Meanwhile her father had come to Montreal with a view to placing her in a convent, but he died before he could find her. In April Laura found employment and lodging in a boarding house. The woman who ran the house, a Mrs. White, took Laura to the Maternity Hospital for an examination and arranged for her to enter once the baby

was due. As a follow-up to the interview at the hospital, a visitor came by the boarding house looking for Laura. For whatever reason Laura did not want to talk to the visitor and managed to disappear whenever she called subsequently.

This case of disappearance was turned over to Wand in August of 1918 by the Women's Directory and the Montreal Maternity Hospital. Wand tracked Laura down at 22 Desrivieres Street and reported that "a white girl was being held by a coloured woman in a boarding house".⁶⁸ Repeated callings at the house did not produce the disappeared woman. Mrs. White managed to stump Wand first by asking for a warrant that she did not have, and then by informing the protective officer that she only allowed white women to enter when accompanied by men of colour. Wand wrote, "unfortunately the captain has no colored men on his staff."⁶⁹ Believing that Laura was indeed inside 22 Desrivieres, Wand appealed to the chief of police and a judge to do something.

Evidence of alcohol on the premises gave her a pretext to enter the house: the police raided the place and charged White with selling liquor without a license and a prostitution-related offense. The judge, though, claimed he could do nothing to Laura as she had not broken any law: "and if she chose to live in the house she could do so."⁷⁰ In November, Wand caught up to Laura when she and her baby ended up at the Canadian Patriotic. The sequence of events that led her to her stay at the Patriotic is unclear but

⁶⁸Ibid, E.Wand, "Resume of work for October for Local Council of Women," 31 October 1918.

⁶⁹Ibid, E.Wand, "Report from Police Station #6", 22 October 22, 1918.

⁷⁰Ibid, E.Wand, "Resume of work for October for Local Council of Women", 31 October, 1918.

it appears to have been the result of an article Wand placed in the Montreal Star's women's pages entitled "Where is she?" Interviews with the policewoman and mental tests followed Laura's "rescue" by the Patriotic.⁷¹

Was Laura Thibault Fairfield held in a house of prostitution against her will in the advanced stages of pregnancy? Were Wand, the Women's Directory, and the Maternity Hospital attempting to rescue Laura and her baby? Or, did they want to punish her for 1) living at a "colored" rooming house, 2) having a baby outside wedlock, and 3) disappearing when they sought answers to their questions? Having "rescued" her they subjected her to intense inquiry and examination. Her crime appears to have been her "wilfulness".⁷² Wand defined her as a pathological liar because her version of the story differed from that of her boyfriend's father.⁷³ Isa Cole of the MLCW Committee on Mental Deficiency who tested incarcerated women in the province was brought in on the case. When given the Binet-Simon test by Cole, Laura was assessed as having a mental age of ten, belonging to the class called "morons", that is, completely lacking in moral sense.⁷⁴ Cole wrote to Wand that "it is highly dangerous to the community to have a girl

⁷¹Story compiled from Ibid. E.Wand, "Report on Interview with Mrs. Laura Fairfield(?)", November 7, 1918; "RE Mrs. Laura Fairfield", 21 October, 1918; "Case Reported by Travellers' Aid", 31 October 1918.

⁷²Ibid, "Resume of Work for October for Local Council of Women", 31 October 1918.

⁷³Ibid.

⁷⁴Ibid. Isa Cole to E.Wand, 26 November 1918. Developed in 1910, the Binet test was used widely in the United States by psychologists and penologists to determine committed criminals' and delinquents' mental ability. In several states the experts found that 2/3 to 3/4 of the female delinquents were "defective". In the 1910s, a Montreal psychologist found that all of the juvenile delinquents at the Protestant reformatory were

like this at large without restriction or suppression of any kind, and is most unkind to the girl herself."⁷⁵ The story of Laura unfortunately stops there, we cannot be certain whether she was eventually sent home, whether was convinced to stay in an institution, or whether she once again disappeared.

Cases such as Laura's convinced Wand of the need for a detention home in Montreal. The benefit of such an institution would be that when policewomen found women "wandering around" the city they could be temporarily detained until thoroughly examined, both mentally and physically. During the First World War the American Committee on Protective Work for Girls subjected thousands of young women suspected of moral delinquency to compulsory examination and detention.⁷⁶

Through the juvenile court system, it was possible to hold for examination young women who were found delinquent or who were believed to be "predelinquent" - women on the verge of delinquent behaviour. The Juvenile Delinquents Act (1908) and the juvenile court allowed reformatories and industrial schools to detain young people with little or no evidence of criminal activity. For example, in 1918 Margaret "Elsie" Mudd was 15 years old and worked as a nursemaid for a family in Westmount. As a domestic servant she typically worked long hours and had very little privacy, but one summer evening she escaped. The couple that employed her left for a week's vacation, leaving

feeble-minded. This test lost popularity shortly after WWI when thousands of American soldiers were tested and the results indicated that half the population was in fact feeble-minded. See Odem, 161-2.

⁷⁵NA, MLCW, K. Ward file, I. Cole to E. Wand, 26 November 1918.

⁷⁶Odem, 193-196.

Elsie with a grandmother. She seized this rare chance and "disappeared" for five days. In interviewing Elsie's mother, Wand found that the 15 year old was disobedient and before she had been sent to the family in Westmount she habitually stayed out late at night. When Elsie was "found" a few blocks from her house she was whisked off to the juvenile court where her mother appeared against her. On August 5 Elsie was sent to the Soeurs du Bon-Pasteur reformatory for a month of mental and physical observation.⁷⁷ In September another "wayward, feeble-minded girl" was sent to the Protestant Girls' Cottage Industrial School following the father's testimony.⁷⁸

Many of the cases Wand covered focused on a women who had disappeared. Some concerned citizens were willing to believe that the white slave trade did exist in some form in Montreal; or, at least when young women dropped out of sight that those responsible were connected to prostitution.⁷⁹ But when Wand was instructed to "cherchez la femme", it was usually the result of the woman in question taking leave of a situation for her own reasons. Disappearing, then, became a misbehaviour or crime when it was proved that the woman acted wilfully and immorally. In the records of Montreal's Protestant reformatory, the Girls' Cottage Industrial School, there is evidence to suggest a substantial number of those incarcerated committed the crime of disappearing - that is, their guardians did not know where they were at night. Under the Quebec laws regarding juvenile delinquents, parents or guardians were permitted to bring their child

⁷⁷Ibid., J. Wand, "Office Report", 16 August 1918.

⁷⁸Ibid., E. Wand, "Resume for September 1918", 30 September 1918.

⁷⁹Lévesque, "Eteindre...", and Evanston Hart, Wake Up! Montreal! Commercialized Vice and its Contributories, (Montreal: The Witness Press, 1919), 7.

to the court if "he (sic) had abandoned the home of the person who is in charge of him without permission..."⁸⁰ What did it mean to women to disappear? And why were so many women penalized for doing so?

These are not easy questions to answer but there are some hints in certain primary sources. Chapter 4 discusses the 1926 study of the girls and young women at the Girls' Cottage Industrial School in which psychology professor J.W. Bridges identified a common experience of sexual abuse at home.⁸¹ Once teenagers, these young women often left home, an activity labelled delinquent by parents or authorities. It could be concluded that an important coping or survival strategy for these young women was to leave home or "disappear".⁸² Under the Juvenile Delinquents Act, attempts to escape abusive home lives sometimes led to the incarceration of the abused. There were other cases that resembled Elsie's where young women appear to be asserting independence from parental authority, actions that were defined as disappearing, and considered immoral and punishable.⁸³ Indeed, authorities saw only evidence of misconduct, not attempts to pursue pleasure, independence or survival.

⁸⁰Quebec, Quebec Gazette, An act to amend the Revised Statutes, 1909, respecting Juvenile Delinquents, 3 Geo. V, Chapter 39.

⁸¹ NA, Girls' Cottage Industrial School, MG 28, I 404, Vol. 1, File 20, "A Study of a Group of Delinquent Girls".

⁸²Current literature on female delinquency supports this idea. See Meda Chesney-Lind, "Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency," Crime and Delinquency 35:1, (January, 1989), 6.

⁸³Another poignant example of this is the story that Maimie Pinzer tells of her first confrontation with the law, see Ruth Rosen and Sue Davidson, eds., The Maimie Papers (Bloomington, Indiana: Indiana University Press, 1977), 193-196.

The case of Rachel Farber illustrates how a variety of organizations made use of the vagrancy section of the criminal code and specifically the 'no visible means' clause to control impoverished, unwed mothers. In 1918, Rachel Farber, mother of at least three children, was arrested for vagrancy for having no visible means of supporting herself. The police caught up with her in the month after her youngest child was born and the father had deserted them. The city's Protestant single mothers' organization, the Women's Directory, had attempted to get Rachel to stay at the Salvation Army Home but there apparently had been conflict over the work she was told to do there.⁸⁴ The Women's Directory, then, had reported Rachel's case to the police in August because she was an unmarried mother who had no visible means of support. The case was then turned over to one of the city's newest members of the force, policewoman Elizabeth Wand. At first Wand refused the case because there appeared to be no crime involved in her actions. But Wand was convinced to take the case to the Chief of Police, and led the woman, presumably on her past record of vagrancy, to the police cells to await appearance before a judge. Judge Semple of the Recorder's Court sentenced her to ten days in the Female Jail for mental and physical examination. Wand visited her in the jail and upon learning no mental tests had been administered, she summoned Isa Cole, of the Montreal Local Council of Women's Committee on Mental Deficiency, to the jail. According to the psychological tests Rachel's mental age was similar to that of a ten year

⁸⁴NAC, MLCW, vol. 7, "K. Ward, Protective Officer file, "Women's Directory of Montreal", n.d.

old child.⁸⁵ Rachel appeared in court on August 22, as did Isa Cole, the Women's Directory representative and the Chief of Police who implored the judge to "give her the limit" so they could "properly plan for her future". Finding no criminal action to charge her with the judge dismissed the case. Acting quickly, one of the policewomen stepped in and offered her a place to stay and encouraged her to give the baby to the Grey Nuns, which she did. She then disappeared.⁸⁶ In September she was arrested for vagrancy and this time was given six months in jail.⁸⁷ The police, in concert with various agencies in the city attempted 'rescue' work with Rachel. When she refused to live in the institutions they offered and "disappeared" she was set up for a jail term. The social worker's lengthy case report including a poor score on a mental test, poverty, and motherhood outside of marriage ultimately condemned her to the Female Jail.

The charge of vagrancy was common in the policewoman's 1918 reports. Wand and her associates at the Maternity Hospital, Women's Directory and Travellers' Aid wanted the power to be able to charge women with vagrancy when they could not give satisfactory account of themselves. Sometimes the policewoman could use the threat of a vagrancy charge to coerce desperate women. For example, in October a young woman was reported by the Maternity Hospital because she was about to leave with her baby yet had no visible means of support and had refused to go to the Bon-Pasteur nuns. Wand suggested that she be held as a vagrant but realized this might be an extreme measure.

⁸⁵Ibid. Isa Cole to E.Wand, 31 August 1918.

⁸⁶Ibid. E.Wand, "Office Report", 12 August 1918.

⁸⁷Ibid. E.Wand. "Resume of Work for September 1918", 30 September 1918.

Having threatened to charge the woman with vagrancy, Wand was successful in convincing her to stay with the Grey Nuns.⁸⁸ Part of the tension between the policewoman and judges lay in the fact that Wand advocated incarceration for Rachel Farber and others, but the judge felt he could not charge them simply because they did not give full and satisfactory accounts of themselves. Another example is the case of Laura Delage mentioned above. Her crime was her recalcitrant attitude toward parental authority and work.

Elizabeth Wand's career as a policewoman came to an abrupt end on January 11, 1919, when along with her three colleagues, she received a letter from the superintendent of the police department notifying her that her "services will not be needed in this Department from to-morrow morning the 12th of January, 1919".⁸⁹ The police administration advanced many reasons for the firing, the main one being that women police were expendable in bad economic times requiring cuts in staff.⁹⁰ But there are more interesting factors involved in their dismissal. It is interesting that they followed closely upon the resignation of the sympathetic Commissioner of Public Safety, who had always been their greatest support in the civic administration. The cause of his resignation was a two-day strike in December, 1918 by the Montreal police force, that was a reaction to the creation of the Service de la Sécurité Publique which had amalgamated the Police and Fire Departments with the Recorder's Court and threatened

⁸⁸NAC, MLCW, K.Ward file, E. Wand, "Resume of Work for October for Local Council of Women", 31 October 1918.

⁸⁹NA, MLCW, K.Ward File, P.Belanger to E. Wand, 11 January 1919.

⁹⁰MLCW, Annual Report, (1919-1920), 37.

the autonomy of the police.⁹¹ Also, the fact that the city had limited funds for the police force may have come in handy as an excuse to get rid of women officers (especially one who was connected to the MLCW) who were critical of male policing and the city's tolerance of vice. Whatever the real reason, the Administrative Commission of the City of Montreal felt that it was enough to say that the current Chief of Police "did not see the necessity of such a service."⁹²

The MLCW along with the Women's Directory and the Fédération nationale Saint-Jean-Baptiste called upon the city to change its mind, condemning the firings as a retrograde step in policing vice in the city, but to no avail. Not until the close of the next world war were women again employed by the city to patrol the city streets and parks. In early 1946, 25 policewomen were hired to solve the manpower shortages in the force.⁹³ Once again, the city would look for women to patrol immoral conduct in public spaces such as parks.⁹⁴ The absence of women police in a city the size of Montreal sets it apart from other North American cities, but this is not to say that policing in another form did not persist. A clear example of this in the decades after Wand retired is the field work conducted by the Protestant reformatory for adolescent

⁹¹Turmel, 71.

⁹²NA, MLCW, Women's Patrols file, E. Decary to K. Chipman, 5 February, 1919.

⁹³At the close of the Second World War, cities such as Montreal faced shortages of policemen and therefore turned to hiring women to fill the vacancies. By 1946, Montreal faced a shortage of about 800 police officers, and according to one city councillor "if we still cannot get enough men to fill up the ranks of the police force...it may be necessary to hire a hundred or more women." See the Montreal Star, 1 February, 1946, 1.

⁹⁴Ibid, 3.

girls. The field worker followed up on recently released adolescents. When the young women were found to have committed immoral acts, the worker brought them back to the reform school for further incarceration. It was understood that these steps completely by-passed the juvenile court system.

During her six months as protective officer in the city of Montreal, Wand surveyed public spaces and joined philanthropic agencies in "rescuing" women. The first policewomen in Montreal did not limit themselves to "good times" girls or sex delinquents, they also followed up on cases of impoverished, single mothers. Few women of her generation or social class had fostered working relationships with the police, the courts, and the prisons, nor had they embarked on a dangerous career of crime fighting.

CONCLUSION

The policewoman movement in England, Canada, and the United States began in the 19th century as part of the prison reform movement. Just as separate prisons for women would protect them from the sexual danger of incarceration so would police matrons save the detained woman from the threat posed by male criminals and station officials. The next step in the evolution of the movement propelled women onto the streets, ostensibly to protect young women from lecherous males and to prevent the moral downfall of working-class women.

The first generation of women patrols were mostly well-educated, experienced social workers who were supported by middle class feminists and reformers. In North

America, Alice Stibbens Wells used the rich network of women's organizations to contact women across the continent with her message of policing as a career for women. The movement reached its climax during the First World War, as cities across North America and England employed professional women to work alongside men in their police forces; in the midst of the war, policewomen created an international association and self-consciously labelled their actions a movement. Although opening this very male dominated and defined occupation to women threatened male prerogative, these women were quick to claim they had feminized the work, that rather than take over men's jobs, theirs complemented male policing.

Elizabeth Wand's experience during her six months as policewoman in Montreal reflected these broader developments. Wand surveyed public spaces and joined philanthropic agencies in "rescuing" women while, at the same time, fostering working relationships with the police, the courts, and the prisons. As a pioneer policewoman, whose job it was to patrol women and keep them safe from the sexual danger of the city, Wand also expanded the meanings of crime, policing, and discipline. For all this she encountered resistance from male officers and judges.

While the original motives behind a woman police corps may seem harmless enough or even beneficial in protecting women from the sexual danger of the city, the effect of women policing was a broadening of the definition of crime and of policing. These patrols met young women at railway stations, interrupted their social intercourse in public parks and hauled them off the streets in the name of protection and prevention. The protective beat that women police walked, then, led to a scrutinizing of young

women's social and public behaviour. Young men were not patrolled in the same way, in fact policemen did not walk the same beat as the women police, nor did the policewomen interfere in young men's lives.

Early policewomen were social workers not cops. The women constables, patrols, police, and safety workers were charged with disciplining the city's youths, particularly young working-class women. For a generation of educated women thirsty for meaningful work, this job provided them with a chance to go where no women, in fact no men had gone before. Underlying this claim women officers made to urban space was an assumption that these women had a right to public space, whereas other women - working-class women, in particular - did not.

CHAPTER IV: PROCESSING THE BAD GIRL

Social reformers' and increasingly social workers' concern over sex delinquency encouraged the creation of various mechanisms of control. While correction facilities already separated bad girls from criminal women and subjected them to rehabilitation routines, new sociolegal institutions such as the juvenile court and its ancillary agencies further analysed and circumscribed the sexual behaviour - that is, delinquent behaviour - of young women. This chapter explores the juvenile justice movement whose greatest accomplishment was the Juvenile Delinquents Act of 1908 and the resultant juvenile court system. Social reformers, known as child-savers, argued for such a system on humanitarian grounds, but a criminal court based on procedural paternalism permitted judges wide discretionary powers that reinforced class- and gender-specific notions of delinquency. Working closely with the juvenile courts were church representatives, probation officers, and various preventive agencies like the Big Sisters Association and the follow-up department of the Girls' Cottage Industrial School, adding layers of surveillance and control. Informing the ideas of those concerned with delinquency were mental health and social hygiene experts. The result was a hastened campaign targeting sex delinquency.

NEW STRUCTURES OF JUVENILE JUSTICE

...under the new [court system] he (sic) receives friendly advice from the judge, is sent to a country home, instead of the jail, and is taught a trade by which he can support himself. Fresh air and good food make healthy happy boys. The broken-down physical condition which was often a cause of his bad habits, is replaced by good physical development. The result is a good citizen, the country's best asset.¹

When the federal government passed the Juvenile Delinquents Act in 1908 it was hailed as a triumph for the child-saving movement and marked a significant advancement in juvenile justice in Canada.² Following the passage of the act, provincial governments set up juvenile court systems in major urban centres. As juvenile justice historians have outlined, the separate court system for adolescents formed the latter stage in a system that identified young offenders for special consideration, building on the establishment in the mid-nineteenth century of incarceration facilities for delinquent and neglected children under sixteen years.³ (See Chapter 6) While juvenile delinquency was not born of the reform period at the turn of the century, as American historian Steven L. Schlossman has argued, this time was a "seminal one" for juvenile justice.⁴ New laws addressing "bad" adolescents opened avenues for expanding the surveillance and scrutiny of youth behaviour.

¹Child Welfare Exhibition, Souvenir Pamphlet, (Montreal, 1912), 30.

²See Neil Sutherland, Children in English-Canadian Society: Framing the Twentieth-Century Consensus (Toronto: University of Toronto Press, 1976), Chapter 8.

³Steven Schlossman, Love and the American Delinquent: The Theory and Practice of "Progressive" Juvenile Justice, 1825-1920 (Chicago: University of Chicago Press, 1977).

⁴Ibid, 55.

The Juvenile Delinquents' Act was preceded by criminal code provisions for the distinct treatment of juveniles. The Canadian Criminal Code of 1892 recognized the young offender as a unique category of criminal: it forbade convicting children under seven or those under fourteen where the child had failed to comprehend that his or her behaviour was wrong.⁵ It also permitted courts to hold trials of juveniles separate from adult tribunals and without public witness. Two years later, the Youthful Offenders Act reinforced these provisions in the Criminal Code. This act stipulated that young offenders awaiting trial were to be held in custody apart from adult criminals. Significantly, it opened the door for child-care agencies to play a role in treating juveniles, a child's history and background now being permissible as evidence in court.⁶

The acts did not make special treatment of juvenile delinquents mandatory and most jurisdictions did not substantially alter the processing of young offenders until the JDA was implemented beginning in 1908. In Montreal, young men and women were still subject to the same court procedure as adults, with minor variations. For example, in April, 1899, fifteen year-old Betsy Blumenthal came before the Montreal Recorder for frequenting a disorderly house. She pleaded guilty to being in a house where its visitors were in the habit of "...tippling, using profane language, singing lewd songs, swearing, blaspheming, [and] screaming...". Her father bore witness against her. For Betsy's transgression the Recorder sentenced her to two years at the Soeurs du Bon-Pasteur École

⁵D. Owen Carrigan, Crime and Punishment in Canada: A History (Toronto: McClelland and Stewart, 1991), 415.

⁶Ibid, 416.

de Réforme.⁷ While the correction stage of her experience would be age-specific, the arrest and trial placed her alongside criminal adults, the only difference being evidence concerning her background entered from an interview with her father.⁸ The Juvenile Delinquents Act of 1908 would effectively change the experience of arrest and trial for juveniles in Montreal and elsewhere in Canada.

The call for a juvenile justice bill came from Ontario citizens working with dependent and delinquent children who had been influenced by the child-saving movement in the United States. The chief players were J.J. Kelso of Toronto and W.L. Scott of Ottawa who founded Children's Aid Societies in their cities, modelling them on their American counterparts.⁹ Scott led the crusade to get the Juvenile Delinquents Act heard and passed in parliament.¹⁰

Historians of the juvenile justice movement in Canada have tended to ignore Quebec's role in the process. Neil Sutherland's fine treatment of the Juvenile Delinquents' Act and the court system in English Canada excluded any discussion of Montreal; yet, the history of the campaign for the JDA supports no valid reason for doing so. From the perspective of W.L. Scott, the innovator of the federal legislation,

⁷Montreal Recorder's Court Archives (hereafter RCA), 11 April, 1899. Her father signed a form permitting the incarceration of Betsy at a Catholic monastery because there were no such institutions for young women of the Jewish faith.

⁸There are other examples of this in the dossiers of the Recorder's Court: Jennie Mortimer, 26 January, 1903, Marilda Carrière, January 1909, Laura Delage, May 1907.

⁹Sutherland, Chapter 8.

¹⁰NA, W. L. Scott Papers, MG 30, C 27, Vol. 6, File 20, A.35.4, W.L. Scott, "Genesis of the Juvenile Delinquents' Act."

convincing Montreal legal and religious elites was fundamental to the timely passage of the bill. In October 1907, Scott addressed Montrealers in a crowded public hall arguing for a federal children's bill, a juvenile court, and a probation system. Newspapers, including La Presse, responded favourably and he won the support of the archbishop of Montreal.¹¹ Shortly after his visit, a Montreal chapter of the Children's Aid Society opened under Judge Francois-Xavier Choquet, a well-respected Montreal lawyer, police magistrate, and judge of the sessions of the peace.¹² Moreover, the largest petition in the country with more than 5000 signatures demanding the introduction into the House of an act concerning juvenile justice came from this city.¹³ Indeed, support for a juvenile delinquency act appeared to unite cultural, religious, and linguistic communities. Along with signatures from Archbishop Bruchési and Judge Choquet, the petition contained other important signatures: S. H. Carpenter, Chief Detective of the Montreal Police Force; C. A. Vallée, Governor of Montreal Jails; millionaires James Morgan and George Drummond; and Reverend J. Patterson-Smythe, Rector of St. George's (Anglican)

¹¹Ibid., 58-59.

¹²F.X. Choquet was born in 1851 to one of Quebec's oldest families. His education speaks to his privilege in Quebec society: after attending L'Assomption College and the Montreal Seminary, he studied law at McGill University, graduating in 1874. In 1884, he married Marie Caroline Barry who joined him in working with delinquents through the Montreal Children's Aid Society. See Montreal 1535-1914. Biographical Vol. 3 (Montreal, Vancouver, Chicago: The S. J. Clarke Publishing Company, 1914), 594-595. In 1907, F.-X. Choquet was a judge in the Special Sessions of the Peace. He would become the first judge of the Montreal Juvenile Delinquents' Court.

¹³Scott, "Genesis of the Juvenile Delinquents' Act," 80.

Church.¹⁴ Important women's organizations such as the newly-founded Fédération nationale Saint-Jean-Baptiste, and the Montreal chapters of the W.C.T.U. and Local Council of Women also lent support to the juvenile-court movement.¹⁵

In July 1908, the Juvenile Delinquents' Act passed the third reading in the House of Commons, and received Royal Assent, becoming law.¹⁶ The act gave provinces the responsibility to establish juvenile court systems. Any boy or girl under sixteen years of age who violated federal, provincial, or municipal law was subject to the JDA and would be processed by the local juvenile court. Also, juvenile court judges oversaw admissions to industrial or reform schools.

The Canadian juvenile court system borrowed from the first American juvenile tribunals in Chicago and Colorado. But, unlike in the United States where delinquency was defined as a civil act, in Canada delinquency was created out of the federal government's jurisdiction over criminal law.¹⁷ The juvenile courts in Canada, though, still modelled some of the procedures on the American civil juvenile courts making them quite distinct from other Canadian criminal courts. There was some concern in Quebec

¹⁴Sir George Drummond and Rev. Patterson-Smythe both worked for the Montreal Children's Aid Society.

¹⁵Clio Collective, Quebec Women: A History (Toronto: Women's Press, 1987), 251.

¹⁶Sutherland, 121.

¹⁷Lucien A. Beaulieu, "A Comparison of Judicial Roles under the JDA and YOA," in Alan W. Leschied, Peter G. Jaffe, and Wayne Willis, eds., The Young Offenders Act: A Revolution in Canadian Juvenile Justice, (Toronto: University of Toronto Press, 1991), 130.

over the Protestant and American character of this court system, even a suggestion that there be more than one court, modelled on the confessional school system.¹⁸

In 1910 the Quebec government passed an act establishing a juvenile court in Montreal.¹⁹ The intention of the legislators was for Montreal's court to serve as a pilot project; if successful, subsequent juvenile courts would be constructed elsewhere in the province.²⁰ The Montreal Juvenile Delinquents' Court opened in March, 1912, on Champ de Mars Street in a converted house near City Hall.²¹ This tribunal differed from other criminal courts - the Recorder's and the Sessions of the Peace - in several important ways as outlined above. It used probation officers to investigate each case, held the juveniles in a house of detention, and operated in conjunction with a citizens' committee.

The juvenile court in Montreal was applauded as being less a court of justice than "*un conseil de famille*."²² At the first reading of the bill which eventually established the

¹⁸These sentiments were expressed in a series of articles in Le Devoir in April, 1915. While a court system based on religious lines was never created, the importance of Catholicism in the court system was upheld. "*Assurer le respect des consciences des enfants, et des consciences catholiques plus exigeantes, pousser ce respect jusqu'au scrupule, ce doit être votre première préoccupation dans l'organisation d'une Cour Juvénile*. Le Devoir, 17 avril, 1915, 1.

¹⁹Quebec, An act respecting juvenile delinquents, 1910, 1 Geo. V. Chap. 26. Section VI of the act established the Juvenile Delinquents' Court in Montreal. It stipulated that the juvenile court judge be chosen from judges of the Sessions, the police magistrates, or magistrates performing their duties in the city of Montreal.

²⁰Québec, Débats de l'Assemblée Législative, 12e législature, 2e session, 6 mai, 1910, 493.

²¹The Cour des jeunes délinquants was situated at 209 Champs de Mars until 1929.

