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## The Prevention of Cruelty, Marriage Breakdown and the Rights of Wives in Nova Scotia, 1880-1900

DOMESTIC VIOLENCE HAS ATTRACTED considerable historical interest recently as a result of contemporary concern over wife and child abuse, the gender bias of the legal system and the tendency of governments to undervalue rescue shelters for women and their children. In keeping with present day horrors, court records and daily newspapers of the Victorian period revealed sensational cases of battered wives and neglected children. Moreover, male brutality seems to have produced the same public outrage in the late 19th as in the late 20th century. While we still do not know what the connection was between heightened awareness of family conflict and its frequency, patriarchal aggression was certainly perceived to be related to the impact of industrialization on power relations within marriage. At the same time, the evidence that male drinking habits contributed to men's violent behaviour reinforced middle-class reformist interest in temperance as a social policy. Since female activists were in the vanguard of the temperance crusade, the plight of long-suffering wives and children also became a concern of the women's rights movement.<sup>1</sup>

- 1 Judith A. Allen, *Sex & Secrets: Crimes involving Australian Women since 1880* (Oxford, 1990), ch. II; Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence, Boston 1880-1960* (New York, 1988), and "A Right Not to be Beaten: The Agency of Battered Women, 1880-1960", in Dorothy O. Helly and Susan M. Reverby, eds., *Gendered Domains: Rethinking Public and Private in Women's History: Essays from the 7th Berkshire Conference on the History of Women* (Ithaca, 1992), pp. 228-43; Kathryn Harvey, "To Love, Honour and Obey: Wife-Battering in Working-Class Montreal, 1869-79", *Urban History Review/Revue d'histoire urbaine*, XIX, 2 (October 1990), pp. 128-40; Elizabeth Pleck, "Feminist Responses to 'Crimes against Women', 1868-1896", *Signs: Journal of Women in Culture and Society*, 8, 3 (Spring 1983), pp. 451-70, and *Domestic Tyranny: The Making of Social Policy against Family Violence from Colonial Times to the Present* (New York, 1987), ch. 3; Ellen Ross, "'Fierce Questions and Taunts': Married Life in Working-Class London, 1870-1914", *Feminist Studies*, 8, 3 (Fall 1982), pp. 575-602; Nancy Tomes, "A 'Torrent of Abuse': Crimes of Violence between Working-Class Men and Women in London, 1840-1875", *Journal of Social History*, II, 3 (Spring 1978), pp. 328-45. A useful review of the literature on the contemporary problems is Wini Breines and Linda Gordon, "The New Scholarship on Family Violence", *Signs: Journal of Women in Culture and Society*, 8, 3 (Spring 1983), pp. 490-531.

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The new visibility of domestic violence in the 19th century can be attributed, at least in part, to the advocates of the anti-cruelty movement who added human beings to their agenda once their right to protect animals had been established. As a result of the re-orientation of the movement, abused women were provided with opportunities to seek assistance and to assert their rights. Without the resort by women to anti-cruelty societies many of their trials and tribulations would probably have gone unnoticed since their earlier options had been either to suffer in silence in the privacy of the home or to take the great risk of charging the culprit in the public forum of the court. Such organizations as the Society for the Protection of Women and Children from Aggravated Assaults (London, 1857), the Massachusetts Society for the Prevention of Cruelty to Children (Boston, 1878), the Society for the Protection of Women and Children (Montreal, 1881) and the Protective Agency for Women and Children (Chicago, 1885) identified domestic violence as a common characteristic of Victorian marriages and frequently responded to instances of wife abuse. Violence, which had long been regarded as a private affair, now had its public opponents.<sup>2</sup>

Nova Scotians, especially residents of Halifax, were also caught up in the activities of the anti-cruelty movement as a result of the establishment in 1876 of the Nova Scotia Society for the Prevention of Cruelty (SPC), an animal protection society which extended its attention to humans in 1880. Since the specifics of time and place are important in establishing both the distinct and common features of social initiatives, the Nova Scotia society provides a useful case study. The prime function of the SPC between 1880 and 1900 was the provision of marriage counselling and legal aid for estranged couples and harassed spouses, usually at the instigation of the wife. Violence was certainly commonly reported but the victims often chose to downplay it in favour of a more materialist approach to their unhappy marriages. Their agency was more noticeable than the society's intervention. In most cases the problems faced by women and girls took them personally to the SPC. In the case-book for 1897, for example, only 30 per cent of the cases relating to females were initiated by third parties; in 1900, with three agents active in Halifax instead of one, and an increasing number across the province, the percentage of outside interveners in female cases had risen to 42.5, still a distinct minority.<sup>3</sup> This was not unique to Nova Scotia. Linda Gordon has

2 On the London society, see George K. Behlmer, *Child Abuse and Moral Reform in England, 1870-1908* (Stanford, 1982), p. 59, and Margaret May, "'Violence in the Family': An Historical Perspective", in J.P. Martin, ed., *Violence and the Family* (Chichester, 1978), pp. 145-6. On the Boston society, see Gordon, *Heroes of Their Own Lives*. The minutes of the Montreal Society for the Protection of Women and Children can be consulted at the National Archives of Canada. On the Chicago society see Elizabeth Pleck, *Domestic Tyranny*, ch. 5. On the historical as well as contemporary connection between cultural feminism and animal protection, see Josephine Donovan, "Animal Rights and Feminist Theory", *Signs: Journal of Women in Culture and Society*, 15, 2 (Winter 1990), pp. 350-75.

3 Most of the research for this paper is based on evidence in the papers of the Nova Scotia Society for the Prevention of Cruelty (SPC) deposited in the Public Archives of Nova Scotia. Since the records are incomplete, even for the 20 years featured in this paper, systematic analysis of the characteristics

found that 60 per cent of the complaints of known origin made to the turn-of-the-century Massachusetts Society for the Prevention of Cruelty to Children came from family members, the great majority women and children. North American judges, police and welfare agents were not therefore setting the wives' agenda, as A.J. Hammerton claims they were doing in Britain.<sup>4</sup>

Unlike many of the complaints which came to the attention of the societies in the large industrial cities, those in Nova Scotia were as likely to come from women whose husbands were soldiers or sailors as they were from those married to craftsmen or factory workers. Although evidence of the stress involved in the transition from handicraft production to mechanization is reflected in the frequency of cases involving husbands who were bakers,<sup>5</sup> and shoemakers,<sup>6</sup> just as prominent in the complaints of women was the husband's absence from home on military service, at sea, or in migrant labour. Furthermore, reputedly abusive or neglectful husbands included not only members of the working class but also representatives of management, the law and the church,<sup>7</sup> as well as the most respectable members of the black "elite".<sup>8</sup> The society shunned most cases involving middle-class women not because of the widely held view that violence was a proletarian vice but because it confined its mission to helpless individuals who were invariably identified as poor and therefore unable to seek redress through other means.

