

WOMEN'S SERVICES
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THE Catholic Citizen

Organ of St. Joan's Social and Political Alliance, (formerly Catholic Women's Suffrage Society), 55 Berners Street, London, W. 1.

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Price Twopence.

Daughter of the ancient Eve,
We know the gifts ye gave and give;
Who knows the gifts which *you* shall give,
Daughter of the Newer Eve?

—Francis Thompson.

Status of American Women

BY HELEN WETZEL, L.L.B.

Since each state of the United States of America ranks as an independent sovereignty it follows that the legal and political status of American women varies among the different states just as the legal and political status of women all over the world varies among the different countries. Some states of the American republic retain the old English common law with changes by statute. These we call common law states. Some states have formulated codes of their own, which cover questions of law and equity. A state of this type we call a code state. Other states have legislation based on the French and Spanish legal principles which settlers from Spain and France brought to America with them. These we call civil law states.

The state of New Jersey is a common law state. Up to a few years ago its laws with regard to married women were decidedly unjust, and on some points even cruel. For instance, at the husband's death the wife received as her dower only a life interest in one third of his real property, and she had no right to any of his personal property unless he willed it to her. Personal property includes bonds, stocks, money, mortgages, leases, in fact everything that is not included in the term "land." The fact that she had spent her life looking after the spiritual and physical welfare of a large family of children as most mothers always have done, that she had laboured at cooking, sewing, and cleaning in the home, or had supervised others at such work, that she had helped her husband's financial success by self-denial and careful economy, evidently meant nothing whatever in the eyes of the legislators who

continued to maintain the common law marital principles. If the husband died wealthy in personalty and with no real property or very little of it, he could leave her in poverty by failing to provide for her in his will. Many such cases of injustice to women have occurred.

In a town not far from where I lived some years ago, a man died and left a wife and son. The wife had been a respectable and industrious woman. According to New Jersey Law the property went to the son. He turned his mother out of the house. She appealed to the judge in the town in which she lived, and he ordered the son to allow the mother a room in the house for life. That was all she could have after her life's work in making a home for the husband and son. The room, I suppose, was in lieu of her dower right to a life interest in one third of the realty.

The legal theory is that no sentiment enters into the law, and everything must be considered financially. How inconsistent then the common law treatment of the widow. As housekeeper, as nurse, as laundress, as cook she earned four salaries. Yet she could collect nothing from her husband's personalty if he decided to will it from her. The principle was that services in the home were not entitled to payment—any twist of reasoning was welcome if it could keep the woman at a disadvantage.

On the other hand all property arrangements were very much in favour of the husband. He had life control over all a wife's realty before and after her death. She could will it to others, but he retained his control, called his curtesy right, until he died, regardless of her will. Her

personalty he controlled absolutely both during her life and after her death. Many a stupid, or selfish, or shallow husband squandered a wife's fortune which she had received from her parents. A husband, however, had no curtesy right if there were no living children born to the couple.

In view of the fact that the law gave the husband such tremendous powers men deserve the admiration and respect of every intelligent woman because so many of them did treat their wives ethically. As I heard a suffrage speaker say once, "It's a wonder the men were as good as they were."

New Jersey legislators have improved the laws by statute during the last century, and especially during the last ten years. Now the husband and wife are each entitled to a life interest in half the real property left by the other at death. Neither can defeat this right of the other by will. In New Jersey a married woman may sue or be sued without joining her husband. Judgments operate against her as though she were single. She is entitled to the earnings of her separate employment, and she may contract as though she were unmarried. If a married person dies intestate one third of the personal property goes to the husband or widow. If there are no children all the personalty goes to the husband or widow. Either husband or wife can defeat by will the right of the other in the personal property. Since 1925 women teachers in the public schools have equal rights with men teachers. Since 1926 mothers have equal rights with fathers to the services and earnings of their minor children, and women have the same right as men to be executors and trustees. Since 1927 married women have full power to enter into contracts, and they may have an independent domicile for voting, office holding, and other purposes. Since 1928 mothers have equal rights with fathers to appoint guardians for minor children by will. New Jersey ranks among the leading states of the country for progressive and enlightened legislation. The work of women's business and professional organizations, suffrage organizations, and equal rights organizations have had a very great influence on the improvement of legislation for women.

