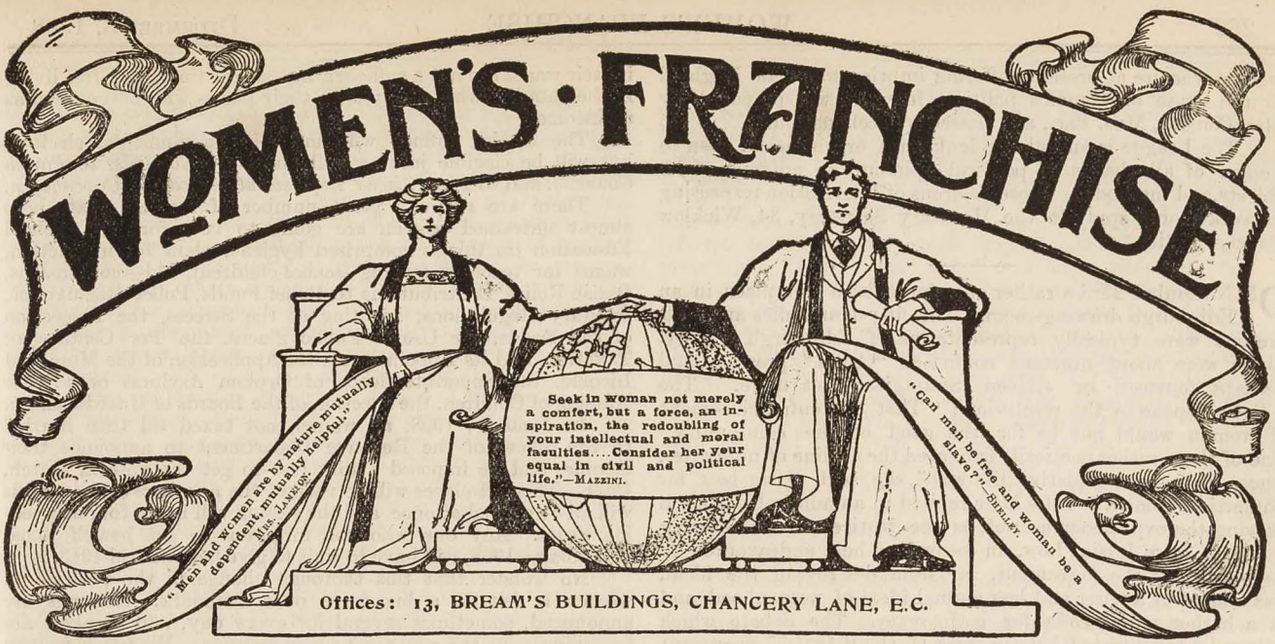

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Articles containing information on the subject of Women's Suffrage should be addressed to the Editor, who will return those not considered suitable as soon as possible if a stamped addressed envelope is sent with the MS. As the paper is on a voluntary basis, and all profits go to help the cause, no payments are made for contributions.

The General Editor gives the widest possible latitude to each of the Societies represented in this Paper, and is only responsible for unsigned matter occurring in the pages devoted to general items.

'WOMEN'S FRANCHISE,'
EDITORIAL AND PUBLISHING OFFICE,
13, BREAM'S BUILDINGS, CHANCERY LANE, E.C.

Notes.

WE commend to our readers' notice the admirable article which appears in *The Nineteenth Century* for December by Edward Goulding, M.P., entitled 'A Tory Plea for Woman Suffrage.'

MISS MONA WILSON has been appointed a member of the Home Office Committee to inquire into factory accidents.

A DISTINGUISHED worker for women has recently passed away at Simla in the person of Mrs. Mumtaz Ali, a Moslem lady journalist of Lahore. Her sympathies were largely given to the cause of enlightenment among her Moslem sisters, but were by no means confined to them. In conjunction with her husband she started a domestic weekly paper for women, and some years after this they both added another woman's journal called *Mushir-i-Madar* (Mothers' Counsellor). She was also secretary of the Indian ladies' "League of Help," and foundress of the poor women's homes at Lahore.

MARRIED women are not in future to be employed as teachers in the public elementary schools of Coventry. This decision was arrived at recently by the local education authority, who decided to give notice to all such teachers to terminate their engagements at the end of the summer holidays.

AT a meeting held in Dublin on November 17th, a league has been started in Ireland with the title of "The Irish Women's Franchise League." Its objects, as summarized in the resolution forming the League, are briefly: "To obtain for Irish women the Parliamentary Franchise on the same terms as it is or may be granted to Irish men, and to this end to educate and organize public opinion in Ireland by public meetings, debates," &c. The meeting was most enthusiastic, and at the close a resolution of sympathy with the brave

women who are at present suffering imprisonment in England in the cause of women's political freedom was proposed by Mrs. Cousins, Mus. Bac., and passed by acclamation.

The League is an independent Irish organization, open to women of all shades of political opinion who approve of its objects and methods. Those desirous of information respecting its work should apply to the Honorary Secretary, 34, Wicklow Street, Dublin.

ON November 23rd a rather amusing debate took place in an Edinburgh drawing-room. The fifty-four ladies and girls present were typically representative of Edinburgh society. There were about nineteen confirmed "Antis" present, and perhaps fourteen or sixteen Suffragists—not more. The "Antis" spoke to the resolution: "That the enfranchisement of women would not be for the good of the community." One of them rather poetically lamented the decline of nunneries, since, "the contemplative life was" she said, "the best for unmarried women." Miss Mair replied in an admirable speech proving the expediency as well as the justice of enfranchising women. Miss Jessica Low, in seconding her, endeavoured to point out that the movement, far from destroying the ideal, was aiming at a truer and less animal ideal of womanhood, and at a higher moral code for both sexes. The debate which followed was animated but (in spite of the "Antis'" argument that women could not differ without "vehemence and anger") good humoured. Miss Chrystal Macmillan, in answer to the "no women have been geniuses" argument, pointed out that a government of Beethovens and Shelleys might not be eminently successful. Miss Simson made a short but humorous speech. At the end of the debate everybody was asked to vote, and the Anti-Suffragists were defeated by thirty votes to nineteen.

MISS E. M. VOBES has sent 10s. towards the publishing expenses of *Women's Franchise*.

The Suffrage in Other Lands.

DENMARK.—In Denmark women look forward to exercising the Municipal Suffrage in March, 1909. All sorts of preparations are going on. The National Danish Women's Suffrage Association, member of the International Alliance, held its annual meeting on October 12th, and Fru Norlund—the pioneer in the work for Women's Suffrage in Denmark since 1889, and the founder of the National Danish Women's Suffrage Association—was re-elected president, after an absence of twenty-one months. Two days after a resolution was passed by our executive to send a deputation to the Premier of the new Cabinet, petitioning "that measures should be taken in this session of Parliament for amending the constitution in such a way that women might be given full Suffrage." The Premier gave a most gracious answer, telling the deputation that he himself had much sympathy with the just claims of women. He emphasized that the women had in the Municipal Suffrage—obtained in the spring, 1908—the best weapon in their own hands for making the campaign for full Suffrage themselves.

In Denmark the women have had votes, and were elegible in some ecclesiastical affairs since 1904, in Boards of Guardians for neglected children since 1905, in Relief Funds since 1908, and in School-Boards some few women were elected in the nineties. We women have in this very year, 1908, had elections for the Relief Funds (as well as the men) after the proportional system, which system is to be followed for the Municipal Elections in March. It is to be noted that men and women in these coming elections have *a perfect equality of rights*. Independent and unmarried women can vote; and even married women whose husbands pay a tax, a very excellent innovation. This income, that gives you the duty to pay taxes giving the right to vote, is so small that even maidservants will be voters. For, if their wages are not a sufficient income for that, their free living in the families where they have their places will be counted as an income.

The Danish women will not only be municipal electors, but will be elegible just as well—to *Town Councils*, to *Parish Councils*, and to *The Citizens' Representative Board of Copenhagen*.

There are really a great number of matters that those almost untrained women are going to vote for, viz., School Education (in this is comprised hygiene, plans for instruction, wages for teachers, feeding school-children), Old-Age Pensions, Parish Relief, Contributions to Relief Funds, Police Regulations, Sanitary Regulations, Lighting of the Streets, the Inspection of the Roads, the Use of Public Places, the Per Centage of Taxation, and its Appointment, the Application of the Municipal Income, the Superintendence of Orphan Asylums or Private Nursing of Children, the Election of the Boards of Guardians, &c.

In January, 1908, all women not taxed till then hurried to the offices of the Revenue Department to announce their income, and be imposed a tax, just to get the vote in March, 1909. Then all places will be vacant, the members of the boards will all be elected at once, and the session will be for four succeeding years. Any one who has forgotten to get herself taxed in January, 1908, will have to wait to give her vote till 1913.

No wonder that this thorough change in the position of women is felt as a big wave over Denmark. Meetings are announced, sometimes several for every day, and speakers are travelling over the country to give lectures. We got a woman from Norway who has had a seat as a member of the Town Council of Christiania for several years to give lectures for us. Still, we know that the system used in Norway will be somewhat different from ours. All here is breathing preparations for the election in March, when the women will vote for the first time.

JOHANNE MUNTER,
Secretary for N.D.W.S.A.

The Unprogressive Women's Party.

IT seems invidious to make Mrs. Humphry Ward the recipient of all the counter-attacks of the women's party of progress; but as the non-Progressives keep discreetly out of sight, with few exceptions, she must pardon us for accepting for her the position of figurehead or dictatorship she seems to desire.

We do not find that the non-Progressives put forth any very weighty arguments for the (as it seems to us) let-things-alone policy. We ourselves are urged on by the burning desire to have the power to right wrongs and injustices. We would ask our opponents whether they are inspired in this matter by similar desires, or whether it is rather that they are timid and unconstructive, that in fact they are among those who make, to some extent, the "great refusal." Of responsibility they will have none, and with that they shut the door to opportunity. We find, indeed, some recent pronouncements that women's position ought not to be left *in statu quo*. There was an announcement, but whether backed by any authority among them or not we do not know, that the Anti-Suffragists are considering some new organization to voice women's interests in the vast field of economics. If, indeed, they could plan and carry through an organization of the whole body of women on lines commensurate with the largeness of this field, we could not accuse this new party of want of vitality. But we may certainly ask Mrs. Humphry Ward whether she thinks it likely that when the Suffragists are eliminated she would find a residuum of ability among the remaining women capable of accomplishing such a feat. If such a movement were an advance, it certainly would not be final. Mrs. Ward or her party may fairly be asked the further question whether this would not prolong the unfortunate warfare existing between a not inconsiderable number of both sexes, so different from the co-operation in politics, which progressive women most ardently desire. Either such an organization for women would be very powerful, and to save itself Parliament would have to absorb it, or it would be feeble and ineffective, the humble petitioner, from which condition of suppliant, progressive women wish to raise their sex.

It is, moreover, extremely difficult to find the dividing line between Imperial matters and economics, which is a different matter than between these and the administration carried on by local councils. We doubt whether it can be found.

We repeat that one great objection to this plan is the danger that it would erect a very definite rivalry and antagonism between men and women (if at all effective) rather than bring about harmonious co-operation in the large issues of politics. In the course the progressives demand—the simple removal of sex disability, there would undoubtedly remain minor disagreements, for occasional individual and personal difficulties can never be eliminated, whether women are enfranchised or not; but where justice reigns these are likely to be lessened not increased. To return to the main point, however, the enforcement on the part of certain women of the denial of the vote to all women. Have these women any weighty arguments on their side? The usual force argument, that women cannot be soldiers, cannot muscularly contend with men, and have not in the domains of industry and thought as much aggressive power and invention as men, seems to us self-contradictory. If men have this overwhelming power, force or strength (and undoubtedly collectively they excel women collectively) they can, if necessary, exert it against women. In the world of thought, of invention and creation, as long as men truly excel women, it cannot but be that they must take the lead; but can the non-progressive party maintain that fair play is given to individual women? Are they not, for instance, arrogantly excluded by men from almost everything that may be called posts, leaving only open to them what their own wits can devise in byways and hedges, and as our modern world becomes more and more organized this becomes more and more serious. Are the non-progressives satisfied with leaving unopposed this process, which can scarcely be called anything but the reverse of progress for women. With regard to superiority in muscular strength, we trust that a truer chivalry than at present prevails will teach men that women should not be driven as they are now to consider whether they should not "train," if this is the only human quality that carries with it the right to civic freedom. Meanwhile men possess their superior power-machine if they choose to put it in operation. We are not afraid of the time when there will be openly, between men and women, an emulation in well-doing. We do not believe in the danger of an emulation in doing evil.

As regards the woman's influence argument, we ask our opponents to explain why the possession of a vote and responsibility is to reduce a woman's legitimate influence. Some women would certainly prefer to have their own little rightful share in political life rather than beg, borrow, or steal other people's shares, but canvassing for votes, with all its methods, is, we believe, carried on by men who are voters as well as by women who are not; and we suppose there are men who consider they have influence; also there are women, though it may not be credible to everybody, who would like to express their own opinions, vote that is, but who shrink very much from putting any pressure on other people, even by persuasion and argument. Among these will be found many of the most thoughful and many of the best workers. There are also those who assert that women have no opinions, but take those of the last man they have been with. On this influence question people become hysterical.

(To be continued).

House of Lords.

Second Day's Hearing—*(continued)*.

THURSDAY, NOVEMBER 12TH, 1908.

NAIRN AND OTHERS
v.
UNIVERSITY COURT OF UNIVERSITY OF ST. ANDREWS AND OTHERS.

SECTION 14, Sub-section 13, of that Act, defines the power given to Commissioners "to frame regulations" for the Registrar, in connexion with the duties imposed by the 1868 Act. That is the 1868 Act of which we are speaking, so that it is idle to assert that the attention of the Legislature had not been turned to the difficulties that might possibly arise if they did not make a very explicit statement about the exclusion of women, if they were to be excluded. We were enabled to go on this Register and to graduate without any exclusion, and that such an exclusion was reasonably to be expected may be inferred from the Act which enabled aliens to hold freehold property. That is the Act 7 & 8 Vic., chap. 56, Sec. 5. I am reading from an extract: "Be it enacted that every alien now residing in, or who shall hereafter come to reside in, the United Kingdom may take and hold any land, houses, &c., fully and effectually and with the same rights, remedies, exemptions, and privileges, except the right to vote at the election for Members of Parliament, as if he were a natural-born subject of the United Kingdom." But for that exclusion he would have been entitled to vote, because when he was given the right to acquire the qualifications for a vote, it was necessary to exclude him. But when we were given the power to acquire the necessary qualifications for a vote there was no corresponding exclusion, and we infer from that fact that we were not to be excluded.

Besides, there are two decisions favourable to women's right to vote. The case of Olive *v.* Ingram is reported in 7 Mod. Reports, page 263. That case decided that a woman may be chosen sexton, and may vote at the elections for sexton. In that case Chief Justice Lee says, p. 264, "By a collection of Hakewell's in the case of Catharine *v.* Surrey, the opinion of the judges, as he says, was that a *feme sole*, if she has a freehold, may vote for a member of Parliament, and by this it seems as if there was no disability." On page 265 Justice Page says: "I am of the same opinion, but I see no disability in a woman voting for a Parliament man." Then Justice Lee, on page 271, says: "In the case of Holt *v.* Lyle (4 Jac. I.) it is determined that a *feme sole* freeholder may claim a voice for a Parliament man, but if married her husband must vote for her." Mr. Justice Probyn, on the same page, says: "The case of Holt *v.* Lyle mentioned by my Lord Chief Justice is a very strong case. I submit that we have shown conclusively that we have the right to exercise this Parliamentary Franchise.

