

LEGAL ANECDOTES AND MISCELLANEA



By Ludmila B. Herbst, K.C.*

BRITISH COLUMBIA'S FLORAL EMBLEM

In 1956, the province's *Floral Emblem Act* was enacted, providing that “[t]he flower of the tree known botanically as *Cornus Nuttallii*, commonly known as the flowering dogwood, shall be adopted as and deemed to be the floral emblem of the Province of British Columbia”.¹ What are often assumed to be the flowers of this deciduous tree, which blooms in mid-spring and sometimes again in the fall, are actually white or off-white leaf clusters, or bracts, that surround a cluster of much smaller, greenish-white, flowers at the centre.

The dogwood family (*Cornaceae*) has members native not simply to North America but also to Europe and Asia. British Columbia's floral emblem—now variously known as the Pacific dogwood, mountain dogwood or Western flowering dogwood—grows from southwestern British Columbia to California, with some also found in Idaho. In the wild, Pacific dogwoods often grow under evergreens such as Douglas fir and Western hemlock.

The name “dogwood” likely has no relation to canines, though one supposed conversation about the *Floral Emblem Act* between an enthusiastic dog (J.B.) and her owner went as follows:²

“Why, this is a great honor indeed they are doing us dogs,” J.B. remarked.

“I have long said that it is time B.C. went to the dogs and this is certainly a step in the right direction.”

“The dogwood has nothing to do with dogs,” I pointed out.

“Don't be foolish,” J.B. said. “The dogwood certainly has something to do with dogs. You are confused,” she corrected me, “what you mean is, the dogwood has nothing to do with cats, which is as it should be.”

One theory less complimentary to canines than J.B. espoused traces the name “dogwood” to the low regard in which some held the fruit of certain

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Cornaceae varieties—that is, as only “fit for a dog”.³ As to the fruit of the Pacific dogwood specifically, the B.C. government describes it as “edible” (and indeed it is apparently favoured by birds, bears and beavers) but “bitter”,⁴ though another website gives it no more than a less-than-reassuring “possibly edible” label.⁵

More likely than having canine derivation is that the “dog” in “dogwood” relates to the fact wood from trees in the dogwood family was traditionally used, in its various locations, for making skewers or daggers (“dague”, “daga” and “dag” in French, Spanish and Sanskrit, respectively).⁶ The wood of trees in the *Cornaceae* family is suitable for such use because it is especially hard. Correspondingly, First Nations’ use specifically of the Pacific dogwood included “the production of bows, arrows, implement handles and clothing hooks”, as well as the making of baskets, dye and medicine.⁷

The origin of the Pacific dogwood’s botanical name (*Cornus Nuttallii*) is somewhat clearer than that of its family’s common name. John James Audobon (of *Birds of America* fame) named the tree in honour of Thomas Nuttall, an English botanist and ornithologist who worked for several decades in North America before returning to his home, the wonderfully named Nutgrove Hall, in Lancashire.⁸ Nuttall saw the tree when staying in Fort Vancouver (the site of present-day Vancouver, Washington, on the northern bank of the Columbia River) in 1834 and recognized that it was a distinct species within the dogwood family. Describing a plate in *Birds of America* that showcased two band-tailed pigeons, Audobon wrote that they were depicted “on the branch of a superb species of dogwood, discovered by my learned friend THOMAS NUTTALL, Esq., when on his march toward the shores of the Pacific Ocean, and which I have graced with his name!” Audobon noted that Nuttall had told him he had witnessed “swarming flocks” of the pigeons feeding on the berries of the tree.⁹

British Columbia’s decision in 1956 to adopt a floral emblem was not, in itself, controversial. Many provinces as well as American states had already adopted floral as well as arboreal emblems. Indeed, two of those states had already adopted a variety of dogwood—not British Columbia’s version, but *Cornus Florida* L., which is also known as the Eastern flowering dogwood—for this purpose. The Eastern flowering dogwood has a smaller flower, usually with four bracts rather than the four to six of the Pacific dogwood. The U.S. state of Virginia adopted the Eastern flowering dogwood as its floral emblem in 1918 and North Carolina did so in 1941. The Eastern flowering dogwood also became two states’ “arboreal emblem” or state tree, achieving that status in Missouri in 1955 and in Virginia in 1956.

More controversial than the decision to have a floral emblem in British Columbia was what it should be.