²²Le Devoir, 17 avril, 1915, 1.

court, the goal of the court was made clear: "*Le but est de donner la chance aux jeunes délinquants de se racheter sans qu'ils soient classés comme des criminels.*"²³ In order to facilitate this, the trials were to be held in camera, the family and accused protected from public knowledge of their ordeal. Eschewing the criminal justice principle of determining guilt of the accused, the trial of the juvenile focused on the circumstances that led to the delinquency.²⁴ The trials were to be summary and informal in nature. An example from the 1920s illustrates this shift in juridical process. When a lawyer representing a 14 year-old boy challenged Montreal juvenile court Judge J. O. Lacroix for interrogating the accused, the judge protested that the JDA bestowed upon him this right. Lacroix steadfastly maintained that the judge's unique privilege (in the context of criminal courts) to question the youth on trial because it was "a great ressource (sic) to know and study the soul of that young accused."²⁵

Some jurisdictions appointed women as juvenile court judges, asserting the propriety of women's domain over children. Maternal qualities were thought to be conducive to creating a sympathetic atmosphere. Ethel MacLachlan, judge of the Juvenile Court of Regina, for example, was very vocal on the Juvenile Delinquents Act and in the 1920s became a major participant in the Canadian Council on Child Welfare under Charlotte Whitton. A Punch cartoon reproduced in the Montreal Daily Star in February,

²³Québec, Débats, 6 mai, 1910, 493.

²⁴Beaulieu, 131. Beaulieu writes that the trial "was to be summary in nature, almost as if the alleged offence was trivial." See also Schlossman, 58-59.

²⁵NA, W. L. Scott Papers, Vol.8, File 31 A.35.4, J. O. Lacroix to W. L. Scott, 3 March, 1926, 3.

1908, illustrates a gendered understanding of juvenile justice. "Humanity", represented by a woman holding the English Children's Bill, sought to save a terror-stricken child from a male police officer who was attempting to incarcerate him in the local prison.²⁶

The Montreal court adopted a strong paternalistic character, functioning under the philosophy of *parens patriae*, where the state was responsible for acting in the interest of the child. The delinquents would be "*traités dans un esprit paternel*" where justice would be "*plus clémente*."²⁷ Presiding over the new court was the Honorable François-Xavier Choquet. Rejecting the threatening atmosphere of the criminal courts, the judge promised to create an ambiance suitable for young people. Choquet went so far as to fashion himself a father figure for juvenile delinquents: "There will be nothing to suggest a criminal court (in the new court)...no dock, no raised platform or bench, but the child will be brought into the room exactly as a father would bring his child into his parlor to talk with him and try to gain his confidence."²⁸ Hopes were that the judge would embody the spirit of a "wise and kind father...though firm and stern."²⁹

Special facilities were built to hold adolescents awaiting their trial: no arrested child would make contact with accused or convicted adults. This kind of institution, called a Detention House for Young Delinquents in Montreal, served as a short-term jail for teaching youths discipline, morals and occasionally the rudiments of an academic

²⁶The Montreal Daily Star, 29 February, 1908, 9.

²⁷Québec, Débats, 6 mai 1910, 493.

²⁸Montreal Gazette, 3 January 1912, 3.

²⁹Ibid.

education. In many institutions, mental health specialists, doctors, social workers and the like prodded, measured, and evaluated the accused, the information garnered to help influence the trial outcome.

In Montreal, the Detention House was a mixed-sex institution located not far from the juvenile court. This facility was almost immediately inadequate; overcrowding led to the disposition of those awaiting trial to reform schools, especially of girls.³⁰ In 1912, 343 boys and 22 girls were incarcerated for terms ranging from one day to one month. One year later 554 boys and 42 girls passed through the Detention House.³¹ Dr. L. J. Lemieux complained in 1914 that the presence of "depraved" young prostitutes was a "menace to the morality of the other young inmates" because of the congestion in the house.³² To add to the problem of space, Montreal's Detention House was not equipped with treatment facilities common in other jurisdictions.³³ That is, the physical and mental examinations considered mandatory in creating a profile for the court were not provided for by the municipality.³⁴ Reform and industrial schools, however, could and did undertake this testing at their own expense once the child was committed. Education of

³⁰This is illustrated in Chapter 6, Table 3. See also Lillian E. Mendelsohn and Sharon Ronald, "History of the Montreal Juvenile Court," M.S.W. Thesis, McGill University, 1969, 25-26.

³¹Quebec, Sessional Papers, "Report of the Administrator of the Detention House for Young Delinquents of the City of Montreal," (1914).

³²Ibid.

³³Mendelsohn and Ronald, 28.

³⁴H. R. Ross, "Juvenile Delinquency in Montreal," M.A. Sociology, McGill University, 1932, 51.

innates at the Detention House consisted of twice weekly sessions conducted by a volunteer teacher.³⁵

A probation system also distinguished the juvenile court from regular criminal courts. In order to assemble a profile on the delinquent the juvenile courts worked with probation officers and citizens' committees. While the judge maintained ultimate authority in sentencing, the outcome of the trial was based on the input of these new court appendages. The new professionals attached to the juvenile court formed what Jacques Donzelot has called "concentric circles" of "tutelary agencies" around the child and the family, extending the arm of the state further into family life.³⁶

The Montreal tribunal began with a report from the court's probation officers. At the outset there were three probation officers appointed: two women (one francophone and Catholic, one anglophone and Protestant)³⁷ and one man who was needed to collect evidence in places where the women might not be able to venture. As the court's work expanded in the decades following its establishment, the number of probation officers increased. In the 1920s the Federation of Jewish Philanthropies created the Juvenile Aid Department and hired a woman as probation officer at the court.³⁸ In 1930, though, there

³⁵Quebec, Sessional Papers, (1914).

³⁶Jacques Donzelot, The Policing of Families (New York: Pantheon Books, 1979) trans. Robert Hurley, 103-104.

³⁷Named in 1912 were Mlle. Clément and Mrs. Rose Henderson. Montreal Gazette, 3 January, 1912, 3.

³⁸See Federation of Jewish Philanthropies, Annual Reports and Canadian Jewish Congress National Archives (CJCNA), MB 1, Series B, Box 1, File "Juvenile Aid Department".

were still only two Catholic, one Protestant and one Jewish probation officers to handle more than one thousand cases each year. A survey of Montreal's juvenile court in the 1940s showed that the numbers of probation officers had increased to thirteen (seven men, six women; eleven Catholics, one Protestant and one Jewish.)³⁹

The juvenile court also distinguished itself by integrating a voluntary court committee to work with the judge on deciding the adolescent's future. In 1912, the original committee⁴⁰ was comprised of religious and lay leaders of three communities. In the Catholic contingent were both francophones and anglophones: Reverend Canon Gauthier, Lady Margaret Josephine Hingston, Caroline Beique, Madame Chevrier, Madame Moreau, Madame Ethier, Mademoiselle Mignault and Miss Murphy. The Protestant members included Reverend Dr. Symonds, Rev. F. R. Griffin, William Maxwell, Owen Dawson, Mrs. F. H. Waycott, Mrs. H. W. Weller, and Mrs. Stuart Taylor. The Jewish community was represented by Lyon Cohen and Max Goldstein.⁴¹ Members of the committee could also work as volunteer probation officers.⁴²

The purpose of the committee was to place the delinquent at a respectable home and put him or her to work. The system was constructed to avoid incarcerating young

³⁹Canadian Welfare Council, Juvenile Courts in Canada being a Brief Description of Juvenile Court Organization in the Provinces (Ottawa: Publication No. 121, 1942), 16.

⁴⁰The committee eventually split along religious lines. In the 1940s there were only two official committees of the Juvenile Delinquents' Court, one Protestant and the other Jewish.

⁴¹Montreal Gazette, 3 January, 1912, 3.

⁴²Mendelsohn and Ronald, 30.

offenders, using reform and industrial schools only as a last resort.⁴³ Those in charge of institutions fought this trend to prevent the closure of their institutions.⁴⁴ Many adolescents did end up at one of the four reform schools in Montreal.

The proceedings were not to take place without the parents who, Schlossman argues, were also on trial: "the juvenile court flunked parents just as public schools flunked children."⁴⁵ In his assessment of the proposed JDA, Montreal Recorder R. Stanley Weir wrote that in "dealing with Juvenile delinquents (sic) we must remember that parents or guardians are largely responsible and should be held to strict account wherever possible."⁴⁶

Important work on the early history of the juvenile court illustrates that parents were responsible for bringing charges against their own children, challenging the social control model employed by revisionist historians such as Anthony Platt.⁴⁷ Mary Odem

⁴³On the trend toward de-institutionalizing problem youth see Sutherland, 118 and Patricia Rooke and Schnell, Discarding the Asylum: From Child Rescue to the Welfare State in English Canada (Lanham, MD: University Press of America, 1983).

⁴⁴Prue Rains and Eli Teram, Normal Bad Boys: Public Policies, Institutions, and the Politics of Client Recruitment, (Montreal and Kingston: McGill-Queen's Press, 1992). Nancy Stork, superintendent at the Girls' Cottage Industrial School vigorously supported institutionalization as a normalizing process for predelinquent girls because it was most comprehensive.

⁴⁵Schlossman, 58.

⁴⁶NA, W. L. Scott Papers, Vol. 6, File 21 A.35.4, R. Stanley Weir to J. Kelso, 28 December, 1906, 1.

⁴⁷Schlossman; and Mary Odem, "Single Mothers, Delinquent Daughters, and the Juvenile Court in Early 20th-Century Los Angeles," Journal of Social History 25 (Fall, 1991): 27-43. Anthony Platt, The Child Savers: the Invention of Delinquency (Chicago: University of Chicago Press, 1969).

and Linda Gordon suggest that class oppression and a structural view of the juvenile court and the child-saving movement cannot explain the working class and immigrant families' use of the courts to discipline disorderly children. This practice did not, however, originate with the juvenile court but was simply continued there from the lowest criminal courts and was further entrenched, as the following example illustrates. Fourteen year-old Léda Baillargeon was always a "good girl", working as a live-in servant and behaving properly. Until late 1908, that is. Léda spent nights out, prompting her step-mother to label her "*une coureuse de nuit*". Upon hearing the step-mother's complaint, Recorder Dupuis sent Léda to the École de Réforme for two years.⁴⁸

Attempting to use the police or the courts to discipline youths sometimes backfired on the parents. For example Maria Carrière, a 40 year-old widow and cigar worker, told the authorities in January, 1909, of the troubles she was having with her child and asked them to charge her with vagrancy. Her daughter, Marilda, a 15 year-old, was of bad character, and her mother claimed, "*quand je la correctionne, elle se revenge en déchirant mon linge*". Maria implored the police to send her daughter to the Soeurs du Bon Pasteur Reform School. Constable Ovila St. George investigated the case and he, too, was convinced that Marilda needed to be institutionalized. His reasoning differed considerably, however, claiming that the real story lay in the fact that the mother had a lover and beat the child with a stick. He wrote: "*Vu les mauvais traitements et les mauvais exemples de la mère, il me paraît nécessaire dans l'intérêt de cette enfant qu'elle*

⁴⁸RCA, 12 December, 1908.

soit internée dans une école d'industrie ou de réforme."⁴⁹ Both parents and police achieved their goal: for having no visible means of maintaining herself, Marilda received two years at the Catholic reform school.

In another case, the paternalism of the state kept a young woman in the reform school under the surveillance of the nuns because of her undesirable family situation. In 1903, Marie Louise Lachapelle had been convicted of refusing to work and being a "*coureuse de rue*". The Recorder sent her to the Soeurs du Bon-Pasteur reform school for five years. After three years of her sentence Constable Wilfrid Smith investigated the possibility of her release. The nun in charge of her claimed the visits from her parents made her more disobedient. And, upon meeting with her father Joseph Lachapelle, an impoverished carter, the officer decided that "*il désirait la liberté de sa fille uniquement pour la faire travailler afin d'avoir plus d'argent pour boire.*" Her mother was similarly condemned as a habitual drinker. By this time Marie Louise was seventeen years old, but she was not permitted to participate in the deliberations concerning her release. Nuns, constables, and parents had their say while Marie Louise remained silent.⁵⁰ Her father's request for her release was ultimately denied.

After more than fifty years of operation, the court's "clinical façade" came under serious attack by children's rights activists and those supporting due process, especially in the 1960s.⁵¹ The juvenile court system replaced criminal procedure and laws of

⁴⁹RCA, January 1909.

⁵⁰RCA, 2 January, 1903. (Information from 1906 included in dossier.)

⁵¹Beaulieu, 131.

evidence with a "rehabilitative" tribunal overseen by a maternal or fatherly judge. With no provision for standardized sentencing or monitoring of the court, judges held wide discretionary powers ostensibly to better "treat" the juvenile.⁵² As Schlossman has found for the American case, the Juvenile Delinquents Act and the juvenile courts created a system of what Judge Lucien A. Beaulieu has labelled "procedural paternalism"⁵³.

EXPLAINING (SEX) DELINQUENCY:

The hazy definition of juvenile delinquency contributed to and encouraged the social construction and gendering of the juvenile delinquent. The provincial Industrial and Reform Schools Acts of the nineteenth century had permitted criminal court judges wide discretionary powers to incarcerate adolescents for purposes of protection and punishment. Under these acts girls' reformatories were filled with youthful offenders who "lived outside parental discipline," which was widely defined in terms of precocious sexuality.⁵⁴ While evidence of law breaking was essential for a committal to a reform school, cases from the Recorder's Court show that a parent's admission of the daughter's immorality was often central to the case. "Bad girl" Marie Louise Chouinard spent four years beginning in 1907 in the École de Réforme, having given her mother a terrible

⁵²Alan W. Leschied and Peter G. Jaffe, "Dispositions as Indicators of Conflicting Social Purposes Under the JDA and YOA," in The Young Offenders Act, 158-169, 159.

⁵³Beaulieu, 131. On the Montreal Juvenile Delinquents' Court and a critique of the early court system see Mendelsohn and Ronald.

⁵⁴Michelle Cale, "Girls and the Perception of Sexual Danger in the Victorian Reformatory System," History 78:253 (June, 1993): 201-217, 202; Barbara M. Brenzel, Daughters of the State: A Social Portrait of the First Reform School for Girls in North America, 1856-1905, (Cambridge, Mass.: MIT Press, 1983), 81.

time. At thirteen she had already been arrested for refusing to work when her mother filed a complaint of vagrancy against her. Most likely Louisa Chouinard (née Sampson), a widow who worked at ironing laundry, needed her daughter's income to make ends meet. When the recalcitrant Marie Louise refused to work, her mother turned to the courts to discipline her. Although refusing to work was enough to convict Marie Louise for vagrancy, Madame Chouinard added the fact that her daughter ran in the streets with inappropriate people.⁵⁵

In 1908, juvenile delinquency immediately took on a vague meaning because it was not defined in the Juvenile Delinquents Act; the act simply stated that the delinquent was someone who violated federal or provincial statutes or municipal by-laws. Provinces could then further define what actions connoted delinquency. Under the 1913 amendments to the act concerning juvenile delinquency, parents or guardians in Quebec could bring their children to the court if

"he (sic) had abandoned the home of the person who is in charge of him without permission or sufficient reason; or that he habitually disobeys the lawful and reasonable orders of his parents, or of the person in whose care or keeping he is; or that he is habitually idle; or that he is unmanageable or incorrigible; or that he habitually makes use of obscene or indecent language or that he is guilty of immoral conduct..."⁵⁶

⁵⁵RCA, 7 May, 1907.

⁵⁶Quebec, Quebec Gazette (1913), "An act to amend the Revised Statutes of Quebec, 1909, respecting Juvenile Delinquents, 3 Geo. V, Chapter 39. Juvenile Delinquents' Court Judge, F.-X. Choquet fully supported the widening of the description of delinquency, see his letter to Lomer Gouin, 28 November, 1912, published in Documents de la Session, (1912).

The effect of the wide net of delinquency was immediately felt in Montreal. The Sheriff of Montreal and Administrator of the Juvenile Court and the Detention House of Young Delinquents, Dr. L. J. Lemieux claimed that the law "greatly increased its jurisdiction", the result being an explosion in the numbers of juveniles coming through the court.⁵⁷ From 1913 the court processed about 2,500 cases each year.⁵⁸ (For population of incarcerated juvenile delinquents by age see Table 10) The most commonly policed delinquencies were theft, vagrancy, desertion, disobedience, "precocious" prostitution, and infringement of municipal regulations.⁵⁹ Lemieux supported the loose definition of delinquency, suggesting it was for "the greater good of society."⁶⁰

The Quebec act enabled parents and police to bring before the courts delinquent daughters who exhibited "a precocious sexuality".⁶¹ Vagrancy, disobedience, and desertion was used by families and state authorities to restrain sexual activity outside marriage. In 1924 the JDA was amended to further strengthen this area of delinquency. The amendment added a phrase to include anyone "who is guilty of sexual immorality or any other form of vice." There was no equivalent statement in the Criminal Code

⁵⁷Quebec, Sessional Papers, "Report of the Administrator of the Detention House for Young Delinquents of the City of Montreal," 1914.

⁵⁸Quebec, SP, 1913, 1914-1915. Only about half of these cases came to trial. For example, in the 1910s approximately 1000 cases were heard, female delinquents making up just over 10%.

⁵⁹Ibid.

⁶⁰Ibid.

⁶¹This term was first employed by Steven Schlossman and Stephanie Wallach, in "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era," Harvard Educational Review 48:1 (February 1978): 65-95.

governing Canadians over the age of sixteen.⁶² The aim of the amendment was to gain jurisdiction over young women who were considered "semi-prostitutes" or "occasional prostitutes", that is, those who did not take money for sex but were in search of a good time.⁶³ Under the seduction legislation in the Criminal Code boys and men could be convicted for having carnal knowledge of a female minor but there was nothing to charge her with, as Toronto Juvenile Court Judge H. S. Mott pointed out.⁶⁴ The 1924 amendment was a juridical response to recent upheavals over female sex delinquency. Delinquency for females, of course, was closely related to sexual behaviour.⁶⁵

The gendered nature of delinquency meant boys were charged with theft, damage to property, and incorrigibility, whereas girls were charged for sexual precocity.⁶⁶

⁶²Bruno Théorêt, "Régulation juridique pénale des mineur-es et discrimination à l'égard des filles: la clause de 1924 amendant la Loi sur les jeunes délinquants," Canadian Journal of Women and the Law 4 (1990-91): 539-555, 541. See also Revised Statutes of Canada, 1927.

⁶³Théorêt, 548; and Carolyn Strange, "The Perils and Pleasures of the City: Single Wage-Earning Women in Toronto, 1880-1930," Ph.D Thesis, Rutgers University, 1991, Chapter 4.

⁶⁴Cited in Théorêt, 547. Regina Juvenile Court Judge Ethel MacLachlan also agreed with finding a way to control young women's sexual behaviour. NA, W. L. Scott Papers, Vol. 8, File 30 A.35.4, Letter from Ethel MacLachlan to Judge Mott, 20 February, 1924, 1.

⁶⁵Mary Odem and Steven Schlossman found that sexual activity tended to define female juvenile delinquency in Progressive Era Los Angeles. The Los Angeles Juvenile Court's interest in sexual activity of young women served "to instill fear among single, working-class females about the public or private expression of sexual interest or desire." Mary E. Odem and Steven Schlossman, "Guardians of Virtue: The Juvenile Court and Female Delinquency in Early 20th-Century Los Angeles," Crime and Delinquency 37:2 (April, 1991): 186-203, 200 and 197.

⁶⁶See Schlossman and Wallach.

Statistics of the Montreal Police Department from the 1920s reveal that from one-third to more than one-half of "*fillettes*" were arrested for *désertier ses parents*; running away from home formed a much smaller percentage of boys' arrests.⁶⁷ In his study of cases before the juvenile court in 1929, Herman R. Ross, has shown that the most common reason female delinquents came before the judge was desertion and vagrancy (37%, 70 cases), incorrigibility (21%, 39 cases), shoplifting (12%, 23 cases), and immorality (7%, 14 cases).⁶⁸

In 1926 McGill University Psychology Professor J.W. Bridges studied the two Protestant reform schools in Montreal, claiming that most boys were placed at Shawbridge for theft or stealing whereas the girls were sexual delinquents. He observed that it was not that the boys were not also sexually delinquent, "but society sees fit to incarcerate boys for one offense, and girls for another."⁶⁹

The École de Réforme register suggests a high rate of vagrancy among the girls incarcerated there. The most common reasons for incarceration were "*immoralité, vagabondage, désertion, vol, ivresse, caractère incontrôlable*."⁷⁰ The Girls' Cottage

⁶⁷Girls: 1923 57/141; 1924 102/192; 1925 63/172; 1926 20/59.
Boys: 1923 43/1033; 1924 61/834; 1925 79/1085; 1926 27/714. Montreal, Département de Police, "Statistiques des Crimes et Délits," 1923-1926.

⁶⁸In 1929, 1410 cases were heard in the juvenile court - 1220 boys and 190 girls. One-third of the male delinquents were charged with petty stealing; 12% damage to property; 11% burglary; 9% desertion and vagrancy; 9% incorrigibility; 3% shoplifting; and 0.5% immorality. Ross, 25 and 104, and Charts 3 and 4.

⁶⁹NA, GCIS, Vol. 1, File 20, "A Study of a Group of Delinquent, 1926."

⁷⁰Archives Bon-Pasteur, "École des Juveniles - Maison de Lorette, Laval-des-Rapides, Montreal, Questionnaire, 1946," 1. See also the register of inmates at the Ecole de réforme.

Industrial School did not keep records of the offenses of their inmates; however, the case reports indicate the kinds of activities that were bound to land a young woman in the institution. Women and girls arrived at the GCIS for general disobedience, and a "precocious interest in men."⁷¹ The superintendents' reports indicate how these categories of offenses mask actual behaviour and how it is difficult to differentiate between them. Fourteen year-old G.B. was sentenced to four years at the GCIS in February 1928 for incorrigibility and immoral conduct.⁷² Another fourteen year-old, A.S., was committed for three years for desertion and immorality.⁷³ Keeping late hours, frequenting night clubs and restaurants defined immoral conduct according to the case of E.S. in 1938. Failing to give up this pattern of behaviour upon release landed E.S. back in the institution in the early 1940s; upon discovery of her pregnancy she was sent to Bethany House until the child was born.⁷⁴

Even shoplifting among girls was tainted with the brush of sexual immorality. "Sally", a bag factory employee, stole a bright scarf from a department store in 1926. It was understood that the scarf represented "a shortcut to the glamour which her undisciplined and unsatisfied youth demanded and which her lack of funds prohibited."⁷⁵ In large American cities social reformers found the department store whipped young

⁷¹NA, GCIS, MG 28, I 404, Vol. 1, File 26, "Case Histories," Case C.M.

⁷²Ibid, Vol.2, File 15, "Superintendent's Monthly Reports," February, 1928.

⁷³Ibid, Vol. 2, File 15, "Superintendent's Monthly Reports," May, 1928.

⁷⁴Ibid, Vol.1, File 26, "Case Histories".

⁷⁵Montreal Daily Star, 14 August, 1926.

women into a state of consuming desire where they would stop at nothing to satisfy their yearning for a luxurious lifestyle.⁷⁶ Similarly in Montreal consumption of certain items by young women was linked to commercial amusements and immorality. Reform school was meant to counter Sally's desires for "brightly colored scarfs, silk stockings, etc." ⁷⁷ As Regina G. Kunzel explains, "[e]ven if a young woman's delinquency manifested itself in ways not overtly sexual, social workers believed that 'they are nearly always found associated with the instinctive urge'."⁷⁸

Those responsible for treating juvenile delinquency embraced various theories to explain it. A fertile ground for theoretical work, delinquency in the nineteenth and early twentieth centuries was considered the result of environmental factors, heredity, and combinations thereof. In the late nineteenth century, prevalent was the notion that an individual's morality was innate; thus, criminals and delinquents lacked "normal" moral structures, often the product of heredity. The Frères de la Charité, who ran the Mont-St-Antoine reform school for Catholic boys in Montreal, supported a hereditarian model of delinquency well into the twentieth century, which, they explained, suggested why some of their charges were simply irredeemable.⁷⁹ Also convinced that some juvenile

⁷⁶Mary E. Odem, "Delinquent Daughters: The Sexual Regulation of Female Minors in the United States, 1880-1920," Ph.D. Dissertation, University of California, Berkeley, 1989, 157.

⁷⁷Ibid.

⁷⁸Regina G. Kunzel, Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890-1945 (New Haven: Yale University Press, 1993), 55.

⁷⁹Danielle Lacasse, "Du délinquant à ouvrier qualifié: Le Mont-Saint-Antoine, 1945-1964," Histoire sociale/Social History 22:44 (Nov., 1989): 287-316, 298.

delinquent girls were "*héritières de tares familiales*", the Soeurs du Bon-Pasteur perceived delinquency to be an indication of a weak nature.⁸⁰ Barbara M. Brenzel asserts that a shift from environmentalism of the early nineteenth century to hereditarianism later that century led to strong support for isolating youths from society through incarceration.⁸¹

Competing with the hereditarian explanation of delinquency was the return of environmentalism in the early twentieth century, but this time it was cloaked in a garb of scientific legitimacy. The rise of social science and mental health professions at the turn of the century contributed to the idea that humans were shaped by their external environment.⁸² Scientific explanations of waywardness supported the theory that the seeds of anti-social adolescent behaviour lay in childhood and the family home. Equipped with new theories, mental health experts and social workers employed scientific measures to define normal and delinquent female adolescent behaviour.

Communities and organizations concerned with delinquency in Montreal also embraced environmentalism, blaming the social conditions of the modern city and bad parenting for the problem of delinquents. The Soeurs du Bon-Pasteur perceived the modern, secular, and material world as seductively dangerous to young people. Dance clubs, moving picture houses, bowling alleys and other commercial amusement venues

⁸⁰Soeurs du Bon-Pasteur, Au Soir d'un Siècle, (Montreal: Le Bon-Pasteur d'Angers, 1944), 107-108.

⁸¹Brenzel, 108.

⁸²Elizabeth Lunbeck, "Psychiatry in the Age of Reform: Doctors, Social Workers and Patients at the Boston Psychopathic Hospital, 1900-1925," Ph.D Thesis, Harvard University, 1984, 2.

drew sons and daughters out of familial surroundings and often into the night. In some areas of the city dancing was banned by the local Catholic church.⁸³ Observations that delicatessens and bowling alleys on the Main (St. Laurent Blvd.) drew adolescents and "stimulate[d] gambling, late hours, and increased demand for spending money," prompted the Jewish community to action. This 'after dark' behaviour - the cause of much of the community's delinquency - exacerbated a rift between "old school parents" and Canadian-born children.⁸⁴

In Montreal, the cinema gained particular focus for those surmising about delinquency. In the 1910s, provincial legislation forbade the entrance of minors to the cinema unless accompanied by a guardian.⁸⁵ In 1927, Juvenile court Judge Lacroix, a major proponent of restricting access to the cinema, claimed that it encouraged truancy, lying, and stealing. In young women the cinema provoked "*le goût du luxe et de la toilette*."⁸⁶ Lacroix recounted a story in which the cinema drove young people to delinquent behaviour. Five couples from good families - everyone less than seventeen

⁸³Andrée Lévesque, Making and Breaking the Rules: Women in Quebec, 1919-1939 (Toronto: McClelland and Stewart, 1994), 58.

⁸⁴CJCNA, MB 1, Series B, Box 1, File: Juvenile Neighbourhood House, letter from Mrs. E. M. Berliner, Juvenile Aid Department to the Executive Committee, Federation of Jewish Philanthropies, 28 May 1926, 2.

⁸⁵Ross, 33. Montreal had no shortage of cinemas. In the winter of 1920 the following theatres were fined for permitting access to minors: Canada Moving Picture Hall, Napoleon Palace, Maisonneuve Hall, Midway Hall, Maple Leaf Palace Hall, Crystal Palace, the Regent, the Mont Royal, and the Globe Hall. RCA January-February, 1920.

⁸⁶R.P. Archambault, "Une Entrevue du Président du Tribunal des jeunes délinquants de Montréal," Parents chrétiens sauvez vos enfants du cinéma meurtrier (Montreal: L'oeuvre des tracts [No.91], 1927), 16.

years of age - went to the cinema one day. It excited them to such a degree that instead of going home directly they stopped off at a park where they were later arrested for indecency.⁸⁷

But if young people were being seduced by urban pleasures, what had made them vulnerable were poor home environments and irresponsible parents. Indeed parents received much of the blame for problem adolescents. The Soeurs du Bon-Pasteur believed that young women sent to the École de Réforme were victims of undesirable family situations, homes without faith, without morals.⁸⁸ Reverend Dr. H. Symonds of the Christ Church concurred: female delinquents had "no home training, no religious restraints, no foundations of careful and wise instruction and education."⁸⁹

Explanations of delinquency linked poverty to the failure to provide an appropriate home environment for children. Rarely, however, was destitution in itself considered the cause of delinquency. Abandonment of good morals on the part of the adolescent coupled with impoverished home situation opened the way for criticism of working-class parents. An article in The Canadian Nurse published in the immediate years following the opening of the Montreal juvenile court reported that 75% of the delinquents appearing before the court were children of men who made less than nine dollars per week. Still others were children of widows who were surviving by leaving home to work.⁹⁰ The high percentage

⁸⁷Ibid.