Not only does the advent of women into politics portend the improvement of the condition of women. It also appears to indicate favourable results for the men. A woman legislator of New Jersey last winter introduced a bill to do away with the payment of alimony by a husband in case his divorced wife remarries.

The bill was a just one and was passed. Some women had been collecting alimony from more than one husband. It had become a racket. The fact that a woman introduced the bill received favourable comment from the press. Women in politics are just as eager for justice for men as they are for justice for women. That is why the equal rights principle is gaining headway among the women who are well-informed and experienced in the law.

New York State is a code state. During the last ten years mothers have received equal rights with fathers to the custody of a child when the parents are living apart without divorce, girls have received the same protection as boys with regard to capacity to make wills of personal estate, mothers have received equal rights with fathers to inherit real estate from a deceased child, mothers have received equal rights with fathers in the guardianship of the real estate of minor children, women have received the same rights as men to be appointed administrators of states, women pharmacists have received the right to work on the same terms as men, wives may have an independent domicile for the purpose of voting and office holding, and widows have been placed on the same footing as widowers as to their interests in the estates of their deceased consorts.

Many people experience surprise that these laws require passing. They have always assumed that women receive equal treatment with men before the law. Let us take the question of the domicile. Under the common law the husband established the wife's domicile. A bad husband could make it unbearable for his wife to live with him. If she left him and went to another state and supported herself his place of domicile still remained hers. After women received the vote the husband in such a case could prevent the wife from voting in her new residence because his domicile was her domicile no matter where he choose to establish it and regardless of her wishes. Such cases actually have occurred in which a husband prevented his wife from voting although she was not the party at fault in the marital trouble.

Both common law and code states vary greatly in their legislation with regard to work, marriage and other matters. Each state has established its own regulations to improve or modify the common law principles. No two states are alike in statutory enactment. Many unjust discriminations against women still exist.

Continued on page 85

Notes and Comments

We are glad to see that Señora Palencia, who was one of the Spanish Delegates to the Assembly of the League, has been appointed to the new Slavery Commission. It is most necessary that a woman should serve on that Committee in order to bring forward the evils pressing upon native women, who in some respects are slaves bought in marriage to work in their so-called husband's fields. A great evil!

During the Assembly at the Sixth Commission, Mlle. Forchhammer (Denmark) said that she was glad to note that the appointment of a woman on the Advisory Commission (on Slavery) had been recommended. There was a large number of women among the slaves, and their situation was even worse than that of the male slaves. She hoped that strong measures would be taken with a view to expediting their liberation.

On October 12th, by kind invitation of Miss Butler Bowdon, the Committee and office workers met at her flat, when Miss Barry gave an interesting and entertaining report on her movements in Geneva, and the contacts she made, and the good work done there.

A letter appeared in the "Times" of October 10th, signed by distinguished musicians, amongst them Sir Thomas Beecham, Sir Henry Wood, Sir Dan Godfrey, Sir Richard Terry, Dr. Malcolm Sargent, and others, appealing for public support for a festival performance of Dame Ethel Smyth's "Mass in D" in the Royal Albert Hall, with the Royal Choral Society, under the direction of Sir Thomas Beecham. The purpose of the performance, says the letter, is to do honour to a very distinguished composer, who is also renowned for her literary achievements. The B.B.C. are making a special feature in their January festival of Dame Ethel Smyth's "Prison" and one or two smaller works. If enough subscriptions are raised it is hoped that the Mass may be performed on February 3rd, 1934, making with the B.B.C.'s performances something of a festival in honour of Dame Ethel Smyth's 75th birthday next year. We sincerely hope that sufficient funds will be forthcoming without difficulty. Our readers will have the opportunity of seeing Dame Ethel Smyth at the

great Mass Meeting at the Central Hall on November 14th, when she will conduct her "March of the Women," composed for the suffragettes.

St. Joan's S.P.A. deeply regrets that the Protocol on the Traffic in Women put forward by the French delegate on the League's Advisory Committee on the Traffic in Women was accepted in Geneva. It was made a little less objectionable because it now makes it an offence to procure a woman even over age for prostitution in another country inclusive of that country's colonies. Abolitionists do not support it, on the ground that it really sanctions the procuring of women for brothels in their own country. That is the reason countries which still hold to the loathsome system of State Regulation of Vice were able to sign it. As the A.M.S.H. puts it, "if we support the Protocol we are giving approval, with all the facts in front of us, to a measure which in effect and by implication is a legal instrument recognising traffic in women within a country's frontiers is not a punishable offence."