I will now deal with the arguments used by the Respondents against us. They quote a variety of cases, most of which do not directly bear on this question. I have already dealt at length with The Queen *v.* Crossthwaite, that is, the Irish case, and is distinctly in our favour. Another case referred to by the Respondents is the case of Beresford-Hope *v.* Lady Sandhurst, 1889, vol. xxiii. Q.B.D., page 79. The question was whether a woman might be elected to a County Council under the Local Government Act, 1888. It was decided that women may vote under this Act, but the grounds on which women were excluded from sitting do not apply here. Section 63 of the Act under construction provided that "for all purposes connected with and having reference to the right to vote at municipal elections words in this act importing the masculine gender include women." The Judges founded their decision on the ground that this section 63 would be meaning less if women were to be eligible for election. But the case does not bear on our case. Then the case of Hall *v.* The Incorporated Society of Law Agents is mentioned in the Respondents' Case, page 9, 1901, 3 F., 1059. That was dealing with the Common Law rights. It decided that a woman could not become a law agent, and that the Court of Session had not any authority to admit her. The Common Law there was that men only had been law agents, but the case does not apply to the case of Parliamentary Elections. There is a further case cited by the Respondents, the Earl of Beauchamp *v.* Madresfield; that is in Law Reports, 1872, 8 C.P., page 245. That case decided that a peer has not the right to vote at Parliamentary elections, and the grounds of the judgment were that peers were excluded by a resolution of the House of Commons. The judges said that in this particular case, which decided on the rights of voters, decisions of the House of Commons and of the Committee of Privileges of the House of Commons and resolutions of the House of Commons had a bearing on the question. They did not use these words, but the sense was that there was the force

of statute in that matter. That was the ground of the exclusion. Peers are in a different position from women, because their right has been dealt with by a resolution of the House, and it was held that the resolution was a good ground for the Judges in that case to go upon, but it is not an authority here. The Marquis of Bristol *v.* Beck is another case cited. That is to be found in 23 T.L.R., page 224, 1907. That was a case which arose in connexion with the last General Election, where a peer of a University constituency claimed that he should have his vote counted. On page 225, 23 T.L.R., you will find that the Judge founded his decision on the previous decision in Earl Beauchamp. He specifically states that he is basing his decision on that: "The basis in that case was a resolution of the House of Commons." He refers to Earl Beauchamp's case. But, as your Lordships see, these cases have no bearing on ours. Then other cases are Chorlton *v.* Kessler and Wilson *v.* Town Clerk of Salford. These cases follow immediately on the case of Chorlton *v.* Lings in the same volume, 1868, L.R., 4 C.P. The case of Chorlton *v.* Kessler is on page 397, and it is exactly the same as Lings; it is founded on that decision. The case of Wilson *v.* Town Clerk of Salford is also decided on the preceding cases; it is on page 389. A woman appealed against the decision of the Revising Barrister that she should have her name inserted on the Register. It was held by the Judge that, as she was not a man, within the meaning of the Act which conferred the right to vote, she was not a person who could appeal to have her right to be registered established. The word "person" is made expressly to depend upon the word "man," which had been interpreted in Chorlton *v.* Lings to mean "male person," and that was the ground of the decision in that case; but it is no authority against us here. Again, the Oldham case is referred to on page 9 of the Respondents' Case, and is to be found in the first volume, O'Malley and Hardcastle, 151, at page 159. These are election petitions which arose after the passing of the 1867 Act; but the decision in that case is that a woman was not a "man." But we are inserted under a different word—we are inserted in the word "person." The case of Stowe *v.* Jolliffe, which is reported 1874, L.R., 9 C.P., 734, was on the interpretation of a certain section of the Ballot Act. The Ballot Act is 35 & 36 Vic., chap. 33. That depends on a section of the Ballot Act, Section 7, which refers to the borough and county constituencies. The Ballot Act expressly states that that section has nothing to do with the Universities. There is only one section in the Ballot Act which has any reference to the Universities, and that is the section about personation. Section 31 of the Ballot Act says: "Nothing in this Act, except Part 3 thereof, shall apply to any Election to a University or combination of Universities." And Part 3 is the section which deals solely with personation; so that that decision does not affect us, as it did not deal with the section of the Act which had anything to do with the University elections.

These are all the cases cited against us except the two cases of Chorlton *v.* Lings and Brown *v* Ingram. These are mentioned in the Respondents' Case, page 8. The references are 1868, L.R., 4 C.P., 374, and 1868, 7 M., 281. Both these cases arose out of the Franchise Acts (England and Scotland) passed in 1867–8 respectively. They deal with county and borough elections. In both it was decided that a woman could not be put upon a Voting Register. Both cases decided this same point. The women were applying to have their names put on Voting Registers, and the decision was that they had no such right. Now, these cases differ from our case in three main particulars. They were claiming the right to be put upon a Parliamentary Voting Register; we are admittedly on a Parliamentary Voting Register, so that the decision in these cases does not apply to our case: we are legally registered on the Voting Register. The franchises dealt with in the case of Chorlton *v.* Lings and Brown *v.* Ingram were property franchises; they were old franchises, our case is a new franchise. And the reasons which might be used against the old franchises do not apply in our case. Besides, in the special sections of the Act interpreted in Brown *v.* Ingram and Chorlton *v.* Lings it is the word "man" that is being dealt with, and in our case it is the word "person"—the word "person" opposed to the word "man," which is discussed in Brown *v.* Ingram. They are different words; it is a new franchise instead of an old franchise; and they are only claiming the right to be put on the Register, whereas that right of ours is admitted and we are on the Register. These are the three main points of difference, and for these reasons these cases do not apply to us. I am not discussing the right or wrong of these particular cases, but merely pointing out that they are not applicable to our case, that they are not authorities for our case, they are entirely different in all the main aspects.

Broadly stated, the distinction between our arguments and the arguments of the Respondents is that we ask your Lordships to affirm that the statutes mean what they say, and the Respondents ask your Lordships to declare that, for a variety of reasons, the statutes do not mean what they say. They make certain assumptions, and they say, whether these assumptions produce absurdity in the Acts or not, these assumptions are to be held good in law. I submit that the whole intention of Acts of Parliament is that they are to mean what they say, and not to be excused for having said it. Our arguments involve no assumption; they are a strict interpretation of the Acts as they stand. Their arguments involve a great variety of assumptions, some of which produce ambiguity, and some of which produce fallacy and contradiction. If the argument is founded on fallacy, and not only on one fallacy but many fallacies, the explanation is that the Respondents have not been able to make their arguments without the fallacy. The first fallacy which appears is that they state that the ordinances which have been passed by the Commissioners, ordinances the Commissioners were authorized to pass, are not to have the effect of law. Now, any Act which is done following on an Act of Parliament, and which is legal, has as much force as the original Act itself. They do not say that these ordinances were outside the power of the University Commissioners under the Act; they merely say that because they are ordinances they are not to have the effect of law. In the Respondents' case, page 5, there is a paragraph which says: "The question at issue thus comes to be whether the admission of women to graduation in the Scottish Universities has had the effect of also conferring upon women graduates the right to exercise the University Franchise." Of course we do not assert that it conferred the right. We assert that it gave women the power to acquire the qualification: "The Respondents humbly submit that it has not had that effect. In the first place, it is to be observed that the Act of 1889, in empowering the Commissioners to make ordinances enabling each University to admit women to graduation, makes no reference whatever to the University franchise." But the Commissioners gave power to admit us to graduation, and as these ordinances are as good as statute Law, we do legally graduate, and we cannot graduate without going on the Parliamentary Voting Register. If the Commissioners had gone outside their powers, their ordinances would not have been good law; but they did what was expressly given them to do by the Act itself; they gave powers to others to admit women to graduation, and they did not exclude women. If they had intended that the graduation was not to carry with it the right to vote they should there have excluded them. But the Extra Division Court has stated that the Commissioners had no power. Page 11 of the Appendix says: "It may be observed that the Universities' Act, 1889, does not empower the University Commissioners to admit women graduates to the franchise." I cannot find the Section I intended to refer to, but there is a statement in the Extra Division which says that the Commissioners had no power. Here it is: "It is quite certain that the University Commissioners had no power to make any deliverance on this subject," and therefore they had no power to exclude or to include us. The power was in the hands of the Legislature when they made the 1889 Act, which gave the authority to the Commissioners to make the ordinances. This same fallacy is set forth in the Respondents' Case, where the implication is that Parliament have no power to delegate. "The argument of the Appellants is that Parliament has delegated to the Scottish University Courts a discretionary power to admit women to the exercise of the Parliamentary franchise." We submit Parliament has these powers, and that it has the power to delegate and it does delegate, and the ordinances carried out after this delegation have the force of a statute, just as any legal signature has legal force, and is as good in law as the Act from which it takes its power. Another fallacy on which they found their

arguments is that we must not infer from the statute; that the statute must make an express statement. Statutes are necessarily abstract statements; it is not possible to set forth every particular instance that is meant to be covered by the Statute, but every inference which follows from the statute is as good as the statute itself, provided it does not contradict another inference from the statute. Besides, under the same Section 28 of the 1868 Act, among the members of the General Council are those on whom "any other degree which may hereafter be instituted" is conferred. Now, there was authority given to these Commissioners to make regulations to found new degrees, and among these new degrees was the degree of Bachelor of Music, and it has been inferred, because the degree is legally conferred, that the Bachelor of Music has the right to vote in the election. And we submit that if we may infer it in the one case, we may infer it in the other case. It is the necessary result of our admittance to graduation; it is the graduation which carries with it this right to vote. They further state this in another form, when they say that there is no express enactment conferring the right to vote; but I would point out that in the Respondents' Case, page 7, it says: "No doubt the names of women graduates have, *de facto*, been placed on the General Council Registers, and such women graduates have been allowed without challenge to vote at General Council meetings on matters of university administration falling within the scope of the General Council; but this has been done without any express statutory authorization." So that they admit that we are on this Register, but that it is without any express statutory authorization. But the authorization is as express in the one case as in the other, and if it has been sufficiently express to overturn that custom it has been equally express to overturn any custom that may presumably exist with regard to voting. And, as I have said several times before, there is no express exclusion which is more to the point. I have quoted the Aliens' Act; but, to take another example, when the right was conferred on women to sit as mayors or chairmen of county councils, there was a special clause put in the Act depriving them of the right to act as magistrates. That is a general instance. It was thought necessary to put in that clause, otherwise it would have followed by inference that they would have had the right to sit upon the Magistrates' bench. And that Act was passed last year. Besides, in the case of Chorlton *v.* Lings, that is, a case on which they found, we have Justice Willis saying, on page 387: "It is not easy to conceive that the framer of that Act, when he used"—that is, Lord Brougham's Act, which said that words importing the masculine gender were to be taken to include females, unless the contrary was expressed. "It is not easy to conceive that the framer of that Act, when he used the word 'expressly,' meant to suggest that what is necessarily or properly implied by language is not expressed by such language." Very similar remarks are made by all the Justices. The Respondents found on that judgment, and they then turn round and say where "express" is to be referred to us in another connexion it is to mean something different. Now, I do not agree with the interpretation of Justice Wills in that case. But the point I wish to make is that this takes the foundation from the argument of the Respondents. They found on a judgment which states that "express" means "properly imply," and that makes the basis of their argument unsound. Another statement which the Respondents make is that because there were no women graduates in 1868, or because women could not become graduates in 1868, therefore women cannot become—no, they do not say that—they infer because we had not these qualifications in 1868, therefore because we have them now the qualifications are not to be qualifications. This is a confusion between the definition of "qualifications" and the particular individuals to whom qualifications apply. An Act of Parliament as long as it is unrepealed has as much force as it had the day it was enacted, especially if it is being put in practice every day, as this 1868 Act is. Some Acts, I understand, are re-enacted every year, but other Acts are enacted once and for all until repealed; and these Acts, which are enacted once and for all, have as much force as if they were re-enacted every year. It is merely to save the time of the Legislature that they are so enacted. So I submit that this Act of 1868 has as much force to-day as it had in 1868, and if the Legislature of the present day has found that by not repealing certain sections of that Act they are saying something which they do not intend, it is for them to bring in a repealing statute. If they do not wish women to have this vote at University elections, it is for them to bring in a statute saying that now that women are admitted to graduation this word "person" is not to mean person, it is to mean "male person." So far the Legislature has not done this. I understand it is a common occurrence to do such a thing when it is found out after decisions in your Lordships' House that the Acts are not as they intend them to be—it is not necessary to cite instances—but if the Act to-day means something different from what they intend it to mean, then they ought to bring in a repealing statute. Whenever we get this qualification under the 1868 Act, the 1868 Act applies to us. An Act does not fade and dwindle and die. This Act is used every year in the making up of Registers. It came to be applied to Bachelors of Music in the same way. All the arguments against us could be used against these Bachelors of Music. It could be said that because it was not possible for any man in 1868 to acquire the qualifications for a vote in a University Election by his musical ability, therefore in 1906, when he has the power to acquire these qualifications, these qualifications are not to carry with them the right which they would have carried if it had been possible in 1868 so to graduate. The point is that even if we could not then be put on the Register legally, we can now be legally on the Register. The Extra Division Court states that "the expression 'each voter' here used could not give rise to any ambiguity as to sex, because at this date the University Register was a register of men." Well, of course that is quite true; but we are asking your Lordships to give a decision now, when the conditions are quite different, and when we have the necessary qualifications, and when there are two sexes to consider, and not one. It merely happened to be that there was no woman on the Register at that time. Besides, another point deserving mention here is that the 1868 Act does make special reference to the future. The words in Section 27, that is the conferring section are "every person whose name is for the time being on the Register." Of course that has reference to any time, and it shows that the Act is not referring only to the particular persons on the Register at that time. Then further down it says: "They shall be entitled to vote for a member in any future Parliament." There is another reference to the future. And then at the end of Section 28, it says that the right to go on the Register is conferred on any other person who holds "any other degree that may hereafter be instituted." Now all this points to the future, but that merely emphasizes the point that the Act does refer to the future. If these phrases had been all omitted the Act would have had just as much force; these additions make clear that the Legislature was thinking of the future on this matter.

Another argument brought forward by the Respondents is that the Legislature could not have contemplated what it was doing. They do not use the word "intend," because I understand there are many decisions of the Court which say that the intention of the Legislature is not what your Lordships consider here; it is what the Legislature has said that you consider in a Court of Law, and that the intention is the matter considered in Parliament. But if they are going to argue from intention, perhaps I may be permitted, too, to point out that during the discussion in the House of Commons over the corresponding Bill, the England (1867) Bill, an amendment was moved—

The Lord Chancellor: We never interpret Acts of Parliament in the light of the discussions which took place about them.

Miss Macmillan: So I understand; but in connexion with the argument of the Respondents upon the intention, I thought it rather applied; but the intention, I submit, should not be considered especially when the Act distinctly says something else. We are to presume that Parliament knows what it is doing, and that for our purposes it means what it says. If it does not mean what it says it ought to bring in a repealing statute. This was done in the Netherlands in the case of the first woman who graduated in Medicine. Graduation in Medicine in the Netherlands carries with it the right to vote, and the first lady who took the degree claimed that right but was not allowed to exercise it, so she took the case to the Court. For technical reasons the case was postponed, but

during the postponement, the Legislature brought in a repealing enactment; and we submit that this is what the Legislature should do here.