⁸⁸AB-P, Oeuvre des jeunes délinquants.

⁸⁹Rev. Dr. H. Symonds, "The Social Evil," Bulletin of the Council for Social Service, #19, (December, 1918), 6.

⁹⁰The Canadian Nurse 12:9 (September, 1916), 492.

of delinquents from destitute family situations, though, was not in and of itself an explanation for delinquency according to this one Canadian nurse. The real cause lay in the fact the father refused to work or that he and the mother squandered their meagre incomes on drink.⁹¹ Also, crowded living spaces that dire poverty necessitated were considered a contributing factor to delinquency.⁹² Overcrowding explained parents' lack of interest in individual children.

McGill University psychology professor, J.W. Bridges, in his 1926 study of the female delinquents at the Girls' Cottage Industrial School, concluded that bad parenting was responsible for the majority of the inmates' behaviour. The study showed that delinquent girls came from "unfavourable home environments, which in turn led to emotional instability and intellectual dullness."⁹³ Indeed, he found that the most important etiological factor in female delinquency was the home and its psychological environment: seventy percent of his sample came from "broken homes" where parents were either dead, separated, or had never married. "Undesirable" home conditions of the delinquents were common; lacking were proper supervision and understanding. Chief among these were broken homes. Dr. Bridges' "broken homes" theory attributes the cause of adolescent downfall to a poor home environment in which the single parent had not provided proper discipline, supervision, and affection. Bridge invoked a model of

⁹¹Ibid.

⁹²Ross, 35.

⁹³NA, GCIS, Vol. 1, File 20, "A Study of a Group of Delinquent Girls," 21.

bourgeois family life in which the father was the sole wage-earner and the mother held responsibility for educating and disciplining the children.

Often blamed were mothers whose immorality, neglectfulness or ignorance had led their daughters into trouble.⁹⁴ The GCIS field worker recounted a story of a "neurotic" woman who nagged her family and kept her daughter's wages.⁹⁵ Judge Lacroix committed another young woman who was the "illegitimate child of an ignorant mother." She was apparently allowed to roam in the streets and go to school when she felt like it.⁹⁶ Parents' failure to provide the appropriate surveillance for "incorrigible" Rosanna Dagenais was blamed on a drunken father and a mother who did not have full use of her mental faculties.⁹⁷

Professor Bridges identified a history of sexual abuse among the inmates at the reform school but chose to ignore it in his final analysis of the causal factors leading to delinquency. Of typical conditions whence the girls came he wrote: "one girl at nine years of age was seduced by a boarder, another at seven years of age was led into sexual relations with her foster father...".⁹⁸ He was not the first to find sexual abuse among the population of the reform school. A "success story" at the reform school in 1927 recalled

⁹⁴Ibid, 5.

⁹⁵Ibid, Vol. 1, File 31, "Fieldwork and Following Up of Cases," 1928, 2.

⁹⁶Ibid, October 1929, 3.

⁹⁷Donalda Lafleur, though, was in control enough to bring a complaint against her ten year-old daughter for refusing to go to school and for running in the streets. RCA, 13 July, 1909.

⁹⁸NA, GCIS, Vol. 1, File 20, "A Study of a Group of Delinquent Girls," 5.

an unmarried mother who had entered twelve years earlier. She came from a "degenerate home where the father had been responsible for her downfall."⁹⁹ The success in the story lay in the fact that they had placed her as a domestic. Another example from the case reports involved incest. A.M. had been before the court several times for being deceitful and unmanageable. The report stated that "Mr. M. ha[d] always shown an unusual interest in his daughter...and she has accused him of incest but [as] this is difficult to prove in Court no action was taken against Mr. M."¹⁰⁰

Bridges defined the delinquency in these cases as a "normal or expected response to an abnormal or socially undesirable environment", but did not argue that the young women should be spared incarceration for escaping abusive home environments nor that male perpetrators of sexual abuse be charged.¹⁰¹ American historian Linda Gordon found that sociologists studying maladjusted girls in this period also came across incidents of incest but, like Professor Bridges, failed to make it an important factor in analysing the root causes of female delinquency.¹⁰² By the 1910s incest went the way of seduction: responsibility for this deviance was placed on the least powerful, the girl.¹⁰³ In a twist of irony, sexually victimized girls who rebelled against their situations and left the family

⁹⁹GCIS, Annual Report (hereafter AR), (1927), 130.

¹⁰⁰NA, GCIS, Vol. 1, File 26, "Case Histories."

¹⁰¹Ibid, Vol. 1, File 20, "A Study of a Group of Delinquent Girls," 5.

¹⁰²Linda Gordon, Heroes of their Own Lives: The Politics and History of Family Violence (New York: Penguin Books, 1988), 219.

¹⁰³Ibid, 221.

home, searched out street life and modes of behaviour that landed them in institutions.¹⁰⁴ Over the last twenty years American criminologist Meda Chesney-Lind has argued that the juvenile justice system in the United States has criminalized girls' survival by punishing behaviour that was the result of physical and sexual abuse at home.¹⁰⁵

Coexisting with environmentalism at the turn of the century was a revitalized hereditarianism. This time, though, the focus was on inherent mental capacity or intelligence, rather than innate morality. From the world of medical science, then, came another explanation of delinquency: feeble-mindedness.

Feeble-mindedness as an explanation for social ills sprung from medical or mental health circles into widespread and popular usage. What had begun as a challenge to environmentalism, as responsible for individual character based on scientific experiment¹⁰⁶ was widely embraced by ordinary citizens concerned with the state of immigration, poverty, delinquency, and criminality. The problem of the feeble-minded grew to new heights in the imaginations of Canadians in the 1910s, having been fuelled by the results of widespread mental testing.¹⁰⁷

From the emerging professions of psychology, psychiatry, and social work came a host of mental tests that purportedly distinguished defective from normal. One of the

¹⁰⁴Ibid, 240-242.

¹⁰⁵Meda Chesney-Lind, "Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency," Crime and Delinquency 35:1 (January, 1989): 5-29, 20-22.

¹⁰⁶Lunbeck, 18.

¹⁰⁷Angus McLaren, 'Our Own Master Race': Eugenics in Canada, 1885-1945, (Toronto: McClelland and Stewart, 1990), 41.

most prominent tests in determining feeble-mindedness was the Binet test, developed in France at the turn of the century and widely used in North America in the 1910s. Parisian psychologist Alfred Binet developed a quick test that assessed the mental age of school children. Results of the test encouraged classification of the subject according to mental age, which became popular in this period. Although his test was not meant to measure innate intelligence, as Elizabeth Lunbeck found, American psychologists and psychiatrists used it in precisely that way.¹⁰⁸

The Binet, with American modifications, was employed widely, especially on incarcerated populations. In several American states, penologists and psychologists found that two-thirds to three-quarters of female delinquents were "defective".¹⁰⁹ In Montreal, feeble-mindedness preoccupied members of the academic staff of McGill University. Dr. W. D. Tait of the psychology department along with Dr. Gordon Mundie undertook to test inmates at several institutions in Quebec.¹¹⁰ In 1913, Tait visited the Girls' Cottage Industrial School at the request of the Directors who felt it necessary to comprehend their inmates in that way. All of the girls were assessed as feeble-minded.¹¹¹ According to Carrie Derick, McGill University professor, and Montreal feminist, Isa Cole, who was employed by the Montreal Local Council of Women, used the Huey and Stanford revisions of the Binet and Simon tests to determine mental ages of the women she

¹⁰⁸Lunbeck, 19.

¹⁰⁹Odem, 161.

¹¹⁰See Gordon Mundie, "The Problem of the Mentally Defective in the Province of Quebec," Canadian Journal of Mental Hygiene (July, 1919): 123-129.

¹¹¹GCIS, AR, (1914), 7.

examined.¹¹² The effect of the popularity of testing was the change in language describing bad or fallen girls: now they were not simply sexually precocious but were accorded a mental age which explained it.

Mental health experts disagreed over the cause of poor test scores. Innate feeble-mindedness was challenged by educational retardation theories. By the late 1920s, Professor Bridges embraced the latter, arguing that many of the girls he tested had lacked all educational advantages. Clearly intelligence tests discriminated against people with limited education. There was debate among mental health experts about whether the solution to poor test scores was indeed more education. Highly influential was William Healy, an American expert on juvenile delinquency theory and author of several books, including The Individual Delinquent (1915). His influence can be seen in sociology circles; Herman Ross's thesis on Montreal delinquency, for example, adopted his approach, arguing that the lack of compulsory education in Quebec led to high rates of delinquency.¹¹³

As a medical disorder, feeble-mindedness was sharply gendered. In women, its major symptom was delinquency which was indicated by sexually precocious behaviour and venereal disease.¹¹⁴ Lucy M. Brooking of Toronto's Alexandra Industrial School for girls and the former boss of Nancy Stork, a superintendent at the GCIS in the 1920s, published well-documented accounts of the slippery slope between mental deficiency and

¹¹²NA, MLCW, Vol 7, Committee on Mental Deficiencies, Carrie M. Derick, "The Social Menace of Feeble-mindedness," 5.

¹¹³Ross, 62. See also GCIS, AR, (1930), 127.

¹¹⁴Kunzel, 53; Lunbeck, 138.

loose morality.¹¹⁵ Feeble-mindedness, then, indicated immoral sexual behaviour in women just as sexual immorality indicated feeble-mindedness.

Before Professor Tait had confirmed the GCIS Board's worst fears, they had hoped that the inmates were simply low grade intelligence, but eminently reformable.¹¹⁶ Feeble-mindedness, of course, rendered their training and socialization goals unattainable. Witness a case in point where the GCIS invested time, money, and energy in one attractive seventeen year old with a mental age of ten. Within one year, the Committee of Sixteen found her to be "living in the worst conditions pertaining to commercialized vice".¹¹⁷ Their work had been to no avail. The Directors of the GCIS embraced mental testing and categorization in the 1910s, with the cooperation of the Mental Hygiene Committee.¹¹⁸ It then became an important component of their *modus operandi*. Easy corruptibility of feeble-minded girls made them "a menace to society at large" which led the directors to advocate the permanent incarceration of the feeble-minded.¹¹⁹ In 1929 the follow-up worker recommended reincarcerating E.S. because she could not be trusted at

¹¹⁵See her article in the Public Health Journal, 5 (1914): 212-218, cited in Angus McLaren, 41.

¹¹⁶GCIS, AR, (1914), 7.

¹¹⁷GCIS, AR, (1918), 8.

¹¹⁸The Mental Hygiene Committee was established in Montreal in 1919 and operated a clinic for mental testing and educational training for those working in the mental health fields. In the 1920s the work undertaken by the Committee was financed by the Charity Organization Association/Financial Federation. In 1929 it was renamed the Mental Hygiene Institute and was housed at McGill University. A. S. Mayotte, "Uses Made of a Mental Hygiene Clinic by a Boys' Training School," M.S.W. Thesis, McGill University, 1949, 37-39.

¹¹⁹GCIS, AR, (1917), 14 and GCIS, AR, (1924), 123.

night. Dr. Silverman of the Mental Hygiene Committee claimed that her tendency toward nighttime immorality was caused by her mental deficiency.¹²⁰

Feminist groups in Montreal presumed a link between delinquency and feeble-mindedness and worked toward preventing delinquent girls from reproducing. Beginning in the 1890s the National Council of Women had advocated investigating the frequency of mental defectives in Canada. The Montreal branch began advocating mandatory mental testing in schools, hospitals, reformatories, and jails and they brought in American experts to educate the public on the feeble-minded. Carrie Derick, head of MLCW's Committee on Mental Deficiency, was a strong proponent of mental testing in schools and incarceration in farm colonies of the feeble-minded.¹²¹ At the 1915 Child Welfare exhibit, the MLCW organized, along with Carrie Derick's students, a presentation illustrating the "Social Menace of Feeble-mindedness."¹²² The point was to show the connection between social problems - delinquency, unwed motherhood, alcoholism - and feeble-mindedness and to get the province involved in treating those labelled mentally defective. The MLCW proposed the segregation through custodial care of the feeble-minded to prevent "transmission of feeble-mindedness" to the next generation¹²³, but the province was not very responsive.

¹²⁰NA, GCIS, Vol 1, File 31, "Fieldwork and Following Up of Cases," October 1929, 3.

¹²¹Derick, "The Social Menace," 5.

¹²²Ibid.

¹²³NA, MLCW, Vol. 7, File: Committee on Mental Deficiencies, "The Montreal Local Council of Women and Mental Defectives," (n.d.), 1.

The Quebec government refused to put money into programs for widespread testing or incarceration facilities. As Angus McLaren has pointed out, eugenic arguments that led to tampering with reproduction fell on deaf ears among the powerful Catholic elite.¹²⁴ The resistance of the provincial government did not stop the MLCW; they hired Isa Cole to do testing for them. A graduate of the Boston School for Social Work, Cole had extensive experience in progressive psychiatry at the Social Service Department and psycho-neurological clinic of the Massachusetts General Hospital.¹²⁵ In 1916, she was asked to introduce social service work at Montreal's Maternity Hospital. Throughout 1918, Cole ran tests on juvenile delinquents, women arrested by the policewomen, and inmates at the Hervey Institute for Dependent Citizens.¹²⁶

Feeble-mindedness was linked to sexual depravity in girls and women and was used to justify incarcerating young women for their own good. It was also deemed to be a major cause of venereal disease which, by the 1910s was considered a scourge on the population.

ANCILLARY INSTITUTIONS

Multiple agencies, churches and organizations had representatives in the court itself and worked with families of delinquent children; for example, the University

¹²⁴McLaren, 25.

¹²⁵Derick, 5.

¹²⁶McLaren, 24. On the policewomen and Cole see chapter 4 and Derick, 5-6.

Settlement in the first years of the court.¹²⁷ Founded to deal with predelinquent and delinquent adolescent girls, the Big Sister Association was run by social workers from the McGill University Department of Social Service (later the School for Social Workers) and volunteers. Its mandate identified mostly twelve to eighteen year-old Protestant "underprivileged girls" as their target group. These "friendless" girls were referred to them by the juvenile court, parents, churches, hospitals, schools, and other agencies for problems such as waywardness, delinquency, desertion, and bad home conditions: the Big Sister Association claimed to correct bad parenting. They gave temporary shelter to "unprotected" girls, directed them to local churches and employment bureaus. In order to "help" the girls, they subjected them to a battery of physical tests at the Big Sister clinic performed by a doctor paid for by the Financial Federation of the Montreal Council of Social Agencies, and mental testing was carried out by the Mental Hygiene Committee. The mental test results were used to assess the course of action to prevent further delinquencies. They aimed to restore the girl to school, church, her family, her job. Often this meant further supervision through the church, settlement or employer.¹²⁸ In the 1920s the Big Sister Association met with hundreds of young women.

Aftercare extended the arm of the incarceration experience. As Arthur Saint-Pierre noted in 1930, the Maison de Lorette did not operate a follow-up program but

¹²⁷Irving Mortin, "Program Development at the University Settlement of Montreal," Master of Social Work Thesis, McGill University, 1953, 64-65.

¹²⁸Big Sister Association, Annual Reports, (1922-1930). These are published in a the annual Welfare Work in Montreal beginning in 1922.

hoped one of the organizations such as the Catholic Big Sisters would.¹²⁹ The GCIS implemented such a program in 1924.

The follow-up program at the GCIS was run by recent graduates of McGill new School of Social Work. Ideally their task - commonly referred to as "tracing up old girls" - was to help girls adjust to city life after a long period of retraining.¹³⁰ The visitor met with the girl before her release and her family to plan for her reintroduction to society. Once released the visitor or follow-up worker helped find employment often through the YWCA's Employment Bureau, and steered the girl toward suitable recreation at the settlements, Canadian Girls in Training, or the Big Sister Association.¹³¹ For those on parole the visitor was responsible for reports to the juvenile court committee. The visitor could at any time recommend to the committee the recommittal of a girl who failed to live up to the visitor's expectations. In 1929 P. M., an unmarried mother was readmitted to the school because she was unable to hold employment and keep regular hours. Her child was taken from her.¹³²

Fieldwork often placed the social worker at odds not just with the girls but with the parents as well. Rather than the frightened, needy adolescent the follow-up worker was assigned to help, newly-released girls were "usually self-confident and full of

¹²⁹Arthur Saint-Pierre, L'Oeuvre des Congrégations religieuses de Charité dans la province de Québec (en 1930), (Montréal: Editions de la Bibliothèque Canadienne, c1930), 147.

¹³⁰NA, GCIS, Vol. 1, File 19, "Visitor's Report, 1924-25."

¹³¹Ibid.

¹³²Ibid., Vol. 1 File 31 "Fieldwork and Following Up of Cases," April, 1929.

assurance that they will be able to establish themselves without assistance."¹³³ The watchful eye of the visitor was not always welcome: girls sometimes slipped through her fingers. T.G. was reported as "gradually drifting away" when the visitor could not locate her. The visitor surmised T.G. was "likely a bad influence" on other girls and therefore threatened to report her to juvenile court Judge Lacroix.¹³⁴

But the girls were not always blamed if they did not return to the family home. In fact the GCIS wrote that the family was "sometimes a great handicap to our programme."¹³⁵ That is, the follow-up worker sometimes discouraged the girls from reuniting with the family. Boarding or foster homes were recommended in cases where the visitor could not blame the daughter for not wanting to return home. Hundreds of girls were subject to the aftercare of the visitor or follow-up worker, adding another layer to their experience of surveillance.

CONCLUSION

The new juvenile court in and of itself did not lead to the gendering of delinquency; however, the *parens patriae* model, along with the vagueness of the term delinquency permitted the court to punish girls for sexual transgressions. A host of new institutions arose as a result of the establishment of Montreal's juvenile court, and agencies concerned with marginal behaviour formed a web to catch and reform sex

¹³³GCIS, AR, (1927), 131.

¹³⁴NA, GCIS, Vol. 1, File 31, "Fieldwork and Following up of Cases," 1.

¹³⁵GCIS, AR, (1928), 131.

delinquents. Fears that bad girls were feeble-minded and carriers of venereal disease encouraged physical and mental testing that led to placement in a reform institution.

TABLE 10

JUVENILE DELINQUENTS INCARCERATED IN MONTREAL
BY AGE
1915, 1921, 1925, 1930

YEAR	SEX	UNDER 14	14-16	16-20	20-25	TOTAL
1915	FEMALE	9	42	9	0	60
	MALE	259	205	30	1	495
1921	FEMALE	42	129	39	0	210
	MALE	290	340	38	0	668
1925	FEMALE	57	92	61	0	210
	MALE	522	354	59	0	935
1930	FEMALE	72	121	35	0	228
	MALE	588	481	78	0	1147

Source: Quebec, Sessional Papers, 1915-1930

CHAPTER V:
**THE SOEURS DU BON-PASTEUR AND THE "BREBIS FUGITIVES ET
REBELLES": INCARCERATING WOMEN IN MONTREAL, 1870-1930**

This chapter explores one facet of the history of incarceration in Quebec: the establishment and operation of the separate women's jail in Montreal. Only in the last two centuries has our society embraced imprisonment as the ideal form of punishment for criminal activity. The acceptance of imprisonment was not without visions and revisions, however, and over the nineteenth century incarceration facilities and rehabilitation programs were subject to ongoing modifications. One of the most important legacies of penal reform from the last century was the movement toward classification of inmates which led to the teasing apart of juveniles and women from men in local jails. The rise of gendered treatment is the focus of this chapter.

American and British historians have documented the political action of maternal feminists which led to the founding of women's prisons and the installation of all-female administrators of those institutions. Because the management of facilities for fallen women was situated in the realm of female philanthropic work - becoming one component of social welfare not distant from the care of the poor, the sick, and the aged - it was considered appropriate women's work. But, as Lucia Zedner suggests, female Protestant philanthropists seeking to "extend their sphere of jurisdiction" had to fight an

uphill battle to secure institutions for women by women.¹ From a slow beginning in the early nineteenth century, women were increasingly successful in creating institutions in urban areas to conduct "moral" work with the poor, the indigent, and the fallen. In the area of American women's prisons the work of Estelle Freedman and Nicole Hahn Rafter shows that these institutions became the business of middle-class, often educated, female reformers who lobbied hard and often found they were rewarded with employment in the new reformatories.²

The history of the women's prison in Montreal shares some of this familiar story. Religion-inspired groups of women established institutions regarding the education, health and welfare of women. Unlike their Protestant counterparts, the Soeurs du Bon-Pasteur d'Angers (Sisters of the Good Shepherd) were actively sought out for their work in the field of rescuing fallen women: this female religious order was first recruited to Montreal by Bishop Ignace Bourget in the 1840s to fill a lacuna he perceived in the care of women in his city. The women who established the jail were not necessarily from the propertied classes like their Protestant counterparts, and they were not labelled reformers nor would they likely have considered themselves such. They tended not to share in the ideology behind the establishment of women's reformatories. Still, they supported a gender-specific treatment of convicted women that was consistent with their religious work.

¹Lucia Zedner, Women, Crime, and Custody in Victorian England (Oxford: Oxford University Press, 1991), 121.

²Estelle B. Freedman, Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930 (Ann Arbor Michigan: The University of Michigan Press, 1981), and Nicole Hahn Rafter, Partial Justice: Women, Prisons, and Social Control (New Brunswick, N.J.: Northeastern University Press, 1985), 42.

Historians acknowledge that women's prisons and reform schools were more moderate and kinder versions of their progenitors, the city jail and the penitentiary³; however, the history of women's incarceration under the nuns guardianship is not a straightforward story of progress for women. Indeed, the gender-specific treatment at the hands of the nuns in a private institution did not necessarily benefit women in conflict with the law.

The task at hand is to place the establishment of the women's prison in the context of nineteenth-century penology and penal practice while illuminating the specificity of the Montreal experience. This chapter begins with an overview of the history of prisons and penology, and the rise of the women's reformatory movement. It then explores the origins of the Fullum Street prison, the history of the Bon-Pasteur in Montreal, the nuns' founding of the jail and the regime they established, concluding with a discussion of the failed attempts to found a women's reformatory in Montreal.

PRISON HISTORY

Today's commitment to incarceration as the chosen form of punishment for criminal law offenders has its origins in the early nineteenth century. The shift from physical punishment to incarceration signaled the influence of Enlightenment thought on penology.⁴ Further evolution of this thinking on the nature of criminality and the

³Peter Oliver, "'To Govern by Kindness': The First Two Decades of the Mercer Reformatory for Women," in Jim Phillips, Tina Loo, and Susan Lewthwaite, eds., Essays in the History of Canadian Law: Volume V Crime and Criminal Justice History (Toronto: The Osgoode Society, 1994): 516-571.

⁴See Michel Foucault, Discipline and Punish: The Birth of the Prison (New York: Vintage Books, 1977); David J. Rothman, The Discovery of the Asylum: Social Order

purpose of punishment led to criminals being subject to "treatment" and incarceration facilities being redesigned to accommodate this ideology. An important component of these changes involved categorizing the deviant, which led to women and juveniles being separated from men and adults respectively. These newly created cohorts were not only separated physically but were eventually subject to gender- and age-specific treatment. Thus, as the giant, walled penitentiaries of the mid-nineteenth century stand as testimonials to the arrival and triumph of new thinking on punishment, women's prisons and the reform schools of the latter part of the century are examples of the rejection of the penitentiary model and the further evolution of penological thinking.

While incarceration as punishment came into vogue in the early- to mid-nineteenth century, jails had previously served as temporary holding cells for those awaiting trial and punishment. Penalties for breaking the laws in seventeenth- and eighteenth-century New France and British North America included physical punishment similar to that exercised in France and England at the time; these included branding, flogging, galley servitude, and hanging.⁵ In his late nineteenth-century history of the Montreal prison,

and *Disorder in the New Republic* (Boston: Little, Brown and Co., 1971); Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850* (London: Macmillan, 1978); and Jean-Marie Fecteau, "Poverty, Criminality, and Power in Quebec, 1791-1840," in Jim Phillips et al, eds., *Essays in the History of Canadian Law: Volume 5, Crime and Criminal Justice* (Toronto: Osgoode Law Society, 1994): 293-323, 298.

⁵D. Owen Carrigan, *Crime and Punishment in Canada: A History* (Toronto: McClelland & Stewart, 1991), 296.

J.Douglas Borthwick describes the hand branding, pillory, whipping, and hanging that were the common punishments for the first third of the century.⁶

The judgment and critique of punishment of criminals as inhumane came out of Enlightenment thought, specifically from utilitarians Italian Cesare Beccaria, and Englishmen Jeremy Bentham and John Howard who promoted the prison as a site to effect reform of the criminal class.⁷ Central to this reform ideology was the belief that environment played a fundamental role in shaping one's actions, and a corollary of this was that by manipulating the environment change in the individual could be achieved. The impact of these thinkers was profound; in British North America, authorities were heavily influenced by the liberal reform ideology emanating from Great Britain, evidenced in the reduction of the number of capital crimes and the introduction of new prison systems. In the United States these ideas led to the implementation of two new prison systems that used the penitentiary model, the Pennsylvania and the Auburn, the latter of which would in turn be widely employed in Canada.

The new prisons of the early nineteenth century - the imposing, walled penitentiaries - were built on the periphery of urban settlements.⁸ The penitentiary would be the first institution whose design and programs both addressed the causes of criminality and functioned to diminish it through incarceration.

⁶J.Douglas Borthwick, History of the Montreal Prison from A.D. 1784 to A.D. 1886 (Montreal: A. Periard, 1886), see Chapter 1. Borthwick wrote critically of the tendency toward physical punishment, claiming it was "unworthy of a Christian country," 3.

⁷Carrigan, 319-321.

⁸Yet, as David J. Rothman has argued, "(r)ather than stand as places of last resort, hidden and ignored, these institutions became the pride of the (American) nation." 79.

Besides the obvious physical removal of the institution from the community, what distinguished the penitentiary from its antecedents was the regime of isolation, obedience, and hard labour.⁹ A regimented routine was employed in the penitentiary, suggestive of a military operation in which every aspect of the soldier's/prisoner's life was planned with intention toward achieving the goal of a reformed - that is, disciplined and deferential - citizen.¹⁰ Prison uniforms, hard labour, and the requisite, military-style marching in lockstep suggest a masculine model of incarceration, but as American historian, Nicole Hahn Rafter, has noted women were also punished in penitentiaries.¹¹ Historians of the penitentiary model of incarceration describe it as a nineteenth century human laboratory intended for social betterment through discipline and an institutional regime. Indeed, as Rothman has suggested the penitentiary is where eighteenth-century humanitarian thought collided with the nineteenth century's positivism, with the result being far less than what its architects had hoped.

The Pennsylvania system originated at the end of the eighteenth century under the auspices of the Quakers. As head of the Philadelphia Society for Alleviating the Miseries of Public Prisons, Dr. Benjamin Rush convinced authorities to begin an experiment at the Walnut Street Jail in Philadelphia. The system implemented consisted of isolating prisoners, hard labour, and religious instruction. Silence was mandatory at all times in

⁹Ibid.

¹⁰Ibid, 105.

¹¹Rafter, 3-4.

order for the inmate to reflect spiritually on his or her wrongdoing.¹² Under such isolation many inmates suffered madness, an example of Foucault's assertion that the penitentiary marked a shift from punishment of the body to punishment of the soul.¹³

The Auburn system, implemented in New York State in the 1820s, followed a model similar to the Pennsylvania System, except for one major difference, that the prisoners would work together, though in silence. Putting the inmates to work at hard labour served two functions: to teach the morals of industry and habit, and to offset the enormous expense of running the facility.¹⁴ This became fashionable with other nineteenth century institutions such as insane asylums.