TO OUR READERS

In response to the appeal we published last month one member sent us £1 to be spent in eight yearly subscriptions for the clergy. Another suggestion we have to make is that people should subscribe for the "Catholic Citizen" to be put in Public Libraries. This would be excellent for propaganda purposes.

C. S.

OBITUARY

DEATH OF DR. ELIZABETH KNIGHT

We record, with deep sorrow, the death of Dr. Knight, Hon. Treasurer of the Women's Freedom League, as the result of an accident. She is an irreparable loss to feminism, and we send our deep sympathy to our friends of the Freedom League on whom the blow falls heaviest.—R.I.P.

We offer our deepest sympathy to the Hon. Mrs. Walter Roch on the death of her father, Lord Treowen.—R.I.P.

We record with deep regret the death of Dr. Christine Murrell, in whom feminism loses a champion. Dr. Murrell was the first and only woman to be elected to the Council of the British Medical Association.—R.I.P.

ST. JOAN'S SOCIAL AND POLITICAL ALLIANCE,

AND

Editorial Office of "Catholic Citizen":

55 BERNERS STREET, LONDON, W.1. Tel. Museum 4181

Signed articles do not necessarily represent the opinions of the Society.

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Women's Work under Labour Law

This survey of Protective Legislation for women in industry, published by the International Labour Office, leaves one more than ever convinced that the proper term is not protective, but restrictive. In taking a comprehensive view of the whole question the reader, with a memory, is constantly reminded that most of the pre-conceived opinions as to woman's capacity for work were blown to smithereens by her work during the war. It was then authoritatively stated that she flourished and improved in health on work which had been considered beyond her capacity. But the old theories are still put forward. It must not be thought that those who stand for the freedom of women to earn their livelihood, ignore the benefit of protection of all workers, but they do look askance at special regulations for woman as a danger which may end in her being deprived altogether of her right to earn. The employer may find her too much of a nuisance. The struggle to live is hard enough without hampering restrictions and arbitrary prohibitions. In chapter 6 (Hours of Work), we are told that regulation of hours of work is of special interest in the case of women workers, because when they perform their occupational tasks, most of them find other work waiting for them at home as housekeepers and mothers of families. In the main that may be true, but it is more than doubtful that it is therefore "In her own interest and in that of the family of which she is the centre, and of the children whom she has to educate, it is of the utmost importance that some limit should be set in those tasks which alone can be influenced by the public authorities, namely, her occupational duties." To us

the woman is the best judge of how she may best dispose of her time, and regulate her domestic affairs, and it seems a dangerous doctrine that public authorities should have the right to curtail a worker's gainful employment on the chance of her neglecting other duties. And since when is the "education" of the workers' children left to the mother alone? The proper course is to fix reasonable hours of work for both men and women. It is depressing to read all these prohibitions and restrictions of women's work, which have spread throughout the world, there seems but a step more to the Nazi position, a woman's place is the home, let her stop there and let any male relative who is willing support her. An impossible situation! It would indeed depress the standard of living of the working classes and force them down once more to a bare subsistence level. Women in Great Britain are alive to the danger, hence the great Mass Meeting to be held at the Central Hall on November 14th. A study of this book should bring many converts into the Open Door Council, the policy of which is upheld by St. Joan's S.P.A. in annual resolutions: "St. Joan's S.P.A., while believing that protection should be afforded to industrial workers, declares that to impose restrictions on women only is to treat them permanently as minors, and to lower their status as workers. It believes that the only policy which safeguards their individual liberty and responsibility is that of basing all labour regulations and restrictions upon the nature of the work and not upon the sex of the worker, and calls upon the government to apply this principle to all legislation." L. DE ALBERTI.

Status of American Women—Continued

In some of the civil law states the laws in connection with married women and community property are very unjust. Community property is the property acquired by the husband or wife or both after marriage. The management, control, and disposal of community personal property in some of the states belongs to the husband in spite of the fact that the wife may have earned or saved as much as the husband. The husband may even deed away community real property without the wife's consent. The husband can will half the community property to whomever he wishes, but the wife cannot will any of the community property away from the husband.