But the fundamental fallacy on which the argument for the Respondents rests is the fallacy which begs the question. They say that Common Law is to be upheld whether it produces inconsistencies in the statutes or not, and they give the Common Law a variety of names. It is sometimes called Common Law, and it is sometimes called constitutional principle. On page 8 they state "That women are by the constitution of Parliament and the Common Law of the land disqualified by reason of their sex from the exercise of the Parliamentary franchise." I do not think that the constitution of Parliament can be added to the Common Law. The constitution of Parliament and the principle of the constitution of Parliament, as it is called elsewhere, are to be derived from the statutes and the Common Law taken together; and it is a begging of the question to derive the interpretation from the assumed constitution. If the constitution which is assumed is inconsistent with the statute or if the Common Law—I prefer to call them all Common Law, because I do not think from the particular way in which the matter is stated that anything else than Common Law is meant—so if the so-called Common Law is inconsistent with Statute Law, if it on one particular reading makes the Statute Law contradict itself, then it isthe Common Law that is overridden and not the Statute Law, and in the decision of the Lord Ordinary this is brought out. He says, "Acts of Parliament, no doubt, constitute for the most part alterations on the Common Law, but when the language used is ambiguous, that construction will ordinarily be preferred which is consistent with the Common Law, rather than a construction which would over-ride it." I agree with that; but of course if the Common Law contradicts the statute or is inconsistent with the statute, the Common Law is over-ridden and not the Statute Law. And if the Common Law produces ambiguity, so in the same way the Common Law does not over-ride the statute, but the statute over-rides the Common Law. We contend that ambiguity has been introduced by the wrong assumption. There is no ambiguity in this statute; this statute is quite definite. Ambiguity has been introduced by this wrong assumption, and there follows on this wrong assumption, as the Lord Ordinary himself admits, a series of difficulties; he finds several difficulties which result from this wrong assumption of the Common Law. Our inference from the statutes makes the matter quite clear, and we submit that the statutes are definite and that they over-ride the Common Law. If there is Common Law against us—we do not admit that there is Common Law—but that question it does not seem necessary to consider, because the argument is quite complete without the argument of the Common Law. Even if there were Common Law against all other franchises, the enactments on which we found are sufficiently express to over-ride that Common Law and to give the franchise to women graduates in the Scottish Universities. The other question is not necessary for our argument. In making the statement that Common Law must not lead to an absurdity, I quote Sir Edward Coke, who states that as one of the grounds on which Common Law is founded. He says that it must not lead to absurdities. That is Coke upon Littleton, Book 2, Chap. 4, Sec. 108 in a note. There are several absurdities produced by this wrong assumption of the Common Law. There is the assumption that the language is ambiguous, and they are driven to say both that we are legally on the Register; and we are not legally on the Register; and that the meaning of one section of the Act is that we are "persons not subject to a legal incapacity," and another section that "we are not persons subject to a legal incapacity." But our view reduces all these difficulties to simplicity, and we submit that Common Law which makes the statute plain is to be preferred to the Common Law which makes them contradict themselves, as Sir Edward Coke says. The principle which they uphold is—they call it the principle of the constitution of Parliament—they say that the Legislature should not in this particular way overthrow the principle. But the principle on which we found is more fundamental than the principle of the constitution of Parliament. Our principle is that the statutes must mean what they say, and that principle applies not only to the constitution of the Parliament of the United Kingdom, but it applies to every conceivable constitution. On the question of the Voting Papers, the Respondents do not meet our arguments, they merely make the Voting Paper question dependent on the other question, but they do not answer our arguments that we are prevented from going to the Statutory Court. That necessity is the main point in our argument with respect to the Voting Papers, and it does not seem possible that if a Court is established for a particular purpose, that Court is not to be used for that purpose. They can point to no statute which gives to the Registrar this function of deciding, and the custom and enactment which deals with Registers make the vote a necessary consequence of being on the Register. That, then, is how I meet the arguments of the Respondents, and I will now deal with the Judgments.

In the Appendix we have the opinion of Lord Salvesen the Lord Ordinary, delivered on July 5th, 1906. He says: "This case raises the important question whether women graduates are entitled to vote at the election of a member of Parliament for the Universities of St. Andrews and Edinburgh. The question is a new one, and the earliest opportunity has been taken of raising it, as the election which took place in 1906 was the first contested election for these two Universities since women have been admitted to graduation. All the Pursuers are members of the General Council of the University of Edinburgh, and their names are duly entered in the Register of such members. The pursuers' claim is rested primarily on the Representation of the People (Scotland) Act, 1868 (31 & 32 Vic., c. 48). By Sec. 27 of that Act it is, *inter alia*, provided that "every person whose name is for the time being on the Register....of the General Council of such University shall, if of full age, and not subject to any legal incapacity, be entitled to vote in the election of a member to serve in any future Parliament for such University in terms of this Act.' The Pursuers' argument on this section may be stated thus: They say that "person" is a word which ordinarily includes all human beings without distinction of sex; that therefore the words "male" or "female" may be inserted after it in the section in question; and, if so, it would be meaningless to suggest that the clause "not subject to any legal incapacity" should be supposed to infer any incapacity on the ground of sex. They point to the fact that in Part I. of the Act where all the other franchises are dealt with, the word used instead of person is "man," that the difference of the phraseoolgy cannot be assumed to be accidental; but that, even if it were accidental or mistaken, effect must be given to the plain language of the Act. They further found on Section 2, Sub-section 3 of the Universities Election Amendment (Scotland) Act, 1881, which provides for the Registrar, in case of a poll, sending Voting Papers through the post to each voter to his address as entered on the Register of the General Council of the University, who shall appear from said address to be resident within the United Kingdom or the Channel Islands, and especially on the proviso in the last clause of Sub-section 16 which is to the following effect: "Provided always that no person, subject to any legal incapacity, shall be entitled to vote at any Parliamentary Election, or exercise any other privilege as a member of the General Council of any University." Women having now, by the Ordinance of 1892 following on the Universities (Scotland) Act, 1889, Sec. 14, Sub-section 6, been admitted to graduation, and the names of women graduates having been placed on the Register of the General Council, they contend with great force that the legal incapacity dealt with in the above proviso must be construed as excluding any incapacity on the ground of sex, otherwise they would be equally disqualified from exercising other privileges as members of the General Council—privileges to which they have been admitted without objection, and have regularly exercised. The whole of this argument depends for its validity on the construction which is put on the word 'person' in Sec. 27 of the 1868 Act. I agree with the argument of the Pursuers that, in any ordinary statute this word would be presumed to include individuals of both sexes, but it is equally true that the word is open to construction; and if it sufficiently appears from the context, or on other grounds, that it must be construed as meaning male person, the case for the Pursuers entirely fails." We contend that the word is not open to construction; it is a definite word, and if we do not give the definite interpretation

to it, we are landed in a number of absurdities. "Acts of Parliament, no doubt, constitute for the most part alterations on the Common Law; but when the language used is ambiguous that construction will ordinarily be preferred which is consistent with the Common Law, rather than a construction which would over-ride it." As I have pointed out before, the ambiguity is introduced by the assumption; it is not in the Act itself. The Common Law which is consistent with the Statute Law, we contend, is to be preferred to the Common Law which is inconsistent with the Statute. "Now in 1868 and 1881 women were legally incapacitated at Common Law from voting at the election of members of Parliament. That was decided in England in the case of Chorlton *v.* Lings, L.R. 4, C.P. 374, and in Scotland in the case of Brown *v.* Ingram, 7 M. 281." He deduces his judgment from these two cases, which we have contended do not apply here, and in his deduction he finds himself in difficulty. "That being so, it is scarcely conceivable that women should be entitled to vote at elections of a University member when they were to be debarred from the same privilege in County and Burgh elections." Of course all the sections dealing with Counties and Boroughs are different, and the word "man" is used in these sections. They are old franchises, and however inconceivable it may be, if the statutes say that we are to have the franchise we should have it. "It was said that they are expressly so debarred by the 1867 and 1868 Acts, which deal with the representation of the people in England and Scotland respectively, by the use of the word 'man' instead of 'person,' and that this does not apply to the University franchise." He omits to point out that the decision in these cases referred to the right of women to be put on the Register: we are on the Register. "The alteration in language is at first sight curious; but I think it may be explained on the footing that in 1868 and 1881 there were many women who had the necessary qualifications for the occupier and ownership franchise." This statement admits that the word "person" does include women, and if women had had the qualification at that date, it would have included them. "While at these dates women were not admitted to the University at all, and it was no doubt thought unnecessary to limit the University franchise expressly to males, when males alone could, at that time, obtain the necessary qualification." Now at that time it so happened that males alone could obtain the necessary qualification; but in the same way Bachelors of Music at that time could not obtain the necessary qualification, but having obtained the necessary qualification, they have consequently acquired the right to vote. The end of the sentence is, "it was no doubt thought unnecessary to limit the University franchise expressly to males, when males alone could at that time obtain the necessary qualification." So now, we having obtained this necessary qualification, it IS necessary to limit the University Franchise if such is in the intention of the Legislature, but he definitely states that they do NOT limit the franchise to males. "Holding therefore that the word 'person' is open to construction, I feel constrained, for the reasons I have stated, to construe it as equivalent to 'male person.'" It is generally considered that in Acts of Parliament different words are to be taken to mean different things. In the case of the Guardians of Brighton *v.* The Strand Union, that is in 2 Q.B., p. 156, 1891, Lord Esher, the Master of the Rolls, says: "The question we have to determine depends entirely upon the construction of Sec. 36 of the Divided Parishes, 1876, Act, in construing which we must adhere to the ordinary rule of giving its clear grammatical construction to the language, a rule from which we have no right to depart unless there is something in the section which compels us to do so; a statute is not to be construed in the light of what the Court think the Legislature intended, and words must not be read in in order to enable it to do so. In the present case we find a change of expression in the Statute....and which enables us not to add anything but to construe a word used in the Act and to extend its meaning." (See 1891, 2 Q.B., p. 166.) That is exactly what we wish your Lordships to decide. Continuing, Lord Esher says of expanding the meaning of words, "Now Sections 34 and 35 of the Act are made applicable to a 'person,' an expression which in Sec. 36 is altered to 'pauper,' and it is a rule where in the same Act of Parliament and in relation to the same subject-matter different words are used, the Court must see whether the Legislature has not made the alteration intentionally and with some definite purpose. *Prima facie* such an alteration would be considered intentional." Whether it is intentional or not, effect must be given to this change in this particular section of the statute which deals with the same subject-matter, the conferring of the franchise. "Holding therefore that the word 'person' is open to construction, I feel constrained, for the reasons I have stated, to construe it as equivalent to male person." That construction is exactly opposed to the decision of the judge in the case I have read. "An alternative view would be to construe the word as of common gender." This means the Lord Ordinary is prejudging the question. He has made up his mind to decide against us. Here, his one ground is not consistent with his other ground, and he is driven to an ambiguous decision. Yet, he does not confine himself to either view, and we submit it is not necessary to take two views, when one is quite definite. "An alternative view would be to construe the word as of common gender, and to hold that, as women were at common law legally incapacitated from exercising the Parliamentary franchise, their claim is excluded by the clause 'not subject to any legal incapacity,' which strikes at peers and aliens equally with women." In speaking of "legal incapacity" I showed that in all other Acts it did not refer to women. I also showed it was impossible to have an incapacity at Common Law, because we cannot take away what does not exist. He refers to peers and aliens being excluded. There is a statutory exclusion of aliens in another Act which I have not read, that is 33 & 34 Vic., Chap. 14, Sec. 2, Sub-sec. 1. I am reading from an extract. "An Act to amend the law relating to the legal condition of aliens and British subjects, May 12th, 1870. 1. This Act may be stated for all purposes as the Naturalisation Act, 1870. 2. Real and personal property may be acquired and disposed of, &c.....Provided (i.) that this section shall not confer any right on an alien to hold real property situate outside the United Kingdom, and shall not qualify an alien for any office, or for any municipal, *Parliamentary* or other franchise. (ii.) That the section shall not entitle an alien to any right or privilege as a British subject, except such rights or privileges in respect of property as are hereby expressly given to him." I have already given reference to the Aliens' Freehold Act, in which right is given to an alien to hold freehold, but it is expressly stated that he shall not thereby have the right to exercise the Parliamentary franchise. "The construction of the proviso in Sub-section 16 of Sec. 2 of the 1881 Act is, I think, somewhat more difficult"—this is the second difficulty which arises from what we submit is a wrong assumption—"on the assumption that women graduates are legally entitled to be placed on the Register as members of the General Council"—there he is driven to contradict his statement on page 5, where he states that "their names are duly entered in the Register"—"on the assumption that women graduates are legally entitled to be placed on the Register as members of the General Council, and to exercise the privileges, other than the franchise, which belong to such members. It is enough, however, to say that that Sub-section conferred no franchise on members of the General Council"—we have not been submitting that it does—"and that it can scarcely be used for the purpose of construing an Act of Parliament passed thirteen years before." Now, this 1881 Act is substituted for the repealed section of the 1868 Act, and the 1868 Act without it would give no instructions for the carrying on of an election. It is part of the 1868 Act, but even if it were not part of the 1868 Act it is not possible to contend that an Act loses force in the course of years, during which it is always being put in practise, except in so far as it is limited by other statutes or repealing sections. "Besides, it may be inferred here, as in the earlier Acts, that the Legislature had within its purview only male persons, as the doors of the Universities had not then been opened to women." But, as I pointed out to your Lordships before, it was a burning question of that day the question of women's education, and whether they should be admitted to Universities. In 1868 women were attending lectures given by the University professors, and an Association had been formed in Edinburgh to try to have the Universities opened to women. Proceedings in the Jex Blake case began in 1869. "I think, moreover, it is extravagant to assume that when

Parliament in 1889 conferred powers on University Commissioners to make Ordinances " we do not assume—

The Lord Chancellor : Your point is, it is what the Act says ?