Despite the interest of Halifax women in temperance, feminism played a minor and indirect role in shaping the SPC's activities. The ubiquitous ladies' auxiliary was formed which helped to finance the society's work but it was an on-again,

of the cases is impossible. I have used 1897 (MG 20, vol. 514) and 1900 (MG 20, vol. 515, nos. 1 and 2) as focal years for some limited analysis. John Naylor was the Halifax agent between the formation of the society as an animal protection society in 1876 and his resignation in 1899, hence my interest in comparing two years under different regimes. Case material for the early 20th century is spotty and encompasses only September 1908-August 1911. The runs of daily journals and case books, useful for trying to capture the "voices" of the female clients include the years 1884-85, 1887-89, 1892-1901, with incomplete material for 1889, 1898, 1899, 1901. On Naylor, see Judith Fingard, *The Dark Side of Life in Victorian Halifax* (Porter's Lake, N.S., 1989), ch. 8.

- 4 Linda Gordon, "Feminism and Social Control: The Case of Child Abuse and Neglect", in J. Mitchell and A. Oakley, eds., *What is Feminism?* (Oxford, 1986), p. 80; A. James Hammerton, "The Targets of 'Rough Music': Respectability and Domestic Violence in Victorian England", *Gender & History*, 3, 1 (Spring 1991), p. 39.
- 5 SPC, MG 20, vol. 516, no. 5, entry for 10 December 1884; no. 6, entry for 13 July 1885; no. 7, entry for 26 October 1887; no. 9, entry for 21 March 1889; MG 20, vol. 513, entries for 15 June 1892, 30 January 1893, 10 April 1895.
- 6 SPC, MG 20, vol. 516, no. 5, entries for 22 April, 13 May, 28 June 1884; no. 6, entry for 20 June 1885; no. 8, entry for 28 January 1888; no. 9, entries for 19 February, 6 August 1889; MG 20, vol. 513, entries for 23 March 1892, 4 January 1893.
- 7 SPC, MG 20, vol. 516, no. 5, entries for 31 March, 18 September, 23 October 1884; no. 8, entry for 21 August 1888; MG 20, vol. 514, entry for 5 August 1896; MG 20, vol. 516, no. 3, Naylor to Smith, 1 April 1889.
- 8 SPC, MG 20, vol. 516, no. 7, entries for 30, 31 December 1887, 3 January 1888; MG 20, vol. 513, entry for 21 March 1894; Judith Fingard, "Race and Respectability in Victorian Halifax", *Journal of Imperial and Commonwealth History*, 20, 2 (May 1992), p. 187.

off-again operation.<sup>9</sup> With a small middle-class population, the city's resources were stretched across a host of causes in imitation of a larger urban setting. By the 1880s temperance, prostitute rescue and prevention, and child welfare had captured the attention of the activist wives and daughters of merchants and professionals. Moreover, since the SPC was ably managed for most of its first quarter-century, it did not display the same need for the scarce human resources that other causes did. Indeed it could be argued that John Naylor, the agent, and his male supporters pre-empted women's initiative in this area. They relied on women — both lay and religious — to care for rescued or relinquished children in the existing institutions but even then the initiative flowed from the SPC to the managers of the homes and orphanages, not in the reverse direction. Timing may also have contributed to the relative female neglect of domestic disharmony. The SPC made its debut over a decade before such feminists as Edith Archibald and Eliza Ritchie arrived on the scene. By the time the society engaged the services of a woman for the first time in 1900, Bessie Egan's participation in women's organizational life in Halifax provided her with sympathetic but still relatively passive supporters.<sup>10</sup>

The explanation for the continued fastidiousness of Halifax's matrons is not a lack of interest in the anti-cruelty movement *per se*. Indeed they displayed a great interest in the animal protection work of the SPC. They were keen to teach humane sentiments to school children through the establishment of bands of mercy, an ambience which produced an animal rights novelist in Margaret Marshall Saunders. Their failure to extend their concern to abused wives lies partly in their milieu. In a small, still relatively close-knit community where progressive ideas caught on slowly, intervention in matrimonial matters was too radical a step for the wives and daughters of the respectable middle class. As Margaret Hunt has recently argued, the privatization of middle-class family violence rendered it "unspeakable" and condemned its witnesses to silence. That silence prevailed among female activists in Halifax.<sup>11</sup>

If the role of middle-class women in the SPC was problematic, that of the female clients was not. By virtue of their assertiveness, they emerged as the champions of women's rights. These women, often middle-aged or older, with long experience of family crisis, sought state sanction through the aegis of the Society for the Prevention of Cruelty for the reprimand of their husbands or the dissolution of their marriages. Elizabeth Walsh was 62 years old in 1885 when she reported her husband for failing to contribute to her support for 20 years.<sup>12</sup> In 1887 Emma

9 SPC, extracts from *Evening Mail*, 19 March 1881, and *Citizen*, 28 April 1881, MG 20, vol. 519, no. 1; Naylor to Wetmore, 5 March 1885, MG 20, vol. 516, no. 3, Naylor to Fairbanks, 16 January 1889, MG 20, vol. 516, no. 3, and Naylor to Mackintosh, 3 September 1891, MG 20, vol. 516, no. 4.

10 SPC, Minutes, 10 August 1900, 5 May 1904, MG 20, vol. 517, no. 1. See Ernest R. Forbes, "Battles in Another War: Edith Archibald and the Halifax Feminist Movement", in his *Challenging the Regional Stereotype: Essays on the 20th Century Maritimes* (Fredericton, 1989), pp. 67-89.

11 Margaret Hunt, "Wife Beating, Domesticity and Women's Independence in Eighteenth-Century London", *Gender & History*, 4, 1 (Spring 1992), pp. 10-33.

12 SPC, MG 20, vol. 516, no. 6, entry for 20 January 1885.

Carvery had been married for 21 years and had ten children when she reported her husband Alexander to the SPC for turning them out of the house.<sup>13</sup> Mary Ann Brokenshire, mother of six, had been married 29 years when her husband Joseph assaulted her by kicking her in the chest.<sup>14</sup> Similarly, Jane Fisher had been married to Alexander for 23 years and had seven children when he started to beat her.<sup>15</sup> After 24 years of marriage, Jane DeWolfe, bruised and lame through battering by her husband, finally decided that "she cannot put up with it any longer."<sup>16</sup> When a third party did report the case, it was often the mother and occasionally the mother-in-law or the daughter of the woman at risk, a type of cross-generational female solidarity far more prevalent than cross-class contact.<sup>17</sup>

While the defining characteristics of the anti-cruelty movement in Nova Scotia might have had some distinctive features, the identity, problems and perceptions of endangered women were not unique. The strategies they adopted when trapped in unsatisfactory marriages resembled those found elsewhere. These included not only women's active agency on their own behalf but also wives' reluctance to prosecute their husbands and their overwhelming desire for separation and maintenance agreements. In order to explore the dimensions of women's resistance and resilience as revealed in the SPC records this discussion will focus on the nature of the marital problems which were reported to the society, the ways women interpreted male misbehaviour, the remedies sought by wife-complainants, and the limitations of the law. Since the SPC records were confidential — only rarely did the press get hold of and report the identity of SPC clients — they provide candid accounts. They are tantalizingly brief and often incomplete but the matter-of-fact and often apparently verbatim language employed by the agent suggests that the stories may have been typical rather than exceptional. They describe the marital problems of Catholics and Protestants, blacks and whites, new Canadians and the native born.