The Auburn System became the more popular of the two, being widely implemented in North America. In Canada, this reform impulse was evident in the 1820s and 1830s, with the onset of a veritable flurry of prison-building. The Kingston Penitentiary, for instance, not only used the Auburn System but was also an example of the "moral architecture" espoused by Jeremy Bentham, famous for disciplining by architecture through the use of the panopticon.¹⁵ Other penitentiaries opened in Canada

¹²Blade McKelvey, American Prisons: A History of Good Intentions (Montclair, N.J.: Patterson Smith, 1977).

¹³Foucault, 16.

¹⁴On the concept of the prison as factory see Rainer Baehre, "Prison as Factory, Convict as Worker: A Study of the Mid-Victorian St John Penitentiary, 1841-1880," and Joseph Gondor Berkovits, "Prisoners for Profit: Convict Labour in the Ontario Central Prison, 1874-1915," both in Essays in the History of Canadian Law: Volume 5 - Crime and Criminal Justice Jim Phillips, Tina Loo, and Susan Lewthwaite, eds. (Toronto: Osgoode Society, 1994): 439-477 and 478-515.

¹⁵C.J. Taylor, "The Kingston, Ontario Penitentiary and Moral Architecture," Histoire Sociale/Social History 12:24 (Nov., 1979): 385-408. See Michel Foucault on the

following this model were the Saint John Penitentiary in New Brunswick (1842)¹⁶ and St. Vincent de Paul near Montreal (1873).¹⁷

However, these institutions often failed to live up to the expectations of those who crafted them. Heralded as a tribute to Enlightenment thinking, particularly in respecting a criminal's humanity and capacity for rehabilitation, the prison effectively removed the punishment of offenders from the public's eye, giving wardens and superintendents ultimate authority and power over the lives of the incarcerated. In the introduction to Discipline and Punish, Michel Foucault wrote that what marked the birth of prison in the nineteenth century was that publicity shifted away from the spectacle of physical punishment toward the trial, and that punishment - now incarceration - would become the "most hidden part of the penal process" instead of the most visible.¹⁸ This situation would ultimately lead to decades of inquiries, attempts at correcting the failed experiment, and a search for new solutions to reform prisoners. The history of the custodial institutions of the first half of the nineteenth century suggests that under mismanagement and neglect the dream of the "total routine" was never realized:

panopticon, Discipline Ch. 3. In "reversing the principle of the dungeon" the panopticon ensures visibility of the inmate "that assures the automatic functioning of power," 200-201.

¹⁶Baehre.

¹⁷Pierre Tremblay, "L'évolution de l'emprisonnement pénitencier, de son intensité, de sa fermeté et de sa portée: le cas de Montréal de 1845 à 1913," Canadian Journal of Criminology 28:1 (1986): 47-68.

¹⁸Foucault, 9.

programs faltered, facilities poor, and those in charge cruel.¹⁹ Interestingly, this failure or reevaluation of the penitentiary did leave room for other options of incarceration, specifically the reformatory for juveniles and women.

HISTORY OF WOMEN'S REFORMATORY MOVEMENT

One of the important legacies of nineteenth-century penal reforms was the classification of prisoners. Over the nineteenth century incarceration spaces were increasingly differentiated: criminals and others considered at the fringe of society were classified and separated according to age, sex, and in some cases type of crime or aberrant behaviour. The penitentiary held the most "serious" of criminals, those whose sentences were more than two years in length. To protect children and youths, they were first separated into their own cells, then wings, and finally their own establishments.

By mid-century, the horrors of housing women in local jails and prisons entered the debate on punishment. Not intended to be the final punishment, a brief stay in a common jail for either sex, however, could qualify as punishment in itself. Early jails were notorious for being dark, dank, crowded houses where prisoners were fed little more than bread and water. In most local jails everyone was lumped together. The vast majority of women sentenced by the courts ended up in the common jail. Less than one

¹⁹Carrigan, 339. At Kingston, for example, public health and sanitation were desperately inadequate. C.W. Topping, Canadian Penal Institutions (Toronto: Ryerson Press, 1929), 4-5.

percent of women incarcerated in Montreal went to the penitentiary.²⁰ In many municipalities there developed lobby efforts to establish separate prisons for women, specifically because women inmates were constantly subject to sexual and physical abuse.²¹

By the second half of the nineteenth century there existed two models of incarceration for adults, the custodial and the reformatory. The penitentiary system, which exemplified the custodial model where the aim was to punish and rehabilitate, proved ultimately unsatisfactory in reforming criminals and by the 1870s the reformatory was being hailed as the harbinger of prison reform. Reformatories for boys and girls had already been established at mid-century and would become the preferred model for adult women prisoners as well, in theory if not always in practice.

In the early nineteenth century female prison reformers in England and the United States began to articulate the idea of segregating the sexes in incarceration facilities. Elizabeth Fry (1780-1845), was one of the most influential prison reformers both in England and in North America. Motivated by the Quaker traditions of prison visiting, Fry upon finding the horrendous conditions of women in London jails, advocated separating women inmates. While sexual abuse was one argument, she also outlined a proposal for more effective rehabilitation of fallen women through gender-specific

²⁰Zedner found the same for England in the Victorian era: 98% of women sentenced by the courts ended up in local prisons, 131.

²¹For an overview see Karlene Faith, Unruly Women: The Politics of Confinement and Resistance (Vancouver: Press Gang Publishers, 1993), Chapter 3.

treatment.²² Rejecting Bentham's model of rigid, uniform treatment of prisoners, Fry supported a more individualized scheme.²³

Elizabeth Fry's ideas of segregation were embraced by antebellum prison reformers in the United States. For mid-nineteenth century penologists and reformers who increasingly fixated on classification, sex was just one of the categories that merited separate housing. Slowly the insane, juveniles, and first offenders were sorted into separate facilities.

The women's reformatory movement had two related sources: penologists, who tended to be men involved in state and local prisons, and female reformers interested in the well-being and redemption of fallen women. At a prison congress held in Cincinnati in 1870, the leading American penologists gathered to formulate the principles of the reformatory. There they vigorously supported the concept of separate facilities for women. The reformatory also derived strength from middle-class, social feminists who developed a critique of the male model of incarceration - often influenced by Fry's writings - and who advocated the creation of what Estelle Freedman has called "extradomestic" female institutions.²⁴

The women's reformatories which were born in the 1870s and had their heyday in the beginning of the twentieth century "broke radically with custodialism."²⁵

²²Zedner, 116-121; and Freedman, 22-24, 47.

²³Zedner, 119.

²⁴Freedman, 47; see also Rafter, 45-46.

²⁵Rafter, 23.

Everything from the program of rehabilitation to the architecture of the facility to its location was a rejection of the early nineteenth century penitentiary and common jail.

The major features of a women's reformatory were premised on the (social feminist) belief in the differential treatment of the sexes that was warranted by the innate differences between men and women. Thus facilities were constructed whose architecture, programs and discipline styles suited women's "gentle" and "domestic" nature. The architecture espoused by Bentham and exhibited in the penitentiary were rejected in favour of the homier, cottage-style facility. The equation of rural living with higher morality led the reformatory founders to promote the construction of institutions in pastoral surroundings far from the evil influences of urban life. To the use of geography to manipulate the psychological environment was added sex-specific rehabilitation programs and discipline methods.

Not only were female inmates to be physically separated from men, they would be supervised by exemplary female role models. By the 1860s classification of prisoners had led to thinking on individualized treatment²⁶; in the women's reformatory this meant semi-personalized rooms, and specialized, individual attention. The reformatory emphasized rehabilitation over punishment, with attention paid to the feminine ideal. The institutional programs emphasized retraining: religious, vocational, and increasingly academic. Education would be complemented with domestic work - the inmates were to do all the cooking, cleaning, and sewing for the institution, in preparation for their lives in the outside world as wives and mothers. In terms of discipline, the rule of

²⁶Ibid, 29.

silence that was a mainstay of the penitentiary model was abandoned.²⁷ And, solitary confinement was rarely to be used; in fact, the austere individual cells of the penitentiary were replaced with more personalized rooms.²⁸

There was considerable reform activity on women's prisons in the latter half of the nineteenth century. New ideas were grafted onto to local particularities: in New York and Massachusetts this meant state reformatories for women; in Montreal it meant institutions run by nuns that drew on an apostolic tradition. Most prison histories describe the process by which the custodial model of incarceration was rejected and replaced by women's prisons that incorporated some of the main principles of a reformatory. Feminist historians such as Estelle Freedman, Nicole Hahn Rafter, and Carolyn Strange observe the limited effectiveness and contradictions of applying social feminism to prison experiences. Carolyn Strange has argued that at the Mercer Reformatory for Females inmates were subjected to a maternalist regime that reinforced bourgeois notions of female behaviour.²⁹ What it justified in the end, as Rafter has made clear, was women's subjection to moral retraining (where men were not) and perhaps most alarming, a higher committal rate and extended sentences for women.

²⁷Ibid, 39.

²⁸Ibid, 40.

²⁹Carolyn Strange, "The Velvet Glove: Maternalistic Reform at the Andrew Mercer Ontario Reformatory for Females, 1874-1927," M.A. Thesis, University of Ottawa, 1983; "'The Criminal and Fallen of Their Sex': The Establishment of Canada's First Women's Prison, 1874-1901," Canadian Women and the Law 1:1 (1986); and "The Perils and the Pleasures of the City: Single, Wage-Earning Women in Toronto, 1880-1930," Ph.D. Dissertation, Rutgers, The State University of New Jersey, 1991, Chapter 4.

THE ORIGINS OF THE FULLUM STREET WOMEN'S PRISON

The success or failure of several experiments in female incarceration such as the Mercer Reformatory in Toronto has captured the attention of historians in the last decade. In the case of Montreal, the Fullum Street Women's Prison was hailed as a triumph in the nineteenth century and is still praised by historians for being one of the first all-female administered institutions.³⁰ Montreal prison reformers (the most vocal of whom were the Inspectors of Prisons and the clergy who worked at the local jail) aimed to alleviate the horrendous experience of incarceration by turning over the female inmates to the tutelage of the Soeurs du Bon-Pasteur. Beginning in the 1870s, the shift in location of incarceration from the local jail to the women's prison run by nuns radically altered that experience. However, the nuns at the women's prison did not implement the progressive or social feminist ideals of a women's reformatory. Instead, women inmates found their jail terms qualitatively different, beginning with the tight, well-ordered regime based on religious retraining.

The experience in the common jail had been far from conducive to the reformation of prisoners of either sex: by mid century the 1837 edifice was overcrowded, the women's section was not sufficiently separate from the men's, and it lacked female staff to supervise the women inmates. The decision to create a women's jail, while informed by recent developments in penology on separate and gendered treatment of prisoners, was inspired as much by the population crisis in the common jail as it was by a desire to put theory into practice.

³⁰Carrigan, 460.

In the late 1860s, certain notable men in Montreal launched a campaign to persuade the provincial government to build an institution for female prisoners. The common jail's chaplains, Rev. Father Huberdeau and Rev. J. D. Borthwick, who bore witness to the vile conditions at the institution, joined Charles Alexander, a legislative representative from Montreal, the prison inspectors, and several Montreal politicians, including the mayor, on a lobbying mission to Quebec City. Borthwick, who took to writing histories of the jails in subsequent years, attributed the success of their efforts to the high profile of the (all-male) delegation and the generosity of the Montreal Seminary which contributed twelve acres of land for the purpose of constructing a female prison.³¹ In response to the visit by the delegation, the government created a committee to study the proposal and set aside finances for the purchase or building of a women's prison.

The explicit purpose of the women's jail was defined as the moral reform of female inmates. The decision taken on its management illustrates this purpose: the provincial government granted the right to operate the new women's jail to the Soeurs du Bon-Pasteur d'Angers. Borthwick noted in his history of the jails that having a religious order of women control the women's prison was an idea made popular in the years leading up to the establishment of the Fullum Street Prison for Women. Borthwick quoted Dr. W. Nelson, Inspector of the Kingston Penitentiary who in the 1860s had conceived of the idea of holding female prisoners in asylums or charitable institutions that

³¹Borthwick, History of the Montreal Prison, 225. See also Borthwick, From Darkness to Light: History of the Eight Prisons which have or are now in Montreal from A.D. 1766 to A.D. 1907, Civil or Military (Montreal: The Gazette Printing Co., Ltd, 1907), 113-117.

were already run by nuns such as the Sisters of Charity or the Bon Pasteur as "easier and more economical [than state-run prisons]".³² His perspective on the style of incarceration best-suited for women inmates suggests his sympathetic view of the nature of the female criminal. Calling them "poor women, [who were] lost and driven from society", Nelson found that punishment in prison fell short of changing the plight of these women and that it was therefore logical to send them to nuns for redemption.³³ The key to repentance and reform for these women lay with the "tender and maternal treatment"³⁴ offered by the nuns, something that was sorely lacking at most local jails and penitentiaries. At the time, the doctor noted, nuns of many orders were earning praise in the field of social education. Incarceration under tutelage of nuns, then, was explicitly conceived of as an effective method of socialization.

In contrast to the movement toward state control and management of prisons elsewhere in Canada and the United States, in Montreal the female jail was administered by the nuns in exchange for a per capita annual subsidy.³⁵ The agreement reached between the government and the Soeurs du Bon-Pasteur specified that the nuns would

³²Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1875).

³³Ibid, (1875). Rafter also suggests that gender-specific treatment of female prisoners through reformatories was premised on the changing notion of the female criminal -from being "beyond redemption" to childlike and redeemable. The potential of the female criminal could be realized with the appropriate (re)training. Rafter, 49.

³⁴Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1875).

³⁵Ibid, (1875).

own the land, that the cost of the jail (\$140,000) would be covered by the government, and that the sisters would carry the responsibility of its administration.³⁶

Though somewhat surprising in its North American context, placing a religious order in charge of a prison was consistent in Catholic Quebec; as well, it permitted the possibility of applying ideas about the gendered treatment of prisoners in a Catholic context. In fact, if women's reformatories in the United States were part of the process of women's institution-building in the late nineteenth century³⁷, the women's prison in Montreal was the Catholic equivalent, fitting into a large network of facilities run by female religious orders. Still, this decision was not without its detractors. Handing over a public institution to an order of nuns angered a certain Protestant minority³⁸ that would wage a battle first for a separate wing in the new prison for non-Catholic women and who would later vigorously campaign for a proper women's reformatory in Quebec.

By the mid-1870s, Montreal accommodated a large number of religious orders operating a complex network of institutions. These included orphanages (Soeurs Grises), asylums (Soeurs du Providence), hospitals (Soeurs de la Miséricorde), and schools (Soeurs du Sainte-Anne, Congrégation of Notre-Dame). By the end of the century there

³⁶Jacques Laplante, Prison et ordre social au Québec (Ottawa: Les Presses de l'Université d'Ottawa, 1989), 82. See also Soeurs du Bon-Pasteur, Annales des religieuses de Notre-Dame de Charité du Bon-Pasteur d'Angers à Montréal Tome I. (Montreal: Monastère du Bon-Pasteur, 1895).

³⁷Freedman, 46.

³⁸Quebec, Sessional Papers "Report of Inspectors of Prisons..." (1875).

were over thirty women's religious orders in Quebec.³⁹ Montreal nuns were involved in work with the poor, the orphaned, the infirm, the mentally ill, and the aged; often more than one community operated in each sector of care.⁴⁰ The small order of the Bon-Pasteur had early on made a niche for themselves in dealing with categories of "deviant" women in their work with those who were recently released from prison, and later their commitment to handle delinquent girls.

THE SOEURS DU BON-PASTEUR D'ANGERS IN MONTREAL

In the 1840s, the Bishop of Montreal, Ignace Bourget, travelled to France to recruit religious orders to his city. It was during his 1841 trip that he contacted the mother superior of the Soeurs du Bon-Pasteur in Angers.⁴¹ This order had been established in the seventeenth century by Père Jean Eudes, an apostolic missionary, writer, and founder of the society of priests called Eudists.⁴² From its beginning the order of the Good Shepherd had been involved in rehabilitating women, particularly prisoners, and Madeleines or former prostitutes; it was this field of work that particularly

³⁹Marta Danylewycz, Taking the Veil: An Alternative to Marriage, Motherhood, and Spinsterhood in Quebec, 1840-1920 (Toronto: McClelland and Stewart, 1987), 18.

⁴⁰For an overview of Montreal religious orders working to eliminate the harshest effects of poverty in the city in the nineteenth century see, Huguette Lapointe-Roy, Charité bien ordonnée: Le premier réseau de lutte contre la pauvreté à Montréal au 19e siècle (Montréal: Boréal, 1987).

⁴¹Philippe Sylvain and Nive Voisine, Histoire du catholicisme québécois: Les XVIIIe et XIXe siècles Tome 2: Réveil et consolidation (1840-1898). (Montréal: Boréal, 1991), 28.

⁴²Henri de Courcy, Les servantes de Dieu en Canada: essai sur l'histoire des communautés religieuses de femmes de la province (Montréal: John Lovell, 1855), 102.

captured Bourget's interest, for he perceived the need for this service in Montreal.⁴³ As well, their work with the penitent class had expanded in the early nineteenth century under Mère Marie de Sainte-Euphrasie Pelletier who added protection of girls to their duties.⁴⁴ This comprehensive work with girls and women in trouble made the order very suitable for Bourget's intentions.

From the perspective of this order of French nuns, the chance to branch into the western hemisphere was compelling. The nuns have written of Bourget's proposal as eminently inviting: how could they have refused the chance to convert souls in "*La Nouvelle France*"?⁴⁵ Sending nuns to found new orders of the Bon Pasteur was not new for they had already spread throughout Europe. Thus, in 1844, four nuns from Angers left France to establish the Montreal chapter.⁴⁶ The story is told that they were instructed: "*Partez, allez là-bas, bien loin, par de-là l'Océan, ouvrir un nouveau bercail aux brebis perdues d'Israel.*"⁴⁷

⁴³Ibid, 102.

⁴⁴Soeurs du Bon-Pasteur, Annales de la Maison Saint-Domitille (Montréal: Imp. de l'Institution des Sourds-Muets, 1919), 15.

⁴⁵Soeurs du Bon Pasteur, Annales des Religieuses de Notre-Dame de Charité du Bon Pasteur d'Angers à Montréal, 1844-1896 Tome 1, 2.

⁴⁶For a history of the Soeurs du Bon-Pasteur in Montreal see the publications of the religious order: Annales des religieuses de Notre-Dame de Charité du Bon-Pasteur d'Angers à Montréal Vols. 1 and 2, (Montréal: Monastère du Bon-Pasteur, 1895); Annales de la Maison Saint-Domitille; Au Soir d'un Siècle: Le Bon-Pasteur d'Angers à Montréal, 1844-1944 (Montreal: Monastère du Bon-Pasteur, 1944); and Fetes Jubilaires, 1844-1894 (Montreal: 1894).

⁴⁷Soeurs du Bon-Pasteur, Fêtes Jubilaires 1844-1894, 7.

The difficulty in setting up in Montreal was eased by generous donations from the Sulpicians and private sources including Montreal businessman Olivier Berthelet and Madame D.-B. Viger. Viger donated the land on Sherbrooke Street for their convent⁴⁸, whereas Berthelet contributed \$1000 in the first decade of their operation and also provided the means for the construction of their first convent in Montreal.⁴⁹

The provincial house on Sherbrooke Street East at St. Dominique, completed in the late 1840s, was a large four-storey stone building with adjoining chapel. The large lot was walled along Sherbrooke and the side streets, cloistering the community from the urban life that surrounded it; additions were built as the order expanded in the latter half of the nineteenth century.

Like other apostolic orders that were established in Montreal in this period, the Soeurs du Bon-Pasteur would carve a niche for themselves in community service. Their particular work followed what Bourget had expected, involving female criminals or more generally "*brebis fugitives et rebelles*"⁵⁰. Their concern was the "*préservation*" and "*protection*" of girls and women who by reasons of circumstance or through bad behaviour were at risk of being lost; their mission was to bring these girls and women back to the fold. To explain their work and their role in Montreal, the nuns used vivid religious imagery centring around lost sheep, menacing wolves, and the shepherd

⁴⁸Courcy, 104.

⁴⁹Lapointe-Roy, 214. One of the richest men in Montreal, Berthelet gave hundreds of thousands of dollars to charity mostly through religious orders such as the Bon-Pasteur.

⁵⁰Soeurs du Bon-Pasteur, Fêtes Jubilaires, 27.

saviour: "*Le bercail ouvrit d'abord bien larges ses portes aux brebis égarées atteintes par la dent du loup ravisseur.*"⁵¹

In practice their first attempts in this field of work involved a short-lived transition house for women recently released from prison.⁵² In 1870, the provincial government granted them the responsibility of administering reform and industrial schools for girls. Also in the 1870s the nuns assumed the management of Montreal's new women's jail on Fullum Street. At the fiftieth anniversary of their arrival in Montreal in 1894, the main convent housed 82 nuns, 39 novices, 8 postulantes, 12 *soeurs tourières*, 49 *madeleines*, 164 *pénitentes*, 150 children (committed to industrial school), 47 youths (committed to reform school).⁵³ By 1900 this female religious order had acquired five institutions in Quebec and one in each of Nova Scotia and New Brunswick.⁵⁴

Within each institution and among them, the nuns operated a hierarchical system of categorizing girls and women - both nuns and the objects of their work. At the top of the hierarchy were the nuns, led by the mother superior. Beneath them were the novices (those in training), the *consacrées* (who had not yet taken their religious vows, who often lived among the penitents as good examples), and the *madeleines* and penitents (those who chose to live in the convent after their prison term or in order to escape their previous lives). A strict and inflexible rule at the convents dictated that the latter two

⁵¹Soeurs du Bon-Pasteur, Annales de la Maison Saint-Domitille, 34-5.

⁵²Laplane, 78.

⁵³Soeurs du Bon-Pasteur, Fêtes Jubilaires, 1844-1894, 10.

⁵⁴Soeurs du Bon-Pasteur, Au Soir d'un Siècle, 120-1.

were kept separate from the *protégées*, *préservées*, *jeunes délinquantes*, and *prisonnières*, reinforcing rank and hierarchy.⁵⁵

The Soeurs du Bon Pasteur developed a classification schedule for their inmates that was commonly used by their counterparts, the Sisters of the Good Shepherd in Halifax as well. Judith Fingard has shown that at the Home of the Good Shepherd in Halifax, the nuns helped three categories of women: volunteers (penitents); young women and girls in danger; and those sentenced by the courts.⁵⁶ In Montreal the categories were even more elaborate. The *protégées* (often orphans) were generally the youngest and "most innocent" of the girls under the supervision of the nuns. When the order purchased almost 200 acres of land and the old Moulin du Crochet at Laval-des-Rapides in 1895, its express purpose was to be the new home for the growing number of girls in this category. The majority of these girls were kept at Laval-des-Rapides, in the Maison de Lorette - the mill converted for this purpose - until 1915 when the impressive Maison Ste. Domitille was built near the mill. The *préservées*, 6 to 14 year-olds, were those committed under the provincial Industrial Schools Act or by parents because of bad behaviour or domestic strife. Juvenile delinquents, 10 to 16 year-olds sentenced through the reform school act or by the Montreal Juvenile Court were incarcerated at the main monastery on Sherbrooke Street until 1915 when they were transferred to the Maison de Lorette which had been vacated by the *protégées*. The fact that the delapidated old mill

⁵⁵Ibid, 120.

⁵⁶Judith Fingard, The Dark Side of Life in Victorian Halifax (Pottersfield, N.S.: Pottersfield Press, 1989), 146-7.

was used for the juvenile delinquents suggests perhaps that the nuns favoured giving the new institution to the more 'deserving' girls. One aspect of the rehabilitation process was the denial of all earthly luxuries. The female prisoners occupied the Asile Ste-Darie on Fullum Street in Montreal. All of the monasteries operated under hierarchies within each institution but all reported to the mother superior at the provincial house on Sherbrooke Street.

ASILE STE-DARIE

The Fullum Street Women's Prison, the Asile Ste-Darie, effectively ended a long tradition of housing men and women together in the city's common jail. In 1870 the provincial government granted the right to run a women's prison in Montreal to the Soeurs du Bon-Pasteur, though it would take six years for the prison to become operational. It was not until the autumn of 1876 that prisoners were finally transferred to the new women's jail. As Jacques Laplante observed, "*ces établissements portent des noms de saintes ou de saints, ce sont des refuges, des asiles, des oeuvres de repentir, de préservation;*" they were in fact prisons.⁵⁷ Similarly, women's reformatories in the United States adopted "homelike" characteristics and were thus named accordingly, often eschewing the appellation of prison for refuge.⁵⁸

a)Physical Space

⁵⁷Laplante, 85.

⁵⁸Rafter, 49.

The physical character of the new prison illustrates its architectural congruity with contemporary religious institutions as opposed to state-run penal establishments. Intended to be an edifice high on "solidity" and low on luxury, the Asile Ste-Darie was a seemingly impenetrable five-storey structure with wings at either end of the main building and a stone wall around the yard.⁵⁹ This structure contrasted with the cottage-style model advocated for women's reformatories but it was not inconsistent with contemporary Montreal convents used for other purposes.

The prison was immediately hailed as a huge improvement over its predecessors:

Instead of the horror which former gaols used to inspire, of the darkness and dampness of the cells, built in an age long gone by, and of the inhuman and barbarous treatment to which the unfortunate prisoner were subjected, we now have large prisons, supplied with fresh air, and abundant light; instead of cells cut in the rock, we have rich edifices, instead of stone pavements or half rotten boards, well furnished beds are now supplied..."⁶⁰

In fact, according to some, the new prison may have been too much of an improvement. The inspectors of prisons wrote in the early years of the prison that "for people picked up by the police in the filthiest streets or arrested in the most disgusting dens and in the lowest taverns, these prisons, are doubtless residences so luxurious that they must long to reside in them."⁶¹ The female prisoners were allegedly "more comfortable and better lodged than a quarter of the population of the city."⁶²

⁵⁹Soeurs du Bon-Pasteur, Au Soir, 54.

⁶⁰Quebec, Sessional Papers, Report of Inspectors of Prisons...(1877-78).

⁶¹Ibid, (1877-78).

⁶²Ibid.

The women imprisoned at Asile Ste-Darie were subject to community life that was reinforced by the design of the building itself. In keeping with a convent-style institution, dormitories were constructed to sleep the prisoners, with single cells used only for disciplinary purposes.⁶³ Large open work spaces also fostered this sense of community. The physical structure of the building, however, ultimately constrained the potential classification and separation of inmates. The dormitory style of imprisonment and the lack of more differentiated space meant classification was virtually impossible. The only segregation of inmates that would occur at the Fullum Street prison was that of Protestant inmates from the Catholic majority.

When the Bon-Pasteur order was granted the right to administer the new Montreal women's jail, they were to have charge of all women, regardless of religious belief, though at the time the jail was built a chapel was erected to serve the Protestant inmates. Objections from the Protestant community made this arrangement untenable and the new prison underwent major reconstruction within months of its completion. In effect, the women's prison was remodelled to house a jail within a jail.⁶⁴ The complete isolation of the Protestant women required new doors and dormitories, another parlour, workroom, dining room, and kitchen. Because of the renovations, Protestant prisoners did not move from the common jail until 20 June 1877, more than six months after the Catholic inmates were transferred. This arrangement necessarily altered the original agreement between the Bon-Pasteur and the provincial government. Once the Protestant

⁶³Carrigan, 460.