Miss Macmillan : Yes. It is not possible to know if I am making myself clear. " I think, moreover, it is extravagant to assume that when Parliament, in 1889, conferred powers on the University Commissioners to make ordinances ' to enable each University to admit women to graduation, in one or more faculties, and to provide for their instruction,' it was introducing so important a constitutional change as the extension of the franchise to women in University constituencies." Your Lordship has made a criticism on that which I intended to make. " What the Act of 1889 was dealing with was provision ' for the better administration and endowment of the Scotch Universities, and for improving and regulating the course of study therein,' and it was not an Act which had the remotest bearing on election law." We contend that it was under that Act that we were given the power to acquire the qualifications in the same way as the Bachelor of Music was given the power. " If the proviso on which the Pursuers found so strongly is to be interpreted literally, it might lead to the conclusion that women graduates ought not to be on the Register of the Council of the University at all." It is common ground that we are on that Register, and there is nothing we desire more than to have the statute interpreted literally. The statute says we must go on the Register. We are not allowed to graduate without going on the Register by that very same Section in which there is this proviso, to which the Lord Ordinary refers, " The only other matter which was argued was that in any event the Pursuers were entitled, so long as they were on the Register of the General Council of the University of Edinburgh, to receive Voting Papers from the Registrar, and that the Registrar, in refusing to issue such papers to them, was in breach of his statutory duty. The short, and, to my mind, conclusive answer to this contention is that the Registrar is only bound to issue Voting Papers to persons who are qualified to vote. If he makes a mistake by refusing to issue the Voting Paper to such a person, he may render himself liable in a penalty ; but it would be neither good sense nor good law to hold that he should be compelled to issue Voting Papers to persons whose votes, when given, he would be compelled to reject." The Lord Ordinary there is quite under a misapprehension. You see he assumes that it is the Registrar who rejects the papers. That power is given to the Vice-Chancellor, and it is only on objection being taken that the Vice-Chancellor can reject the papers. " I am, therefore, of opinion that this separate ground of action also fails. I hope it may console the Pursuers for their want of success if I remind them that the legal incapacity of women to vote at Parliamentary elections did not, in the opinion of that very learned judge, Mr. J. Willes, ' arise from any underrating of the sex either in point of intellect or worth,' but was ' an exemption, founded on motives of decorum, and was a privilege of the sex (*honestatis privilegium*).' " I do not think even Mr. Justice Willes would suggest that it was not decorous to post a Voting Paper in a letter-box, " and, again, ' that the absence of such a right is referable to the fact that in this country in modern times, and chiefly out of respect to women, and a sense of decorum, they have been excused from taking any share in the department of public affairs.' " But your Lordships will note that the Act which confers a right on women to graduate involves their exercise of the public functions which are deputed to the General Council of the University. They vote for the Chancellor of the University and they vote for the Assessors who sit on the University Court. They hold meetings to decide various University matters, and perhaps I should also mention here that as students women vote for the Lord Rector of a University, and their right so to do has never been called in question. These are all public functions. The University decides the subjects of examination in all faculties ; it decides the standard of examinations for those who are to become barristers and lawyers, and who administrate the law of the country, and it decides the standard of examinations for doctors. " If this be so, I am afraid this action, if it has served no other purpose, has at least demonstrated that there are some members of the sex who do not value their common law privileges." On the grounds I have stated during the reading of the judgment, I submit that it is not well founded in law.

The opinion of the Extra Division of the Court of Sessions runs on somewhat different lines. It founds, on what is called a general constitutional principle, that women are to be excluded from voting. I think your Lordships have my arguments on that general constitutional principle ; that it is a begging of the whole question ; that no general constitutional principle can remain a constitutional principle if it produces these inconsistencies in the Act. Lord M'Laren, who read the judgment, said : " Apart from the right to University representation which is now claimed, it is an incontestable fact that women never have enjoyed the Parliamentary franchise of the United Kingdom." There the Extra Division dates its common law and its " principle " from the establishment of the Parliamentary franchise of the United Kingdom 200 years ago. But, we submit that even if women did not vote all that time, that 200 years is too short a time in which to build up a Common Law. I read somewhere—I am sorry I have not the reference, but it may be familiar to your Lordships—that a Common Law which started at the time of the Revolution, *i.e.*, at the time of Oliver Cromwell, was much too young to rank as Common Law, that the custom must go back as far as memory, or as far as evidence before it could rank as Common Law. He goes on to say : " Prior to the Reform Acts of 1831 and 1832 there were many varieties of the Parliamentary franchise. The vote in counties was confined to freeholders." Well, with respect to these freeholders, certain particulars are set forth in Chorlton *v.* Lings with respect to their votes, p. 375. " The first franchise which dealt with the vote in counties is 7 Henry IV., chap. 15, which enacts that all they that be present at the county court, as well as suitors duly summoned for the same cause as others, shall attend to the election of knights for the parliament."

The Lord Chancellor : I do not want to interrupt, but the learned Judge is here speaking of the Act. They were freeholders.

Miss Macmillan : I was going to point out that this Statute enacts that all those present should attend to the election of knights for Parliament, and that the Court was attended by women as well as by men. I quote that from Chorlton *v.* Lings. Again, p. 376 refers to 52 Henry III., chap. 10, " which exempts among others from attendance at the tourne " which was one of the divisions of the county court, " viri religiosi et mulieres." In discussing these acts Justice Willes, who went into the detail of the history of the franchise, stated that women could not be suitors at a county court, but I think that does not appear to be the fact, because I have extracts here from Rotuli Hundredorum, Vol. II., printed in 1818 by the Record Commission, and on p. 62, among several items, it states that " Lady Joan le Engles . . . . does suit to the county and hundred." On the same page there are several other similar statements saying that women did suit to the county. Justice Willes, in Chorlton *v.* Lings, founded his decision on the fact that women had never done suits in counties. In Chorlton *v.* Lings it was decided that women were not only excused, but definitely excluded, that they had not the right to attend county courts. To show that women did require to attend at the county court before the passing of that Statute, I have here an extract from the Charter Roll, 37 Henry III. membrane 8 (6). This is a grant from the King to the Abbess and Nuns of Tarente exempting them from suits at the county courts. So it was evidently necessary before the passing of that Statute that women required to be exempted from attending at county courts. " By 7 Henry 4 s. 15 it was provided that the indenture should be under the seals of all them that did choose the Knights "—this was not carried out, the indenture being signed.

The Lord Chancellor : It is now time to rise. May I make this suggestion. If you can show in any document that women had the vote, then of course that would be a point in your favour. The old customs and rules of County Courts do not necessarily involve voting for members of Parliament.

Miss Macmillan : The grounds of decision of Justice Willes were that women were not present, because they were not suitors. But women as suitors were included among the voters who were " suitors duly summoned for the same cause as others shall attend for the election of knights for Parliament," but his ground for ruling them out was that the women did not attend,

and the extract I was reading was to show that they had attended.

The Lord Chancellor : I wish rather to assist you in coming to what the point is. The point there was to show that the women were in the habit of voting. The point is not whether they were attending Court, but whether they voted.

Miss Macmillan : I have later instances.

Adjourned for Luncheon.

Miss Macmillan : I was dealing with the Judgment of the Extra Division on page 9 of the Appendix, and I was criticizing the first section, because from the statements there made is deduced the conclusion on which is founded the greater part of the Judgment. " In Scotland," he says, " the Borough members were elected by Town Councils." A great many Borough members were elected by Town Councils, but I have evidence to show that this was not so in all Boroughs. In Peebles, for example, in the reign of William and Mary a writ for returning a member of Parliament said that those who were to vote were burgesses who were not papists—that was the only exclusion. Then the return shows that during the poll to prove that they were burgesses they had to show extracts from their burgess tickets. I can also show that women were burgesses in this same town, and that they took part in the business of the town by voting at elections in the town. He says further that " some of the English Boroughs had a representation as wide as that of the present law ; in the greater number the franchise was more or less restricted, but not always in the same degree or on the same type. All varieties of the Parliamentary franchise had this element in common, that its exercise was confined to men "—he dates his statement of course from the foundation of the Parliament of the United Kingdom, which I submit is too recent a date on which to deduce what he does deduce—" and even in the cases where the right of election was confined to a few burgage tenures, or even to a single tenement, if the owner was a woman she was not entitled to vote." Before the union of the Parliaments women were entitled to vote in such elections, and I have here instances taken from a Blue Book issued by the House of Commons that such was the case. In a Blue Book entitled ' Parliamentary Writs and Returns,' printed by order of the House of Commons, 1878, on page 407 there is a return from the Borough of Aylesbury. The two members returned were Thomas Lichfield and George Burdon. In a foot-note to the Return it states that these members were returned by Dame Dorothy Packington. It does not give the form of her return, but I will read from the Return of this Dorothy Packington, who was the one voter, on page 50, ' Brady on Boroughs,' Appendix 23. This extract is from a document in a bundle of the Returns of the Parliamentary Writs in the 14th year of Queen Elizabeth, and it says : " To all Christian people to whom this present writing shall come. I Dame Dorothy Packington widow, late wife of Sir John Packington knight, Lord and owner of the town of Aylesbury rendeth greeting. Know ye me the said Dame Dorothy Packington to have chosen named and appointed my trusty and well beloved Thomas Lichfield and George Burdon Esquires, to be my burgesses of my said town of Aylesbury. And whatsoever the said Thomas and George Burgesses shall do in the service of the queen's highness in that present parliament to be holden at Westminster the eighth day of may next ensuing the date hereof. I the same Dame Dorothy Packington do ratify and approve to be my own act as fully and wholly as if I were or might be present there. In witness whereof to these presents I have set my seal." It is made clear here that Dame Dorothy is the one voter in this constituency. Then the return is referred to in a Blue Book of the House of Commons so she did elect these members. Then it was in virtue of a writ sent to her that she did elect these members, so the House of Commons which sent the writ to her believed that she had the right to elect. In the same Blue Book there are reported other two returns for another Borough, the Borough of Gatton. The one return is on page 391, that is in the year 1554. The entry in the Blue Book is " William Wootton, Gentleman, and Thomas Copley of the Inner Temple, Gentleman, returned November 11th, 1554, for Gatton Borough in Surrey," and the foot-note in the Blue Book sets forth the form of return (see note). She made a similar return in the following year, and again we have the entries of the names in these returns on page 394 of that Blue Book, and it is in much the same terms that she votes for these men : " Witnesseth that the said Dame Elyzabeth (Coppley of Gatton in the said county widowe) according to a writ to her in that behalf from the said shereve directed, hath on her free election nominated & chosen Humfrey Mosley gent, and Sir Harry Housie Knt, to be a burgess for the said borogh (signed) by me Elyzabeth Coppley." But not only are these returns there entered in that Blue Book, but there is a letter which is printed in a volume of Loseley MS. edited by Kempe, page 242, and that letter is in the following terms. This letter was written by Walsingham, then Secretary of State to Queen Elizabeth in the year 1586, and he is writing to two gentlemen, by name Sir William Meyer and Sir Thomas Brown.

Lord Ashbourne : What are you reading ?

Miss Macmillan : This is from a volume called ' Kempe's Loseley MS.' The MS. are a collection of various documents, but the letter is printed in this book. I have also the reference to the MS., but I have not myself seen the MS. I have taken the extract as correct in this Kemp's MS. The letter is from the Secretary of State, Walsingham, who says : " After my very hearty commendations, whereas my Lords of the Council "—that is the Privy Council—" do understand that Mrs. Copely hath the nomination of two burgesses for the town of Gatton, being a part of her jointure "—so here the Secretary of State assumes that this woman has the right to vote for members of Parliament, and the Lords of the Council are also acting on this belief. " It is not thought convenient for that she is known to be evil affected that she should bear any sway in the choice of the said burgesses." As you know there was then a good deal of working behind in connexion with the returning of members, and often the Sheriffs give not good returns, but the objection is not that she is a woman. ' It is not thought convenient for that she is known to be evil affected that she should bear any sway in the choice of the said burgesses "—not because she is a woman, but because she is evil affected. The writer then goes on to suggest the names of two suitable candidates. That was the opinion of the Secretary of State of the day on women's right to vote at Parliamentary elections. It was suggested in the case of Chorlton *v.* Lings that Dame Packington was a Returning Officer, but the return shows very clearly that she was acting for herself as a voter. And with respect to this letter from the Secretary of State it is of interest to notice in the same Blue Book that the Secretary of State was not successful in having the gentlemen he advocated returned as members. Two different members were there returned. It is apparent that at least in burgage tenures women had this right to vote at that time. They were not excluded from the right, and I have further instances of women who have been summoned to Parliament as abbesses and as peeresses. They are not of very modern date. Shall I read them ?

The Lord Chancellor : I may as well say this ; my own view is that one of the rules is that usage so far as knowledge and memory goes is taken as an instance of what is important. The fact of women not being allowed to vote in Parliament within living memory is a fact that would not be altered in this place by saying that some corner of an Act of Parliament might be interpreted to mean that some women did. However, I do not want to interrupt you.

Miss Macmillan : There is also an Act of the Scotch Parliament referring to the right of women to vote at elections. Page 78 of Skene's Scots Acts of Parliament. It is in the middle of an Act dealing with the right of the king to annex, the " annexation of the temporalty of benefices to the crown," and one section of that Act said : " Reservand always and exceptand to all archbishops, abbots, priors, prioresses . . . . of the estate of prelates and which before had or has votes in Parliament." So you see prioresses are included as those who had or have votes in Parliament. The date of that Act is 1587.

Lo:d M'Laren does not say that he derives his principle from Chorlton *v.* Lings and Brown *v.* Ingram, but there are certain remarks in these decisions which have reference to our case. Though the decisions in the cases have no direct reference,