Most problems which married women encountered and reported to the SPC fell into one of two categories. One was lack of financial support from the husband for the wife and children. Nineteen of the 68 cases involving females, primarily mothers, recorded in the Society's records in 1897 were for non-support. In 1900, 34 of the 119 female-centred cases fell into this category. In each of these two years the non-support cases constituted the single largest category of female cases. Although physical mistreatment frequently accompanied non-support complaints, women seem to have put up with black eyes and bruises as long as they received their share of the husband's wages. It was not brutality which precipitated family crisis. In the case of Emma Smith, it was a lack of support which caused the violence: husband John, who had been shunning work in favour of drinking and

13 SPC, MG 20, vol. 516, no. 7, entry for 27 October 1887.

14 SPC, MG 20, vol. 516, no. 8, entry for 6 January 1888.

15 SPC, MG 20, vol. 516, no. 8, entry for 26 May 1888.

16 SPC, MG 20, vol. 513, entry for 6 December 1894.

17 SPC, MG 20, vol. 516, no. 9, entries for 30 April, 9 May 1889; MG 20, vol. 513, entries for 17 October, 23 November 1892, 9 January, 13 February 1893, 18 October 1894, 12 July 1895.

card playing, struck her "because she spoke to him about his wages".<sup>18</sup> When women claimed that they had been mistreated by their husbands for years, it was more than a sudden burst of confidence that occasioned their complaints. Janet Isner, a butcher's wife, reported in 1891, after her husband "had struck her on the head with the rung of a chair and kicked her", that he had been mistreating her for eight of their ten years of marriage.<sup>19</sup> In 1892 when Jane Pollard, wife of a blacksmith, displayed two of the worst black eyes the SPC agent had ever seen, she stressed that her husband had been "brutally illtreating her for years".<sup>20</sup> The concentration of much of the domestic violence on Saturdays confirms the fundamental struggle over the husband's pay packet as the cause for complaints.<sup>21</sup>

In many cases of insufficient support, the wife was accustomed to supplementing the husband's earnings through the sale of her own labour. When such women complained, they usually cited such factors as the husband's unwillingness to work, his inability to work because of a severe drinking habit or his desertion of the family. The 1888 annual report of the SPC summarizes, probably with some embellishment, the problem of one working woman who had to clean houses all day in order to meet her lazy husband's demands for money: "His custom was...to go out and do some small job whereby he would get 25 cents, with which he would buy a flask of whiskey, and get a volume of light literature from the Circulating Library and then go home, lie down on the bed, read the book and drink the whiskey until he fell asleep. By the time his wife came home from work he was ready for another flask". He would not even look after his child while his wife worked. She had to employ a neighbour.<sup>22</sup> In February 1889, the SPC agent fortuitously witnessed the expulsion of a young mother and her very sick baby from their home by the husband, an erstwhile baker who had been on a four-month drunken binge. The family was supported by the wife, who dealt in second-hand clothes.<sup>23</sup> Cassie Fultz, wife of Thomas, an unemployed machinist, went out to work to support her drunken husband and her three infant children.<sup>24</sup> Despite the fact that the problem of Mrs. Wristen's abusive and unemployed husband was traced to drinking, she tried to help out with the support of their eight children by making and selling beer. When his unemployment took him to Quebec in search of

18 SPC, MG 20, vol. 514, entry for 28 October 1896. Ellen Ross agrees it was not violence but "threats of murder, physical attacks on children (very rare according to all observers), refusal to provide income, and sexual insult": "Fierce Questions and Taunts", p. 593.

19 SPC, MG 20, vol. 513, entry for 14 September 1891.

20 SPC, MG 20, vol. 513, entry for 3 September 1892; see also entries for 8 March, 15 April, 5 December 1892.

21 For example: SPC, MG 20, vol. 516, no. 6, entries for 19 May, 21 July 1885; no. 9, entry for 12 February 1889; MG 20, vol. 513, entries for 20 February, 6 March, 19 December 1893; MG 20, vol. 514, entries for 3 August, 21 September 1896. See Ross, "Fierce Questions and Taunts", p. 582.

22 NSSPC, *Eleventh Annual Report* (1888), p. 19; see also, SPC, MG 20, vol. 514, entry for 16 September 1897; MG 20, vol. 515, no. 2, entry for 13 August 1900.

23 SPC, MG 20, vol. 516, no. 9, entry for 2 February 1889.

24 SPC, MG 20, vol. 514, entry for 17 November 1897.

work in a tobacco factory, she fell behind with her rent and was removed against her will to the poorhouse. In these adverse circumstances the cooperation of her older children provided her with the flexibility needed to regain the family's independence. While she joined the candy department of Moir's factory, her 15-year-old eldest son got a job in a cigar factory and her eldest daughter of 14 was given the responsibility of keeping house and caring for the younger siblings, including a baby.<sup>25</sup> In 1884, the SPC used the international anti-cruelty network to track down Captain Jonathan R. Anderson in New York. He had abandoned his wife and five children three years earlier and sent them only \$50 in total to provide for their maintenance. The wife wore herself out with sewing at home in order to support her family and sought the assistance of the SPC only after her illness and attendant poverty brought them to the brink of starvation.<sup>26</sup>

The catalyst which made many a working woman take measures to end the abusive relationship was not so much violence as the husband's interference with her hard-earned wages, usually after he had squandered his own. Richard Fisher, unemployed and described as an habitual drunkard, lived on what his wife made at washing and dressmaking in the winter of 1892 until he dared to strike her and knock her down.<sup>27</sup> Whether they washed, sewed or cleaned, birthed or kept shop, wives would not countenance interference from n'er-do-well husbands with their desperate attempts to feed, clothe and house themselves and their children. Bridget McLellan, for example, deeply resented being compelled to give her drunken husband, Stewart, part of the money she earned by washing when it was needed to feed and clothe her children as well as pay the rent.<sup>28</sup> Martha Duggan, a successful midwife, was also subjected to financial harassment by her drunken and misogynous husband James.<sup>29</sup>

