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MARY LOU BAKER:

An Advocate for Women in Florida



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“The second woman to serve in the Florida legislature, Mary Lou Baker authored several pioneering bills that advanced the rights of women in Florida.”

The second woman to become a member of the Florida House of Representatives, Mary Lou Baker is best remembered as a courageous legislator who authored several landmark bills, including the Woman’s Emancipation Act. Born in 1914, Mary Lou Baker moved to Florida with her parents and siblings in 1925.¹ The eldest of five children, Baker possessed a strong interest in law, politics, education, and social justice. A 1933 graduate of Clearwater High School, she attended Florida Southern College and—over the course of several summers—enrolled in special law courses offered through the University of Florida while completing her law degree at Stetson University. During her studies, Baker won a prize for her essay on the granting of civil rights to women in Florida. She earned her Bachelor of Laws degree from Stetson University in 1938.

Mary Lou Baker entered professional practice in September 1938. For the next eight years, she served as a lawyer in St. Petersburg. From 1946 through her death in 1965, she formed a law partnership with her father (and later with her brother, Robert Warren Baker) at the firm of Baker and Horton (later Baker and Baker). Her father, a lawyer by training, had worked as an attorney in Utah, briefly in British Columbia (Canada), and was admitted to practice in Florida in 1925. He later served as a city judge in Clearwater and attorney for the Pinellas County Board of Public Instruction. Mary Lou Baker joined her father outside the courtroom by participating in many civic, professional, and political associations.

Mary Lou Baker’s interest in Florida politics took shape during the 1941 biennial legislative session, while she worked as an indexer for the *Journal of the House of Representatives*. In 1942, she ran against incumbent Stanley C. Minshall for a seat representing Pinellas County in the Florida House of Representatives. The 28 April 1942 *St. Petersburg Times* published statements from Baker, Minshall, and a third Democratic candidate, Henry

¹ Mary Lou Baker’s true birthplace remains a source of controversy. Different sources place her birthplace in either Salt Lake City, Utah, or Prince Rupert, British Columbia. Her parents lived in Utah during the 1910s, but her father, Lee Lafayette Baker, briefly served as an attorney in British Columbia at or around the time of her birth. Mary Lou Baker’s official birthplace in the legislative *Who’s Who* refers to Utah, though Allen Morris, long-time Clerk of the House, asserted that she was born in Canada. She may have preferred to emphasize her ties to Utah in large measure because Henry D. Goff—one of the candidates who ran against her and Stanley Minshall (the incumbent and native-born Canadian) in the 1942 Democratic primary—promoted a platform to limit membership in the legislature to “native-born Americans.” She defeated Goff and Minshall in the primary election. See: Allen Morris, “Florida’s First Women Candidates,” *Florida Historical Quarterly* 63:4 (April 1985): 406-422, and Junius Elmore Dovell, *Florida: Historic, Dramatic, Contemporary* (New York: Lewis Historical, 1952), Vol. III, pp. 246-247.

Goff. In her statement, Baker said:

Pinellas County is my home. As a child, as a student, as a housewife, I have become acquainted with its agriculture . . . I know its great seafood industry, its sports fishing, its vacation areas, . . . its churches, schools, and colleges. . . . I know what a day's work and a dollar are. . . . My platform, briefly stated, is to support that legislation which will secure sincere patriotism, honorable peace, free thought, free speech, pure morals, unfettered religious sentiments, and the blessings of democracy for all.

Baker won the primary and ran unopposed in the general election, thus becoming the second woman (the first was Edna Giles Fuller of Orange County) elected to the Florida legislature.

The only woman serving in the 1943 legislature, Representative Baker sponsored three significant bills involving women's issues. She distinguished herself for the Married Women's Rights Law, popularly known as the Women's Emancipation Act or the Baker Act.² The bill gave married women the right to manage their separate property, to enter into contracts, to sue and be sued, to convey property, and to execute documents. It also enabled women in Florida to enter into contracts or partnerships with their husbands. The Women's Emancipation Bill passed the House by a margin of 46 to 38, following eight weeks of controversial debate. Her own colleagues from Pinellas County opposed the measure, with Rep. Archie Clement labeling it a "dangerous bill." The *St. Petersburg Times* observed, "Apparently defeated at every turn, she nevertheless fought doggedly for the bill through a series of vicissitudes and finally passed it on its fourth consideration. No bill of the session has followed so erratic and unpredictable course to victory." Following the bill's passage, Ms. Baker said simply, "Isn't it grand?"