some of the remarks in the cases have direct reference. The Respondents state on page 8 of their case "That women are by the Constitution of Parliament and the Common Law of the land disqualified by reason of their sex from the exercise of the Parliamentary franchise, and that this disqualification is not to be held as removed by implication from the use of terms equally applicable to either sex in Statutes creating or regulating Parliamentary Franchises, has been matter of express decision in the Courts, both of England and Scotland. It was so held in the case of Chorlton *v.* Lings." Now Chorlton *v.* Lings did not hold that it could not be removed by implication; Chorlton *v.* Lings held that women were expressly excluded. Three of the judges in Chorlton *v.* Lings held that the exclusion was express. They call "expressly" and "implicitly" the same thing. There is another ground on which they founded their decision on page 391. There Justice Willes says: "Yet to use Mr. Butler's expression, the right must now be considered as extinct, or perhaps inasmuch as in our system there is no negative prosecution against a law it may be more correct to SAY that the right never existed." That statement is inconsistent in itself, for first he admits that the right has existed, then he says it is better to *say* that it never did exist. And he definitely in that statement says there is no such thing as "negative prescription." With respect to the decision in Brown *v.* Ingram, I stated above three points of difference between that case and ours, namely, that there women are not on the Register, that it is an old franchise and different words are used. Their right to be registered was there denied because of a custom against inserting women's names on that Register. That is the ground of the Judgment in that case. In our case, however, the custom in so far as the entering of names on the Register is concerned, has been over-ridden. Then after those historical statements Lord M'Laren says: "In view of these facts we must conclude that it was a principle of the unwritten Constitutional law of the country that men only were entitled to take part in the election of representatives to Parliament." His deduction, however, I submit is unsound; but whether it is unsound or not, the Judgment that follows this is unsound. It does not matter whether there was an unwritten Constitutional law of the country at that time, or not. Even if there were such a law, the Acts as they stand have overturned it, and that part of the argument really does not affect us. I introduced it merely as an answer to this section of this decision. Lord M'Laren goes on to say: "All ambiguous expressions in modern Acts of Parliament must be construed in the light of this general Constitutional principle"—your Lordships have my argument on that point. "We are not to be understood as invoking any merely technical rule of construction in this matter; what is meant is that if Parliament had intended to subvert an existing Constitutional law in favour of women graduates, the intention would naturally be expressed in plain language, and therefore if ambiguous language is used it must be construed in accordance with the general Constitutional rule." I have shown that the ambiguity is introduced by the assumption; it is not in the Statute itself. "By Section 27 of the Representation of the People (Scotland) Act, 1868, a vote for the election of a University member is given to 'every person whose name is for the time being on the Register....if of full age and not subject to any legal incapacity.' The qualification of 'full ag e' was necessary, because the Register of graduates might contain the names of men who had taken their Degrees before attaining majority. The qualification 'not subject to any legal incapacity' was also necessary; a peer, for example, might be on the Register of graduates, but it was not intended that he should have a vote for returning a member to the House of Commons. It was not necessary to exclude women by express words, because at that time women could not lawfully be on the University Register." Well, as Lord Salvesen has also admitted in his decision, the implication is it is now necessary, and that is exactly what we hold, it IS now necessary if we are to be excluded. The inference there is that we were not excluded; he admits that we were not excluded. "Now this is the Act of Parliament which created the University constituencies of Scotland, and therefore in its inception the University franchise had this element in common with the franchise of Counties and Burghs, that it was confined to men." He there assumes that it was confined to men. At that time the conditions were only that women could not acquire the qualification. "It may here be observed that in the third, fourth, fifth, and sixth Sections of this Act, which define the qualifications of voters in Counties and Burghs, the words used are 'every man,' so it appears that the expression 'every person,' which is used with reference to University elections had the same meaning as 'every man' in the earlier sections." That I understand is contrary to many legal decisions and to the ones to which I have referred your Lordships. "By the Universities elections Amendment (Scotland) Act, 1881, provision is made for taking the vote at University elections by means of 'voting-papers,' and in particular by Sec. 2, Sub-sec. 3, the Registrar in case of a poll is required to send through the post a voting paper 'to each voter to his address as entered on the Register of the General Council of the University, who shall appear from said address to be resident within the United Kingdom or the Channel Islands." The title of the Act refers to "registration of voters" and has been applied to us, and we cannot graduate without being so registered. "The expression 'each voter' here used could not give rise to any ambiguity as to sex, because at this date the University Register was a Register of men"—that is the same as the statement above. "The proviso of Sub-sec. 16, excluding persons 'subject to any legal incapacity' does not seem to have any material bearing on the present question." There you will see that his notion of that Sub-section differs from that of the Lord Ordinary. We maintain that as that proviso is in the Section which compels us to be registered, it has a material bearing. "The claim of the Pursuers to vote at the election of a member for the Universities of Edinburgh and St. Andrews is founded on their status as graduates of one of these Universities. By the Universities (Scotland) Act, 1889, the Commissioners thereby appointed were empowered to make Ordinances 'to enable each University to admit women to graduation in one or more faculties.' By the Ordinance of 1892 this power was exercised, and women have been admitted to graduation in certain faculties. The Pursuers' names have been placed on the Registers of the General Council of one of these Universities in right of their respective degrees. It may be observed that the Universities Act, 1889, does not empower the University commissioners to admit women graduates to the franchise; and if it had been intended that the degree should carry with it the right of voting at Parliamentary elections, we should have expected to find a provision to that effect in the Act of Parliament itself." You see, he states we are rightly on the Register, and the statement does not seem to be consistent. There is the very provision in the 1868 Act which gives the franchise to "persons" and to those having degrees, and we should rather have expected exclusion. "It is quite certain that the University commissioners had no power to make any deliverance on this subject"—we agree with that statement—"and the same observation applies to the powers of the University Courts in the execution of the Ordinance. The Pursuers' claim accordingly must rest on the Representation Act of 1868 and the Universities Elections Act, 1881." Also, we submit the University Act which lays down the regulations for graduation. "The argument must be that a franchise originally conferred on graduates who were necessarily men, has been extended to women graduates, not by a direct enfranchising enactment, but by the indirect effect of an Act of Parliament, which does not profess to deal with political privileges," this implies that we have got our right to the franchise by inference from the Statutes in question—"but is concerned only with academic functions, and which in the interests of the higher education of women, authorizes the admission of women to graduation. The degree itself, or rather the right to take a degree, is not even conferred by the Act of Parliament, but is made dependent, first on the judgment of commissioners empowered to take evidence, and secondly, on the pleasure of the governing bodies of the respective Universities." My argument on this point is that all legal Acts are as legal as the Statute which authorizes them. "It is difficult to conceive that the Legislature should have conferred by devolution the power of extending the franchise to a class of persons hitherto excluded by a Constitutional rule." However difficult it is to conceive we have the fact before us, we have the fact that it has been done, and we have

the same difficulty with respect to the Bachelor of Music—"a power which it has always kept in its own hands, and it appears to us that there is absolutely no evidence in the terms of the Universities Act, 1889, that Parliament intended to extend the franchise to women or had any question of political privileges in view, when it empowered the Universitity authorities to admit women to graduation. We think that the Representation Act, 1868, and the Universities Elections Act, 1881, must be construed now, as heretofore, with reference to the political disabilities of women, and that the circumstance of the Pursuers being on the University Registers does not remove the disability. The pursuers contend that in any event they are entitled to receive Voting Papers, leaving it to the candidate or his agent to object to the vote if tendered, and to the Vice-Chancellor or his deputy to dispose of the objection, all in terms of the 10th Sub-section of Section 2 of the Universities Elections Act, 1881. It is, no doubt, true that if the Registrar (taking a different view of his statutory duty) had sent the lady graduates voting papers, the votes might have been objected to and disallowed by the Vice-Chancellor." We submit that the Registrar's duty is definite, and that he cannot take several views of a Statutory duty. "But as our judgment on the main question is adverse to the claim of the lady graduates, it follows that no individual of the class has a cause of action for not receiving an invitation to give a vote which she could not lawfully exercise, or a title to sue for a declaratory finding that she is entitled to receive such a paper. We are therefore of opinion that the Lord Ordinary's judgment should be affirmed, and the Reclaiming Note refused." That is our case. It has not been easy to know if I have been making myself clear, as you have so kindly let me go on without asking questions. But if I have failed to make myself clear on any points I should like to be told before I sit down.

The Lord Chancellor: I think we quite clearly understand your contention.

Miss Simson: My lord, I do not think it is necessary for me to add much to what my friend Miss Macmillan has said, and I shall say only a few words bringing under your notice some general considerations which bear on the case. The judgment given in the Extra Division, as Miss Macmillan has said, rests altogether on the assumption that the custom prevailing of women not voting for members of Parliament is a constitutional principle, but I submit that a custom of this kind cannot rank as a constitutional principle. It is easy to understand how such a custom arose. It arose when social conditions were very different from those which prevail now. The franchise at that time was looked upon as a burden and not as a privilege. The journeys to the places where elections were held involved expense and fatigue, and in later times the polling-places were scenes of riot and rowdyism, which it was not advisable women should be present at. Most of these reasons have passed away, but the custom remains. What I hold is that a custom, the reasons for which have passed to a great extent away, ought not to take the rank of a constitutional principle, which surely should have some permanent basis underlying it. We claim further that this custom has no bearing on the Universities' franchise, which franchise is of recent statutory creation, and is utterly different from the other and more ancient franchises. There is no precedent as to women graduates not voting, for we have taken the very earliest opportunity of bringing forward this our claim, nor has there been time for any custom to spring up, except the custom that graduates vote. Men graduates vote not as being men, but as being graduates. We women graduates have the identical qualifications in virtue of which these men vote, and we hold that the right to vote should be ours also. Contending that no constitutional principle bars the way, we base our claim altogether on the Statute Law, on the three Statutes taken together, those of 1868, 1881, and 1889. There are two stages to be considered. The Acts of 1868 and 1881 give the franchise to graduates; the Act of 1889 makes it possible for women to become graduates. We quite agree with what is said in the judgment given in the Extra Division, "It may be observed that the Universities' Act, 1889, does not empower the University Commissioners to admit women graduates to the franchise"—no, it does not; but it empowers them to admit women to graduation, "and if it had been intended that the degree should carry with it the right of voting at Parliamentary elections, we should have expected to find a provision to that effect in the Act of Parliament itself." We do have a provision to that effect in the Act of 1868, and under it graduates have the franchise given to them expressly. The Aliens' Act requires to have an express provision attached to it in order to take away from aliens who have the right to hold freehold property, the right which usually accompanies that, of voting at Parliamentary elections. The Universities' Franchise Act has no such provision. The Universities were empowered to give the degree unconditionally; they did give the degree unconditionally; and we submit that it is now too late to say that it was not intended to be given unconditionally. Then there is another objection which is urged against our plain and straightforward reading of the Statutes. Miss Macmillan also touched on that. It is that the object in admitting women to graduation was an educational object, and had no reference to electoral law. But, taking the case of the Bachelor of Music or of an Agricultural Science degree, it may be argued in the same way that there certain definite objects were primarily in view in conferring the degree: in the one case that musical education might be improved in the country, and in the other case that scientific agriculture might be promoted. But in both those cases, men who hold the degree have the unquestioned right to exercise this University franchise as graduates. Why should women as graduates not have the same right? It has been further urged that in 1868 there were only men graduates, and therefore the Statute can apply only to them, as they only could be the persons referred to. I may say in passing that this involved an admission that if there had been women graduates in 1868 they would have been included among those who have the right to the franchise. Of course it is obvious that so long as there happen to be men graduates only, any allusions to "persons" in the Statute must mean men; but it is equally obvious that as soon as women graduates came into existence, they also were included in that category. Take the example of a company where the shareholders when the company was formed were men only; they attended the company meetings and voted as shareholders. But suppose that women afterwards became shareholders, would they not have an equal right to attend the company meetings and give their votes? It would be absurd to deny this on the ground that at the time the company was formed only men were shareholders. I would submit also that if those who were responsible for framing the Statute left out of consideration altogether the possibility of women becoming admitted to the Universities and having the franchise conferred upon them, they were singularly indifferent to the trend of public opinion at the time, for there were at that date in 1868 two matters which were coming largely under public attention, one of these was the conferring of the franchise on women, and the other was the admission of women to the Universities. It was in 1867 that John Stuart Mill brought forward his famous amendment, and the matter was much discussed in Parliament and out of it. As to the public opinion regarding the admission of women....

The Lord Chancellor: I must remind you that we are a judicial body, and what we have to discuss is the Act of Parliament and the real interpretation of the law, and I am afraid that cannot be affected by what public opinion was at the time the Act was passed.

Miss Simson: I go on to say that it is scarcely conceivable when the change was made from "man" to "person" in the 1868 Act that it was under the conviction that only men could then and in the future become graduates. It is much more conceivable that the change was made recognizing the possibility that women might at no distant date be included. I think I need say nothing more. Our contention is that a plain, straightforward reading of the Statute in question confers upon us the franchise, and that the Common Law, a custom which grew up under social conditions which are very different from those which now prevail, is no bar to our availing ourselves of the provisions of the Statute law.

The Lord Chancellor: We will let the Respondents know if we desire to hear any answer to the arguments of the other side.

Mr. Dickson: If your Lordships please.

National Union of Women's Suffrage Societies.

OBJECT.—To obtain the Parliamentary Suffrage for Women on the same terms as it is, or may be, granted to Men.

The Union is a Federation of Women's Suffrage Societies in Great Britain.

President: MRS. HENRY FAWCETT, LL.D. *Treasurer:* MISS BERTHA MASON

Secretary: MISS MARGERY CORBETT, B.A.

Hon. Secretary: MISS FRANCES HARDCASTLE, M.A. *Organisers:* MISS E. M. GARDNER, B.A. MISS MARGARET ROBERTSON, B.A. MRS. COOPER. MISS HELEN FRASER.

Telegrams: "VOICELESS, LONDON." Telephone: 1960 VICTORIA.

OFFICES: 25, VICTORIA STREET, WESTMINSTER, LONDON, S.W.

The Union will send Organising Agents, Speakers, or Literature to any place requiring them, its desire being to form a Women's Suffrage Society in every County and Borough All persons interested in the movement, or desiring information about it, are requested to communicate with the Secretaries. Increased Funds are needed for the growing work of the Union, and Subscriptions will be gladly received by the Treasurer.

EXECUTIVE COMMITTEE, 1908.

Chairman—MR. WALTER S. B. MCLAREN.

MISS MARGARET ASHTON
THE LADY FRANCES BALFOUR
MISS FLORENCE BALGARNIE
MRS. ALLAN BRIGHT
MR. A. CAMERON CORBETT, M.P.
MISS EDITH DIMOCK
MISS I. O. FORD
MISS MARTINDALE, M.D. (Lond.)
MRS. BROADLEY REID
HON. BERTRAND RUSSELL
MRS. PHILIP SNOWDEN
MISS LOWNDES
MISS WARD
LADY STRACHEY
And the HON. Officers, *ex officio.*

Mid-Essex By-Election.

WE have had a most successful week, the only disappointment being the lack of response from London helpers. Some have been over and have done magnificent work, but they were few in comparison with the appeal made. This week we have been doing the outlying districts, though we have had fifteen well-attended meetings in Chelmsford too. We have also been to Brentwood, Ingatestone, Writtle, Broomfield, Great Baddow, Danbury, Great Waltham, Great Leighs, and Roxwell, in some cases more than once. We have been told over and over again that all Chelmsford is converted, and as we went through the streets yesterday in a motor-car all the men waved their hats and shouted, "Good old women!" Miss Cockle's car has been invaluable. We could not possibly have done so much without it, nor could we have made such an impression.

Our future Chelmsford society is already strong, and we have had a very satisfactory amount of local help. Chelmsford ladies are going to take charge of our committee-room all day on Tuesday, so that we may all be set free to work the voters' petition.

Our helpers this week are, or have been, Mrs. and Miss Hentschel, Mrs. Saunders, Mrs. Walker, Mrs. Wilson, Miss Dawson, Mrs. Alverton, Mr. Cholmeley, Miss Saward, Mrs. Hickley (both of Chelmsford), Mrs. Stanbury, Mrs. Cooper, Miss Rowlette, Miss Gill, Miss Cockle, Miss Ward, Mrs. Lockwood, Miss Joseph, Miss Barette (Bristol), and Miss Tiner. I should like to thank them for the magnificent work they have done.

E. M. GARDNER.

Proposed Co-operation of Yorkshire Societies.

ON Monday afternoon, December 7th, a Conference of Secretaries and other representatives of the Yorkshire Societies will be held in Leeds, to discuss suggestions for co-operation in securing and paying a special organizer for Yorkshire. The scheme bristles with possibilities, and may prove to contain the solution of many difficulties, both of the societies and of the Union. As it is hoped that other areas will take up the idea, the conveners of the Conference wish it to be known that any member of the National Union outside Yorkshire may attend the Conference unofficially. Full particulars as to place of meeting may be obtained by sending a stamped addressed envelope to Miss F. N. Pringle, the Abbey House, Whitby, Yorks.

GIFTS of cakes and offers of help in serving the tea are wanted very badly for the Camberwell Banner Exhibition on December 11th.

5,000 Guineas Fund.

		£	s.	d.
Mrs. Barfoot	(Chelmsford)	0	5	0
Miss Ethel Birnstingl ..	,,	0	5	6
Miss Courtauld	,,	0	10	0
Miss Sylvia Drew	.. ..	0	2	6
Mrs. Elder	(Chelmsford)	0	10	0
Miss Lowndes	,,	1	0	0
Miss K. Raleigh	,,	1	1	0
In response to Miss Corbett's appeal at the Doré Gallery	,,	2	2	10
Miss Torry (in response to appeal) ..	..	0	2	6

Sidmouth.

AFTER ten days' preparation a very successful meeting was held in Sidmouth on Thursday, November 26th. There is a great deal of prejudice to surmount in this part of the country; but the Anti-Suffragists have done us some service by having been here already, and left people saying, "Is *that* all they have to say?" Our meeting was held in the Small Manor Hall, which, we were told, was all we could hope to fill for an afternoon meeting; but hundreds of people were turned from the door. Mrs. Morgan Dockrell and I spoke, and, beyond my best expectations, about forty ladies joined the society on the spot, and a temporary local committee was formed, over which Mrs. Kennet-Were has promised to preside. A second meeting, held in the Drill Hall on Saturday night, at which Mrs. Randall Vickers from Bristol, Miss Clarence and I spoke, was also a great success, though there was an element of flippant youth at the back, and we only secured a few more members.

For a week we have had a small shop in a good position in Sidmouth, which has aroused a great deal of interest, and has led to the circulation of a fair amount of literature and many picture post cards. Invaluable help has been given by Miss Edith Clarence, who has been indefatigable in carrying on the work.