The second circumstance which sent women to the anti-cruelty agent was fear. After Sophia Gooley received a black eye as a result of a blow from her husband Patrick's fist, she was afraid to continue to live with him.<sup>30</sup> Apprehensive of the rumoured return of her cruel husband from military service in Quebec, Mary Nauffts went to the SPC for protection.<sup>31</sup> A fortnight's physical abuse by John McAvoy after his release from Dorchester Penitentiary convinced his fearful wife that it was time to have him arrested.<sup>32</sup> Although intimidation was a common weapon in the husband's arsenal, women could not afford to take chances when husbands threatened to take their lives.<sup>33</sup> Jemima Isadore Arnold found that being

25 SPC, MG 20, vol. 514, entries for 10 July, 28 October 1896.

26 SPC, MG 20, vol. 516, no. 1, copies of Naylor's letters 5, 26 December 1884, pp. 416, 417-18.

27 SPC, MG 20, vol. 513, entry for 11 April 1892.

28 SPC, MG 20, vol. 513, entry for 27 May 1892.

29 SPC, MG 20, vol. 514, entry for 9 August 1897.

30 SPC, MG 20, vol. 513, entry for 27 January 1892.

31 SPC, MG 20, vol. 513, entry for 30 January 1893.

32 SPC, MG 20, vol. 513, entry for 23 February 1895.

33 See, for example, SPC, MG 20, vol. 513, entries for 20 August 1891, 14 March 1893, 13 December 1894, 21 October, 14 December 1895; MG 20, vol. 514, entry for 3 October 1896; MG 20, vol. 515, no. 2, entry for 14 September 1900.



married to the son of a Church of England clergyman was no guarantee of domestic felicity. In 1895, a week after her marriage to Charles Arnold, a Halifax county fisherman, the abuse began and, within two months, he threatened to kill her with a table knife.<sup>34</sup> Eliza Grant, a Preston matron, suffered mortification as well as fear. Her husband John terrified her by brandishing a knife, attacked her on the road where he tried to choke her, threatened to buy a pistol and shoot her, and finally intercepted her on the way to church in order to tear off her clothes and expose her “bear [sic] breasts to a number of young men”.<sup>35</sup>

Pregnant women felt particularly vulnerable and were not willing to risk the fate of their unborn children once the threats began.<sup>36</sup> Other women feared the contract of venereal disease from dissolute husbands.<sup>37</sup> Still others feared homelessness: they had ample cause. Every bit as frequent as reports of beatings were instances of wives being thrown out or locked out of their dwellings, or the husband threatening to perpetrate this outrage.<sup>38</sup> Indeed the supreme pinnacle of male dominance appears to have been mastery of the hearth. Casting out the wife was a political statement in that it transferred a private affair to the street and gave the man the satisfaction of causing the woman’s public humiliation.

To define the problems as either non-support or fear is not to deny other sources of anxiety and conflict. Basic incompatibility — interpreted as quick or violent temper or mutual aggravation — was recognized by complainants and society alike.<sup>39</sup> Not surprisingly, this problem tended to arise soon after marriage either among young couples or, more frequently, in second marriages wherein expectations had already been established by an earlier relationship.<sup>40</sup> Incompatibility could also turn on the tension caused by other family members. In second marriages step-children aggravated conjugal difficulties.<sup>41</sup> In other families in-laws caused disharmony.<sup>42</sup>

In making complaints, women undoubtedly learned to convey information that would carry the greatest weight with the SPC. But it was not just a case of telling the agent what he wanted to hear. Women’s fundamental objections to elements of male culture and masculinity also helped to shape the deepening cleavage between working-class wives and husbands over appropriate behaviour. The difference of

34 SPC, MG 20, vol. 513, entry for 14 October 1895.

35 SPC, MG 20, vol. 513, entry for 25 July 1894.

36 SPC, MG 20, vol. 513, entry for 19 July, 4 November 1895.

37 SPC, MG 20, vol. 513, entries for 19, 26 January 1893.

38 See, for example, SPC, MG 20, vol. 513, entries for 16 January, 11 February, 12 December 1893, 23 February, 7 March, 1 June 1894; MG 20, vol. 514, entry for 22 August 1896; MG 20, vol. 515, no. 2, entry for 22 October 1900.

39 SPC, MG 20, vol. 516, no. 8, entry for 23 February 1888; MG 20, vol. 513, entries for 27 February 1892, 24 March 1893; MG 20, vol. 514, entry for 18 August 1896.

40 SPC, MG 20, vol. 513, entries for 2, 20 November 1893, 25 February 1895.

41 SPC, MG 20, vol. 513, entry for 7 March 1894; MG 20, vol. 514, entry for 30 June 1896.

42 SPC, MG 20, vol. 516, no. 9, entry for 25 March 1889; MG 20, vol. 513, entries for 18, 22 August 1892; MG 20, vol. 514, entry for 13 February 1897.

approach was particularly evident in matters of drinking habits, the circumstances surrounding physical separation, and the use of colloquial speech.

While we still do not know if men abused women because they drank or if they drank in order to abuse, drunkenness was prominent in most complaints about beating and neglect. When Kate Moore reported that her blacksmith-husband Frank had kicked her in the side and beaten her with his fist on the head, she claimed that he had “no reason for doing so, but that he was in liquor”.<sup>43</sup> Husbands were reported to be good men when sober but brutes when they overindulged. Because many drank in order to get drunk, the deliberate dulling of the senses in order to commit an outrage on the wife seems plausible. The occasional abuse which was unrelated to intoxication reinforces the need to suggest other explanations than alcohol-related “helplessness” for male aggression, such as patriarchal pride.<sup>44</sup>

Men not only needed to demonstrate their dominance; they also used their power to drive their wives away. If an unsatisfactory wife could be intimidated out of the shared home, the marriage ceased to have a physical focus and the man could go his own way. Men who found marriage termination through their own desertion to be inconvenient were able to achieve the same objective by deliberately driving their wives to the limits of endurance. After James DeWolfe accused his wife of infidelity and told her to get out, she asked the SPC if she could leave him, a course which admirably suited his plans.<sup>45</sup> When a woman went home to her parents or moved into her own lodgings, a man was free to pursue his other options.

On the other hand, many of the known complaints between husband and wife related to couples who no longer cohabited. In these circumstances, women looked to the SPC to force their husbands to provide support after they had removed themselves from the dangers of the husband's home. Bridget Lavers sought support from her husband for their 12-year-old son only after seven years of separation.<sup>46</sup> Mary Andrews lived on Bloomfield Street and her husband on Gottingen when she reported him for neglecting her and their five children.<sup>47</sup> Maggie McDonald went into service after she left her drunken and jealous husband and sought assistance to force him to support their child. She justified her request not on the ground of his duties as a father but by a comparison of her \$8.00 a month pay with his \$1.25 a day.<sup>48</sup> Lena Howell left her husband because of “his bad ways”, taking three of their

43 SPC, MG 20, vol. 514, entry for 5 August 1896.

44 SPC, MG 20, vol. 513, entry for 23 March 1892; *Acadian Recorder*, 27 August 1889; on men excusing themselves on account of drunkenness, see Pat Ayers and Jan Lambertz, “Marriage Relations, Money, and Domestic Violence in Working-Class Liverpool, 1919-39”, in Jane Lewis, ed., *Labour & Love: Women's Experience of Home and Family, 1850-1940* (Oxford, 1986), p. 209; on drunkenness as a convenient, conservative explanation see Ellen DuBois and Linda Gordon, “Seeking Ecstasy on the Battlefield: Danger and Pleasure in Nineteenth-Century Feminist Sexual Thought”, *Feminist Studies*, 9, 1 (Spring 1983), p. 11.