⁶⁴Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1877-78).

women were placed under the control of a matron, who was ultimately responsible to the governor of municipal jails, a new arrangement had to be made. The original agreement stipulated that the nuns would supply heating, lighting, and water in exchange for a fixed sum. With the Protestant women designated charges of the state, it was necessary for the province to rent space to house the Protestants to cover utility usage in that wing of the prison.⁶⁵ The Protestant minority, then, succeeded in establishing a public jail within the private, religious institution, one that was small and easily ignored by authorities, one whose physical design hindered the application of modern methods of female incarceration embraced by women's reformatory advocates.

b) Aims of the Keepers

In the larger, Catholic section of the women's prison, the nuns interpreted their role as custodians of women prisoners very broadly: they would not only guard and keep the inmates but also attempt to rehabilitate their souls. Whether at their convent or at the women's prison, their work became that of converting the vicious into the virtuous. The outcome of a sojourn at the Asile Ste. Marie, then, was to learn submissiveness, industry, and faithfulness.⁶⁶ The methods employed by the nuns centred on moral and religious indoctrination. In the prison, the nuns claimed, "*Dieu a repris possession de milliers d'âmes qui ne le connaissaient pas, ou l'ayant connu, l'ont oublié en leur jeunesse mouvementée...*" and that there the prisoners learned to embrace God as the

⁶⁵Ibid.

⁶⁶Ibid., (1906).

father "*des âmes égarées*." ⁶⁷ To effect this behaviour inmates were subject to long hours of work, and advice and lessons in morality.

In the Protestant section, religious retraining was also the cornerstone of rehabilitation. Upon the founding of the Montreal chapter of the Women's Christian Temperance Union in the mid 1880s, a committee was struck to carry out prison work. The aims of the prison-visiting scheme were similar to that of the Bon-Pasteur nuns: to recover lost souls through religious and moral teaching. They did this through weekly Bible classes.⁶⁸ Their volunteer efforts, a "labor of love for the Master's sake"⁶⁹, were reported at the annual meetings of the WCTU. The reports of the visits to the prison suggest a personalized approach to saving fallen women; perhaps it was reported this way for literary effect, or their rescue work was not wholly embraced or effective. For example, one prisoner, a woman convicted of theft and imprisoned in the late 1890s, proved to the WCTU that her "repentance was sincere and [the volunteer], in the spirit of Christ, desiring to aid a fallen sister...determined from the first to treat her with confidence." The volunteer rewarded the repenting woman prisoner by taking her into her home as a domestic servant. She reported that "in [this prisoner] the Good Shepherd has indeed found another of His wandering sheep."⁷⁰ The retrieval of a lost soul was the

⁶⁷Soeurs du Bon-Pasteur, Le Soir, 55.

⁶⁸Women's Christian Temperance Union, (Montreal), Annual Report (1884), 17.

⁶⁹Ibid, (1898), 36.

⁷⁰Ibid, (1898), 36.

measure of success in prisoner work with women. As these visits were sporadic - once per week at best - this rescue work was not as consistent or constant as that of the nuns.

c)Work

The main work of the Catholic division of the prison was the commercial laundry. In the early years of the jail, the women prisoners worked at traditional women's work: sewing, knitting, washing, ironing, and weaving mainly for their own needs. By the close of the century, a large commercial laundry was established which employed the youngest and the strongest. The more frail prisoners were relegated to the loom.⁷¹ The merits of putting prisoners to work were not lost on the nuns who used the laundry business for disciplinary purposes - to keep the prisoners busy for long hours - and to supplement the income of the institution. Also, as the numbers escalated from several hundred to approximately one thousand at the turn of the century, the commercial laundry provided an organizational structure that could absorb the growing numbers of inmates. In fact, the more women there were in the jail, the more laundry there was to do. In the Protestant wing, the inmates worked at cooking and cleaning floors.⁷² The work available to women in the jail did little to improve their chances of securing better employment after their release.

d)Discipline and Retraining

As important as work was to combat the evils of idleness, religious instruction was constant and fundamental in the jail. The Soeurs du Bon-Pasteur believed that the

⁷¹Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1897).

⁷²Carrigan, 465.

"wicked" were a product of neglectful homes, those in which religious instruction was disregarded; but they also accepted that these women were recoverable, which was in keeping with their belief in good works. The Inspectors noted that while "brute force may make a good prisoner...moral and religious instruction [were] the only means of making a good citizen."⁷³

Each day began and ended in prayer and Sundays were reserved for religious service. During working hours the prisoners were read to by nuns, and taught to recite prayers and sing hymns. The nuns would read in English at times for the Irish Catholic inmates.

Contemporary observers believed that discipline through religious instruction had an immediate effect upon the behaviour of the prisoners. Reverend Borthwick noted a remarkable change in the "behaviour, habits, and even personal appearance of the prisoners."⁷⁴ Where he once heard "scandalous conversation" and blasphemy he now observed only prayers and hymns, if not complete silence. Inmates' deference to authority - seriously lacking in the old common jail - was readily apparent as the inmates exhibited feminine qualities of politeness and modesty.⁷⁵ Reverend Lauzon, the Catholic Chaplain at the prison wrote in 1879 that a "radical transformation ha[d] been effected"

⁷³Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1892).

⁷⁴Borthwick, History of the Montreal Prison, 230.

⁷⁵Ibid.

at the women's prison. He attributed this to the inexhaustible charity [the nuns] constantly display[ed] for [the prisoners]."⁷⁶

Early in the jail's history the Inspectors declared that the prisoners were closely scrutinized and that this form of discipline was similar to "that in our educational establishments."⁷⁷ The application of methods used in convent schools is not surprising given that this order of nuns would rely on an institutional tradition familiar to them. The constant supervision and the repeating of prayers and hymns in the presence of prisoners suggests a very different methodology from either the jail, where inmates were crowded into cells and neglected, or the penitentiary, where prisoners spent hours in silence often alone "being seen but never seeing." And, unlike in the Protestant wing, the Catholic inmates were never left alone. The intensity of supervision at the women's prison would likely have eased as the numbers rapidly increased at the turn of the century, although they always maintained a high ratio of nuns to inmates in their institutions.⁷⁸

If the aim of the prison was to reform criminals, as logic would have it, then women prisoners needed long periods of time to reflect upon their behaviour in order to be open to rehabilitation.⁷⁹ In the first decade of the twentieth century the Soeurs du

⁷⁶Cited in Borthwick, 231.

⁷⁷Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1877-78).

⁷⁸Arthur Sainte-Pierre, L'Oeuvre des Congrégations religieuses de Charité dans la province de Québec (en 1930) (Montreal: Editions de la Bibliothèque Canadienne, c1930), 151.

⁷⁹Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1910). Statistics on the length of sentences illustrate why the nuns were frustrated. In 1909, for example, out

Bon-Pasteur implored the government to implement the indeterminate sentence, transferring the power of deciding length of stay from magistrates to the nuns. In the United States several northern state legislatures passed laws on indeterminate sentences in conjunction with the founding of women's reformatories. Under this system, women offenders were punished more severely (up to three years in prison) than men who had committed similar offenses and were often released on small fines. The reformatory system and indeterminate sentencing, as Rafter has illustrated, "created a category of female state prisoner that had no male counterpart."⁸⁰ The obvious gender bias in this legislation sat comfortably with maternal feminists in Montreal who applauded these changes as progressive penology. The MLCW, for example, in its Annual Report of 1915-16 celebrated the example of New York and its indeterminate sentencing laws that applied to both misdemeanants and felons and held it up as a model for this province.⁸¹

In Canada there are examples where the indeterminate sentence was invoked for women caught in the criminal justice system. In 1913, for example, Ontario magistrates were empowered to give women indeterminate sentences at the Mercer Reformatory for Females.⁸² As Carolyn Strange has pointed out, women who were charged with

of approximately 700 Catholic prisoners over one-quarter were sentenced to one month or less. Over 60% were sentenced to 3 months or less. (SP 1919 Table 9: Showing the number of prisoners sentenced to common gaol or to fine and duration of sentence.) This pattern did not appear to change over the course of the 1910s and 1920s. In 1930 again about 56% of 626 prisoners were sentenced to less than 3 months. (SP 1930).

⁸⁰Rafter, 35.

⁸¹Montreal Local Council of Women, Annual Report, (1915-16), 4.

⁸²Strange, "Perils", 211; and "The Velvet Glove".

vagrancy, which usually carried a penalty of up to six month prison term were now serving up to two years less a day - "in spite of sentencing restrictions in the Criminal Code."⁸³ In Quebec indeterminate sentencing was not embraced, although juveniles were subject to extended sentences.⁸⁴

In the Protestant division of the women's jail discipline and retraining were less organized. The situation that evolved concerning the women's jail - that of a small public jail inside a larger private jail - meant the Protestant department of the women's prison was poorly managed and the state authorities generally neglected both prisoners and matrons. Having given jurisdiction of the women's jail over to the nuns, the government expected to be absolved of responsibility for the women's jail. Adding to this the fact that the population of Protestant prisoners at Fullum Street was so small, the Protestant wing was easy to ignore.⁸⁵ The facilities and programs in this section of the jail were generally inadequate and often the very heart of the reform agenda - that of moral retraining - was left to volunteer associations' sporadic efforts.

Part of the problem in the early years was the design of the Protestant wing: for the first two decades of its existence, the matron and her assistants slept in bedrooms far from the dormitory which made discipline ineffective. From the early years of the Protestant wing, the Inspectors noticed that prison regulations were not observed: prisoners were frequently left alone and tobacco smoking was so common they made note

⁸³Strange, "Perils," 211.

⁸⁴The juvenile court could administer extended sentences, whereby those in charge of reform schools could manipulate length of stay to a certain degree.

⁸⁵They numbered only 40 in the first years of the prison.

of it in their annual report.⁸⁶ Not until 1902 was this matter corrected.⁸⁷ The physical changes were made in conjunction with the firing of the matrons who were unable to manage properly the prisoners. The Gaol Reform Committee of the Montreal Local Council of Women claimed the mismanagement problems related to the fact that there was too much work for one matron and her assistants.⁸⁸

In 1901, the MLCW lobbied for additional matrons especially for night supervision. They argued for the replacement of the makeshift partitions in the dormitories, but this feeble attempt at separation for purposes of classification had been proven ineffective. They also demanded compulsory employment and grounds for outdoor exercise.⁸⁹

The conditions in this wing of the jail were the subject of numerous inquiries and public outrage.⁹⁰ In 1919, Reverend E.I. Hart, President of the Prisoners' Aid Association found the conditions in the jail deplorable. Not only were they denied outdoor physical exercise, these prisoners "wasted" their days "thinking, gossiping, eating and sleeping."⁹¹ Because of the small number of Protestant women in the facility,

⁸⁶Quebec, Sessional Papers, "Report of the Inspectors of Prisons...", (1877-78).

⁸⁷Ibid, 1902.

⁸⁸MLCW, Annual Report, (1902).

⁸⁹National Archives, Montreal Local Council of Women, MG 28, I 164, Vol. 7, Protestant Women's Jail General, 1948-63, 1974, "The Protestant Women's Jail," 2.

⁹⁰Carrigan, 465; NA, MLCW, Protestant Women's Jail General, 1948-63, 1974, "The Protestant Women's Jail".

⁹¹Montreal Gazette, 19 February, 1919, 4.

a full rehabilitation and work program never materialized, as the Archambault Inquiry to Investigate the Penal System of Canada found in the 1930s.⁹² In the post-World War II period, the MLCW launched further campaigns to improve the conditions and implement appropriate programs for Protestant women prisoners. The image of Protestant inmates smoking cigarettes, gossiping and idling about rests in stark contrast to that of the Catholic prisoners whose regime was heavily monitored.

e) On Expiration of the Sentence

An example of the contentedness of the prisoners, one that the nuns frequently pointed out, was the large number of women who on the expiration of their sentences joined the ranks of the penitents.⁹³ From mid-century the Soeurs du Bon-Pasteur were keenly aware that once a woman left the jail there were few options open to her but to return to the streets. Inspectors' reports imply that the prisoners at the women's prison were content in their new domicile where they had daily work and a strong religious and moral influence.⁹⁴ As already mentioned, the conditions at the new jail were to a large measure an improvement over the overpopulated common jail, with some observers fearful they were too good. Even children were permitted to stay with their mothers until 1895 when this was restricted to children under 16 months. The food served at the jail was likely much better than at the old jail or that which some women could get on the streets. In the 1890s women prisoners were allotted five ounces of bread and a pint

⁹²Canada, Report of the Royal Commission to Investigate the Penal System of Canada, (Ottawa, 1938), 19.

⁹³Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1895).

⁹⁴Ibid, (1897).

of porridge for breakfast and for dinner six ounces of bread and a pint of soup or four ounces of bread and one ounce of meat. Many prisoners entered the jail suffering from ill-health and would be placed in the infirmary that was run at the nuns' expense. Recreation, though not a priority, was available on the large grounds. In 1902, Reverend Sister H  l  ne, the mother superior at the jail, remarked that "several [prisoners] bec[a]me so attached to their work that they prefer[red] to remain in gaol on the expiration of their sentence either as penitents or as voluntary workers instead of resuming their liberty."⁹⁵ In order to facilitate this category of women domiciled at the prison, the nuns used a separate wing and allowed the penitents to stay free of charge, though they would be expected to perform daily work and conform to the rules of the institution.⁹⁶

Although no longer prisoners, penitents most likely never escaped their branding as fallen women. Those who stayed on in the Asile Ste-Darie remained sequestered from the outside world and gave up contact with friends and family. The penitents endured a rigid regime at the institution and were prohibited from interacting with the prisoners and most of the nuns.⁹⁷ The Soeurs du Bon-Pasteur claimed to have always had a healthy number of women joining the ranks of the penitents and the more permanent madeleine

⁹⁵Ibid, (1895). The nuns also placed former prisoners with families as domestics. Ibid, (1902).

⁹⁶MLCW, Annual Report, (1901), Report of Gaol Work.

⁹⁷As Martha Vicinus has shown in the British example, "(i)solation from each other and the sisters marked their days." Vicinus notes that both kindness and distance made the refuges attractive to women who were estranged from their families and whose employment prospects were grim. Martha Vicinus, Independent Women: Work and Community For Single Women, 1850-1920 (Chicago: University of Chicago Press, 1985), 79.

category, a testament to the "success" of their rehabilitation. The experiences of the penitents are silenced by the lack of records on these women but the nuns did write about one unusual penitent, a young woman named "Mathilda". This young woman was arrested on an alcohol-related charge in the late 1890s. Whereas she had come from an "honourable" family near Quebec City and educated by the Ursulines, she soon went astray upon arrival in Montreal. She found she could earn a good living if she dressed as a man; indeed, this enterprising idea landed her a job carting coal. As the nuns tell this story, the work itself was good even if she masqueraded as a man, what was more problematic was the "male" leisure pursuits. She drank like a man "*qui boit trop*", developed a bad temper, chewed tobacco, and frequented establishments tainted with a bad reputation.⁹⁸ Once arrested she was sent to the Fullum Street prison, where she first lived with the nuns. Upon the expiration of her sentence, she consented to live as a penitent and moved to the penitent section of the Maison de Lorette in Laval-des-Rapides. While there the nuns reported that she occasionally still expressed a bad temper - evidence of her undying rebellious nature.⁹⁹ Vicinus also found evidence of resistance where penitents ran away, went on hunger strikes, and were violent like Mathilda.¹⁰⁰

By the turn of the century, the Soeurs du Bon-Pasteur at Asile Ste-Darie expressed concern about those prisoners who had not been affected by the convent's palliative influence. The reports from the women's jail began to outline two problems

⁹⁸Soeurs du Bon-Pasteur, Annales de la Maison Ste-Domitille, 104.

⁹⁹Ibid, 103-107.

¹⁰⁰Vicinus, 79.

in the penal system concerning women in the 1890s. The first was a need for what they called a refuge for former prisoners, an institution we would call a half-way house. The other problem was that short prison sentences were inhibiting the usefulness of the nuns' reform work.

The call for a refuge for former female inmates was sounded because of the high recidivism rate. Women themselves were not explicitly blamed for this situation: "In the case of women, how many re-committals are due to the fact that, at the expiration of their sentence, they are thrown upon the street without a cent to provide for their first necessities or a roof to shelter them?"¹⁰¹ The Inspectors of Prisons in Montreal were well-aware of the houses of refuge in the United States that facilitated the transition from prison to "honest labor."¹⁰² This idea of aftercare was also a major prong in the women's reformatory movement. As recognition of women's few economic options, parole or refuges could tide women over until work or family came through.¹⁰³ The necessity of this stage in the treatment of women criminals was not an admission that the reformatory or prison had failed; in fact, if the rehabilitation programs were not successful, it was blamed on the light sentences given to women.

A study of sentencing patterns illustrates that the majority of women prisoners were subject to fairly short prison terms. In the 1890s, more than three-quarters of women were imprisoned for three months or less. Only one-fifth of female prisoners

¹⁰¹Quebec, Sessional Papers, "Report of Inspectors of Prisons..." (1896).

¹⁰²Ibid.

¹⁰³Carrigan, 459.

were in the Fullum Street prison for six months or more. In the first decade of the twentieth century, again as many as two-thirds of the female population was there for less than three months, the majority there for one month or less. In the 1910s criminal statistics on average are consistent with the previous two decades. Throughout the 1920s still only an average of 15% of women prisoners stayed in the prison for six months or more.¹⁰⁴

THE WOMEN'S REFORMATORY MOVEMENT IN QUEBEC

In the early years of its existence, the Fullum Street Prison for Females was hailed as an emblem of progress in the province's system of incarceration, but it fell under intense scrutiny and criticism from the proponents of the women's reformatory movement. Certain Protestant women's groups in Montreal embraced the idea of a female reformatory, beginning with the WCTU in the 1880s and at the turn of the century by the MLCW. These groups were heavily influenced by American penology. They saw their attempts to impose this foreign model on Quebec society frustrated by the provincial government which consistently refused to put any money into a reformatory. Frustrations over the poor conditions in the Protestant section of the jail may have been a spur to their activity concerning the reformatory, and as the conditions and programs seemed to deteriorate with time, that need would only be perceived as intensifying. The closest Quebec came to implementing a reformatory was the Girls' Cottage Industrial

¹⁰⁴Statistics compiled from the Quebec, Sessional Papers 1890-1930.

School, a private initiative undertaken by prominent Montreal Protestants which was only tenable because it was a small operation.

The discussion surrounding the need for a "true" reformatory in Montreal was evident almost from the birth of the Fullum Street jail. The WCTU volunteers who ran Bible classes at the Protestant wing wrote of how it frustrated them that the prisoners could not be properly separated. With the dormitory-style structure not only did the matrons find discipline eluded them but religious instruction was deemed in vain because of it.¹⁰⁵ Frustration on the part of the WCTU could also have been a result of the limited religious and moral retraining program of the Protestants; it also might have been that the Protestants' needs seemed secondary to the Catholics. In 1885, the WCTU went directly to the provincial government to request they build a women's reformatory; however, considering the government had spent a large sum on the Fullum Prison a decade earlier, it is not surprising that women found the provincial purse closed tight. The province did agree that if "leading Christian women" would incorporate and take responsibility for managing the reformatory - as the nuns did at Fullum Street - then they might get their reformatory.¹⁰⁶ Not having a core group of women willing to do this work, the WCTU continued in their Annual Reports to illustrate and emphasize the limitations of the current system, and called for a reformatory for women and one for girls.

¹⁰⁵WCTU, Annual Report, (1894), 17.

¹⁰⁶Ibid, (1886), 25.

For the MLCW, the campaign for a reformatory was part of a broader scheme to implement a gendered criminal justice system. In the 1890s, the MLCW gathered support for both a Protestant girls' reformatory and one for women convicted of light offenses. The MLCW criticized the nuns' power and their lack of "modern methods of reform." This galvanized them into political action. The city Recorders, the Protestant Ministerial Association, and the YWCA all supported the MLCW's efforts to lobby the government.¹⁰⁷ In the early 1900s the province vowed to consider a women's reformatory but this would be one in a long line of frustrated promises.

In its report for 1909-1910, the MLCW's Committee on Reformatory Work spoke to the issue of a women's reformatory, having made an "exhaustive inquiry" into the treatment of female offenders in Canada and elsewhere. Along with Judges Choquet, Weir, and Leet, its representatives went to Quebec City to ask for a reformatory. Premier Lomer Gouin received them favourably; however, he pointed out that his hands were tied: a Criminal Code amendment was needed to commit corrigible offenders over sixteen years of age to reformatories under conditional sentences.¹⁰⁸ Not to be discouraged by the letter of the law, the seemingly indefatigable MLCW then sent Carrie Derick and Kathleen Chipman to Ottawa to interview the Justice Minister. This high-profile lobby game did get the attention of Gouin, who agreed to talk again about their concerns. The only concrete evidence of their success in these years was the founding in 1911 of a reformatory for Protestant girls.

¹⁰⁷MLCW, AR, (1898), 12; (1901), 10.

¹⁰⁸Ibid, (1909-10), 30.

The MLCW campaign continued to gain momentum in the 1910s. Its plans for the treatment of female offenders developed and were written in the image of the American prototype that Estelle Freedman and Nicole Hahn Rafter write of like the Bedford reformatory in New York State. In 1915, the four essential elements to their plan were the indeterminate sentence accompanied by a system of parole, industrial training to teach an "honest livelihood" and self-respect, the cottage system to ensure classification and to better influence the individual, and outdoor exercise and labour, including gardening and poultry farming. The latter necessitated a move from Montreal to an outlying rural area.¹⁰⁹ The reformatory became one part of a scheme that included a separate women's court, female probation officers, as well as a new facility like the women's reformatory.¹¹⁰

The wartime panic over increased incidence of venereal disease, the spread of prostitution and the apparent loosening of sexual mores prompted the MLCW to once again call on Premier Gouin. Eleanor Tatley, President of the Council and Katherine Chipman, chair of the Council's Reformatory Committee headed the delegation. Had Montreal implemented a reformatory system for women, they argued, the city would not have become a magnet for vice during the war years. The reformatory was promoted as an important part of cleansing the city of venereal disease and prostitution but it also would serve as a warning that Montreal was no longer soft on vice. Again Gouin

¹⁰⁹Ibid., (1915-16), 5-6; (1917-18), 26.

¹¹⁰NA, MLCW, Vol. I, "Report of Committee on Reformatory Work," 17 February, 1919.

promised to support the reformatory project and have the legislative assembly study the question.¹¹¹

Hopes, though, for a reformatory were badly shaken when the province decided to spend more than \$2 million on the new Bordeaux Jail (for men).¹¹² In the 1920s the Taschereau government continued to pay lip service to the demands of the MLCW but short of the Council undertaking the financing and management of the reformatory, it would not become a reality. With the relatively small numbers of Protestant women in jail, the provincial government was not compelled to embrace the latest in reform penology, and as long as the Soeurs du Bon-Pasteur could manage the largest sector of the women's jail, it could pour money and attention into the fully public men's jail.

Despite almost a half century of activism of the part of the MLCW on behalf of a "true" women's reformatory in Quebec, women sentenced to two years or less would continue to be sent to the Fullum Street Prison until the 1960s. The ideas the MLCW articulated in the early twentieth century would not go away but were channelled into the GCIS and prison reform work for years to come. Only once the Tanguay Prison replaced Asile Ste-Daric in 1963 did the state take full control of the prison for women

¹¹¹La Patrie, 3 janvier, 1919, 1.

¹¹²The cost of the prison was originally estimated at \$750,000. The Bordeaux prison was Montreal's answer to the penitentiary's shortcomings: not only did it have modern conveniences like electricity, running water, clean bedding, but the design allowed for sunlight to enter all areas where the prisoners lived. This was achieved by placing the cells along side walls rather than in the centre, as was typically done in the penitentiary. Topping, 5.

and the confessional model of the Soeurs du Bon-Pasteur get replaced with a secular rehabilitation program.¹¹³

CONCLUSION

Progressive thinking on the treatment of women prisoners in the latter half of the nineteenth century led to the development of gender-specific facilities and prison reform programs. The road to reforming women's prison experience was one paved with good intentions though the separation of the sexes and the gender-specific treatment meant "partial justice" for women as Nicole Hahn Rafter, Estelle Freedman, and Carolyn Strange have argued. The combination of moral (re)training in lieu of punishment and indeterminate sentences proved harsher than the old custodial models. Rafter joins Foucault in arguing that remolding prisoners by employing "coercive technologies of behaviour" was a severe form of punishment.¹¹⁴ Being incarcerated at the Fullum Street prison was at once both more benign and more harsh than in the common jail. The conditions in the Fullum Street jail in the first half century of its existence were an improvement over the old jail. The founding of the women's prison did secure certain relief for its constituents - from sexual and physical abuse at the hands of male guards or prisoners, from hard labour, from unhygienic and cramped living quarters. The expectation at the jail, however, was that women would repent and reject their former

¹¹³Danielle Lacasse, La Prostitution féminine à Montréal, 1945-1970 (Montréal: Boréal, 1994), 170.

¹¹⁴Rafter, 41.

lives. To effect this change of consciousness, the nuns meted out a strict form of discipline: silence that was broken only with prayer and hymn. Some women embraced this discipline and stayed with the nuns on expiration of their sentences; others suffered their fate in frustrating silence. The lack of employment retraining meant the women left the jails having gained very little. The fact that indeterminate sentences were not used by magistrates in Quebec meant that criminal women did not face the egregiously unfair sentencing patterns that women did in some states or in certain parts of English Canada. Indeed the only cohort of deviants that were subject to harsh sentencing were juvenile delinquents.

CHAPTER VI

THE MARMALADE FACTORY AND THE CONVENT: INCARCERATING ADOLESCENT GIRLS IN MONTREAL

From the mid-nineteenth century Canadians were determined that youthful offenders would be spared the incarceration experience of adults. In Montreal, Catholic religious communities erected two reform schools in the latter half of the century, separating adolescents under sixteen from adults and housing them in sex-specific facilities. Early in the new century two more reform schools were built by the city's Protestant community such that by the time the Montreal Juvenile Delinquents Court opened in 1912 there were four operating in the city. There has been considerable interest in the history of incarcerating youths in Canada, including studies of the two boys' reform schools in Montreal.¹ This chapter contributes to that history through an

¹Paul W. Bennett, "Taming 'Bad Boys' of the 'Dangerous Class': Child Rescue and Restraint at the Victoria Industrial School, 1887-1935," Histoire sociale/Social History 21:41, (May, 1988): 71-96; Indiana Matters, "The Boys Industrial School: Education for Juvenile Offenders," in Donald Wilson and David C. Jones, eds., Schooling and Society in Twentieth Century British Columbia (Calgary: Detselig Enterprises, 1980): 53-70; Neil Sutherland, Children in English-Canadian Society: Framing the Twentieth Century Consensus (Toronto: University of Toronto Press, 1976), esp. Chapter 7. On the boys' reform schools in Montreal see Anne Duret, "L'enfermement comme forme de punition du garçon délinquant au Québec (1857-1930)," Thèse de maîtrise, Dépt. de criminologie, Université d'Ottawa, 1988; Danielle Lacasse, "Du délinquant à l'ouvrier qualifié: Le Mont-Saint-Antoine, 1945-1964," Histoire Sociale/Social History 22:44 (Nov., 1989): 287-316 and her "Le Mont-Saint-Antoine: la répression de la délinquance juvénile à Montréal, 1873-1964," thèse de

examination of the two reform schools for girls. A study of these two institutions run by women shows how the meaning and treatment of female delinquency evolved in the early twentieth century.

The Soeurs du Bon-Pasteur established the first girls reform school in Montreal in 1870. The order used its experience dealing with women in conflict with the law in designing and operating this institution. It was also founded on the convent boarding school tradition.² It operated as the sole incarceral facility for adolescent girls until 1911 when the Girls' Cottage Industrial School (GCIS) opened. This Protestant institution was derived from a different tradition of reform, one that was influenced both by the juvenile justice and women's reformatory movements. These institutions represent two different traditions of incarcerating females. While both had the intention of rehabilitating young women, they differed dramatically in architecture and programs, reflecting the class, religious, and ethnic orientation of their respective administrations. While nuns and Protestant philanthropists promised a gentler system of incarceration for girls, the facilities developed into "total custodial institutions."³

maîtrise, Université d'Ottawa, 1986; and Prue Rains and Eli Teram, Normal Bad Boys: Public Policies, Institutions, and the Politics of Client Recruitment (Montreal and Kingston: McGill-Queen's Press, 1992).

²On convent education in Quebec see Micheline Dumont and Nadia Fahmy-Eid, Les couventines. L'éducation des filles au Québec dans les congrégations religieuses enseignantes, 1840-1960 (Montréal: Boréal, 1986).