Flowering dogwoods of an indeterminate variety at the Vancouver Law Courts

The chief complaint about first the prospect, and then the eventual choice, of adopting the Pacific dogwood was its relatively limited geographic range within the province. In British Columbia, rather than being distributed province-wide, it is found principally on Vancouver Island and the Lower Mainland, though its range extends some distance into the Fraser Canyon north of Hope and it may reappear along the Seymour Arm of Shuswap Lake. Some in the “hinterland” of Kelowna, for example, were offended that the nearest specimen of Pacific dogwood might be viewed on an experimental farm in Summerland.¹⁰

A committee formed in 1943 to choose British Columbia's floral emblem noted that ideally the selected emblem would be found throughout the province,¹¹ which of course the Pacific dogwood was not. Apparently that committee recommended—unsuccessfully—choosing the wild columbine as the floral emblem; however, that recommendation was not followed. That flower was itself criticized for relative obscurity, and it was also seen as being harder to draw than Pacific dogwood bracts and as thus having less artistic potential.¹²

Dogwood proponents noted that geographic limitations did not prevent the use of other official symbols. For example, the lion and unicorn appear on the province's coat of arms despite the fact that “the lion is found only in the zoos of the country it represents and no one has seen a unicorn in its natural habitat lately”.¹³ Other proponents contended that while the range of the Pacific dogwood might be limited, at least its relatives were found elsewhere in the province. Women's Institutes, which were very supportive of the Pacific dogwood as the provincial floral emblem, confirmed through a survey of members the wide distribution of at least two other species of the dogwood family through the province: the bunchberry (*Cornus canadensis* L.) and the red osier dogwood (*Cornus sericea* L.).¹⁴

Other observers noted that while the Pacific dogwood might not grow province-wide, it had benefitted soldiers and veterans from across the province: lapel pins in the shape of dogwood flowers were sold to support the B.C. Regiment during World War II and, later, to support veterans who needed medical care.¹⁵ Particular credit for the wartime initiative went to “Mrs. H.R.L. Davis”, as she was known in “private life”. Mrs. Davis, who designed and promoted the lapel pins, was born Olea Marion Montgomery in Buffalo, New York, to Canadian parents. She studied art in Canada, founded the B.C. Potters’ Guild and was a founding member of the Federation of Canadian Artists.¹⁶

Even beyond those wartime endeavours, the dogwood was used for many years prior to the enactment of the *Floral Emblem Act* as an unofficial symbol of British Columbia. It appeared not only on the lapel pins noted above, but also on other jewellery as well as vases and in other displays. Indeed, in 1951, then Princess Elizabeth and Prince Philip received dogwood-themed items as gifts during their visit to British Columbia, at a state luncheon at the Empress Hotel: for Princess Elizabeth, a necklace (just what she needed, no doubt) with matching earrings, and for Prince Philip, shirt studs and cuff links. Even at that time—five years before enactment of the *Floral Emblem Act*—the premier described dogwoods as the provincial flower and floral emblem.

The *Floral Emblem Act* in 1956 was not the dogwood’s first appearance in B.C. legislation. By the time the *Floral Emblem Act* was enacted, the dogwood had benefited—at least in theory, as noted below—for over two decades from certain legislated protections from human assault. In 1931, legislation—the *Dogwood Protection Act*—was enacted prohibiting persons (with certain exceptions such as free miners in the lawful carrying out of their occupations) from picking, cutting down, digging, pulling up or knowingly injuring or destroying “in part or in whole, whether in blossom or not, any dogwood on land of any private owner, without the consent of the private owner being first obtained, or on land belonging to the Crown in right of the Province or to a municipality”.¹⁷ This legislation responded to deep concern about “the depredations of those individuals who go out into the country and load up their automobiles with all the wildflowers they can put their hands on. Many a dogwood tree has been wholly or partly demolished by those vandals.”¹⁸ The “flowers” of the dogwood tree did not even survive long in water—it is not a good cut flower—and as such there was no justification for leaving “torn and dismembered branches gaping at the roadside”.¹⁹

The protective legislation—ultimately expanded and re-named the *Dogwood, Rhododendron and Trillium Protection Act*—was repealed in 2002 as

part of the *Deregulation Statutes Amendment Act, 2002*, in the course of the then-Liberal government's streamlining efforts. The responsible minister (Kevin Falcon) noted to the legislative assembly that to the best of the government's knowledge, the legislation had never been used or enforced.²⁰

Motorists so overcome by the beauty of the Pacific dogwood that they wished to vandalize



"*Cornus nuttallii*: Pacific dogwood" (1910–1930) – City of Vancouver Archives, CVA660-1042, photographer John Davidson

roadside specimens are not the only threats to it. Bears and beavers eat its foliage (as well as its fruit, as noted earlier), "deer browse the twigs" and "[t]rees with many new sprouts (after a disturbance) are grazed heavily by mule deer and elk"²¹ (One is left to wonder if some of the destruction that prompted the 1931 statute was other than human-caused.) Further, the Pacific dogwood is susceptible to diseases including from the aptly named fungus *Discula destructiva*, which is associated with "dogwood leaf blotch". In the 1950s, a cross was developed between the Western and Eastern flowering dogwoods that is resistant to this disease; it is called "Eddie's White Wonder", using the last name of the local gardening family of Scots-origin that developed it, and it is now a frequent sight along city streets.