45 SPC, MG 20, vol. 514, entry for 11 November 1896.

46 SPC, MG 20, vol. 513, entry for 7 March 1893.

47 SPC, MG 20, vol. 513, entry for 26 August 1895.

48 SPC, MG 20, vol. 514, entry for 7 May 1896.

six children. Two years later he returned the other three to their mother and reduced the maintenance allowance.<sup>49</sup> Kate McIntyre, a shopkeeper, wanted support from her estranged husband for their 13-year-old son. His compliance was conditional on her return home, something she was unwilling to do.<sup>50</sup>

Separate abodes did not, however, protect wives against spousal abuse. Charles Petersen broke into his wife's house in 1893 and stole seven dollars of her hard-earned money which she had been saving to pay the rent.<sup>51</sup> Mary Ryan lived on the same street as her husband, who came by and subjected her to beatings, name-calling and threats.<sup>52</sup> Similarly, Johannah Duffield's husband, who did not live with his wife and seven children and contributed nothing towards their support, visited periodically to disturb, abuse and beat them.<sup>53</sup>

Of course men also deserted. In Victorian Halifax it was an occupational hazard for the wives of men engaged in soldiering, sailing and tramping in search of work. British soldiers left the country and their families to take up new postings. Merchant seamen failed to make provision for the payment of a portion of their wages to their wives before the start of a voyage, thereby leaving their women stranded. Men left their wives and children in rural areas and went to Halifax in search of work or, by the turn of the century, Halifax men were attracted to new areas of employment such as the industrial boom town of Sydney.

The structure of the employment market in each case gave the SPC opportunities for assisting the wives. Soldiers who had been transferred out of Nova Scotia could be fairly easily traced as long as they remained in the army. John Thomas Hutton, gunner in the Royal Artillery, spent three years married to Emma in Halifax before accompanying his captain to St. Lucia for a few months in 1896 and then to England. Subsequently, the abandoned Emma Hutton was unable to secure a reply to her letter to the captain but through correspondence SPC agent Naylor tracked him down in Sheerness, Kent and discovered that Gunner Hutton had concealed his marriage from his captain. In these circumstances the captain suggested a financial solution: Mrs. Hutton could secure a court order in Halifax for a regular deduction from her husband's pay.<sup>54</sup>

49 SPC, MG 20, vol. 514, entry for 3 December 1896.

50 SPC, MG 20, vol. 514, entry for 22 July 1897. Gordon stresses the irony of imposing such a condition. *Heroes of Their Own Lives*, p. 101.

51 SPC, MG 20, vol. 513, entry for 24 January 1893.

52 SPC, MG 20, vol. 513, entry for 14 December 1894.

53 SPC, MG 20, vol. 513, entry for 7 October 1895; see also MG 20, vol. 514, entry for 5 November 1896. Judith Allen, who does not appear to use any anti-cruelty papers for her Australian study, is therefore somewhat wide of the mark in her general claim that "no source of evidence recorded the extent to which violent husbands pursued and harassed estranged wives": *Sex & Scandals*, p. 49.

54 SPC, MG 20, vol. 514, entry for 24 November 1896. Even in cases where the husband had secured his discharge and settled into civilian life in the old country, the SPC occasionally succeeded in making contact through local magistrates in the hope that exposure, pressure and shame might produce a degree of improvement in the life of the wife left destitute in Nova Scotia. See the case of Blanche Neil, SPC, MG 20, vol. 514, entry for 4 February 1897.

Commercial seafaring was arguably even more detrimental to the interests of wives than was military service. Seamen were more difficult to trace, maintenance arrangements were elusive and mortality at sea was a constant threat to the welfare of the family on shore. The SPC corresponded with local shipowners in attempts to secure support for abandoned seafaring families who were left without any regular allotment.<sup>55</sup> While the neglect of family by some seafaring men was undoubtedly accidental, the occupation was also one which provided maximum licence for avoiding marital responsibilities. When Margaret Walsh complained in 1895 that her husband William, a seaman on the SS St. Pierre, had left port six weeks earlier without making any provision for the family's support from his monthly wages, she had to admit that he had been avoiding his financial responsibilities throughout their three-year residence in Halifax.<sup>56</sup> Similarly, in 1900 Joseph Fairclough's wife reported that her husband was on the point of leaving port without arranging an advance of wages for her.<sup>57</sup>

Although the merchant service did not provide the same ready opportunity as the army did for tracing absconding husbands, the SPC used its connections with its counterparts in other cities to find neglectful husbands. In 1895 the society contacted the SPC in Saint John on behalf of Fanny McDonald and her six children who had received only \$18 during a three-year absence of their seafaring man. The secretary of the SPC in Halifax's rival city located Archibald McDonald who promised to send money for the family's support.<sup>58</sup>

Until the turn of the century, Halifax drew regional workers to its labour market, but the rise of Sydney produced a migration of Halifax men to try their luck in the new steel town. Frequently they left their wives and children behind, often intending to return, but in the meantime creating an increased case-load for the SPC. With the mayor of Sydney as the president of the local branch of the SPC in 1900, the Halifax society had a direct line into the town — which it used, on the complaint of wives, to locate several errant husbands who had abandoned their families on the mainland.<sup>59</sup>

While complaints about alcohol-related misbehaviour and desertion by husbands remained constant over the period, increasing attention to vulgar language

55 SPC, MG 20, vol. 513, entry for 13 December 1893; MG 20, vol. 513, entry for 28 January 1892. On seafarers and family support in Britain, see Valerie Burton, "The Myth of Bachelor Jack: Masculinity, Patriarchy and Seafaring Labour", in Colin Howell and Richard J. Twomey, eds., *Jack Tar in History: Essays in the History of Maritime Life and Labour* (Fredericton, 1991), pp. 179-98.