Slowly but surely these discriminations against women in the civil law states are disappearing. However most of them still exist and require equal rights legislation to secure women protection from injustice. Under present conditions one state removes one injustice and another state removes another type of injustice. By this method a hundred years would pass before all injustice would cease to exist in all the states. There is one point in community property states on which husband and wife are equal. Each holds independently of the other property held before marriage, because such property is not regarded as community property.

In several states both of common law and civil law origin the father is the sole guardian of the minor children and is alone entitled to their services and earnings. Some states give these rights to both parents. In some states the property of the intestate son or daughter goes to the father to the exclusion of the mother.

The double standard of morals is legally recognized in most states. In some states only women can be penalized for prostitution or for soliciting for prostitution. Divorce laws with regard to adultery discriminate very unjustly against the wife in various localities, although in some states these laws are just.

In most states the services of the wife belong to the husband, and in most states he can collect her wages. In many states the husband can claim damages for the loss of an injured wife's services, but the wife can claim nothing for the loss of the injured husband's services or support. The damages go to him.

Many states have special restrictions on the night work of women which handicap them

very much, and in some cases have been the cause of women losing their employment. The Supreme Court of the United States has declared a minimum wage law for women unconstitutional stating that women have the right to contract for labour on the same terms as men. Fifteen states enacted minimum wage legislation for women before women were enfranchised, but only six have attempted to enforce it. In all of these states as work has become more scarce women workers have been replaced by men and boys, and the minimum wage has become the maximum for women. To avoid having men undercut the minimum wage for women which they are doing legislation should give men and women equal pay for equal work.

We speak of the United States as the "land of the free," and in our pledge to the flag we refer to "justice for all." Yet American women, especially married women, receive from the law in many instances neither freedom nor justice.

The equal rights sentiment is growing stronger in the United States all the time. Individual men and women and women's business and professional organizations are becoming more and more appreciative of its practical necessity. The adoption of the amendment will help to bring about a more ethical civilisation than America has yet experienced.

We were glad to read of the interesting function at Birmingham given in honour of the President of the National Union of Women Teachers, our member, Miss Walmsley. The function took the form of a dinner at the Queen's Hotel, attended by over one hundred persons. Amongst the guests were: Dr. Barnes, Protestant Bishop of Birmingham, and Sir Charles Grant Robertson, M.A., C.V.O., Vice-Chancellor of the University (who proposed the health of the President of the N.U.W.F.) and many other distinguished men and women. The gathering was marked by a warmth of friendliness. We congratulate the promoters and organisers, a well-deserved tribute to Miss Walmsley for her work for education.

Among many other "listeners" we were amazed to read the B.B.C. statement that after experiment, the B.B.C. does not intend to include women in the regular announcing staff. We feel inclined to ask with "The Vote," is this because the salary is £500 a year?

The World Position of Women as Earners

A meeting on the World Position of Women as Earners was held by the Alliance on October 27th in St. Patrick's Clubroom. Dr. Ethel Poulton, who had come from Birmingham to take the chair, declared this question one of the "outstanding social and economic questions of the day," for an attack on women earners had begun afresh.

Miss Butler-Bowdon, who, together with Mlle. Le Noël, Secretary of the French Section, had represented the Alliance at the Open Door International Conference in Prague, quoted the dismissal of 500 married women teachers in New South Wales, the dismissal of women teachers and officials in the Ministry of Education in Bulgaria, and Sir Herbert Austin's reported opinion that it would be better should all women be turned out of industry, as proof of the increasing insecurity of the woman worker. Describing her experiences in Prague, she told how the Conference had passed various unanimous resolutions asserting the principle of equality in regard to night-work, insurance, mines, and the right of the woman earner to marriage. Meetings had been enthusiastically attended. Prague itself had given the delegates an official reception in the beautiful and historic Town Hall, and the freedom of the city, with a free pass for all means of transport. She had, she said, been much impressed by the famous miraculous statue of the Holy Child of Prague, "The Little Great One," before which she had prayed for the success of the Conference and for the Alliance.