"Eddie's White Wonder" was named as Vancouver's centennial tree in 1986, after Vancouver's much earlier rejection of the flower of the (Pacific) dogwood as the city's floral emblem. This rejection occurred despite support for the dogwood running all the way back at least to 1917, when proponents argued that displays of it "could be made a standing advertisement of Vancouver's balmy climate, as it would not thrive in the east, and visitors from the east, wishing to take seedlings for transplanting could be informed that the winters there would prevent the dogwood from flourishing".²² However, a competing contender decades later won out, becoming the city's official flower in 1967: the rose. The rose was seen as "the only flower worthy to typify the beauty, the vigor, the free air and the inexhaustible vitality of this young city of the western beaches"; by contrast, the dogwood—"a handsome shrub" of "rural lineage" that "pleases rustic tastes"—was not seen as sufficiently refined. Further,

"[w]hen shivering prairie dwellers come to Vancouver, seeking a milder climate, the sunset-hued rose is the flower they love to see".²³

The City of Milwaukie, Oregon²⁴—for many years the home of the world's largest known Pacific dogwood—did not similarly shy away from embracing dogwoods of all kinds. In 1962, the city adopted as its official flower "the Dogwood blossom (*Cornus nuttalli*, *Cornus florida*, *Cornus florida rubra*)", to be used "on official uniforms, vehicles, stationery, publicity releases, etc., as deemed feasible by the City Administrator", and also adopted as its "official pseudonym (nickname)" "The Dogwood City of The West". The city even has an annual Dogwood Day.²⁵

For a more personal celebration of the dogwood, keep an eye out for the flowers of various *Cornaceae* varieties next spring—or indeed, if conditions are suitable, even in early fall. We welcome photographs!

ENDNOTES

1. SBC 1956, c 19, s 2.
2. Monte Roberts, "Between Times", *Victoria Daily Times* (24 February 1956).
3. "Dogwood", online: <etymology.en-academic.com/13042/dogwood>.
4. "Pacific dogwood", online: <www.for.gov.bc.ca/hfd/library/documents/treebook/pacificdogwood.htm>.
5. "Plants for a Future", online: <pfaf.org/user/Plant.aspx?LatinName=Cornus+nuttallii>.
6. Washington Native Plant Society, "*Cornus nuttalli*", online: <www.wnps.org/native-plant-directory/95-cornus-nuttallii>; Jack Scott, "Our Town", *Vancouver Sun* (27 February 1956).
7. "Pacific Dogwood (Western Flowering Dogwood) (*Cornus nuttallii*)", online: <metchosin.civicweb.net/document/1749/>.
8. Adam F Szczawinski, "Dogwood, the Floral Emblem of British Columbia" (April 1956) 13:1 *The Victoria Naturalist* 8.
9. "Band-Tailed Pigeon", online: <www.audubon.org/birds-of-america/band-tailed-pigeon>.
10. "Hinterland Hick", "Letter to the Editor – Could Happen Here", *The Kelowna Courier* (12 March 1956).
11. Alex H Sutherland, "Letter to the Editor – British Columbia Floral Emblem", *Daily Colonist* (4 July 1943) at 4.
12. Emily Yearwood-Lee, "British Columbia's Provincial Emblems" (Legislative Library of British Columbia, June 2006) at 5.
13. "Dogwood for an Emblem", *Victoria Daily Times* (21 March 1955).
14. Stella E Gummow, "Letter to the Editor – The Dogwood", *The Kelowna Courier* (5 March 1956). Mrs. Gummow, who later became Mrs. H.J. Welch, was "superintendent of B.C. Women's Institutes" until 1958; she had a "charming manner" (though did not charm the cranky editor of the newspaper to whom her remarks on this were directed; he objected to apparent favoritism for a coastal species) and "a remarkable talent for remembering everyone wherever she went": Verna Braden, "The Women's Institute in the BC Peace", online: <calverley.ca/article/14-014-the-womens-institute-in-the-bc-peace/>. The capable Mrs. Gummow was also the first woman elected as a mayor in British Columbia, when she became reeve of Peachland in 1943: "Eighteen Women Elected to Higher Office", *Nelson Star* (24 February 2011). Her late first husband had earlier filled that role.
15. Ivers Kelly, "Accidental Emblem", *Vancouver Sun* (24 February 1951).
16. "B.C. Artists: Olea Marion Davis (Mrs.)", online: <sim-publishing.com/bca/davishrl.htm>.
17. *Dogwood Protection Act*, SBC 1931, c 18, ss 3–4.
18. Edward W Bickle, "Saving the Dogwood", *The Cumberland Insider* (1 May 1931).
19. "Would Protect Dogwood Trees", *Daily Colonist* (27 February 1931).
20. British Columbia, *Debates of the Legislative Assembly* (13 March 2002) at 1850.
21. "Pacific Dogwood (Western Flowering Dogwood) (*Cornus nuttallii*)", online: <metchosin.civicweb.net/document/1749/>.
22. "Favours Adoption of Dogwood as Official Civic Floral Symbol", *Vancouver Daily Sun* (15 March 1917) at 4.
23. "The Choice of Floral Emblem", *Vancouver Daily Sun* (5 April 1917).
24. As readers may have guessed, this city was named after Milwaukee, Wisconsin, which a founder of the Oregon settlement admired: "Historical Resources", online: <www.milwaukieoregon.gov/generalpage/historical-resources>.
25. Online: <www.milwaukieoregon.gov/sites/default/files/fileattachments/city_recorder/meeting/89051/dogwood_day_info_packet_-_at_home_edition_2020.pdf>.