56 SPC, MG 20, vol. 513, entry for 13 November 1895.

57 SPC, MG 20, vol. 515, no. 2, entry for 10 July 1900.

58 SPC, MG 20, vol. 513, entry for 2 September 1895.

59 SPC, MG 20, vol. 515, no. 2, entries for 1, 13, 23 August, 5, 28 September, 3 October and 16 November 1900. Another Halifax man, A. Dauphinee, went off to Sydney leaving a wife and seven children without support. When he returned several weeks later, the prosecution against him was dropped on his agreement to remit \$5 a week for their support. Within four months, however, the wife and the six youngest children had to be provided for in the poorhouse in the absence of adequate support. See SPC, MG 20, vol. 515, no. 2, entries for 16 November, 27 December 1900, 15 April 1901.

occurred in the last years of the century.<sup>60</sup> During this period working-class wives came to the conclusion that profane colloquialisms were not appropriate. Perhaps their children brought notions of "proper" middle-class language home from school. Much of the emphasis on cleaning up the husband's language coincided with the early period of compulsory education which was phased in after 1888. Education and improvement of both language and behaviour were essential ingredients in the emergent notions of respectability. Children needed appropriate models at home as well as in school. When women complained about their husbands' filthy or blasphemous language, they often did so as a way of protecting the innocence of their children. One of Ruth Marks' numerous complaints against her husband Henry was that he set "an evil example to his children by the obscene language he uses".<sup>61</sup>

Conflict over other aspects of child-rearing also led to blows. A woman incurred her husband's graphic disapproval if she sought to protect her children against his mistreatment. In the case of the Barrett family, where the husband denied his wife's allegations of beatings, it transpired that a strong difference of opinion existed over the conduct of their 16-year-old daughter. James Barrett, a truckman, objected to Annie permitting their daughter to go out at night with "young fellows above her in social position".<sup>62</sup> When Emma Carvery, her face badly cut, accused her husband Alexander of beating her, he claimed that the trouble arose over the issue of who should chastise the children. She responded that it was not the chastising that bothered her but chastising administered when Alexander was drunk.<sup>63</sup> When Emma McGrath reported her husband Timothy for abuse, she claimed that the beating occurred because she had tried to protect her three-year-old crippled son against her husband's wrath.<sup>64</sup> Women sometimes resorted to physical separation in order to shield their children from their fathers. Elizabeth Burns had her two sons of seven and ten admitted to the Protestant Orphanage as boarders because they were neglected by their father.<sup>65</sup> In 1901, one year after she first complained of neglect, the wife of Daniel Bowers rescued her two children from the mistreatment of their father by removing them from Halifax to her home in Pictou with the blessing of the SPC. The society knew that custody law, which had always protected the father's rights to possession of his children, now favoured the mother in such circumstances.<sup>66</sup>

60 SPC, MG 20, vol. 513, entries for 5 August 1892, 9 February 1893, 26 December 1894; MG 20, vol. 514, entry for 30 October 1896.

61 SPC, MG 20, vol. 515, no. 1, entry for 19 February 1900; also MG 20, vol. 514, entry for 8 July, 10, 11 August 1897.

62 SPC, MG 20, vol. 516, no. 8, entry for 9 July 1888.

63 *Acadian Recorder*, 19 June 1889.

64 SPC, MG 20, vol. 514, entry for 29 March 1897.

65 SPC, MG 20, vol. 515, no. 2, entries for 2 May, 9 July 1900. See also the case of Victoria Middleton, SPC, MG 20, vol. 514, entries for 12 October 1896, 21 July 1897.

66 SPC, MG 20, vol. 515, no. 2, entries for 12 May 1900, 22 April 1901. For the attitude of the divorce court, see Rebecca Veinott, "Child Custody and Divorce: A Nova Scotia Study, 1866-1910", in Philip Girard and Jim Phillips, eds., *Essays in the History of Canadian Law, Volume III: Nova Scotia* (Toronto, 1990), pp. 273-302.

Given the nature of SPC prudery, sexual explanations for marriage breakdown were not often recorded. Mrs. Cosy complained that her husband was not properly made in the private parts, Mrs. Richard Smith claimed that her husband wanted her to "go" with other men as a way of supporting him, Mrs. Linnahan told "a bad story about her husband and his daughter", and Rose Doyle reported that her husband Augustine not only "goes with other women" but was also "diseased".<sup>67</sup> A number of wives were offended when their husbands spent their time or their wages on other women.<sup>68</sup> The case-books commonly report the wife's claim to be "ill-used". Although it may have been a synonym for physical mistreatment, this term was often cited in conjunction with references to abuse or beating. In some cases it might therefore have been the agent's euphemism for marital rape.

Whatever their particular complaint, women did not seek help from the SPC without knowing what they wanted. Few were anxious to prosecute their husbands, especially if their aim was to secure support from them. For every court case, six or more cases were resolved out of court. In the years 1897 and 1900, for example, 28 of the 187 cases relating to women and girls resulted in prosecutions. In only a tiny minority of the prosecutions were imprisonment or fines imposed. Even the infrequent court cases were likely to be a culmination of a long, unpublicized struggle by the woman for the recognition of her rights.

Wife-complainants tended to pursue three possible solutions, often consecutively. The first was to convince the husband of an error on his part and make him apologize and promise to do better. A cautionary letter from the SPC, followed by an interview, was the usual method of achieving this. In some cases both husband and wife appeared together and the agent tried to reconcile their differences. The purpose of this preliminary intervention was to give the husband a good fright as well as another chance. Mrs. Herm, whose husband Maurice had a "bad" reputation as a neglectful, drunken profligate, went so far as to allow the SPC agent to take out a warrant against him in 1889 in order "to give him a fright".<sup>69</sup> When Maggie Nickerson's charge of beating and ill use in 1897 resulted in the arraignment of her drunken husband John, his discharge occurred only after a sound magisterial lecture, filled with good advice.<sup>70</sup> The society was quite willing to comply with the wife's agenda by putting the fear of the Lord into the cruel and heartless husband.

A second solution was to take out a warrant for assault, threats or neglect with the help of the SPC agent. Once the husband was arrested, attempts were made to reach an agreement without imposing a fine or jail sentence. In part this approach was dictated by the wives' reluctance to proceed to prosecution. In fact they

67 SPC, MG 20, vol. 514, entry for 11 August 1897; vol. 516, no. 5, entry for 15 September 1884; vol. 516, no. 8, entry for 20 March 1888; vol. 516, no. 9, entry for 12 March 1889.

68 SPC, MG 20, vol. 516, no. 8, entry for 31 January 1888; MG 20, vol. 513, entry for 4 May 1892; MG 20, vol. 514, entries for 29 March, 21 July 1897; *Acadian Recorder*, 3 July 1889; Ross, "Fierce Questions and Taunts", p. 593.