County Campaign Fund.

	£	s.	d.	£	s.	d.
York.—The Hon. Mrs. Wilkinson ..	1	1	0			
				10	16	6
Total to Monday, Nov. 30, 1908 ..				£779	0	8

London Receptions.

WE have heard with great satisfaction that a new Suffrage Society has been formed—a League of Actresses, who, following the example of the artists and writers, are banding themselves together to help the cause. The Secretary is Miss Adeline Bourne. Members of the London Society will no doubt be delighted to have the opportunity of welcoming the representatives of the youngest of the Suffrage Societies next Tuesday at the "At Home" in the Doré Galleries, when Miss Winifred Mayo, one of the founders of the new League, has promised to speak about it, and Miss Decima Moore will kindly give us a recitation.

Correspondence.

MADAM.—Doubtless many members of the National Union will be present in the Albert Hall on December 5th, hoping that Mr. Lloyd George will at last give us a lead. It would be impertinent to advise the Liberal women how to conduct their own meeting, but I wish to urge upon our own members that they should do their utmost to avoid embittering the situation, that they should oppose wisdom and temperance to passion and render violence harmless by refusing to allow it to breed violence.

Yours faithfully,

H. M. SWANWICK.

Mrs. Fawcett at the Oxford Union.

FOR the first time in the history of the society, a woman has addressed the Oxford Union. On Nov. 20th Mrs. Fawcett presented the case for Women's Suffrage, the Union being crowded to the utmost limits of its capacity, and the voting was 360 against, 329 for. From *The Times* downwards, the London press felt constrained to notice an event so striking, but refrained from any comment on the really significant fact that the motion was only lost by thirty-one votes, and that in a University which naturally regards whatever is old-established as sacred, and invests the existing order with all the allurements of romance; in Oxford, the home of Conservatism, and throughout history the refuge of bad, lost causes; among a gathering of young men at the age when to be ridiculous seems the greatest of all bugbears, standing at the entrance to the economic struggle in which the competition of women appears so dangerous to the more selfish, and her emergence from the home a horrid subversion of poetic notions. Mrs. Fawcett very truly remarked that the appearance of women in the effective sphere is the greatest of all the changes that mark new Oxford, and that, after all, in permitting that appearance, the most important step in the enfranchisement, for whose logical and natural completion she pleaded, was already conceded; and she pointed out that what was now demanded by justice and reason was simply the inevitable continuation of that process of equalization of the opportunities of the two sexes, in which an era was marked by the admission of women to the Universities.

The demand for Suffrage, it cannot be too often pointed out, for it seems, strangely enough, to be constantly forgotten, is not revolutionary in its nature. The really revolutionary steps were taken long ago, when women were admitted to the professions; forced to take their share in the battle for existence; admitted (as Mrs. Fawcett pointed out, with a ready humour that at once won to her side those who had dreaded a too serious address), in taking her place on municipal bodies, to her share in the control of the police, of the "Force," their deficiency in which is surely the most feeble of all arguments against the vote. But, on the other hand, there is no justification for those who then say that women will be given too much force; for those who affect to tremble before the "flood of female voters."

Mrs. Fawcett, who rose to address the house at 9.40, and who was very cordially received, thanked the society for their great kindness in extending to her an invitation to be their guest that evening, and also the gentlemen whose speeches preceded hers, for the kindly terms in which they had referred to the matter. She would like as a preliminary to explain exactly what it was all the Suffrage societies, without exception, were asking for. There were a great many different kinds of Suffrage societies—the Militant, the old society, of which she had the honour to be president; the National Union of Women's Suffrage Societies; and a lately-formed Conservative Association for Women's Suffrage. All these societies, so different in their construction in many ways, united in asking for exactly the same thing, and that was the vote for women on the same terms on which it was or might be granted to men. If that was admitted it would not overwhelm the constituencies of the country with an enormous *flood of female voters.* It would admit a large and important body, but they estimated the number who would be admitted if their claim was granted, at between 1½ and 2 millions, and as there already were 7½ million male voters the addition to the constituencies would not be of a very alarming character, even to the most timid of the male sex. She knew there was a widely-spread impression to the contrary, and that if they were militant in their behaviour and violent in their methods, they were also very violent in their demands; but that was not the case. They said that those who had the qualifications that would entitle them to the vote if they were men should not be debarred from the right simply because they were women. They were not asking for Universal Suffrage. There was no reason, in her judgment, why they should suppose or rush to the conclusion that if women were admitted to the Franchise they must immediately rush into Universal Suffrage. They were not asking that women should be Members of Parliament. That was not a question for them. It was a question for the constituencies, and when constituencies, which would continue to consist chiefly and mainly of men, raised it as a practical political question that they desired to be represented by women, then the question of women in Parliament would become a practical political question, and not till then.

It is good to report that the whole debate was free from any foolish attempt to confuse the issue by reference to the mistaken tactics of the extremist section. The opposer of the motion, Mr. Swain, followed the opener, Mr. Knox, in urging the Union Society to "reject the motion, not because of the attitude of its most noisy advocates, but because the motion was bad; to reject it on principle and not on prejudice." And on that point Mrs. Fawcett was explicit. There were two militant societies, who had pursued very different courses of action from that of the society with which she was connected, and which was constantly brought to their notice in the papers. The militants went into all the constituencies at by-elections, with the cry on their lips of "keep the Liberal out," but the Constitutional Suffragists also went into the constituencies at the time of by-elections, and their policy was to find out from the candidates themselves, and from their agents, who was the best man from their point of view on the question of Women's Suffrage, and then, irrespective of party politics, to support that man. They claimed that this policy was less irritating to the constituencies than the policy of the militant societies, and it also had a very enlivening effect on the convictions of the candidates on the subject of Women's Suffrage. Their policy was to gain the Suffrage not by persecuting Ministers, but by placing the case for Women's Suffrage before their fellow-countrymen, and to convince them that it was based on reason and common sense, and that where it had been granted it had been productive of good results, and no evil effects whatever. Their appeal was not to violence, but to justice and reason and common sense. Why did she say that Women Suffrage was based on common sense? Let them look at the great change that within the last half-century or less had taken place in the social, educational, and industrial status of women. There were 5¼ million women working as wage-earners, and earning one-fifth of all the wages that were earned. They were not doing that just for the fun of the thing. They were earning wages through stern economic necessity, and if they were turned out of their employment they were brought face to face with starvation, or what might be worse than starvation. The change in the industrial position of women was marvellous. What was the greatest of all industries, judging by the value of its export? It was the textile trade, in which two-thirds of the operatives were women. They had joined the trades' union, and now that Labour representation had become an accomplished fact, these women contributed to the salaries paid to Labour Members of Parliament, and yet they were not allowed to give a vote in their election. Why should they not believe that women, if they had the political power, would use it to improve their economical condition? It would be for the welfare of England and the whole community that the industrial status of women should be better than it was at the present moment. The frightfully low wages in the sweated industries was one of the curses of England, and if anything could be done to remedy it, it would benefit not only the women, but the whole community. Women's Suffrage had lately been adopted in Norway, and in anticipation of it the Government had raised the wages of women in the postal and telegraphic departments. Then as to the educational status of women, they had evidence of it at Oxford.

What was the most important change that had taken place educationally in Oxford during the last half-century? It was the introduction of women to University education, and all the Universities, with the exception of Oxford and Cambridge, had given degrees to women. Oxford and Cambridge once proudly led the way, but they were now far back in the rear. Women were highly successful in winning distinctions at the Universities, and did not that indicate the immense social change that had taken place in the position of women? This had been achieved with the help of men, both here and elsewhere, but it was mainly the work of women themselves, working to improve

the means of education open to their sex. The medical profession was now open to women, and they were welcomed in the profession. Women were appointed factory inspectors, and they did their work in a most admirable manner; they had created the profession of nursing, and they had taken a very prominent position in the honoured profession of teaching. As Poor Law Guardians, town councillors, and even as mayors they had been elected, and they had been placed on Royal Commissions, and they did most admirable work as specialists on these Commissions. And last, but not least, they were taking part in politics, of which it was stated they were so wofully ignorant. At election times it was wonderful how desirous the candidates were to get the help of these peculiarly ignorant people, who were asked to persuade others to vote, but were not considered good enough to have the vote. Was it not an absurdity that a woman might be a mayor, and in that capacity be returning officer of a Member of Parliament, and yet not be good enough to have a Parliamentary vote? So far from the giving of the vote to women being revolutionary, it was distinctly anti-revolutionary, because it would be a simple adjustment of the machinery which governed women's lives to the changes which had already taken place in this social industrial, educational, and professional status. Women were making a reasonable demand for a reasonable freedom, and, moreover, they were asking for that which nearly all the most eminent statesmen of the country had taught them to value and had said they ought to have—Lord Beaconsfield, Lord Salisbury, Mr. Balfour, Sir H. Campbell-Bannerman, Lord Morley, Mr. Haldane, Mr. Lloyd George, and others—and yet what had they done or were doing? They gave them words, words, words, words, but there was no action to back up these words. Was British statesmanship so feeble that it could not find a way to satisfy that demand of women for representation which they proclaimed just and reasonable? More and more all over the world they had the movement for increasing the political and educational status of women growing. This thing was going to be accomplished. They could not stop it. They might guide, and if they did, let them guide it on a course which they considered just and reasonable. They wanted British statesmen to devise some rational means of making the female voice heard in the great choir of the nation, not preponderatingly, but harmoniously. In Australia and New Zealand Women Suffrage had been acknowledged to be a great success. She asked those who disagreed with her to consider the arguments in favour of Women's Suffrage, and to hear the facts drawn from the experience of it, and those who agreed with her to help it to come without revolution or disturbance, peaceably, and in the best possible way, by convincing men that it was right and just to grant this elementary piece of political justice. If they sympathized with the desire of women for freedom by the possession of the Parliamentary vote, let them help them to get it in a way worthy of their country and themselves. (Applause.)

The whole speech, relieved as it was by the humour appropriate to the occasion and the place, was, and was felt to be by all who heard it, a convincing refutation to the silly contention that women are incapable of the judicious imperturbability that political life demands. Mrs. Fawcett spoke with her usual calm and lucid effectiveness, disturbed neither by the levity of preceding speakers—to a certain type of Union politician nothing is serious except a joke—nor by the prolonged applause by which she was greeted on rising. Her argument was throughout an appeal to reason and to justice, and through it all there was, if unexpressed, yet perfectly apparent, the deep conviction that the granting of Suffrage to women is a measure that is as necessary for the enfranchisement of the minds of men as for those of women.

There can be no doubt that her serenity appealed to her audience as much as her seriousness and her humour. She displayed in a pre-eminent degree that *mens sibi conscia recti* that is the most convincing argument in support of any cause. The voting showed how great was its effect. *The Globe* attempted to pass the affair off as nothing more than a joke, and to attribute the votes given to the cause as given out of a mere feeling of personal courtesy to their exponent; but there can be little real doubt in the mind of any one who was present that this was not the case.

U. A. H.

Reports have been received from Branch Societies at New Forest, Altrincham, Birmingham, Stratford-on-Avon, Solihull, Bolton, Bournemouth, Cambridge, Chiswick, Salford, North of England W.S.S. and Warrington; we much regret to be unable to insert them.

FORTHCOMING EVENTS.

				P.M.
Dec.	3.	**London,** *N. Kensington,* Meeting for Women only, Horbury Rooms, Notting Hill Gate	*Chair,* Lady Spicer *Speaker,* Miss Abadam	8.30
		Tickets, 2*s.* 6*d.* and 1*s.*, from Miss F. G. Wright, 10, Linden Gardens.		
	3.	*Kensington, South,* Drawing-Room Meeting	*Hostess,* Mrs. Birnstingl *Speaker,* Miss Sterling	8.30
	4.	**Edinburgh, Exhibition of Banners** Afternoon, 3—5 Evening, 7—9	To be opened by the Lady Frances Balfour *Chair,* Miss S. S. S. Mair	
		Gloucester, Public Meeting, Shire Hall	*Speakers,* Mrs. Pember Reeves, Mrs. Allan Bright, J. Malcolm Mitchell, Esq.	8
		Admission—Women free; Men, by tickets only.		
		London, *Marylebone,* Drawing-Room Meeting	*Hostess,* Mrs. Loudon *Speaker,* Mrs. Corbett	4.30
		North of England Society, Annual Meeting, Portico Library, Manchester	*Chair,* Councillor Margaret Ashton	8
	5.	**Cheltenham,** Annual Meeting, Town Hall	*Chair,* J. E. Sears, Esq. M.P. *Speakers,* Miss Bertha Mason, H. Jevons, Esq.	3.15
	7.	**Birkenhead,** Public Meeting, Heswall	*Chair,* Leadley Brown, Esq. *Speakers,* Miss Eleanor Rathbone, Miss Hooper, M.A., W. Lyon Blease, Esq.	8
	7.	**London,** *Highgate,* Drawing-Room Meeting Informal Discussion on Anti-Suffrage Literature.	*Hostess,* Mrs. Ernest Harrington	
		Manchester, Debate, Reform Club, Heaton Moor	*Advocate,* Mrs. F. T. Swanwick	
	8.	**Cardiff,** "At Home," Institute, 25, Windsor Place	*Speaker,* S. H. Jevons, Esq., M.A. B.Sc.	8
		Darlington, Public Meeting, Women's Co-Operative Guild	*Speaker,* Miss Lucas	
		London Society Reception, Doré Gallery		4.30–7
		London, *Wimbledon,* Public Meeting	*Chair,* Mr. Schwann *Speakers,* Lady Grove Mr. Walter McLaren	3.30
	9.	**Aberdeen,** Public Meeting, Y.M.C.A. Union Street	*Speaker,* Miss Helen Fraser	8
		Hull, "At Home," Oddfellows' Hall, No. 3 Room	*Hostess,* Mrs. Coysh	3.30
		London, *Catford,* Debate, St. James' Hall, Stanstead Road	*Speaker,* Miss Ransom	8
		London, *East Molesey,* Public Meeting	*Speakers,* Mrs. Rackham, R. F. Cholmeley, Esq.	8.30
		Surbiton, Public Meeting	*Speaker,* Mrs. Rackham	5
		London Society, Lecture, 130, Inverness Terrace, W.	*Lecturer,* Miss Eva Spielmann (Newnham College)	
	10.	**London,** *Willesden,* Public Meeting	*Speaker,* Miss Hill	8
	11.	**Camberwell, Banner Show,** Camberwell Public Baths	To be opened by Mrs. Cecil Chapman *Speakers,* Miss Lowndes, Miss M. Corbett, Rev. T. Stephens, T. Gautrey, Esq., L.C.C., Malcolm Mitchell, Esq., and others	5–10
	11.	**Manchester,** Weekly Meeting, 85, Deansgate Arcade	*Speaker,* Mrs. Stevenson	8–10
		Southport, Drawing-Room Meeting	*Speaker,* Miss Lucas	
	12.	**Manchester,** Drawing-Room Meeting, Romiley	*Hostess,* Mrs Frank Leigh, *Speaker,* Mrs. Swanwick	
	14.	**Darlington,** Debate, Y.M.C.A.	*Opener,* Miss Lucas	
	15.	**Leicester,** Debate, Clyde Literary Society	*Opener,* Miss Edith Gittins	8
		London Society Reception, Doré Gallery		4.30–7
	16.	**Darlington,** Debate, Holy Trinity Parish Room	*Opener,* Miss Lucas	
		London, *Highgate,* Meeting for Working Women, Spears Memorial Hall	*Speakers,* Mrs. Holyoake Marsh, Mrs. S. Fenton	3
	17.	**London,** *Camberwell,* "Parliament" Debate	*Speaker,* Lady Grove	8
		Lewisham, Debate, Congregational Literary and Social Guild	*Speaker,* Miss Lowndes	8
	18.	**Manchester,** Weekly Meeting, 85, Deansgate Arcade	*Speaker,* Miss Olga Hertz	8–10
	19.	**Hull,** Franchise Tea, Oddfellows' Hall		8

VOTES FOR WOMEN.