Representative Baker failed, however, in her crusade to allow Florida women to serve on juries. The House defeated the measure 50 to 38. Rep. Warren Sanchez (of Suwannee County) argued that the average mother should be "more concerned about her children at dinner time than about listening to testimony in a trial." Others insisted the bill would open the way for African American women to serve on juries. Baker made a final stand, pleading, "Women on trial for crime might be brought to trial before a woman judge, prosecuted by a woman district attorney, defended by a woman lawyer, brought to court by a woman bailiff, and yet be forced to trial before a jury of men." At the end of World War II, Florida remained one of only eight states that

² This legislation should not be confused with the later Baker Act that defines mental health matters. An earlier attempt to pass similar legislation during the 1937 biennial session failed, despite one lawmaker noting that under the Laws of Florida at the time, "women are classed along with infants and insane persons. They have almost no property rights."

barred women from juries. Women would not win the right to serve on Florida juries until 1949. The *Tallahassee Daily Democrat*, a bulwark of the political establishment, nonetheless saluted Baker's fight in 1943: "Rep. Mary Lou Baker of Pinellas led a floor fight on the jury bill with such poise, ability and strategy as to prove that women can make first rate legislators. We offer her in evidence as Exhibit A." In her first legislative session, Mary Lou Baker was rated by the Florida Education Association as "Florida's number one friend of education for her ardent work."

When running for reelection in 1944, Representative Baker's "feminism" became a campaign issue. This occurred during a time when her husband, Seale Harris Matthews, was in military service. Critics, including some members of the press, expected her to run on the ballot as "Mrs. Seale Harris Matthews." When questioned why she continued using her maiden name in politics and her professional practice, the embattled legislator bristled, answering eloquently:

The purpose of a name is to designate an individual, and to distinguish that individual from others. I received my law degree and my certificate to practice as Mary Lou Baker. . . . It might even be considered unsportsmanlike for me to use the name of my husband upon the ballot and thereby borrow from the goodwill established by the name of Captain Seale H. Matthews.

Victorious in the primary, Baker made what the *St. Petersburg Times* called the "most unusual post-campaign statement." She told supporters that just minutes earlier she had called her husband, stationed in California, to tell him that she was pregnant. She had kept her pregnancy a secret, "lest it be thought that knowledge of it was permitted in order to influence the voting." Indeed, she had run unopposed in the November 1944 general election.

During the 1945 biennial session, Mary Lou Baker raised the eyebrows of many of her legislative colleagues with a public statement about co-education. During an interview while holding her infant son, Lee Harris, Mary Lou remarked that she hoped that her son would be able to attend a coeducational college in Florida. At the time, the University of Florida remained an all-male institution (with a dwindling enrollment, because of the Second World War), while Florida State College for Women (now the Florida State University) remained an institution only for women. During the public storm over whether to maintain facilities segregated by sex, Baker asserted that she "would not go to a school in which there were women only." As the end of World War II neared, she wondered whether married service men returning to civilian life, in search of educational opportunities, would have to attend classes in Gainesville while their wives

took classes in Tallahassee. Though the University of Florida and Florida State became co-educational after her term of service, Baker's public statements and advocacy contributed to the debate.

Mary Lou Baker lost in the 1946 election and retired from politics. Her opponent in the primary, Charles J. Schuh Jr., condemned her at one forum for her efforts to pass "the so-called woman's emancipatory bill which made things worse rather than better." Despite the bitter tones of the campaign, she left public life with the notable accomplishment of tendering legislation that has furthered the social and legal standing of Florida's women. Her pioneering effort to win rights for women was upheld by the Florida Supreme Court. The *Florida Law Journal* summarized her career by noting that, "[t]o Mary Lou Baker, the lady from Pinellas, must be given credit for accomplishing the most historic change which has occurred in the basic law of the State of Florida in the past generation."

She returned to the practice of law in Pinellas County and remained active in civic and community affairs for the next eighteen years. She passed away on 8 May 1965, in Clearwater, at the age of 50.

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