69 SPC, MG 20, vol. 516, no. 9, entry for 4 February 1889.

70 SPC, MG 20, vol. 514, entry for 6 January 1897.

frequently undermined the society's intervention by refusing to testify. The two most common alternative measures were to induce the husband to take the pledge in cases where the offence was alcohol-related, and, in cases of violence or harassment, to bind the husband over to keep the peace for 12 months through the payment of one or two securities.<sup>71</sup> Samuel Giles committed all the sins of a bad husband, short of battery. He would not support his family, drank continually and threatened his wife's life. He was considered by the magistrate to be a suitable candidate to enter into peace bonds.<sup>72</sup> Impecunious husbands, however, could seldom afford to pay for the securities and ended up in jail.<sup>73</sup> Occasionally a harried wife actually preferred the incarceration of her husband. After enduring her husband's three-month drunken binge, Susan McDermott told the SPC she wanted him arrested and sent to jail to sober up.<sup>74</sup>

Pledges and peace bonds were often holding operations which provided only temporary relief. Then prosecution, with an eye to punishment, became the solution. James Ronan, a military pensioner with a wife and 11 children, was bound over to keep the peace in May 1893. By October he was again beating his wife. Clearly her options were to put up with his mistreatment or take him to court.<sup>75</sup> Conviction, however, raised other problems. Wives of incarcerated men feared privation. As with securities for keeping the peace, defendants could seldom afford to pay the fines, and the alternative, imprisonment, created hardship for the family. The case of the Connors family illustrates this dilemma. In September 1900 Jane Connors complained that her husband Edward would not support her. When confronted with a letter from the SPC to this effect, Connors agreed to give his wife and children \$2.00 per week. When he failed to make the first payment, he was arrested but avoided prosecution by signing an agreement to make over \$2.50 a week to his wife. Two weeks later Mrs. Connors again reported neglect and non-support, at which point the SPC had Connors prosecuted under the vagrancy section of the Criminal Code (1892): "being able to work and thereby being able to maintain his family wilfully refuses or neglects to do so". He received the severest penalty then available: six months in the county jail at hard labour. This sentence did nothing to solve the family's economic problems, and within a fortnight Mrs. Connors had to apply to the society for charitable assistance.<sup>76</sup> Imprisonment also increased the chances that an angry husband, on release, would seek revenge by resorting to even more abusive behaviour.

By far the most popular solution in this period was a formal deed of separation, preferably containing maintenance provisions. The separation was the poor

71 SPC, MG 20, vol. 514, entries for 9 June, 11 December 1896.

72 SPC, MG 20, vol. 515, no. 2, entry for 14 September 1900.

73 *Acadian Recorder*, 27 August, 11 September 1889.

74 SPC, MG 20, vol. 514, entry for 29 October 1896.

75 SPC, MG 20, vol. 513, entry for 3 October 1893.

76 SPC, MG 20, vol. 515, no. 2, entries for 11 September, 4, 13 October 1900; Magistrate's Court: RG 42, Series D, vol. 38, entries for 19 September, 3, 4 October 1900; *Evening Mail*, 4 October 1900; Gordon, *Heroes of Their Own Lives*, p. 101.

woman's divorce and she invested a great deal of faith in it, at least until it failed her. She used it to establish her independence, to protect herself from the interference of her erstwhile mate, and to secure the possession of her children and her property. Almost without exception separations were arranged at the wife's instigation, though the SPC certainly advised both parties to opt for a separation when no other solution seemed possible.<sup>77</sup> It was the preferred panacea for the full range of marital difficulties: beatings, drunkenness, forcible expulsions, threats, desertion, non-support.<sup>78</sup> Where there were children at home, the wife's attitude towards a separation often turned on their fate. When Margaret White reported her husband Arthur, a fireman at the hospital, for drunkenness, abuse and turning her out of the house, her main concern about a possible separation was her right to her 14-month-old child.<sup>79</sup> The SPC records are filled with references to separation arrangements for couples with and without children. Changes in women's rights relating to property, contracts and child custody undoubtedly encouraged the resort to separations in the last two decades of the century.<sup>80</sup> Unfortunately, the signed documents were not retained among the deeds and their precise contents are therefore unknown. Once executed the deeds of separation were relegated to the private sphere.

Nothing illustrates the continued vulnerability of married women in this period more than the failure of the separations they so desperately sought and optimistically secured. Three cases in the winter of 1893 illustrate the problematic nature of separation agreements. Mrs. O'Malley, legally separated from Thomas, was still subjected to continual annoyance, "thereby preventing her from earning a living for herself and children".<sup>81</sup> Despite their two signatures on a deed of separation dated December 1891, Mary Chambers could not escape her drunken, brutish husband John. He "ignored the said deed and forced himself upon his wife, who at the time was keeping a little shop and doing well". After he sold everything in sight, she had to give up the shop and by March 1893 was "living a cat and dog life".<sup>82</sup> Not only did Elizabeth McLeod fail to receive one cent of the \$4.00 per week allowance specified in her deed of separation, but she was also eventually forced for financial reasons to allow her husband to move back into her house — after which he resumed his physical abuse.<sup>83</sup> In effect, then, in the absence of

77 SPC, MG 20, vol. 516, no. 3, Naylor to Baker, 29 June 1886. On the general features of legal separations see James G. Snell, *In the Shadow of the Law: Divorce in Canada 1900-1939* (Toronto, 1991), p. 167; as the solution preferred by abused wives, See Gordon, *Heroes of Their Own Lives*, p. 274.

78 SPC, MG 20, vol. 514, entries for 28 September, 27 October 1896, 11 October 1897.

79 SPC, MG 20, vol. 514, entry for 27 October 1896.

80 Philip Girard and Rebecca Veinott, "Married Women's Property Law in Nova Scotia, 1850-1910", in Janet Guildford and Suzanne Morton, eds., *Separate Spheres: Women's Worlds in the 19th-century Maritimes* (forthcoming, Acadiensis Press, Fredericton).

81 SPC, MG 20, vol. 513, entry for 9 January 1893. Ayers and Lambertz, "Marriage Relations, Money, and Domestic Violence", p. 210.

82 SPC, MG 20, vol. 513, entry for 18 March 1893.

83 SPC, MG 20, vol. 513, entry for 28 March 1893.



effective enforcement, legally separated women were often no better off than their sisters who simply lived apart from their husbands. If a separated woman was left unmolested, chances are it had nothing to do with the unenforceable piece of paper signed by her erstwhile husband.