Women's Freedom League (late W.S.P.U.).

Telephone: 15143 CENTRAL.

SCOTTISH OFFICE: 30, GORDON STREET, GLASGOW.

NATIONAL OFFICES: 1, ROBERT STREET, ADELPHI, W.C.

Organising Secretary: MISS ANNA MUNRO.
Hon. Treasurer: MRS. WOOD.

Hon. Secretary: MRS. HOW MARTYN, B.Sc., A.R.C.S.
Hon. Treasurer: MRS. DESPARD.

National Hon. Organising Secretary: MRS. BILLINGTON-GREIG.

Telegrams: "Tactics, London."

Laurels and Bays.

A WELCOME TO THE GRILLE PRISONERS.

THE Grille prisoners—Miss Bremner, Mrs. Duval, Miss Manning, Miss Matters, and Miss Tillard—received a hearty and enthusiastic welcome when they emerged from the grey gates of Holloway on Saturday morning. Mrs. Duval, who had evidently suffered much during the month, was presented with a lovely bouquet of lilies by Miss FitzHerbert. A member from Woking presented Miss Matters with an illuminated address from the "Baby" branch, whose members are enthusiastic in their appreciation of the Grille protest. The procession to the Cottage Tea-Rooms was broken by a short journey on the tube from Caledonian Road to Covent Garden. The sympathy of the ordinary cockney with the militant Suffrage agitation was demonstrated clearly and unmistakably every step of the way from Covent Garden to the Strand. Cheers were raised and greetings were shouted from men in the streets, the shops, the lorries, and from the tops of piles of cabbages. Mrs. Despard was recognized and greeted, and her hand shaken again and again, accompanied by such remarks as "Keep it up!" "'Ope you 'll get it!" "Good luck to you!" One man inquired, "Who's the one who 's done the month?" and Miss Matters being pointed out to him, he said, "You 're a plucky one. Giv' us your paw." A stout old stall woman was pushed forward as a new convert; but she surprised the man by saying, "I 'm with them," and shaking vigorously the hand stretched out to her.

It was a pleasant experience, and reminded one that the support of such men and women—who toil hard and long with no ease or leisure and then earn little more than a bare living—will more than be a match for the opposition of the aristocratic members of the Anti-Suffrage Society.

THE mere sensory pleasures of the table are not to be despised after thirty days of the Government's hospitality, and so the public breakfast at the Cottage Tea-Rooms, Strand, proved satisfactory from all points of view, both physical and emotional. The rooms were crowded with friends and guests. Mrs. Despard and Mrs. Hicks presided at the prisoners' table, and in short, but deeply earnest speeches, thanked them for their courage, devotion, and endurance, and welcomed them to home, friends, and liberty again. All the released prisoners gave bright accounts of their experiences in that weird world of Holloway, showing once again the determination of women to suffer cheerfully for a cause they hold so great and dear. And so, as usual, we heard of amusing encounters with the Governor and Chaplain, of books that had been read with keen enjoyment, but very little indeed of the deadly monotony and irksome discipline—the weariness of the long, long thoughts engendered by solitude relieved only by the everlasting clanking of locks and keys.

Miss Matters came in for an ovation, as was to be expected, after Mrs. Despard's graphic tribute to the courage that was required so successfully to carry out the Grille incident; and that prison has not dimmed her spirit, nor weakened her enthusiasm and eloquence, her return speech triumphantly proved. Indeed, Holloway seemed to have sent them all out with appetites more keenly whetted for the fray. Criminal tendencies, as Miss Matters said, are intensified by our prison system—a point the Home Secretary would do well to note. Holloway will soon be known as a "place" for the manufacture of Suffragetteish tendencies." Even the ranks of Tuscany—by which I mean the wardresses—are being inoculated. It only remains for the Governor and Matron, the Chaplain and the Doctor, to succumb and then, it may be that the Prime Minister and the Home Secretary will be compelled to do their own dirty work, and go on duty as gaolers.

The Trafalgar Square demonstration in the afternoon was a great success. Speeches were given from two platforms, and were listened to with quite extraordinary attention by a large crowd. Not one single query about the washing or the baby was heard during the whole meeting. It would seem as if London had either been convinced of the futility of such questions, or roused to a sense of the importance and urgency of the woman's movement,

Mrs. Wynne Nevinson and Mrs. Holmes presided at the respective platforms, and the speakers were Miss Muriel Matters—introduced as having made her last public speech in the House of Commons—Miss Bremner, Mrs. Brindley (ex-prisoners), Mrs. Despard, Mrs. Toyne, Mrs. Sproson, and others. The resolution calling upon the Government to give votes to women this session, and to treat the Suffragist prisoners as political offenders, was carried with half-a-dozen dissentients. Some questions were asked at the close of the meeting, and considerable interest was aroused by the appearance of an "Anti," who asserted hotly that men were her physical, mental, and moral superiors, and she considered they had every reason to think so. It did not seem worth anybody's while to contradict her, so the meeting dissolved in a spirit of amity and goodwill. M. H.

Miss Henderson was obliged, on account of family affairs, to leave the prison ten days ago, and with much regret Mrs. Borrmann Wells had to come out, as she had unexpectedly to sail for America.

Mid-Essex By-Election.

WE have had a most successful campaign in Mid-Essex. The people are delighted with the Suffragettes, and wonder how they ever came to be described as "hooligans." The men so thoroughly believe in our cause that they are anxious to make Mr. Asquith understand that their votes are for Women Suffrage. Many have applied for advice. Surely the men are original enough to find a way. One keen believer has penned the following to the Prime Minister and several daily papers:—

DEAR SIR,—I am writing to you on the matter of Woman Suffrage and the way in which it may possibly affect some votes. I have voted six times, and have always given my vote for the Liberal. I have made up my mind to vote for the Conservative this time. This is on account of my opinion being in favour of "Votes for Women," and against the manner in which the present Government have treated the Bill which was brought in. Also I consider that it is not to the interests of the country that half the sense and intelligence should be totally ignored.

I do not intend to say much, for if you read the newspapers you must know what is to be said in favour as well as I do. What I do most decidedly object to is the brutal manner in which the women have been treated. A CHELMSFORD VOTER.

I have the name and address of the writer. Who says our influence is not felt? And this is only one out of many similar communications. Fine meetings indoor and out have been held in the towns and villages in the various parts of the constituency.

We have, in addition to Chelmsford, visited Brentwood, Ingatestone, Upminster, Boreham, Sandon, Great Baddow, Wickford, Billericay, King's Head, and other places too numerous to mention. Our workers are just splendid. I cannot name them all; but beside several London branches, Tunbridge Wells, Colchester, Chester, and Hadleigh are represented.

Next week I will thank the helpers in more words than I have time for now. Locally we are indebted to Miss Aves of Boreham, Miss Snelling of Great Baddow, Miss Henria Williams of Upminster, and Misses Lawson and Boothby of Chelmsford.

Our speakers have included Mrs. Despard, Mrs. Billington-Greig, Mrs. Manson, Mrs. How Martyn, Mrs. Hicks, Miss Benett, Miss Molony, Miss Matters, and others. I really cannot give all the names. We are so rushed.

We are rejoicing in the prettiest car of the election. Our earliest journeys were in a motor-van! To-day we are expecting the caravan for a final meeting of ex-prisoners at the Cannon, Tindal Square.

AN EARLY CHELMSFORD SUFFRAGIST.

MRS. MANSON made the interesting discovery that in 1851 a Quaker lady of the name of Knight, and residing at the Quiet House, sent up to the House of Lords a petition of 1,000 signatures collected in Chelmsford for the Enfranchisement of Women. Local people are quite pleased to learn of the interest taken in Woman Suffrage by a townswoman of their own so long ago.

ALICE SCHOFIELD.

The Debate.

THE debate arranged between Mrs. Billington-Greig of the Women's Freedom League, and Mr. St. Loe Strachey of the Anti-Suffrage Society and Editor of *The Spectator*, took place on Tuesday, November 24th, at Kensington Town Hall, and the subsequent voting showed an overwhelming majority in favour of votes for women.

Some of the more important points from the speeches are set forth below :—

Mr. Strachey.

He denied that men in this country had the vote because of the property qualification, or because they contribute to the nation's taxes; and maintained that the basis upon which the franchise rested was physical force.

He expressed his belief in woman's capacity—moral and intellectual—he admitted that her love for her country and her capacity for sacrifice were as great as man's; and that in moments of national peril he would trust a woman as much as a man. All who sought to deny the claims of the women on any ground of inferiority must fail. He would deny them political power, however, because "women were not men" and because of their diversity.

He maintained that the union of the sexes would be threatened by any conflict of authority between the sexes; so long as supreme power is confined to one sex that conflict is avoided; but if political power is given to women it becomes a menacing possibility. If women are to have the vote their supreme moral gifts render such conflict one day unavoidable. Right and wrong are to women things absolute, and not subjects on which compromise is possible. Women can now acquiesce in decisions of which they do not approve without any sense of moral wrong.

There must be no sharing of supreme sovereign power between the sexes. It must be confined to one, and that power must necessarily be the male sex, because physical power belongs to the man.

The property qualification is in any case an unsound basis, it assumes that taxation is the most important thing. It is because the making of laws affects a man's life and liberty that the voter claims to have a share in the government; and because he is a constituent of the nation. (A voice: "Women also.")

Manhood Suffrage, he submitted, was the best upon which a State could be based.

Adult Male Suffrage is sure to come; and if it does come it will be impossible to confine Female Suffrage to the property qualification; therefore there would be nearly one million more women voters than men; and supreme power would pass from the men of the nation to the women. How long, he asked, would the male possessors of physical force tolerate that?

Referring to an argument he had heard advanced that women had been so successful as Queens that they would surely be successful as voters, Mr. Strachey stated that this argument rested on the very narrow assumption that because Queen Victoria was a good queen all queens have been good queens. That was not so, and as instances to the contrary, he quoted Catherine of Russia and Mary, Queen of Scots. Queen Victoria herself, he said, was strongly imbued with the danger of women standing alone without male help; and mentioned the fact that the queen during the first two years after her marriage greatly needed the help of Lord Melbourne.

(That earnest participator in all public discussions "A voice" here reminded Mr. Strachey that this was natural, Queen Victoria being a mere girl at the time.)

Mr. Strachey admitted that women were human beings as well as men; but said that Reverting to the physical force argument, so often referred to by her opponent, Mrs. Billington-Greig said she could quote many instances of women who had used physical force, and taken part in actual warfare; but States owe their existence not merely to their defence, but also to the supply of new citizens; thus the duties are divided. "If you base your claim to Manhood Suffrage upon the fact of men having to fight. I base my claim for Womanhood Suffrage on women having to fight and die, also, for the nation in their own sphere." We do not base our claim on the property qualification. Men have made the "qualification" as it exists, and we simply demand the same measure of justice as men.

As to the danger of there being more women than men we think that this difficulty will adjust itself. For example: when women have the vote and use their power to obtain better legislation, the lives of many boy-babies, which are now lost owing to the bad conditions, may, by this means, be saved.

Mr. Strachey had referred to women as queens, and had quoted Catherine of Russia and others as bad examples. When asked "What about Queen Elizabeth"? Mr. Strachey had said that he did not want "to talk any scandal about Queen Elizabeth." She (the speaker) did not want to talk any scandal about the kings of this country. If you take the kings and queens together you will probably find that the average of bad ones is about the same in both sexes. This point, however, was one that did not in any way affect the claim of the women, which is based on the human right to self-government.

Mrs. Billington-Greig submitted that the reiteration of Mr. Strachey's position did not make it any stronger. Mr. Strachey said that—for some mysterious reason, which he did not explain—only one half of the community could have votes. She would like to know why?

Mr. Strachey relied on "the physical force argument," and said, "*We* must have power; and the women must *not* have it." This was equivalent to saying, "I am a strong man; I have a club and you have not; and if you don't allow me to decide I 'll knock your head off."

Does Mr. Strachey mean to tell us that all his beautiful sentiments are so much mere nonsense; and that because he considers that he is, physically, fitter to fight than I am, I must sit down and allow him to make what laws he likes for me? Mr. Strachey had made a great feature of wars and rumours of wars.

She suggested that if they tried to persuade women that they were to go on bearing children to be shot at and killed in wars—brought on by the stupid mismanagement of men—the women might one day tell them that there would be no more babies to kill.

When she spoke of the conflict being here, she did not refer to the Suffrage agitation.

The whole point at issue is whether the right of self-government is a masculine right or a human right? And her arguments were based on the assumption that men and women were members of the same human family.

M. L.

Mrs. Billington-Greig.

To-day Government does not depend on physical force. The sovereignty in this nation to-day consists not in physical force, but in brain force; and as we progress the sovereignty of the intellect will be more and more established. It is not the physical force even of the soldier that counts to-day. It is the brains of the scientist, the inventor and the mechanic behind the soldier that make warfare in the present age possible at all. She wished that Anti-Suffragists would realize that we grant the self-evident fact that "women are not men."

Mr. Strachey had said that the union of the sexes would be endangered by possible conflict. She claimed that that union should be a fair union.

With regard to Mr. Strachey's contention that women are so conscientious that they cannot be trusted to employ a sufficient amount of compromise, that she claimed was a point in favour of women having the vote, and which would tend to make politics what they ought to be.

We had in Mrs. Billington-Greig and Mr. St. Loe Strachey two exceedingly courteous debaters; but it is to be regretted that they were so unequal in all other respects. A much less brilliant debater than Mrs. Billington-Greig, with a much less easily to be defended case, would have had an easy walk-over. Mr. Strachey can neither speak nor can he debate; moreover, his sentiments were those of a schoolboy, crude and elementary. *The Westminster Gazette* does right in pointing out—as it did the other day—that if men wish to compete successfully with women on the platform, they must learn to express themselves with the same concise clearness, and that the old excuse will no longer be tolerated, that women are eloquent because they are shallow, and that men's dumbness proceeds from the profundity of their great thoughts.

Thoughts are not very useful if they are so deep that they cannot be got at, and it is sad to think of all that wasted philosophy and wisdom hidden away in the minds of the men who are contented to pose on our platforms in the guise of asses in tigers' trousers by the representatives of "Tigers in Trousers." In such cases anti-Suffragists should take special care that Æsop's Fable of "The Ass in the Lion's Skin" is not recalled to mind.

Special Notices.

St. James's Hall Meeting. — On Wednesday, Dec. 9th, a large meeting will be held in the St. James's Hall, Great Portland Street.

The responsibility for the success of the gathering rests upon every one of us, and we must each do as much as ever we can in advertising and ticket-selling. Tickets to be had from the office, price 2*s.* 6*d.*, 1*s.*, and 6*d.* each. MARGUERITE A. SIDLEY.

Christmas Party, Dec. 19th.—*Pound Stall.*—Small plum puddings are badly wanted for the pudding competition. When members are making their own plum puddings, will they remember the Christmas party and send a small one to Miss Eustace Smith, at the Freedom League offices.