³Bennett, 71; Barbara M. Brenzel does not use the term "total institution" but does argue that at the Lancaster State Industrial School for Girls "a period of reformist vision and loving care (gave way) to one of harsh judgment, rudimentary job training, and punitive custody." Barbara M. Brenzel, Daughters of the State: A Social Portrait of the First Reform School for Girls in North America, 1856-1905 (Cambridge, Mass.: MIT Press, c1983), 160.

This chapter continues the investigation from Chapter 5 into the gendered nature of incarceration. Using the GCIS as the focus, it illuminates the differences and similarities in the modes of incarcerating young women that evolved in Montreal.

INCARCERATING YOUTHS IN QUEBEC FROM 1857

By the early twentieth century reform schools in Montreal had been constructed along religious and gender lines. This resulted in there being four such institutions in the city: the two oldest were run by members of the Catholic establishment, the Frères de la Charité (École de Réforme for Catholic boys founded in 1873) and the Soeurs du Bon-Pasteur (École de Réforme/Maison de Lorette for Catholic girls founded in 1870); the other two were run by members of the Protestant community, the Boys' Farm and Training School (founded in 1908) and the Girls' Cottage Industrial School (founded in 1911).

All four were founded in the period 1873 to 1911, marking an era when the province granted private charities the right to run such facilities. Between the 1850s and 1870s, however, the Canada East/Quebec government experimented with a public institution for incarcerating youths. In Quebec, separate prison facilities for youths date back to the mid-nineteenth century when the Lower Canada legislature passed a series of acts distinguishing youthful offenders from adults. These acts of 1857 provided for the establishment of provincial *prisons de réforme* to house convicted criminals under the age of twenty-one and empowered judges to try summarily anyone under the age of

sixteen.⁴ The following year, the first *prison de réforme*⁵ for boys and girls was set up in an old military barracks on Ile-aux-Noix in the Richelieu River, not far from the American border.⁶ The prison did not provide for a different incarceration experience from the common jail; it would not be until after 1873 that minors were subject to reform programs. The *prison de réforme* lasted only until the early 1860s when it was closed because of its proximity to the United States and the Civil War had made it untenable. The boys were then transferred to St. Vincent-de-Paul, near Montreal, to a building that would eventually become the site of the new federal penitentiary; the girls were sent to convents.

In 1869, the Act respecting Industrial Schools/Reform Schools created a new kind of institution for incarcerating youths. Unlike the *prison de réforme* which operated much like a jail for young people, these new institutions were obliged to do more than imprison. Their mandate was to "educate, clothe, lodge, and feed" youthful offenders and dependent children. And, the institutions would be sex specific.⁷ Until 1908 all reform institutions (industrial and reform schools) in Quebec for children under sixteen fell under clerical control. In Montreal the Frères de la Charité de St-Vincent-de-Paul and the Soeurs du Bon-Pasteur ran the large reform schools. The province granted these

⁴Youths under sixteen could still be sent to common jails and penitentiaries under these acts.

⁵This was not a reform school per se but a prison for youths.

⁶Duret, 103.

⁷Quebec, An Act Respecting Industrial Schools/Reform Schools, 32 Vict. Chapters 17-18, 1869.

private charities a per capita annual grant in exchange for administering the schools. Anne Duret has also argued that under the auspices of the Church the treatment of inmates changed dramatically: "*Sous le contrôle vigilant de l'Église, les institutions...seront mises en ordre et soumises à un régime de vie si bien réglé qu'elles n'auront rien à envier à l'ancienne administration laïque.*"⁸

The construction of reform and industrial schools signalled the endorsement of differential treatment of delinquent youth in Quebec. In 1870, the Soeurs du Bon-Pasteur were granted the right to found both a reform and industrial school in Montreal. From 1870 until 1915 the École de Réforme was situated in a building at the provincial convent on Sherbrooke Street⁹; in 1915, the juvenile delinquents were transferred to Maison de Lorette in Laval-des-Rapides. In exchange for this work, the government paid the religious order \$5.50 per month for each child.¹⁰ The first École de Réforme for boys was founded by the Frères de la Charité in 1873 on DeMontigny Street in east-end Montreal.¹¹ The Inspectors of Prisons and Asylums for the province praised the monastery-style of reformatory because it offered the kind of treatment necessary to correct youths. Accordingly, it was suggested that the replacement of individual cells

⁸Duret, 122.

⁹The École de Réforme occupied a separate building on the grounds of the Sherbrooke Street monastery. It was situated at the corner of Cadieux and Norbert Streets.

¹⁰Archives du Bon-Pasteur, "Diverses Categories de Personnes Recues Depuis le Début de Notre Oeuvre à Montreal," 2.

¹¹This order of priests shared a similar history to the Soeurs du Bon-Pasteur, having also been recruited by Bishop Ignace Bourget from Belgium in 1864 and their building was financed by Antoine-Olivier Berthelet. Lacasse, 291.

(of the penitentiary model) by dormitories in the new institutions facilitated a more home-like experience for the juveniles.¹² Educational programs implemented by the Frères de la Charité tended to emphasize industrial training - carpentry, baking, tailoring, shoe-making, and furniture-making - over rudimentary education.¹³ At the Soeurs du Bon-Pasteur convent, girls engaged in some manual labour (laundry), domestic science classes, and these programs were complemented with minimal formal education.

In the early twentieth century, the Montreal Protestant élite founded private charities to administer reform and industrial schools for non-Catholics. The first, the Boys' Farm and Training School at Shawbridge, Quebec, was established in 1908 by a group of Protestant businessmen who had previously been active in the Boys' Home of Montreal.¹⁴ Its ties with the Protestant élite ensured its solvency in the first half of the twentieth century, before the province became involved in running reform schools.¹⁵ A cottage-style reformatory, the Boys' Farm was comprised of a main two-storey building and six dormitories on a 250-acre farm. The boys worked on the farm, attended classes

¹²Duret, 115.

¹³Ibid, 124-5.

¹⁴The Boys' Home of Montreal took in working-class boys 14 years of age and older to train them for employment. It often operated as a placement centre for the boys. The files of the Boys' Home are in the National Archives. NA, Boys' Home/Weredale, MG 28, I 405, Vol. 7, File 8, "Testimony to the Royal Commission on Price Spreads," 21 November, 1934.

¹⁵Rains and Teram, 8.

for three hours each day, were required to do military drill, say daily prayers, and participate in some form of recreation.¹⁶

The founding of the second Protestant institution was a response to the establishment of the Montreal Juvenile Court. In 1908, the federal Juvenile Delinquents' Act had provided for the creation of local juvenile courts. The Montreal court was planned in the years directly preceding the federal legislation and in 1911 in anticipation of the court opening the following year, the Girls' Cottage Industrial School was founded by a group of female Protestant philanthropists.

The GCIS began as a home in Outremont which supported a handful of girls and a matron.¹⁷ Montreal philanthropists Beatrice and Mary Hickson opened the school in response to the need for facilities for non-Catholic delinquent girls. Within the first year, the school moved to a larger house on the south shore of Montreal. Two more moves were necessary before it settled in the Eastern Townships, sixty miles from Montreal. There it stayed from 1922 to 1946. In the first years of operation this fledgling institution suffered financial uncertainty, using "bazaars, raffles, concerts and every conceivable arduous form of collecting money" to keep it open.¹⁸ While the school had been incorporated under the Reformatory Schools Act, it did not receive sufficient funds

¹⁶Ibid, 16-17.

¹⁷For histories of the GCIS see "50 Years of Growing: Girls' Cottage School," and Kathleen Moore, "History of the Girls' Cottage School, 1911-1946," (1950) in National Archives (hereafter NA), Girls' Cottage School (hereafter GCS), MG 28, I 404, Vol. 2, File 21 and 22, respectively.

¹⁸Girls' Cottage Industrial School (hereafter GCIS), Annual Report (hereafter AR), (1926), 114. Found in Welfare Work in Montreal, 1922-1930.

from the government to cover its operating costs.¹⁹ Only in 1921 did the school reach an agreement with the province which put them on the same financial footing as the Soeurs du Bon-Pasteur.²⁰

By 1911 four distinct reform schools built along religious lines and serving sex-specific populations were operating in Montreal. All four were private-run institutions, two by Catholic orders and the others by lay Protestant boards. Closely modelled on a women's reformatory, the GCIS was fashioned as part of a broader program to reshape bad girls into proper young women.

'A GOOD WOMAN AND A TRUE HOME MAKER': THE PURPOSE OF THE REFORM SCHOOL

The aims and purpose of the GCIS were shaped in part by legal responsibility, class and ethnic biases of the Board of Directors and the superintendents, and increasingly the 'modern' methods of social work. Above all, the purpose of the school was to remake the delinquent girl into "a good woman and a true home maker."²¹ The Directors intended that the school would function as a social laboratory that took in delinquent girls and transformed them into women ready for lives of marriage and motherhood. While in the first decade the institution operated as a small residential

¹⁹In fact, in the first 10 years, the GCIS only received \$400 from the Provincial Government. The original agreement suggested the school would be awarded \$200 per year to run the school. In 1920 the province awarded the school \$2,280 in back payments. GCIS, AR, (1922).

²⁰This meant \$120 per capita per annum.

²¹GCIS, AR, (1926), 124.

school for a handful of wayward girls sent by the court, once established at Sweetsburg under the direction of superintendent Nancy Stork, the GCIS matured into a "social agency" committed to tackling "predelinquency" and monitoring former inmates' reintegration into Montreal. The school became the crucial middle step between delinquency and a new life.

The federal Juvenile Delinquents' Act (1908) and the provincial industrial and reform schools acts laid the framework for the functioning of the GCIS. The JDA defined juvenile delinquents as children in need of care, as opposed to criminals requiring incarceration. The Directors of the school referred to the Act in explaining their purpose:

That the care and custody and discipline of a Juvenile delinquent shall approximate, as nearly as may be, that which should be given by its parents, and that as far as practicable every Juvenile delinquent shall be treated not as a criminal, but as a misdirected, misguided child and one needing aid, encouragement, help and assistance.²²

The provincial legislation that legally founded the GCIS in 1912 declared the mandate of the school as "to provide a home and facilities for the education, improvement and training of friendless, delinquent, incorrigible or destitute girls in the City of Montreal and elsewhere in the Province of Quebec and of organizing a training school."²³ When the Juvenile Court opened in 1912, the GCIS began receiving non-

²²Ibid, 117-18.

²³NA, GCIS, Vol. 3, File 3, "Annual Statement of the Girls' Cottage Industrial School...to the Treasurer of the Province of Quebec for the Year Ending 31 December, 1915," 7.

Catholic girls between the ages of twelve and sixteen; parents were also entitled to commit their daughters, creating a category of "voluntary" cases.

The nature of the retraining depended in large measure on the members of the Protestant élite who stood as Directors of the school. The school was run by a female board of Directors whose roster included prominent families like the Ogilvies and McConnells. Many of the volunteers on the board were also prominent members of other organizations such as the Montreal Local Council of Women and the Committee of Sixteen. An all-male advisory board also represented the elite of Montreal, including Birks, Currie, Molson, and McConnell men.

The purpose of this reform school was explicitly benevolent; what might be considered a prison for youths convicted by the juvenile court was reconceptualized as a "training school". The appellation 'training school' suggests education not punishment was the aim of the institution. The retraining of wayward girls started from the assumption that these girls were not criminals but misdirected children needing a home, discipline, and encouragement. In 1917, the superintendent wrote that the primary difficulty with the new charges was in convincing them that they were not being punished.²⁴ In the 1920s Superintendent Nancy Stork reiterated this idea when she insisted that the GCIS was "not a place of punishment but of opportunity."²⁵

When the industrial and reform schools began in the latter half of the nineteenth century, their major function and intrinsic value had hinged on inducing a rupture with

²⁴GCIS, AR, (1917), 13.

²⁵Ibid, (1926), 120.

the inmates' past and providing them with an apprenticeship so they might be self-sufficient upon release. By the early twentieth century, imparting a good home experience was understood as the key to changing the behaviour and character of the inmates. The idea was that life at the GCIS would imitate a 'proper' home, one that many had been denied. The GCIS Board believed that through "faulty home training" the girls had failed to learn adequate standards of right and wrong and did not live up to the "demands of community life."²⁶ Because the girls tended "to challenge the prevailing standards of human conduct...[the officers of the school] must constantly hold before the girls the highest standards of living and cultivate within them an appreciation of the finer things in life."²⁷ Compare this to the ethic the nuns attempted to instill in their charges: *"une juste fierté d'appartenir à la classe des travailleurs. Une personne honnête et vertueuse, quelque humble que soit son rang social, a le droit de porter le front haut...Leur apprendre à s'habiller proprement et gentiment, mais sans luxe. Qu'elles sachent juger les gens non sur l'habit, la mine ou les paroles, mais d'après les actes, d'après la conduite."*²⁸

From 1918 onwards the Directors ushered in a "new era", one in which a more sophisticated approach to incarcerating and training delinquents was taken. In that year, the Directors appealed to experts to help them improve the GCIS. The advice led them to embrace a wider objective for the school. Maud Miner of the New York Probation

²⁶NA, GCIS, Vol. 2, File 15, "Superintendent's Monthly Reports," January, 1935.

²⁷Ibid.

²⁸Soeurs du Bon-Pasteur, Annales de la Maison Saint-Domitille (Montréal: Imp. de l'Institution des Sourds-Muets, 1919), 244.

and Protective Association encouraged them to see their mission and function as extending from protective work with girls in Montreal to retraining at the school in Sweetsburg to the reintegration of former delinquents.²⁹ Extending their mandate in this way required funds (which they did not have in 1918), and an expansion and professionalization of their staff. Quality of work at the school would be greatly enhanced, Miner advised, if a "highly trained" social worker was employed as Superintendent. This attack on the lack of serious credentials of the current superintendent, Miss E. Davies, was heeded and she was replaced.³⁰ Among Miner's other recommendations was a cottage system to separate the "different types" of delinquents.

In the early 1920s an era of professionalization began: the Directors moved the GCIS to a farm, developed a small-scale cottage system, and hired social workers as superintendents and follow-up personnel. The hiring of Nancy Stork in 1924 signalled an achievement of sorts for the school: well-versed in social work methods, Stork had been assistant-superintendent at Toronto's Alexandria Industrial School for Girls. Stork's first report to the Directors reflected in detail some of Miner's views about categorization of delinquent girls. Beginning with Nancy Stork and the follow-up program, delinquent girls received "full treatment" that began upon being directed to the school and was unrelenting until the girls were "safely and wisely readjusted in the community."³¹ She

²⁹GCIS, AR, (1918), 11.

³⁰Davies left soon after Miner's report but a replacement with the appropriate qualifications took a number of years to find.

³¹GCIS, AR, (1929), 126.

upheld the importance of the GCIS in the context of rescue work with sex delinquents. Considered far more effective than the "occasional supervision" of club activities of the YWCA and other such organizations, she determined that institutionalization (and by extension the GCIS) was the only solution for sexually precocious girls.³² In her work on Toronto, Carolyn Strange has also found moral reformation was the aim of incarceration in late nineteenth century, but this was replaced in the 1910s with "scientifically monitored rehabilitation projects" that were to facilitate a readjustment to society.³³

In their annual reports in the late 1920s and early 1930s it is evident that contemporary social work methods and terminology had been fully embraced, the thrust of which was individual assessment and treatment. In quoting American Margaret Reeves (author of Training Schools for Delinquent Girls, 1929), the administrators wrote that "our work is not merely custodial but it is to carry out a programme of scientific study and treatment, adapted to the restoration of each emotionally disturbed and wayward girl."³⁴ The officers at the school had long given up on the hereditary basis of delinquency and firmly believed in resocialization. This was the basis for designing treatment to suit individual needs: "...individualization is the keynote of all modern social

³²Ibid, (1925), 131.

³³Carolyn Strange, "The Velvet Glove: Maternalistic Reform at the Andrew Mercer Ontario Reformatory for Females, 1874-1927," M.A. Thesis, University of Ottawa, 1983, 73.

³⁴GCIS, AR, (1930), 127.

progress."³⁵ With total abnegation of punishment at the school its function became to encourage "health, both in body and mind, the development of self-control and self-direction towards useful ends or moral strength, vocational preparation and guidance for a career in which happiness and success can be achieved...".³⁶

The purpose of the GCIS as articulated in law involved providing shelter, clothing, and education for wayward youths. The Directors and superintendents of the GCIS provided these necessities of life according to their beliefs about the origins of delinquency and promoted a bourgeois notion of womanhood. This conception began with constructing a homelike environment and ended with treatment of the individual according to modern social science.

GEOGRAPHY AND ARCHITECTURE OF THE GIRLS' REFORM SCHOOLS

Les murs sont rudes et blanchis à la chaux; portes et planchers ont la couleur du bois naturel; aucune peinture ne s'y voit; les statues même, et les figures d'anges qui leur servent de consoles, sont blanches, des moules ayant permis d'en couler un grand nombre en plâtre. La complète absence de couleur produit un curieux et peu banal effet; c'est pur et austère. La vue n'en souffre pas, puisque, par toutes les fenêtres, n'offrent de merveilleux panoramas et des paysages d'une idéale beauté. (Annales de la Maison Ste-Domitille 1915, 315.)

A cottage for twenty-five girls permits a wholesome home life to be lived. The girls would go out to other buildings for school and to the different industries, a few remaining at home to do the housework and cooking...and would spend the evenings at home doing fancy work or reading; while, for bad weather, there could be a large, airy light playroom in the basement. This normal life could not fail to make a pleasant atmosphere and tend to normalize any girl. (Girls' Cottage Industrial School, Annual Report 1923, 189.)

³⁵Ibid.

³⁶Ibid.

These quotations illustrate the striking difference in physical space between the two reform schools for girls and how the space reinforced the ideology behind each respective facility. The first, a description of the new building at Laval-des-Rapides in 1915, is suggestive of the kind of atmosphere - pure and austere - created by the nuns in order to complete their "difficult work" of retrieving lost souls.³⁷ Describing the proposals for an addition to the Girls' Cottage Industrial School, the latter conjures up an image of a homey, familial existence, typical of late nineteenth and early twentieth century women's institutions found in the United States and Britain.

During the 1910s, the two girls' reform schools serving the Montreal area coincidentally both ended up being moved to the periphery of the city.³⁸ Both were separated from the city by water: the GCIS to the south on the St. Lawrence, and the Maison de Lorette to the north on the Back River. In 1911, an old one and a half storey old stone house was converted for the purposes of the GCIS; in 1915, juvenile delinquents were transferred from the provincial house on Sherbrooke Street to the old Moulin de Crochet at Laval-des-Rapides. The symbolism of physically removing the girls from Montreal should not be minimized: the Soeurs du Bon-Pasteur and the

³⁷Archives du Bon-Pasteur, "Maison de Lorette - Laval-des-Rapides de 1915 à 1944: Oeuvre des Jeunes Delinquantes," n.d., 1.

³⁸That same decade the Frères de la Charité de St-Vincent-de-Paul began talk of moving the Catholic boys reform school out of the city. The Juvenile Court judge wrote in 1914: "Il est admis, et tous les auteurs qui traitent spécialement de la question du relèvement de la jeunesse, sont unanimes à le reconnaître, que l'influence de la campagne est sous tous les rapports de beaucoup préférable à celle de la ville pour en arriver aux fins que vous poursuivez." Cited in Duret, 159.

Protestant administrators believed that in order to effect positive change in the inmates all ties with the city had to be severed and knowledge of it forgotten.

The pastoral setting for reform schools became a major feature in incarcerating youths beginning in the mid-nineteenth century. In part, this was a result of the belief in environmentalism³⁹ but also with convictions about women and nature. In the 1850s, the Lancaster Industrial School in Massachusetts set a standard for future institutions for girls. Believing that they could correct bad girl behaviour through "tender incarceration", those at the Lancaster School rejected the urban setting and traditional architecture of penal institutions and replaced them with a homey atmosphere in idyllic surroundings.⁴⁰ Located fifty miles from Boston in a picturesque landscape, the Lancaster School was the first in North America to implement ideas about socializing through "pastoral simplicity".⁴¹ This idea became a trend with reform schools and women's reformatories (as we have seen in Chapter 5) constructed in the late nineteenth century. So powerful was the belief in reforming the individual in sanctuaries far from the madness of the city that new incarceration facilities such as the English inebriate reformatories were placed in the countryside.⁴²

Natural surroundings were also common for new women's residential institutions such as college residences and boarding schools. The early twentieth century nurses'

³⁹Brenzel, 24.

⁴⁰Ibid, 69.

⁴¹Ibid.

⁴²Lucia Zedner, Women, Crime, and Custody in Victorian England (Oxford: University of Oxford Press, 1991), 238-9.

residence at Montreal's Royal Victoria Hospital, for example, was intentionally nestled into a woody site on Mount Royal, as Annmarie Adams has argued, "because of its more natural, "untouched" character."⁴³

Placing women in nature was an attempt to reinforce certain qualities and beliefs about women: that their delicate natures would be preserved or revitalized by healthy, outdoor living far from the perils of urban life. Nineteenth-century prescriptive notions about women's nature defined it as submissive, domestic, pious, and pure - traits that might also apply to rural life in contrast to its urban counterpart. Where better to correct a "deviant" character that was produced in the city than the countryside? It also confirmed a notion of women as childlike or innocent.⁴⁴ The importance of the site of the reform school was not missed on the Soeurs du Bon-Pasteur: "*La Belle campagne de Laval est très favorable à leur [les filles] état de santé.*"⁴⁵ Pure air and vistas of the beautiful river were key in setting the inmates on the right track.⁴⁶

A major difference between the two Montreal reformatories, in terms of physical space, was the convent style of one and the emulation of the middle-class cottage of the other. The home-like GCIS shared a common history with women's institutional

⁴³Annmarie Adams, "Rooms of their Own: The Nurses' Residences at Montreal's Royal Victoria Hospital," Material History Review 40 (Fall, 1994): 29-41, 32.

⁴⁴Reform and industrial schools for dependent and delinquent boys were also built outside city limits. See Bennett, 76.

⁴⁵Archives du Bon-Pasteur, "Maison de Lorette - Laval-des-Rapides de 1915 à 1944: Oeuvre des Jeunes Delinquant," 1.

⁴⁶Soeurs du Bon-Pasteur, Annales des religieuses de Notre-Dome de Charité du Bon-Pasteur d'Angers à Montréal Tome 2, (Monastère du Bon-Pasteur, 1895), 310-11, and Annales de la Maison Ste-Domitille, 43.

architecture: the major consistency between the women's residence, the boarding school and the reform school was the attempt at a family-oriented home existence. But, it was a particular kind of family life, as Martha Vicinus reminds us. "The surroundings [of women's residences], bespoke permanence, seriousness of purpose, and the same solidity that marked the middle-class families from which the bulk of the students came."⁴⁷ Even though boarding houses and college residences were explicitly serving the purposes of the bourgeoisie by socializing its daughters into good wives and mothers in institutions that resembled middle-class homes, reform schools tended to adapt the same ethic which ultimately became a way of immersing (mostly) working-class girls in middle-class values. Barbara M. Brenzel contends that the Lancaster Industrial School for Girls looked more like a New England academy than a house of detention.⁴⁸ The GCIS, in trying to emulate middle-class residential institutions also referred to the inmates as "boarders".⁴⁹

The red brick houses with white sash windows became a hallmark of nineteenth-century women's residential institutions - settlement houses, college residences and reformatories. This Queen Anne style was embraced as reform architecture for women's institutions because it "embodied the cosy comforts of the English home."⁵⁰ A well-

⁴⁷Quoted in Adams, 33; and Martha Vicinus, Independent Women: Work and Community for Single Women, 1850-1920, (Chicago: University of Chicago Press, 1985), 129.

⁴⁸Brenzel, 69.

⁴⁹NA, GCS, Vol. 2, File 1, "At the Girls' Cottage School," 30 December 1945.

⁵⁰Deborah E. B. Weiner, Architecture and Social Reform in Late-Victorian London (Manchester and New York: Manchester University Press, 1994), 74. See also

known North American example of this is Hull-House, the Chicago settlement house run by Jane Addams in the Progressive Era.⁵¹ Feminist architectural historians suggest that the similarity of domestic and women's institutional architecture in the late nineteenth century was no coincidence - that it ensured that public institutions for women retained a 'private' quality.⁵² The GCIS is another example of this.

The first building in St. Lambert (1911-1915) was a house on the waterfront. The Marmalade Factory, as it was nicknamed, was nothing like a factory - nor a prison - in appearance but a single-family dwelling with a large wrap-around verandah and a wooden fence. (See Figure 1) Lacking the money to renovate, the Directors had no choice but to suggest the six inmates and superintendent live in the house much like the previous tenants, in all likelihood a middle-class family. A shed behind the house doubled as a school room, revealing the diminished importance of teaching the three Rs over training in culinary arts, particularly the making of marmalade.

Within four years the population at the School doubled necessitating a move to a larger home. When Lillias Molson offered to buy a larger house in St. Lambert and rent it to the GCIS, the Directors eagerly accepted. This time, the building was a much more substantial house, a three-story home with a high picket fence surrounding the generous property. (See Figure 2) The house could hold up to twenty girls and three

Gwendolyn Wright, Moralism and the Model Home: Domestic Architecture and Cultural Conflict in Chicago, 1873-1913 (Chicago: University of Chicago Press, c1980).

⁵¹Helen Lefkowitz Horowitz, "Hull-House as Women's Space," Chicago History 12 (1983): 40-55.

⁵²See, for example, Adams, 37.

residential staff persons. The superintendent noted its main advantage over the previous house was that it allowed for major training in the area of laundry work.⁵³

Two acts of fortune in the early 1920s enabled the GCIS Directors to experiment with the mode of reform school they advocated. With the support of the Montreal Council of Social Agencies, the School signed a contract with the government resulting in a per capita annual grant of \$120. Being placed on firm financial footing at the start of 1922 was complemented with the donation by J.W. McConnell of a forty-two acre farm in Sweetsburg.⁵⁴ On this farm was a large home, a barn, and a school house. McConnell also provided funds to have the house remodelled to suit the purposes of the reform school. For the first time the Directors were able to manipulate the interior physical space of the school to suit their purposes.

The Directors chose to divide the interior of the big house into two parts in such a way that would not alter the external appearance of the residence. Each of the two sections contained a kitchen, living room, laundry, and sleeping quarters and were staffed by two women. The first and larger of the sections comprised the original house where it was necessary to use dormitories for the girls' bedrooms. The extension or new wing provided cubicles for each girl to have a room of her own. Girls with venereal disease or who were considered highly immoral were kept in this part of the house.⁵⁵

⁵³GCIS, AR, (1915), 9.

⁵⁴Ibid, (1922), 44.

⁵⁵Ibid, (1923), 184, 187.

In the early 1920s the Directors conceived of a three cottage system to meet their needs concerning the segregation of the girls. From the time of its inception, the GCIS contained the name cottage in its title, although the design did not incorporate an elaborate cottage system until the 1950s. The GCIS began as model middle-class homes and by the end of its first decade was organized along the cottage plan. The cottage system was developed for reforming children in the 1840s in Mettray, France, and came to North America in the 1850s.⁵⁶ The first would house "diseased cases", the second girls who had had "definitely immoral experiences but [were] free from infection", and the last would be for girls who were merely "incorrigible".⁵⁷ Not being in a financial position that would enable them to build a third cottage, the Directors decided to make do during 1923 and 1924 with a dormitory in the attic.⁵⁸

Finally, in 1925, the gift of a "generous friend" enabled the board to have an addition to the original house built. This third cottage was actually a separate building joined to the main building by a covered passageway. The new building provided them with twenty-one separate bedrooms, two large bathrooms and toilets, a large sewing room, a recreation room, rooms for two staff members, and an attic for storage.⁵⁹

⁵⁶The Victoria Industrial School for Boys near Toronto was organized along the cottage system. See Bennett, 75.

⁵⁷GCIS, AR, (1922), 45.

⁵⁸Ibid, (1923), 184. The architectural changes to the GCIS are documented in the National Archives GCIS Map Collection. The poor quality of the architectural plans made it impossible to reproduce them here.

⁵⁹Ibid, (1925), 131.