As the fragility of separation agreements indicates, neither wives nor their anti-cruelty supporters could rely on the legal system to support the rights of women to lives free from male tyranny and perfidy. The punishment of husbands for severe physical abuse of their wives provides the most graphic example. In cases of extreme violence, the courts meted out ludicrously short sentences to the husband and provided no assistance to the broken and rejected wife. James Howley, for example, went to jail for 90 days in 1882-83 "for beating his wife in a horrible manner while drunk".<sup>84</sup> According to the *Acadian Recorder*, "Her face was a mass of bruises, both eyes were swollen and black and the right side of her face cut and disfigured. Her shoulders and arms bore the marks of many cruel blows, and...when she appeared against him she even then took his part, saying he was all right if it were not for the drink".<sup>85</sup> In this case the sentencing lagged far behind the penalty demanded by community standards. One commentator, who aired his views in the press, was outraged: "This man was awarded a most ridiculously inadequate punishment for an offence which was most decidedly an attempt to murder — a punishment which is meted out alike to drunkards and disorderly people. Surely a man who maltreats a woman to the verge of killing her should be punished with far more rigor than the hackneyed sentence of \$10 or 90 days...Let us suppose that Howley had paid the fine...In all probability he would have gone home and completed the job by killing the poor woman".<sup>86</sup>

A prophetic statement as it transpired: Sarah Jane Howley died suddenly on 29 October 1884. The SPC was prominently represented at the inquest, after receiving a report that Howley had battered his wife to death.<sup>87</sup> The evidence underscored the continued misery of Mrs. Howley's life. She often slept in the attic, two floors above her family's flat, because she was afraid of her husband's reception and was sometimes barred from entry. She diligently tended her family of four children except when she was out to work as a seamstress or quietly consoling herself with a bottle. In return her husband continuously subjected her to verbal and physical abuse. She was seldom free of black eyes. On the afternoon of 29 October her nine-year-old son saw his father beat her on the back with a chair leg. Before she expired that night, James again struck her over the back with the leg of a chair after she had collapsed on her bed. The SPC secured the support of the coroner's jury for an autopsy but it confirmed what the coroner predicted: that "death resulted from paralysis of the heart, which was probably caused by the excessive use of

84 *Morning Chronicle*, 20 December 1882.

85 *Acadian Recorder*, 19 December 1882.

86 *Morning Chronicle*, 22 December 1882.

87 SPC, MG 20, vol. 516, no. 5, entry for 30 October 1884.

intoxicating liquor". Despite the society's persistent complaints no charges were laid.<sup>88</sup>

Five years later little had changed by way of sentencing procedures when Lillian Skein of Halifax was brutally assaulted by her husband James. He used his fists and his feet. He knocked her down with a blow to the head, broke her collar bone, kicked her repeatedly in the head, and jumped on her stomach. A combination of her struggles and his savagery meant that the hair was literally torn from her head by the roots. Lillian bled profusely and suffered great pain. According to the newspapers, she nearly died. James absconded after the attack, leaving Mrs. Skein to the care of the SPC, and it was more than three weeks before he was arraigned in magistrate's court and committed for trial. Tried under a new speedy trials act in the county court, Skein was sentenced to a mere three months in jail.<sup>89</sup> Although longer sentences for assault and the use of suspended sentences to force the husband's compliance with separation agreements became common in the early years of the new century, endangered wives and their defenders continued to receive little assistance from the courts.<sup>90</sup>

Quite apart from these limitations, the approach of the SPC itself was not without overtones of moralizing and suspicion which sometimes worked against the interests of misused wives. Because men dominated the anti-cruelty movement, husbands were likely to be believed if they denied their wives' charges or made excuses for themselves. Mariner Donald McVicar encouraged the SPC to dismiss his wife's non-support charge by claiming that she "was drunken and worthless and had just got out of Rockhead [prison]".<sup>91</sup> Sometimes women made complaints against their husbands only to be told, after the society had interviewed the husband, that they were "in the wrong" or had no grounds for action.<sup>92</sup> Moreover, the adulterous wife was beyond the pale as far as the SPC was concerned. A number of complaints made by wives relating to expulsion from their homes and loss of their property were dismissed or disregarded because the husband or his representative claimed they had been unfaithful.<sup>93</sup> Thus when a woman went to the SPC to claim her rights, she confirmed her credibility by providing proof of physical violence buttressed by the support of witnesses and a "good" reputation.<sup>94</sup>

88 The post-mortem did not include the brain. *Morning Chronicle*, 1 November 1884; *Acadian Recorder*, 30, 31 October, 1 November 1884.

89 *Acadian Recorder*, 24 August, 16, 23 September 1889; *Morning Chronicle*, 27 August, 5 October 1889; Stipendiary Magistrate: RG 42, Series D, vol. 35, entry for 30 September 1889; Prothonotary's Office, County Court Criminal Proceedings Book, 1889-1900, entry for 4 October 1889.

90 See SPC, MG 20, vol. 515, no. 3, entries for 23 September 1908, 1 September 1909. The SPC continued to be the acknowledged authority in such cases: *Acadian Recorder*, 7 December 1903.

91 SPC, MG 20, vol. 515, no. 1, entry for 24 February 1900; also MG 20, vol. 515, no. 2, entry for 23 April 1900.

92 SPC, MG 20, vol. 515, no. 2, entries for 11 April, 14 May 1900, 5 February 1901.

93 SPC, MG 20, vol. 515, no. 2, entries for 7 June, 29 December 1900, 11 November 1901.

94 SPC, MG 20, vol. 515, no. 2, entry for 10 July 1900.

Although its standards were not free of male bias, the Nova Scotia SPC persisted in roundly condemning domestic violence and calling for severe punishment for abusive husbands. In no circumstances did the anti-cruelty proponents believe that the torture, suffered by countless women in the privacy of their homes, could be condoned. Even a “bad” wife must be protected against cruelty. Although Mrs. Beers was “a drunken woman and practically worthless”, she was encouraged in the prosecution of her husband, Joseph, because he was “very rough and cruel to her”.<sup>95</sup>

For the significant proportion of women who brought their own complaints to the SPC, the intervention of the society in their troubled or ineffective marriages provided a middle ground between suffering in silence and publicly proclaiming their husbands’ sins in court. As the popularity of the SPC with working-class women indicates, the search for compromise, reconciliation and negotiated separations, which the SPC advocated, accorded well with the goals of most wives who were themselves singularly non-violent in their approach.<sup>96</sup> As we search for historical evidence of women’s agency in their own lives, especially their struggle as wives to establish their rights to a decent livelihood and peaceful coexistence, we must not forget the spaces between the private and the public occupied by such organizations as the Society for the Prevention of Cruelty.

95 SPC, MG 20, vol. 515, no. 2, entry for 23 August 1900; see also MG 20, vol. 515, no. 1, entries for 8, 17 January 1900. Nova Scotia was the only Canadian province which allowed cruelty as a ground for divorce. James Snell, “Marital Cruelty: Women and the Nova Scotia Divorce Court, 1900-1939”, *Acadiensis*, XVIII, 1 (Autumn 1988), pp. 3-32; Kimberley Smith Maynard, “Divorce in Nova Scotia, 1750-1890”, in Girard and Phillips, eds., *Essays in the History of Canadian Law, Volume III: Nova Scotia*, pp. 232-72.

96 For an historical account of an abused woman in Ontario who was driven to kill her husband, see Karen Dubinsky and Franca Iacovetta, “Murder, Womanly Virtue, and Motherhood: The Case of Angelina Napolitano, 1911-1922”, *Canadian Historical Review*, LXXII, 4 (December 1991), pp. 505-31; for the landmark slaying in 1982 of Billy Stafford by his battered wife, the late Jane Hurshman Corkum, see Brian Vallée, *Life with Billy* (Toronto, 1986).