The Lending Library.—The thanks of the library are due to Miss Beatrice Harraden for her kind promise to present it with her novel, 'Interplay.'

[We much regret being obliged to omit Branch Notes and other interesting matter.—[ED. W.F.L.]

PROGRAMME OF FORTHCOMING EVENTS.

December 3rd to December 18th.

Dec.				P.M.
Thurs.	3.	Caxton Hall, Westminster	Mrs. Cobden Sanderson Mrs. Despard Mrs. Nevinson	3.30
		Cheltenham, Fintray	Miss Boult	
		30, Gordon Street, Glasgow	Speakers' Class	8
		Tunbridge Wells	Miss Matters and Mrs How Martyn	8
Fri.	4.	Shettleston, Eastwood Academy	Mrs. Billington-Greig	8
		Kilmarnock	Miss Munro	7.30
Sat.	5.	Scottish Council Meeting		3
		Peckham, Hanover Park	Miss Underwood	
		Gallimore Street, Lower Broughton, Jumble Sale		
Sun.	6.	Steinway Hall, Lower Seymour Street	Mrs. Holmes Miss Matters	6.30
		Grovedale Hall, Upper Holloway, N.	Miss Cicely Hamilton	7
Mon.	7.	Glasgow, Conservative Association	Miss Anna Munro	8
		302, Upper Brook Street, Manchester, Drawing Room Meeting		
Tues.	8.	Hull	Mrs. Despard	
		Langside Car Depot	Miss A. Munro	8.15
		Leytonstone Debate	Mrs. How Martyn	8
Wed.	**9.**	**St. James's Hall** Great Portland Street	Miss Matters, Miss Bremner Miss Molony, Mrs. Holmes Mrs. Despard Mrs. Billington-Greig	8
		Glasgow, Masonic Hall	Miss Bannatyne	
		47, Mosley Street, Manchester, Branch Meeting		
Thurs.	10.	Manchester, Memorial Hall,	Mrs. Despard Mrs. Billington-Greig Miss Manning	
		Woking	Miss Matters Mrs. How Martyn	8
		Caxton Hall, Westminster	Mrs. Holmes Mrs. Toyne	3.30
		Highbury, Northampton House, St. Paul's Road	Mrs. Hicks Dr. Thornett Miss Leighfield	8
		30, Gordon Street, Glasgow	Speakers' Class	8
Fri.	11.	Dunoon, Burgh Hall	Miss Eunice Murray Miss Molony, Miss Munro	8
		Cheltenham, Sandford Lawn	Dr. Earengey	
Sat.	12.	Tottenham, High Cross Institute	Jumble Sale	2.30
		Glasgow, Charing Cross Halls, Café Chantant	Miss Molony, 2.30 to 10 Ex-Provost R. Wilson, J.P.	P.M.
		Glasgow, Hillhead Branch,	Café Chantant and Sale	
Mon.	14.	Glasgow, Burgh Hall, Hillhead	Miss Molony, Miss Munro Rev. David Graham Alex. Mackendrick, Esq.	8
Wed.	16.	South Place Institute, Finsbury	Countess Russell	1 P.M.
		47, Mosley Street, Manchester	Miss Matters, Mrs. Despard "At Home"	
Thurs.	17.	Caxton Hall, Westminster	Mrs. Zangwill	3.30
		Cheltenham, Lowmandale	Mrs. Mills	
Fri.	18.	Denniston, Blackfriars Hall	Mrs. Billington-Greig Miss Eunice Murray	8
		Montrose, "Young Scots"	Miss Anna Munro	

*** All communications intended for the Women's Freedom League columns should be addressed to The Editor, W.F.L., 1, Robert Street, Adelphi, W.C., and must reach her not later than first post **Saturday.**

Men's League for Women's Suffrage.

OFFICE: 38, MUSEUM STREET, LONDON, W.C.

Telephone: 9953 CENTRAL.

Chairman of Executive Committee: HERBERT JACOBS.
Hon. Secretary: J. MALCOLM MITCHELL.
Hon. Treasurers: GOLDFINCH BATE, H. G. CHANCELLOR.
Hon. Literature Secretary: A. S. F. MORRIS.

Notes and Comments.

WE ask those of our readers who are members of the League to pay attention to the advance notice of a Special General Meeting, which appears below. The letter will reach every member by Friday week, but in case of any accident, or unrecorded change of address, we give the notice below, the exact date being deferred till next week.

It will be remembered that by the constitution of the League the publication of a circular letter in *Women's Franchise* is held to be sufficient notice. Hence if any member, owing to change of address, receives his personal notice within the fourteen days required, the holding of the meeting will none the less be in order.

We were frankly disappointed with the debate between Mrs. Billington-Greig and Mr. St. Loe Strachey, editor of *The Spectator*. As the reporters say the "Suffrage protagonist was not extended." Mr. Strachey is more formidable with the pen than he is on the platform, and though much of his speech was written, there was a halting uncertainty which made us feel that a little more thought would have made him a Suffragist. He declined to impute to women any inferiority save of muscle; he was all compliment. As we heard the mediæval theory of government bravely trotted out with the vaunted trappings of chivalry, we felt, with the poet,

> High on the fence sings Mr. S.,
> "Force is the root of all success."

Whether any persons in the audience changed their views during the debate we do not know. From what we heard, however, we infer that the most hopeful way of disturbing the Anti-Suffragist is to give him a chance of hearing one of his leaders.

We publish a letter received by one of our members, Capt. C. L. Gomme, who has been making vigorous attempts to find out the exact position of political offenders in relation to magistrates and the Home Secretary. The point ought to be clear enough, but somehow it seems to be enveloped in impenetrable mystery. No matter what view we take of the particular case of the National Women's Social and Political Union leaders, the general principle ought to be officially stated.

Special General Meeting.

A REQUISITION having been received, a meeting of the Executive Committee was held on Tuesday last to consider the date and other arrangements for a special general meeting of members. The Committee, though anxious to hold the meeting as early as possible, came to the conclusion that, having regard to the notice (a fortnight) required by the rules of the League, and the approach of the Christmas season, the meeting could not conveniently beheld until Friday, January 8th.

The actual date of the meeting is under consideration by representatives of the Committee and the requisitionists. Notices will be sent out as early as possible to all members, and the exact date and agenda of the meeting will be given in these columns next week.

Of three resolutions set down by the requisitionists of the meeting, the Committee unanimously adopted the third, viz.:—"That it be a direction to the Committee to press upon the Government in every possible way the necessity for treating persons of either sex who are now in prison, or may hereafter be imprisoned, in connexion with the agitation for the grant of the Parliamentary Vote to Women as first-class misdemeanants.

Sheffield Meeting.

A VERY successful conference was held by the Sheffield Suffrage Society on November 27th, on the initiative of Dr. Helen Wilson and Mrs. Robert Styring. The first item on the agenda was the formation of a branch of the Men's League. It had been hoped that our Chairman, Mr. Herbert Jacobs, and Mr. Herbert Lee Midgley of Leeds would speak for the League, but Mr. Jacobs was unable to leave London, and Mr. Midgley was therefore the League's representative. As a result of his remarks several Sheffield men have written to the head office, and there is every prospect of forming a branch in the near future.

The Sheffield papers gave good reports of the meeting, a favour which is not always accorded by the lords of journalism, and we gather that a very good impression was created by the meeting.

Finchley Meeting.

THE meeting under the joint auspices of the Women's Freedom League and the Men's League in the High School, Great North Road, Finchley, on Thursday, Nov. 26th, was distinctly successful. Till quite recently the district, which is a large area sparsely filled as yet with suburban villas, had been touched only sporadically by Suffragists societies, and it was the more satisfactory that the hall was practically full. The chair was taken by Miss Hicks, M.A., and the speakers were Mrs. Despard and Miss Sidley for the Freedom League, and our treasurer, Mr. H. G. Chancellor, on our behalf. The speeches, out of regard to the fact that the policies of the two societies represented are not quite the same, were mainly propagandist. Those of Mrs. Despard and Miss Sidley are reported elsewhere.

Mr. Chancellor laid special emphasis on the argument that the enfranchisement of women, so far from producing domestic strife, would, as in New Zealand, increase the cordiality of home life by providing a new series of mutual interests between the members of the household. He then gave a brilliant summary of the development of legislation since 1832 in relation to the three main extensions of the Franchise, showing that each of these extensions has been followed by an immediate investigation of the needs of the new electors.

There was practically no opposition, and the resolution was carried with two or three dissentients.

A very satisfactory feature was the presence of a large number of Men's League stewards, some of whom had come from distant parts of London. Two men joined the League.

Liverpool Branch.

A MEETING was held in the rooms of the National Union of Women Workers, 27, Leece Street, last Monday evening, at 8 P.M., to formally establish the Liverpool Branch of the Men's League for Women's Suffrage. Officers were elected, and a constitution was drawn up.

Canon Kempthorne and Mr. Hugh R. Rathbone have consented to become Vice-Presidents, and the following gentlemen have consented to become members of the Committee: Messrs. W. Lyon Blease, LL.B., H. E. Crawford, B.A., H. C. Gorst, A. A. Roden, A. J. Sexton, C.C., Rev. J. M. Forson. Important plans for future work were considered.

ARTHUR R. ALLERTON, Hon. Sec.

Stewards' Corps.

The tickets ultimately available for the corps for the Albert Hall Meeting are not enough to go round. The names have, therefore, been taken by lot. About forty had promised to go.

The debate between Mrs. Fawcett and Mrs. Humphry Ward is postponed. Those who have promised to steward are asked to excuse the delay in despatch of tickets, which is not due to us.

The corps has been very active during the last week, the responses being much more numerous. J. M. M.

"Political" Offences.

I HAVE already on a former occasion endeavoured to persuade the Home Secretary to cause the Suffragette ladies to be treated as political offenders, but have found him, while not unsympathetic, much handicapped by the rules and regulations by which, like other people, he is bound. He cannot, of course, interfere with the discretion of the magistrates, but I am sure that he will give every consideration to any case of actual illness. I am quite sure that it would be useless for me to approach him again after so short an interval, and I would, therefore, suggest that you should ask some other member who has not already done so, to take the action you desire. Possibly the member for the constituency in which you now reside may be able and willing to do something in this direction. If you desire to see me on the subject I shall, of course, be glad to make an appointment with you at the House of Commons.

[Signed by an M.P.—ED.]

Government by Force.

A VERY remarkable feature of the controversy which rages round the question of Women's Suffrage is the recrudescence of the old "Force" argument. Opponents of Women's Suffrage argue that society in the last resort is based upon physical force, and therefore that, since physical force is predominantly the characteristic of men, legislation is distinctively the province of the male sex. It is so long since constitutional government was established in this and other civilized communities, that we are no longer vividly conscious of the facts which it represents. It may be well, not only from the Women's Suffrage standpoint, but on general grounds, to bear in mind certain elementary fundamental facts.

It may be admitted that if all the artificial products and ordinances of society are absent, a fierce quarrel between two human beings is settled largely by superior brute force. This is not quite true, for even under such extreme conditions brain and character (*i.e.*, civilization) are important. The point, however, is that such barbarous conditions practically never arise. Why? Because individuals have banded themselves together for mutual advantage and protection. This is civilization.

THE FORCE OF SOCIETY.

The object of the association of individuals is that their united strength may be sufficient generally to overawe or, if necessary, to defeat those who would resort to physical violence for selfish, *i.e.*, anti-social, reasons. Laws—constitutional, civil, and criminal—and international agreements are simply a series of statements as to what society as a whole regards as good for itself in its internal and external relations. The purpose of these codes is to obviate the necessity which in non-civilized communities is upon the individual to fight for himself, *i.e.*, to equalize the chances of the physically weak and the physically strong—to give brain the advantage over mere muscle. Nowadays, as compared with primitive ages, when every person's time and energy were fully absorbed in the physical struggle for bare existence, it is generally possible, owing to the peaceful conditions which civilization has produced, for the members of a community to devote themselves to productive work, the development of scientific invention, the arts and crafts, literature, and the like.

THE ARMY AND THE POLICE.

It may be admitted that force still plays a considerable part, if a negative one, in civilized society. But how and by whom is that force exercised? We are told that society is not on a sound basis, unless those who make the laws are also those who can and would, if necessary, use force to prevent their infringement. This is in practice a half-truth only. For what are the facts?

In this country the laws are made directly by an infinitesimal section of the nation, and indirectly by the whole electorate. They are upheld primarily by soldiers, sailors, and policemen, and secondarily in minor spheres by, *e.g.*, gamekeepers, private-policemen, dogs. Now, in the first place service in any of these capacities (save the last!) is voluntary. In the second place, all such persons are servants of society or of individuals, selected on account of their special fitness to use force if necessary, at the requisition of their employers. None of them are members of the legislature; comparatively few, as a matter of fact, are even voters.

It is, therefore, obviously false to argue that laws are respected and enforceable only when their makers are also their defenders. WOMEN AND THE NATION'S FORCE.

What position do women occupy in this system? We have seen that the nation's force is a body of professional persons hired and controlled by the united brain and wealth of society. Yet we are told that if women had the Parliamentary vote, society's force would be weakened. Apart from the known fact that such a catastrophe has in no sense followed in those places where women are electors, several obvious considerations combine to refute such an idea.

Women have the Municipal vote already. Yet the authority of municipalities has certainly not been diminished thereby. But most important of all is this fact, that, as we have seen, the ultimate basis of force is the agreement of society to pay for its own security. Towards the upkeep of army, navy, and police, women contribute a fixed proportion individually, exactly as men do. They would continue to do so if they were voters, and it passes the wit of man to see why our soldiers and sailors should be less efficient because women, instead of sharing in the cost merely, shared also in the control. The organized trained force of society would be precisely the same; it would still be officered by men; and men would not fight the less vigorously for hearth and home if their womenkind were voters, instead of merely contributors to the cost.

WOMEN AND WAR.

Such is the practical side of the matter. But, says the theorist, men bear all the burden of war; they ought, therefore, to have the sole right to decide when they will make it. Surely nothing could be further from the truth. Putting aside the cruelty of making light of the bitter anxiety which women have borne throughout the ages in wartime, we may turn to the economic side of the picture. Advocates of war, as a means of aggrandizement, love to speak of large indemnities following on victory—extension of trade, and so forth; but we have not forgotten that even a victorious war may lead, nay must lead, to economic stress if not disaster. Wages do not seem to go up; taxes certainly do, and the cost of living follows suit. This falls on women heavily—on the woman at home (whose labour is in the truest sense productive, both to the home and to the nation) and the woman in the workshop; worst of all, on the class of woman who has to be in both places in turn, to care for children as well as to provide the money which pays for food, clothing, and housing.

IN TIMES OF ANARCHY.

Finally, supposing the "Force" argument were not refuted by these sufficiently obvious facts, it would have very little significance in practice. The argument, if it means anything, means that there would be an outbreak of force on the part of men against laws in the making of which women had taken a share. What does such a statement amount to? Does it mean that all men would revolt in a body against all women? If that were the case there would be no fighting at all; such a revolution would be bloodless and swift, and men would merely return to their proud position of privilege. Does it mean that some men would rebel? If so, it is beyond question that the force of law and order would prevail, for those who would rebel are, *ex hypothesi*, the undesirables, the impermanent, the selfish. The great mass of law-abiding men would stand firm in the interests of constitution and justice.

(*To be continued.*) J. M. MITCHELL.

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