The board of Directors hailed this new building as a sign of substantial progress for the school because it meant a separate room for each girl - a nod to the belief in personalized, individual treatment. Separate bedrooms and segregation of inmates, according to the Board of Directors, made for "a much more desirable arrangement"⁶⁰. In several ways the individual bedroom system was a major modification to the dormitory-style of residence: it meant that each girl was allowed a certain amount of freedom to personalize her space; it reinforced bourgeois notions of privacy; and it enabled greater control over the social/sexual interaction of the inmates. In asserting the benefits of the individual bedroom Superintendent Nancy Stork wrote:

Every girl should have at the end of a busy and full day her own little room, where she can be by herself, to meditate and think for a while, for we try to teach our girls to think seriously on many subjects. A girl cannot think, be she ever so inclined, with half a dozen girls jabbering around her. Then again she can be taught to take pride in the keeping of her own room in a neat and attractive manner, and she has more self-respect when she knows she has her own corner to keep her many little personal treasures from prying eyes, and from becoming public property.⁶¹

As an example of how the school design ameliorated the condition of working-class girls, the superintendent quoted a letter one recent arrival at the school wrote to her mother. "Dear mother...for the first time in my life I have a room of my own; I can change it around the way I want to, they let us put up pictures, make curtains, dye our

⁶⁰Ibid, (1922), 45.

⁶¹Ibid, (1924), 123.

bedspreads, it's wonderful!"⁶² But clearly the separation of the girls was not simply for the personal benefit of the individual girl.

The Directors wrote that "[i]n an institution of this kind there is no greater hindrance to the training of the girls than the old dormitory system."⁶³ Reformatories had long had a reputation for being dens of "evil" and the Directors of the GCIS articulated fears of certain worldly girls "contaminating" others. Because they did not explicitly mention their desire to prevent lesbian relationships, it is impossible to know whether they feared so-called verbal or sexual contamination. It is clear, though, that the controlling of adolescent sexuality went hand in hand with re-training delinquent girls. Many of the inmates entered the school having had substantial sexual experience - indeed were viewed as having precocious knowledge of carnal desires. As Michelle Cale has argued for the case of the Victorian English reformatory system for girls, the authorities attempted to counter "pernicious sexuality...not from a horror of lesbianism in itself, since for many Victorians such a deviance had no actuality, but because they feared that an introduction to sexual feelings through the contact of girl with girl would inevitably lead to an awakening appetite for heterosexual activity which was both immoral and unfeminine."⁶⁴ In 1942 the Board of Directors was informed by Dr. Baruch Silverman, Director of the Mental Hygiene Institute on the "sex problem" in institutional care. The doctor dismissed the idea that girls had strong sex urges and asserted that

⁶²NA, GCIS, Vol. 2, File 15, "Superintendent's Monthly Reports," 1945, 2.

⁶³GCIS, AR, (1925), 124.

⁶⁴Michelle Cale, "Girls and the Perception of Sexual Danger in the Victorian Reformatory System," History 78:253 (June, 1993): 201-217, 216.

lesbian activity was "usually an expression of interest in or want of affection."⁶⁵ The three-cottage system enabled the superintendent to physically separate the more "innocent" girls but the other two cottages were filled with girls of considerable experience; the separate bedrooms were necessary, then, to inhibit sexually experienced girls from seeking nocturnal pleasures that would 'inevitably' lead to the encouragement of inappropriate heterosexual behaviour.

The sheer number of juvenile delinquents at the Maison de Lorette made individual rooms out of the question. Also, the separate sleeping quarters were antithetical to convent architecture.⁶⁶ The GCIS then became the first reformatory to experiment with "modern" notions of retraining wayward girls through domestic architecture in a rural landscape that permitted girls a "room of one's own."⁶⁷ Inmates coming from the working-class were likely never to have had their own living spaces.

However folly it seems for the Directors to promote a bourgeois notion of family life that would be far from the girls' reality, it was one of their means to effect rapid and thorough retraining.

At no time in the period from 1911 to 1946 did the GCIS have the financing necessary to plan and construct a building for their purposes; however, their choices in renting and/or renovating houses represent some agency toward defining reformatory

⁶⁵NA, GCS, Vol. 3, File 15, 1 April, 1942.

⁶⁶On convent architecture and material culture see Elizabeth W. McGahan, "Inside the Hallowed Walls: Convent Life through Material History," Material History Bulletin 25 (Spring, 1987): 1-10, 5. Orders that educated girls of the elite, however, often did offer separate rooms.

⁶⁷This is an obvious reference to Virginia Woolf, A Room of One's Own (1929).

architecture. None of its physical incarnations between 1911 and 1946 resembled the institutional space of penal facilities. All former homes, the buildings reflected the Directors' desire to recreate a middle-class experience for the inmates while implementing modern methods of resocialization.

BOARDERS, PUPILS, INMATES: THE 'GIRLS' AT THE GCIS

When the GCIS opened its doors in 1911, the Directors expected it would be a family-sized institution in which a handful of girls and young women would receive proper "retraining". The fledgling training school grew rapidly after a difficult first decade: once the school relocated to Sweetsburg in 1922, its population rose to thirty and forty inmates, the maximum at any one time peaking at forty-six in 1927. (See Table 11) The GCIS's Catholic counterpart also faced increases accelerated by World War I, a slight decline in the early 1920s and a steady rise in population through the 1930s and 1940s.

In the 1910s, the inmates tended to be first generation Canadians coming mainly from England, Ireland, and Scotland. This stands in sharp contrast to the inmates at the École de Réforme who were consistently and overwhelmingly Canadian born. By the second decade of the school's existence a noticeable shift had occurred: in the mid-1920s a survey of the inmates showed that more than 60% were born in Canada.⁶⁸

⁶⁸For 1926 birthplace of inmates: 32 Canada, 2 Scotland, 1 Ireland, 11 England, 1 Newfoundland, 3 United States, 1 Foreign. (Total 51). Compare this to a decade earlier: in 1916 7 born in Canada out of 17 total. Quebec, Statistical Yearbook, 1926, 1916.

Having been explicitly created for the incarceration of non-Catholics sentenced by the juvenile court, it follows that the majority of inmates were registered as Protestants. From the beginning of the reform school's history, Jewish girls and women were also sent there. (See Table 12)

Between one-half and three-quarters of the inmates came from so-called "broken" families. Consistently less than half of the inmates could admit to having two living parents, and even then, the parents did not necessarily live together. Not many of the inmates were orphans but enough came from homes with only one parent to suggest to the Directors a direct connection between delinquency and "broken homes".

A further profile of inmates at the GCIS is not possible from the statistical reports of the province nor the records of the GCIS. Fortunately, a professor of psychology studied the inmates in 1926 and provides a more complete description of the population. In 1926 there were 33 inmates when Professor Bridges visited. The majority of these inmates were sent to the school for sexual delinquency whereas the majority of boys at the Protestant boys' reform school had been convicted of property-related crimes.⁶⁹ The inmates were mainly English, Irish, or Scottish. There were three Jewish inmates, and one who was labelled by the professor "mulatto".⁷⁰ Eight had been born in Montreal, twelve in other parts of Canada, eight in Britain or Ireland, two in the United States, and three elsewhere. This breakdown was similar to the Protestant boys at Shawbridge.

⁶⁹NA, GCS, Vol. 1, File 20, J. W. Bridges, "A Study of a Group of Delinquent Girls. The Girls Cottage School, 1926," 2.

⁷⁰Ibid.

Two-thirds of the young women were from the city and one third from the countryside. The average age at the GCIS was 17, which was three years above the average at Shawbridge.⁷¹ Only five of the thirty-three had been attending school when they were committed to the reform school. Almost half (14) were domestic servants most of whom were labelled sex delinquents. Parents tended to be from the skilled, semi-skilled, or unskilled occupational categories. The family situations of most inmates illustrated to Professor Bridges the broken homes theory in action: only 10 of the 33 had two parents at home.⁷² Three inmates were orphans, 7 had lost their fathers, while 4 had lost their mothers. There were 7 cases of separated parents, and two situations where the parents had never married.⁷³ Almost all of the inmates were intellectually behind for their age, what Bridges referred to as "educationally retarded". Almost 15% were labelled "feeble-minded" and another 45% considered "subnormal" but not feeble-minded. This, he claimed, was due in part to dullness but also lack of educational opportunities.

In addition to juvenile court sentenced youths, the GCIS, like the other reform schools in Montreal, accepted, in fact relied upon, "voluntary" cases. The latter were brought to the school by parents or guardians. The Directors intended to receive only juvenile court cases but found in the first years that these were not numerous enough to fill the school.⁷⁴ The Protestant boys' reform school at Shawbridge went through a

⁷¹Ibid., 3.

⁷²Ibid., 4.

⁷³Ibid.

⁷⁴GCIS, AR, (1917), 8.

similar crisis of under-subscription and actively recruited voluntary cases through an aggressive advertising campaign.⁷⁵

In the 1910s, various social agencies brought girls to the school. Those admitted by parents through a social agency were not covered by provincial funds and therefore parents were required to pay \$10 per month. It seems, though, that no voluntary case was refused on the basis of inability to pay: the Directors accepted as little as 50¢ per month. For this favour, however, parents would have to subject themselves to a means test by the school officials.⁷⁶ The voluntary cases had to be under 18 years of age and were not accepted for less than one year because "the girls ha[d] much to unlearn before they beg[a]n to learn."⁷⁷

The Directors preferred that the voluntary cases first be processed by the juvenile court and sentenced.⁷⁸ This prevented parents from breaking their one-year rule and interfering in the school's agenda. Parents' authority sometimes clashed with what the Directors were hoping to achieve. The superintendent reported an incident involving a voluntary case which had been placed at the school in November, 1917. At first the inmate wanted to escape and resisted her placement at the reform school but within a short time "had settled down for a proper training."⁷⁹ The young woman's mother,

⁷⁵Rains and Teram, 21-24.

⁷⁶GCIS, AR, (1917), 8-9.

⁷⁷Ibid, 9.

⁷⁸Ibid, 8.

⁷⁹Ibid, 14.

however, felt the daughter ought to be earning money and withdrew her from the GCIS when a job was secured at a rubber factory. The superintendent provided this as evidence of how parents might sabotage the work and success of the school.⁸⁰ Table III illustrates the number of parents in the 1910s who requested their daughters be released prior to the one year sentence. Also, in the 1920s the voluntary cases were deemed unsatisfactory because of parents "who signed the agreement [and] wanted their children discharged before the time agreed upon expired, or before such times as the superintendent and Board of Directors considered it advisable."⁸¹

After 1918, as the Directors conceived of their role as a social agency working both to prevent and correct female delinquency, voluntary cases took on an important role at the school. The school staff felt they were more successful with "predelinquent" girls of 12 or 13 years; through preventive work at the school, younger, "incurable" - but not delinquent - girls could be "piloted into safety."⁸² This was a veiled protest against social agencies using them only as a last resort, and an admission that the efficacy of their work depended on the age of the inmate.

Beyond the young women who were impressionable and most manageable, the school also used the voluntary cases to get around the legally imposed age limit of 16 for young offenders. The problem, as the Directors saw it, was that there was no place to put "older girls" (except the women's jail) because there was no provincial women's

⁸⁰Ibid.

⁸¹Ibid., (1924), 126.

⁸²Ibid., (1926), 114.

reformatory.⁸³ In the Recorder's Court the first time female offenders were given suspended sentences, that is, they were let off. The GCIS began receiving as voluntary cases these older girls between the ages of 16 and 18 and kept them up to age 21. That is, the school argued that the age for juvenile delinquents ought to be raised to 18 but before it was in 1942, the voluntary category permitted the Recorder and the GCIS to incarcerate girls between 16 and 18.⁸⁴ This had the effect of pushing up the average age at the school, which in the 1920s hovered around 17. The Girls' Cottage Industrial School functioned as a reform school admitting non-Catholic girls and young women aged between twelve and sixteen from across the province of Quebec.⁸⁵ Because they could be by order of the tribunal held until their twenty-first birthday, the average age was often more than sixteen. (See Chapter IV, Table I).

⁸³Ibid, (1923), 184.

⁸⁴Ibid, (1924), 126.

⁸⁵An Industrial School according to law held six to fourteen year olds.

In the first decade, then, the majority - as much as 70% - were voluntary cases.⁸⁵ As the school expanded and juvenile delinquency was more actively policed and more girls were given sentences, court cases became more prominent, averaging about 64% of the school's population in the 1920s. The Annual Reports indicate that the voluntary cases had to be limited because of the rise of court cases. Still, those that were

⁸⁶Court vs. Voluntary Cases, 1910s-1930

YEAR	COURT CASES	VOLUNTARY	TOTAL
1913	2	6 (75%)	8
1914	4	10 (71%)	14
1915	9	15 (62%)	24
1916	6	23 (79%)	29
1917	8	21 (72%)	29
1918	7	26 (79%)	33
1919	14	16 (53%)	30
1924	22	9 (29%)	31
1925	28	17 (38%)	45
1926	31	20 (39%)	51
1928	32	22 (41%)	54
1929	32	21 (40%)	53
1930	37	19 (34%)	56

Sources: for 1910s, NA, GCS, Vol. 1, File 34, "The GCS. Historical Report, Summary of Cases, 1919." for 1920s, Annual Reports.

committed tended to be older and less manageable. The reports of the school from the late 1930s and 1940s frequently mention the rising level of recalcitrance.⁸⁷

On being sentenced or "voluntarily" committed to the GCIS, the girls and young women were subjected to a thorough examination process. The testing revolved around measuring -in order to correct- physical, intellectual, moral, and spiritual shortcomings. The two most common forms of examination, mental testing and the physical exam, related to the alleged nature of delinquency itself: the most prominent reasons for being committed to a sojourn at the GCIS were sexual promiscuity (evidenced by venereal disease) and mental "defectiveness" (feeble-mindedness). From the beginning mental testing and physical examinations had always been part of the initiation programming at the school.

In the 1910s, the Directors and superintendents aspired to have all in their care properly tested. In 1914, W.D. Tait, McGill University professor of psychology, travelled to the school to run simple tests on the GCIS population. He concluded that the majority of the inmates fell into the category of feeble-minded.⁸⁸ It is not clear that the staff had an action plan to deal with this fact - it merely confirmed for the Directors why some of the inmates failed to be resocialized.

In the 1920s the system was more formalized. Upon entering the school, the new arrival was isolated, given "complete" physical, mental, dental, and eye examinations and

⁸⁷Ibid, Vol.1, File 17, "Report of the Superintendents," 1936, 1940.

⁸⁸GCIS, AR, (1914), 7. On the McGill University connection with studies on feeble-minded and thoughts on eugenics see Angus McLaren, 'Our Own Master Race': Eugenics in Canada, 1885-1945 (Toronto: McClelland and Stewart, 1990), 23-25.

submitted to the appropriate treatment. Before being integrated into the school regime the new girl was escorted to the Montreal General Hospital or the Royal Victoria Hospital for a physical exam and a blood test to determine whether she had venereal disease. This system was replaced in the 1920s when the GCIS hired a female doctor who came out to the school to do these tests. As venereal disease had always been present in the population at the school, isolating the new inmate functioned to prevent "cross infection."⁸⁹ Testing positive for venereal disease led to treatment at the local Sweetsburg General Hospital. In the post-World War I period, the province got involved in the prevention of venereal disease, paying for the treatment through the Anti-Venereal Disease Campaign of the Board of Health.⁹⁰ Another function of the physical testing was to check for pregnancy. Pregnant inmates were not permitted to stay at the school but were hidden away at Bethany House until the child was born after which time the inmate would be readmitted.

In the 1920s the mental testing of new inmates was carried out by members of the National Committee on Mental Hygiene in Montreal. Here the provincial board of health played less of a role. The Directors routinely complained of a lack of facilities for the so-called feeble-minded: in Quebec there were no special classes in the public school system, much less institutions that could properly care for them.⁹¹ The Directors were periodically concerned their reform school had become a dumping ground for the

⁸⁹GCIS, AR, (1922), 45.

⁹⁰Ibid, (1922), 45.

⁹¹Ibid. There were asylums, such as the St-Jean-de-Dieu in Montreal for those considered mentally insane.

feeble-minded. Still, the mental tests enabled the Directors to predict how bad the girl would be and how possible it was to retrain her.

Further to the physical and mental tests, the girls took eye examinations, had dental work, eventually chest x-rays for tuberculosis, and even foot repair.⁹² Once all of this testing regime was completed, the field worker and/or the superintendent took family histories of the girls, and created a case report. The composite drawn from the interview and the tests enabled the superintendent to categorize the girls and place them in the appropriate living space and classes. The profile was also used by the field worker when the sentence expired to determine the inmates' future.

Whether through voluntary or court admissions, adolescent females were incarcerated for what were considered acts of immorality which were labelled by the juvenile court as vagrancy and desertion. These acts were understood as transgressions of the bounds of appropriate female sexuality, that is, a woman would remain a virgin until marriage. Studies of juvenile delinquency in Canada and the United States have found that in the early twentieth century, the rise of female delinquency related to the changing sexual and social conduct of young women and to a desire on the part of authorities and parents to curb this behaviour.⁹³

⁹²NA, GCS, Vol. 1, File 16, "Report of the Medical Officer, 1940."

⁹³Carolyn Strange, "The Perils and Pleasures of the City," and Mary Odem, "Delinquent Daughters".

PROGRAM AND REGIME

"Our school is a place where these mistakes are to be corrected...a bright, homelike place, full of sunshine and cheerfulness and healthy activity."⁹⁴

In creating a regimented yet home-like environment the superintendents of the GCIS attempted to give the girls what they perceived was missing from their lives which ultimately caused their fall. The program at the school focused on four areas - domestic, vocational, academic, and recreational training. In the early years, retraining and education at the GCIS was fairly limited because of funds: the girls spent most of their time doing chores, gardening and making preserves and other items to sell to bring in income for the institution. Formal education was limited and the only apprentice work available was in the area of domestic service. Respect for law, authority, and the family was emphasized along with character building. At the end of her incarceration at the institution, the girl was to leave the school with a fresh start on a new life, symbolized by the new set of clothing she donned for the occasion of her departure.

In the 1910s, the teaching of homemaking made sense since its aim was to place the girls as domestic servants at the end of their sentence. A decade later this had changed: in the 1920s those who administered the GCIS blamed unstructured home lives for delinquent behaviour. Following this reasoning, the program at the reform school centred on teaching girls "the true way of making a home."⁹⁵ The skills, then, became

⁹⁴GCIS, AR, (1926), 117.

⁹⁵Ibid, (1924), 120.

increasingly geared to fitting the girl for a life as wife and mother, not so much restricted to her going out to earn a living.

Consistent with girls' education in the early twentieth century, the inmates at the GCIS learned the various aspects of domestic science: cooking (including breadmaking and preserving), laundry work, sewing and knitting, gardening, waiting on tables, and cleaning.⁹⁶ The inmates on kitchen duty began at 6:30 and continued until the dinner dishes were washed. During the 1910s, this routine was interrupted only for meals, a walk, and an hour at the school.⁹⁷ The wash women rose at 7 a.m. and began the day by cleaning the school. On Monday they soaked the clothes and washed the superintendent's and assistant's clothes. Tuesday they washed the house linen and on Wednesday the inmates' clothes. Thursday and Friday were taken up with ironing, and Saturday they cleaned the irons, wringers and buckets.⁹⁸

In the 1920s, a three- and four-month rotation system was developed so that girls spent a set period of time getting to know well each of the areas of housekeeping - the kitchen, laundry, and cleaning the living areas. All girls were taught to sew and they made their own dresses - to improve "a girl's self-respect"⁹⁹ - a kind of school uniform.¹⁰⁰ Teaching of "every day usefulness"¹⁰¹, of course, served functions other than

⁹⁶Ibid, (1917), 9.

⁹⁷Quebec, Sessional Papers 1913, "Report on Asylums, Reform Schools..."

⁹⁸Ibid.

⁹⁹GCIS, AR, (1924), 120.

¹⁰⁰In the 1940s there was a school uniform.

how to be domestic servants or homemakers: the regime disciplined the girls, taught them the value of industriousness, and cut the costs of the institution. All of the daily work of the institution was performed by the inmates under careful supervision.

Teaching the inmates how to run a well-ordered household evolved into an education in personal hygiene and decorum. The superintendents in the late 1930s began focusing on creating marriageable young women through manners and grooming lessons. In these classes the girls were taught the rudiments of makeup and generally how to appear poised and attractive to men. Contrast this with the Maison de Lorette rule that hair was to be kept short and held back with a barrett.¹⁰² It was no secret that the majority of inmates at the GCIS were very familiar with men and sex; the aim, though, was to get them to attract husbands. Seeing that the girls had "an unhealthy distorted view of sex", sex education was necessarily added to the curriculum.¹⁰³ Taught by a nurse, sex education was placed in the context of reproduction and both firmly within marriage.¹⁰⁴ "Mothercraft" followed on the heels of the course on appropriate sexuality. Although the school banished to Bethany House¹⁰⁵ any inmate discovered to be pregnant, the program included instruction on child development, feeding, bathing, and dressing

¹⁰¹NA, GCS, Volume 2, File 15, "Superintendent's Monthly Reports, 1927."

¹⁰²La Presse, 9 octobre, 1945, 3. The girls at Lorette complained of a "coiffure ridicule."

¹⁰³NA, GCS, Vol. 1, File 32, "General Policy...", 9.

¹⁰⁴Ibid, Vol. 1, File 17, "Superintendent's Reports", 1944, 3.

¹⁰⁵A home for unwed mothers.

a baby.¹⁰⁶ The orientation of these courses reflects the superintendents' belief that young women's futures lay in marriage.

The garden and poultry farm at the GCIS augmented the school's income and provided work considered wholesome and satisfying. Each girl was given a part of the garden in which to grow vegetables. Having the girls participate in the gardening, according to the superintendents, fostered a healthy sense of competition.¹⁰⁷ From the early years at the school the regime had included gardening but the most elaborate program was developed once they moved to Sweetsburg. In fact, the GCIS, won first prize for the best garden in the townships at the annual Bedford Fair in 1927. That year, the garden took in \$290 and provided the school with much of the needed produce for the year.¹⁰⁸ But Nancy Stork was quick to remind that the garden was not simply a money-making endeavour, that its value rested in its contribution to building character.¹⁰⁹ The belief that the outdoors and farm work made a virtuous citizenry was also embraced by other reformatories like the Boys' Farm at Shawbridge.

A critical part of the training program for girls at the GCIS was instilling the value and virtues of volunteer work. During World War I the girls were taught knitting

¹⁰⁶NA, Vol.1, File 17, "Superintendent's Report", 1942.

¹⁰⁷GCIS, AR, (1918), 15-16.

¹⁰⁸Harvest for 1927 in bushels: 300 potatoes, 50 winter turnips, 20 summer turnips, 40 carrots, 40 beets, 20 parsnips, 45 mangels, 20 corn, 70 tomatoes, 5 cucumbers, and 3 salsify. 1000 heads of cabbage, 60 pumpkins, 60 squash, 25 citrons, 700 quarts of strawberries, and 40 quarts raspberries. GCIS, AR, (1927), 127.

¹⁰⁹Ibid.

and needlework so they might contribute to the Red Cross and Verdun Patriotic Society, redeeming themselves as valuable citizens.¹¹⁰

The girls were also instructed in the value of producing items for personal gain. In many of the annual reports, the superintendents indicated that the girls sold bread, marmalade, eggs, produce, knitwear, embroidery, and clothing. In return they earned pocket money.¹¹¹

Vocational training at the GCIS did not extend far beyond domestic training, however there were other skills taught that would provide certain girls with opportunity for employment. In 1918 the staff began teaching typing, though by the 1940s they still ran a rather limited business preparation course. This does not compare favourably to boys' reform schools such as the Catholic Mont-St-Antoine where the inmates were taught a variety of trades.

Only slowly did the GCIS embrace academic training as an important method of reforming the girls' characters or improving their lives. The urgency of this form of training cannot be understated considering that illiteracy among the new arrivals was not uncommon.¹¹² Within the first years of the GCIS, the administrators blamed the high rates of feeble-mindedness among the girls on a lack of educational advantages and on Quebec's failure to implement compulsory education.¹¹³ In the 1920s, three hours of

¹¹⁰Ibid., (1914).

¹¹¹Ibid., (1927), 126.

¹¹²Ibid., (1918), 8.

¹¹³Ibid.

schooling per day was the norm at the school and this education ended at the seventh grade.¹¹⁴ In part, the Directors felt they could not afford a teacher more than part-time; only in the 1920s did the Protestant School Board of Montreal agree to finance one full-time teacher. Even with a teacher at the school all day, the inmates still would attend school for a half-day only.¹¹⁵ The curriculum followed that of the local public school in Cowansville: reading, writing, arithmetic, geography, Canadian history, and hygiene.¹¹⁶ A modest emphasis on formal education was also evident at the École de Réforme: in the 1910s two hours per day were set aside for schooling, the rest of the day taken up with sewing, cooking, and other household tasks.¹¹⁷

A Christian education was considered integral to resocialization at turn of the century reform schools. This was perhaps most obvious at the institutions run by the Soeurs or the Frères: as their contemporaries saw it, religion was fundamental to any system of correction at the Écoles de Réforme.¹¹⁸ The matrons who lived in the cottages at the GCIS with the girls were expected to be religious women¹¹⁹, although none of the staff were spiritual leaders. And, unlike at the Catholic reform school a chapel did not

¹¹⁴Ibid, (1924), 121.

¹¹⁵By the 1940s the full day of school was implemented. NA, GCIS, Vol. 2, File 1 "Newspaper Clippings," 30 December, 1945.

¹¹⁶GCIS, AR, (1923), 187.

¹¹⁷NA, MLCW, MG 28, I 164, Vol. 7, File "Reformatory Comm. Corr. and Reports - 2 of 2 (1909-22, 1931), "Brief Sketch of the Reformatory Work Done at the Good Shepherd," 1913, 2.

¹¹⁸NA, MLCW, Vol.7, File: Reformatory Comm.... "Brief Sketch...", 1.

¹¹⁹GCIS, AR, (1924), 121.

form part of the institutions themselves. This education therefore took place mostly outside the GCIS or by occasional visitors to the school. The Superintendent did, however, establish morning and evening prayers and a Sunday evening prayer meeting.¹²⁰ On Sundays the girls were expected to attend the local Anglican Church. Jewish girls had limited religious education: only in preparation for Jewish holidays would a visitor, Mrs. Rabinovitch of the Federation of Jewish Philanthropies of Montreal, address the girls' spiritual lives.¹²¹ Putting the girls on the right path in preparation for their release included development of the habit of church-going. Once freed from the school, the authorities at the GCIS hoped church community groups would buffer the girls from their previous lives.¹²²

Recreation and leisure played an important role in the resocialization process at the school. The significance of supervised play in correcting waywardness was prominent in the contemporary literature on juvenile delinquency. Field worker Dorothea Heney cited Margaret Reeves on this issue: "Play is useful from a health point of view, but it has many additional values of equal or greater importance...[it] is important because it contributes to the mental and moral development of a person quite as much as to physical health...and a properly directed programme provides a greatly needed avenue for the expression of personality."¹²³ Providing the girls with planned

¹²⁰Ibid., (1923), 188.

¹²¹Ibid., (1927), 127; NA, GCS, Vol. 1, File 17, "Superintendent's Reports," 1928.

¹²²NA, GCS, Vol. 1, File 12, "Report of the Follow-up Worker, 1926-28," 1926, 3.

¹²³GCIS, AR, (1929), 127.

recreational activities was not always successful. Superintendent Bertie H. Frantz had attempted to get the girls to play outside but found the "spirit of team work and fair play sadly lacking."¹²⁴ Team work and play seemed to hold a key for resocializing the girls, however, and recreation retained its prominence in annual reports for decades. Each year, the superintendent wrote of attempts to get the girls to play baseball, which was often met only with resistance.

Calming adolescent sexual urges was another important reason for well-managed play. Superintendent Nancy Stork quoted her former boss, Miss Lucy M. Brooking, at the Alexandra School for Girls on the reasons for physical activity: "there must be a substitute given to the delinquent for the pleasure derived from the gratification of sensual cravings and unclean dissipation, and it is in the intoxication of a clean, hard-fought game that she will get the best substitute."¹²⁵ In this way, recreation was preferred over work as a process to transform the girls' character.¹²⁶ The pressing need for better recreation facilities became all the more urgent when the superintendent admitted the girls were "oversexed" and therefore needed more exercise!¹²⁷

¹²⁴Ibid, (1923), 188.

¹²⁵Ibid, (1924), 121.

¹²⁶Ibid, (1932), 2.

¹²⁷NA, GCS, Vol. 1, File 17, "Superintendent's Report," 1941, 2.

DISCIPLINE, PUNISHMENT, AND RESISTANCE

The imagery of home invoked by the Board of Directors and the superintendents did not belie the fact that the girls were subject to constant supervision and disciplinary measures. The superintendent and her assistant oversaw all activities and two women lived in each cottage. A strict regime at the school meant every moment was planned leaving the girls with little time to themselves. Gongs signalled the beginning of the day and mealtimes. When they were not doing housework or attending school, they participated in organized recreation for a short period in the afternoons. Keeping the girls busy from morning until night strategically made sense in a reform school but exacted a toll on the staff, many of whom resigned because of ill-health after several years at the GCIS. The reports of the superintendents suggest an intention to rule with warmth and acceptance of the delinquent; resistance, however, was met with firm rules and regimentation. The administrators were obviously attempting to conform to an ideology about juvenile penology which upheld treatment over punishment; in their reports even the word punishment was scratched out and replaced with "treatment".¹²⁸ Still, the fact was that the GCIS was not a home, it was an incarceration facility and the adolescent girls sent there were appropriately angry and difficult when their freedom was severely circumscribed. Forcing inmates to unlearn their past lives involved a struggle and demanded a disciplinary code that inevitably contradicted some of their major principles of creating a family-oriented environment.

¹²⁸Ibid, Vol. 1, File 32, "General Policy...", 5.

At the École de Réforme, the tradition of discipline had its roots in convent boarding schools. Rather than the homey environment of the women's reformatory, resocialization depended on a religious atmosphere that began with the architecture of the convent and permeated the programs and daily regimes. Micheline Dumont has written of the late nineteenth-century girls' boarding schools: "The lives of boarders were characterized by silence in dormitories, the dining rooms, the parlours duly decorated with ferns, the chapel, the classrooms, and the recreation rooms. Here, the educational structure found a powerful means to reinforce religious, moral, and social values. Discipline guaranteed the submission expected of students. Submission was then described as women's most noble virtue."¹²⁹

Convincing a recent arrival at the GCIS that she was not there to be punished but "retrained" in the context of a regimented and monotonous daily life would have been somewhat arduous, indeed. The superintendents exacted a standard of "strict obedience, order and all possible perfection in [the inmates'] work" through strict supervision.¹³⁰ Given that the inmates were incarcerated at the GCIS for transgressing behaviour fitting of a young woman, Superintendent Nancy Stork believed that obedience was at the heart of their retraining, and she insisted that her staff be unwavering disciplinarians.¹³¹

¹²⁹Micheline Dumont, Girls' Schooling in Quebec, 1639-1960, Historical Booklet No. 49, (Ottawa: Canadian Historical Association, 1990), 15.

¹³⁰GCIS, AR, 1914, 9.

¹³¹Ibid, (1928), 121.

The girls' days started early and never was one caught with "fingers idle."¹³² Each inmate was to be out of bed by 6:00 a.m., 6:30 if they were on kitchen duty. Lights were out at 8:30 p.m. and talking afterwards was strictly forbidden. Inmates could not visit each other's bedroom unless permission had been granted and borrowing from one another was prohibited. Hands were to be washed and hair brushed before each meal. Tidiness in the girls' bedrooms was mandatory, with marks lost for any sign of slovenliness. Communication with the outside world was severely monitored as incoming and outgoing mail was read by the staff. Incoming letters were delivered only once a week. Visiting days were held on the first Saturday of the month for two hours in the afternoon.¹³³

During Stork's regime in the 1920s each new arrival at the school faced a fortnight's quarantine. Contact with a nurse was all the young woman could expect.¹³⁴ This process of "breaking in" new girls was done ostensibly for health reasons but the recent arrival surely experienced this as the creation of a dynamic in which she was to a large measure powerless and vulnerable.

Embraced by early reform schools as an important method of discipline, corporal punishment was not endorsed at the GCIS in the early twentieth century. The underlying design of the school contradicted the use of it: a family environment and understanding of the individual precluded resorting to corporal punishment with even the most

¹³²Ibid, (1914), 10.

¹³³Quebec, Sessional Papers, "Report of Inspectors of Asylum, Reform Schools..." 1913, 68-69.

¹³⁴GCIS, AR, (1926), 121.

recalcitrant inmate. Brenzel also found at Lancaster the administrators considered physical violence as a disciplinary measure unnecessary, while similar institutions for boys in the same period did employ it.¹³⁵ In the reports of the superintendents to the Board of Directors at the GCIS, punishment was rarely discussed, though clearly certain young women were found to be unmanageable. The stated "treatment" of the girls was to provide compassion rather than punishment, but it remains unclear if they resorted to corporal punishment up to the 1940s when their policies outlined their opposition to it.¹³⁶

In lieu of corporal punishment, inmates were placed in solitary confinement for breaking rules.¹³⁷ This usually consisted of sending the inmate to her room or to a special room reserved specifically for that purpose. In the 1940s, the work manual for the staff made explicit that solitary confinement could not be used for indefinite periods, suggesting that it perhaps was in the past. Withdrawal of privileges appears to have been the most common form of discipline. Also, the school increasingly used a rewards system to honour good behaviour: in the same way girls could be awarded privileges, they could be taken away. The biggest threat the superintendent held over the inmates was her right to haul them back into court and have their sentences extended.¹³⁸

¹³⁵Brenzel, 74; Bennett, 90.

¹³⁶NA, GCS, Vol 1, File 32, "General Policy..."

¹³⁷Similar situation in girls' reform schools, see Peter Quinn, "'We ask for bread and are given stone': The Girls Industrial School, Parramatta, 1941-1961," Journal of the Royal Australian Historical Society 75:2 (1989): 158-172, 163.

¹³⁸NA, GCS, Vol. 1, File 32, "General Policy...", 6

A shrewd mechanism for exacting a high level of discipline at the school involved placing inmates in charge of surveillance. Self-government, as the plan was called, came to the school in the late 1930s. Its primary purpose was to teach responsibility and leadership, but its divide and conquer method must have had appeal from a disciplinary standpoint. The two "best girls" in each cottage were selected and called respectively president and secretary. The presidents were charged with reporting any misbehaviour and the secretaries with noting any shirking of duties. These two would meet each week with the staff of the GCIS, followed by a house meeting where the reports were made public. Girls could at that point ask questions and make comments. This routine to make inmates embarrass or alienate their peers was considered the latest in reform school techniques.¹³⁹ In all likelihood, it interrupted the inmates' informal hierarchy and allegiance system, rendering the young women and girls more manageable. For all the attempts at creating a desirable, familial existence in a natural environment, the girls and young women committed there were understandably angry and rebellious. While no record of all incidents of resistance exists the superintendents' reports shed some light on inmates' defiance at the GCIS. In the history of girls' reform schools there is evidence that female delinquents, though not typically considered violent, destroyed property, staged riots, and fought with officers at the school and each other.¹⁴⁰ The ultimate form of defiance at such institutions was, of course, the escape. In November, 1928, the superintendent wrote of a recent arrival at the school who caused

¹³⁹Ibid, Vol. 2, File 6, "Radio Talk", 6.

¹⁴⁰On riots at girls' reform schools see Quinn.

tremendous problems for the school. "Ellen" was a 15 year old who was sent to the school for five years on a charge of vagrancy. On her second night at the GCIS she tore up her bedding and her night clothes. The next morning she was found with a string tied around her neck. She defied the superintendent further by refusing to talk and submit to mental examination. This final gesture frustrated Nancy Stork who determined to have each new arrival assessed and categorized.¹⁴¹

Rebelliousness at the school, the superintendents explained, was ordinarily confined to recent arrivals at the school. Those who attempted to escape often had just been committed.¹⁴² The inmates, though, did not always act alone: two new girls who escaped for several hours were believed to have not yet "settled".¹⁴³ Stork's mandatory quarantine, then, should be understood in this context, as an important period of isolation and psychological sedation. Stork wrote of the two girls "[w]e feel justified in teaching them that discipline must be maintained, that the laws of the country must be obeyed, and that where there is not law there is no order or safety."¹⁴⁴

After an initial acting out period, some of the inmates turned to passive resistance. This meant the staff at the school contended daily with inmates' general disinterest in the programs, failing courses, refusing to perform duties properly, and attitudinal problems.

¹⁴¹NA, GCS, Vol.2, File 15, "Superintendent's Monthly Reports," November, 1928.

¹⁴²GCIS, AR, (1917), 14.

¹⁴³Ibid, (1928), 129.

¹⁴⁴NA, GCS, Vol. 1, File 17, "Superintendent's Reports," 1928, 2.

Some acts were more benign than others: "Melissa" stole wool to make mittens, while "Victoria" broke locks and doors and tried to set fire to the institution.¹⁴⁵

Young women and girls at the GCIS were placed in quarantine upon entering the institution, branded if they had venereal disease, then subjected to a routine with little free time. Further they were forced to submit to a resocialization process. Considering their "crimes" were often sex delinquency or incorrigibility and their sentences would seem somewhat harsh - five years for vagrancy - it should not be surprising that they rebelled in various ways. Discipline at the GCIS evaporated in the 1940s mainly due to high staff turnover, enabling the girls and young women increasingly more freedom.

EPILOGUE: THE REBELLIONS OF 1945-46 AND THE END OF AN ERA

By 1946 a phenomenon kindled by World War II commonly known as the "revolt of the adolescent"¹⁴⁶ had descended on Montreal. The city's two girls' reform schools erupted in chaos that year, bringing to public attention otherwise ignored penal institutions. When an investigation was called into the Girls' Cottage School in June 1946 following the escape of a handful of inmates, it would be the second inquiry into the city's reform schools in six months. The closing of the GCIS that year signalled the end of an era in residential reform schools for girls in Quebec.

¹⁴⁵Ibid, Vol.2, File 15 "Superintendent's Monthly Reports," January 1936 and October 1935, respectively.

¹⁴⁶The Montreal Gazette quoted a "world authority on forensic psychiatry", Dr. Winfred Overholser, who laid responsibility for the recent crime waves on the rise of juvenile delinquency. The Montreal Gazette, 24 January, 1946.

In a "modern" building¹⁴⁷ not far from the Back River in Laval-des-Rapides, 250 female juvenile delinquents served their sentence terms under the surveillance of the Sisters of the Good Shepherd. (See Figure 3) One Sunday evening, October 7, 1945, a small group of inmates, having recently been released from solitary confinement, staged a riot to protest unreasonable treatment at the institution. According to La Presse, the riot began in one of the dormitories and for one hour the girls ravaged the room, throwing anything that was not nailed down out of the windows. The nuns, unable to regain control of the situation, called in the Provincial Police. It would take at least ten officers to quell the riot. Eleven young women, aged sixteen to twenty wearing night shirts stained with blood were taken into police custody in straightjackets.¹⁴⁸ The revolt made national headline news. According to Rév. Mère Marie-Joseph du Christ, director of the Maison de Lorette, the girls had revolted to have their sentences reduced: "*Elles ne songent alors qu'à provoquer des perturbations dans l'espoir que nous les remettrons entre les mains de l'autorité policière qui les détiendra à la prison de la rue Fullum, où - ceci est important - elles ne séjourneront que trois ou quatre mois.*"¹⁴⁹ In response to the girls' claim of inadequate clothing and poor food, the Reverend Mother stated that the girls wore same clothing as the nuns and invited the members of the press to sample their meals.¹⁵⁰

¹⁴⁷A new building was constructed for juvenile delinquents in 1930.

¹⁴⁸La Presse, 8 octobre, 1945, 3; 9 octobre, 1945, 3. Globe and Mail, 9 October, 1945, 1.

¹⁴⁹La Presse, 9 octobre, 1945, 3.

¹⁵⁰Ibid.

The Montreal anglophone press claimed a revolt was not surprising: a lack of funds had allegedly led to inadequate food, clothing and training.¹⁵¹ Called an "accident" by cleric authorities and blamed on "psychopathic girl delinquents" by Juvenile Court Judge Gordon Nicholson, the riot brought to public attention the disturbing conditions under which girls were incarcerated.¹⁵² "*L'affaire de Lorette*", as it was called in La Presse, prompted the *Comité catholique de la Cour juvénile* to investigate the conditions of the girls' reform school.¹⁵³

If long sentences or strict treatment of inmates had led to the riot at the Maison de Lorette the opposite was the source of the troubles at the Girls' Cottage School six months later. Also a private institution, the GCS functioned under the tutelage of a superintendent, in recent years a trained social worker, which promoted an ethic of retrieving girls from their previous lives and retraining them into moral and disciplined young women.

One Friday evening in the spring of 1946, five youths from the GCS escaped, went on a drinking bout, and "acted promiscuously" with local young men who hid the escapees in "barns, summer houses, sugar houses and sawmills."¹⁵⁴ Having sneaked out of the GCS, the youths indulged in cigarettes, rum, and "wild orgies". The Provincial Police apprehended them within days, collecting them from various locations including

¹⁵¹Montreal Gazette, 7 December, 1945 and 8 December, 1945.

¹⁵²Montreal Herald, 19 December, 1946. Judge Nicholson referred to the situation at Laval-des-Rapides when closing the Girls' Cottage School.

¹⁵³La Presse, 11 octobre, 1945, 3.

¹⁵⁴Montreal Gazette, 6 June, 1946.

the sawdust pile of a mill near East Farnham. The statements of those captured not only indicted them for immorality but opened the institution to harsh criticism. Clearly this was not the first time the girls had escaped for a night of adventure - the girls' stories revealed that the school's alarm bells did not work, stealing the matron's keys was effortless, and there was poor night supervision of the inmates.¹⁵⁵ This state of affairs at the thirty-five year old facility led to its closure.

Paradoxically, it had been the administrators' desire to teach proper socialization that led to this chain of events. A chaperoned dance held in February, 1946, at the GCIS to which young men from the village had been invited had led to friendships. Connections made at this occasion were followed up on supervised bi-monthly visits to Sweetsburg. Dancing, caressing, and drinking were part of these Saturday visits. The girls took it from there to organize their own, unofficial visits to town, after "lights out".¹⁵⁶

Staff difficulties experienced during the war - mainly that professional women were in high demand in the city and refused to live in Sweetsburg on mediocre salaries - had meant that discipline became a problem long before the outbreak. Judge Nicholson then visited the school and was appalled at its condition, and effectively closed it, citing it as a fire hazard: a "menace to life and health".¹⁵⁷ The buildings were sold and it

¹⁵⁵Ibid.

¹⁵⁶Montreal Gazette, 6 June, 1946.

¹⁵⁷NA, GCS, Vol. 1, file 10, "Report of the Board of Directors, 1946."

would take five years and a guarantee of state funding from the new Department and Ministry of Social Welfare and Youth to reopen the facility.

Problems at the reform schools underscored the need for the province to make a larger commitment to regulating and supporting these institutions. In this sense, as Rains and Teram have shown, Quebec trailed far behind other North American jurisdictions in institutions for youth. Only in the post-World War II period did reform schools fall under public control.¹⁵⁸ The causes of the two rebellions are manifold; however, it is perceivable that both institutions suffered because of inadequate funding. Also, the bold actions on the part of the female inmates suggest an unwillingness on their part to be passive in a system that saw fit to incarcerate them for minor transgressions.

CONCLUSION

In the early twentieth century, "bad girls" could be placed through a juvenile tribunal or parental recommendation in the Ecole de réforme or the GCIS. The experience of that placement was determined by religious and ethnic traditions expressed in the choice of location, architecture and programs of each institution. In the Ecole de réforme, young women were given religious and moral retraining in a Catholic setting under the Soeurs du Bon Pasteur, and were taught "*une juste fierté d'appartenir à la classe des travailleurs.*" The GCIS began as a pet project of a small group of Protestant

¹⁵⁸Rains and Teram, 8. Both girls' reform schools suffered from their dependence on provincial funding; not until the 1950s did things change rapidly for the schools with the financial and administrative commitment coming from the newly-created ministry of youth.

Montreal women who believed that non-Catholic girls ought to be given a chance at rehabilitation through a proper women's reformatory. It became, by the 1920s, a cottage-style reform school with a professional staff well-educated in the modern techniques of social work. On the surface the GCIS experience was as far from the punitive style of the penitentiary or local jail as one might get: the philosophy and programs at the school reflected a desire to create a middle-class, "homey" experience.

Adolescence was considered a time when women should learn to run a house and prepare to become wives and mothers. The GCIS did not believe in hereditary causes of juvenile delinquency, but that through proper resocialization it could prepare the girls for their future domestic lives. They were taught to appreciate privacy and the 'finer' things in life. Upon leaving the GCIS the girls were given or made a new set of clothing to mark the beginning of their new life. The superintendents at the GCIS pioneered a new women's reformatory in the form of a girls' reform school where they implemented the latest ideas in social work. These women believed that what they were doing benefitted not just the individual adolescent but also society in general. But to interpret a sojourn at the GCIS as a relief from working-class Montreal to a middle-class lifestyle in the Eastern Townships would be superficial.

The resocialization process involved breaking in the girls through isolation, a regimented daily routine, and schemes of surveillance. Some girls took to the programs, others rebelled. The girls were placed in a reform school through a justice system that could lock them away for years for offenses like immorality.

TABLE 11
POPULATION OF MONTREAL REFORM SCHOOLS FOR GIRLS
(on December 31st)

YEAR	GCIS	École de Réforme
1911	(6)	29
1912	N/A	40
1913	N/A	51
1914	13	(60)
1915	17	99
1916	17	113
1917	16	138
1918	20	135
1919	no report	146
1920	13	118
1921	6	78
1922	12	53
1923	34	50
1924	31	66
1925	29	78
1926	39	90
1927	41	94
1928	34	92
1929	40	88
1930	39	108

YEAR	GCIS	École de Réforme
1931	40	124
1932	32	109
1933	34	119
1934	33	140
1935	30	140
1936	39	138
1937	30	128
1938	39	175
1939	40	235
1940	N/A	N/A
1941	36	216
1942	31	206
1943	40	249
1944	32	215
1945	32	166

Sources: Quebec, Sessional Papers, Report of Inspectors of Asylums, Reform Schools and Industrial Schools for Province of Quebec, 1911-1914; Quebec, Statistical Yearbook, 1914-1946.

TABLE 12
BIRTHPLACE AND RELIGION OF GCIS INMATES

BIRTHPLACE				RELIGION		
YEAR	CANADA	U.S.	OTHER	TOTAL	PROT.	JEWISH
1915	5	-	12	17	17	-
1920	6	1	6	13	9	4
1925	29	1	15	45	40	5
1930	32	3	4	39	37	2
1935	27	1	2	30	27	3
1941	32	1	3	36	35	1

Source: Quebec, Statistical Yearbook, 1915-1941.

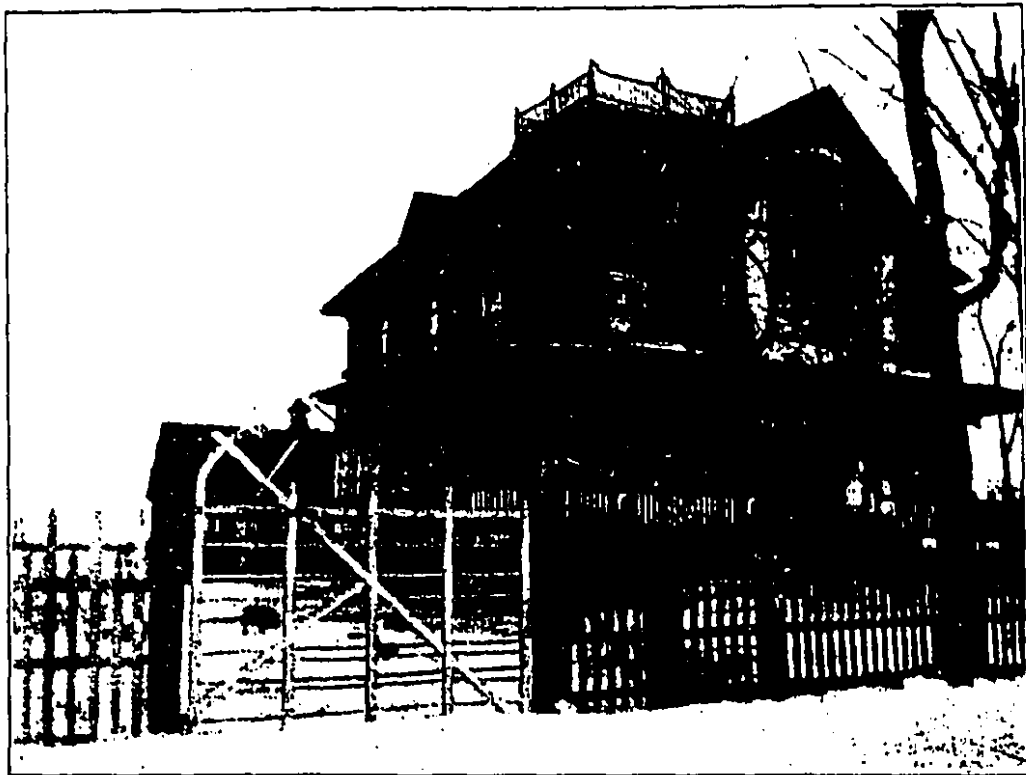
FIGURE 1



GIRLS' COTTAGE INDUSTRIAL SCHOOL

Source: GCIS, Annual Report, 1914.

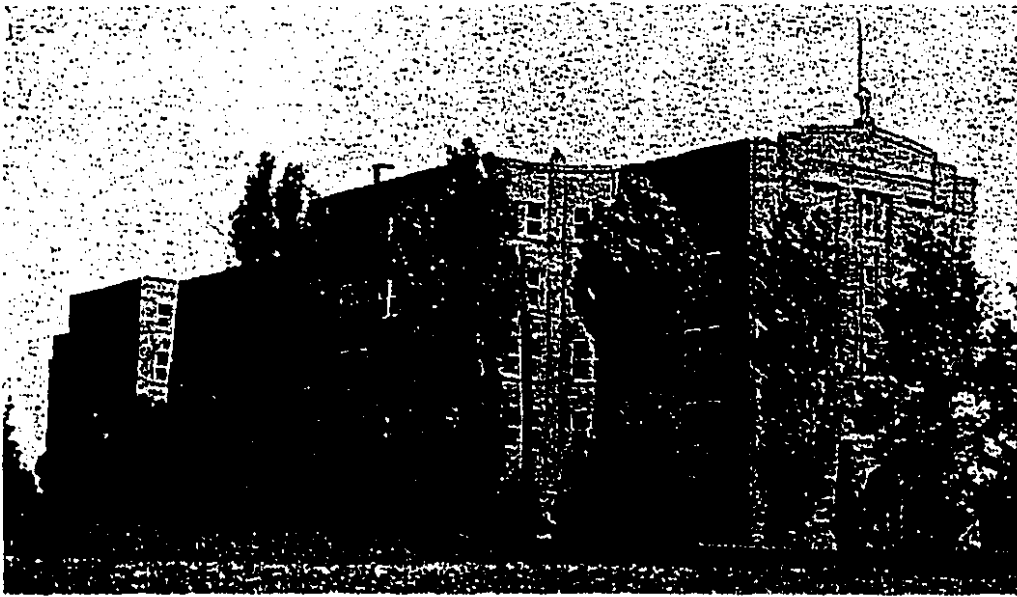
FIGURE 2



GIRLS' COTTAGE INDUSTRIAL SCHOOL

Source: GCIS, Annual Report, 1915.

FIGURE 3



MAISON DE LORETTE — Laval-des-Rapides

Source: Soeurs du Bon-Pasteur, Au Soir d'un Siècle, (Montreal, 1944), 64.

CONCLUSION

Montreal on the eve of the Great Depression was a profoundly different place than it had been forty years earlier. For criminal women and bad girls this meant far more chances to commit crimes, in large measure because the definitions of criminal activity expanded and the mechanisms of control increased. Indeed, criminal activity made up a constituent part of the urban landscape at the height of industrial capitalism. Crime did not, of course, originate at this moment in history, but the response to it was more organized and institutionalized and therefore more acute. This thesis has argued that the expansion of the state over the latter part of the nineteenth century in the form of new juridical and penal structures and the growth of law enforcement agencies created the potential for increased regulation and punishment of the population. This situation had particular meaning for men and women as the intrusion of the law was predicated on a notion of a well-ordered society based on appropriate gender behaviour.

Industrial capitalism changed the way Montrealers lived, worked, and experienced leisure. Montreal's expanding economy at the turn of the century would continue to affect women's relationship to paid work and their methods of survival. The unevenness of that expansion and a rigidly-defined gendered labour market threw many women into the realm of criminalized activity such as prostitution. A large and central red-light district in Montreal both promoted prostitution and galvanized anxiety over women's place in the

"modern" city.

Historians have documented the strong response to vice, particularly prostitution, during Canada's reform era. New research shows an evolution of courting rules led single, wage-earning women or adolescents to explore sexuality in the unregulated shadows of the city's commercial amusement industries. Social attitudes towards the city's fallen women shifted from blame and trepidation to conditional sympathy in the wake of fears over the white slave trade, back to blame with the "discovery" of the sex delinquent in the 1910s. The law, in all its forms, responded with regulation and punishment, often in the name of protection. In practical terms the distinction between these two responses could be minimal.

Sometimes it was not new laws but rather their use that facilitated this regulation. The shifting meanings of laws and their gendered applications make it essential to understand how law operated in any historical period. Historians' assumptions about vagrants - that these men were single, unemployed rogues and women were prostitutes - are not borne out in the court dossiers. Vagrancy legislation like the Juvenile Delinquents Act contained vague definitions to let local authorities use them to regulate a wide variety of behaviours. In women, this meant sexuality.

Also contributing to increased surveillance of women in the 1910s was the team of policewomen that the police force experimented with for a brief period as World War I came to a close. Supported by feminist organizations, policewomen effectively expanded the definition of criminal behaviour for women. Justifying their actions in the new social science, policewomen worked to categorize behaviour, evaluate their charges

with the latest mental and physical tests, and treat them accordingly. Even though policewomen in Montreal did not survive budget cuts and bureaucracy politics in the short term, new agencies took on the role of monitoring especially young women. The ancillary institutions of the juvenile court were perhaps the most rigorous in this respect.

Beginning in the latter half of the nineteenth century, women categorized as criminal or delinquent were subjected to "treatment" in sex-specific incarceration facilities. While for most prisoners in this time frame the incarceration experience vastly improved, women endured a particular kind of "improvement". Because women at this time were understood as innately different from men and expectations of behaviour stressed this difference, the response to deviations from normative behaviour were at times harsh and thorough. The record of female jail keepers suggests a distinct carceral experience for their prisoners. It would be imprudent, however, to conclude that this experience was necessarily more kind. Women were subjected to a religious and morals retraining that men were simply not.

Treatment of women criminals and bad girls developed into a growing field of work open to female religious orders and educated middle-class women. Running through this dissertation is a tension revolving around the desire to recognize women (such as Elizabeth Wand's efforts to establish rewarding work for women), and a need to critique the negative impact they had on the mainly working-class women whom they arrested or incarcerated. More work in this area of Quebec history is needed. The same can be said for the early history of the Montreal Juvenile Delinquents' Court.

It is an ongoing project of women's historians to search out the voices of

marginalized women, such as those arrested and incarcerated. Because so little had been written about the structures of regulation and punishment this dissertation has focused on them, bringing in women wherever possible. These women were not silent but silenced; sometimes their cries of resistance were audible, as in the case of the rebellion at the Maison de Lorette reform school, oftentimes they were not. Laws worked against women, reinforcing gender stereotypes and reaffirming patriarchal power. As the Collective of English Prostitutes asserts today, there are "no bad women, just bad laws."¹

¹From the literature on the English Collective of Prostitutes, King's Cross Women's Centre, London, England.

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