Mrs. Abbot, Chairman of the Open Door Council, then addressed the meeting, stressing the importance of the struggle for economic equality. Supplementing Miss Butler-Bowdon's world survey, she added that in Italy the position of the earning woman was very bad, while in Germany, Dr. Frick, introducing a bill excluding women under 35 from Government posts, had deplored the fact "that men to-day look upon their wives as companions in life rather than mothers of their children." Even in Denmark and Sweden there were constant attacks on the married woman earner. The economic position of women was weaker all over the world, partly through the crisis, partly through failure to realise that in all age political power had been a means to achieve economic equality. The position of women, she said, was best where law or custom, and custom had its importance, allowed them economic inde-

pendence. In Great Britain since 1840 the position of the employed woman had been depressed by restrictive legislation, but in Germany, even before the new regime, there was not even a married woman's property Act; while in France, even without the vote, the position of woman was in many respects better because accepted custom allowed the right of the married woman to work, and the dot mitigated her sense of dependence.

In Austria the value of custom was even more apparent. Austria had escaped the Code Napoleon, the married woman had the right to property, it was the habit of a father to leave his farm to his daughter rather than his son if she were the better farmer, and small businesses were frequently run in the joint names of husband and wife. While Scandinavian women enjoyed the best economic and therefore the best political position among European States, the country where women were best off of all was Burmah. Burmese women ran half the trade in the country; they had had the municipal vote for over fifty years.

Unless the goal of economic equality was reached soon, Mrs. Abbot concluded, the position of women will be worse than ever before.

It is for women to realise that even after full political enfranchisement has been gained, they must continue to concentrate on the fight for economic freedom (and not spread themselves on pure milk, smoke abatement, etc.).

A vote of thanks, to speakers and Chairman, was moved by Miss Christine Spender, and seconded by Miss Eleanor FitzGerald.

In view of the Advisory opinion of the Court of International Justice that the Convention on the Prohibition of Night Work for women includes women in posts of supervision and management. A Memorandum of Protest has been sent up to the International Labour Office by bodies of professional and business women liable to be affected should the opinion be accepted.

While St. Joan's S.P.A. appreciates the necessity and propriety of this memorandum, and while the Alliance has, also protested against the Advisory Opinion, we could not sign the memorandum since we also object to the prohibition of night work for women manual workers, and urge that hours of work should be the same for men and women manual workers.

B. B. C.

CORRESPONDENCE

October 31, 1933.

To the Editor, "The Catholic Citizen."

Madam,

May I be allowed to make one or two comments on the subject of the position of the African woman, lately discussed in your paper?

1. "Brideprice" or "dowry" in Africa, in the form of cattle (as it was originally and still is in many parts of Africa) or money, is a mistranslation of a word which has no connection with buying or selling. Thanks to the researches of many missionaries and anthropologists, it is recognised now that the ideas underlying the custom are those of "compensation" and "insurance." I would refer your readers to various articles on the subject in "The International Review of Missions," and "Africa," the organ of the International Institute of African Languages and Cultures.

2. On economic grounds, polygamy is only possible for the rich or at any rate the well-to-do. The vast majority of Africans are poor.

3. In Africa, the family is of more importance than the individual. Even so, in Nigeria thousands of women have banded themselves together in powerful societies, entirely independent of the men. (See Report of the Aba Commission of Inquiry.)

A widow, at any rate among the Bantu of East Africa, is usually free to refuse to marry her late husband's brother, who however is responsible for her well-being, and who is allowed by tribal custom to marry her if she is willing.

4. Many women missionaries who have lived in African villages have testified to the power and influence of the women. The Bantu woman by her own tribal custom has control over the food supply of herself and her family, has the right to the land she needs for that purpose, and there are numerous instances of her having acted as chief or elder of her clan or tribe with distinction and ability.

Yours truly,
ISABEL ROSS.
(Late of Kenya Colony.)

78 Broadway,
Letchworth, Herts.

Miss Boyle, whose statements, in a letter to the Editor, Mrs. Ross particularly questions, writes: "I stand to what I have said and written, and I do not fear any challenge; and I would like to add that much of my knowledge was gleaned at the missionary conferences which I attended in the humble capacity of reporter, whose personal views no one was concerned to note."

Talbot House,
St. Martin Lane.

Miss Butler-Bowdon represented St. Joan's S.P.A. at the Conference on Women and Local Government organised by the Women's Freedom League at the Caxton Hall on October 20th. We congratulate the organisers on a successful meeting. Citizens are apt to forget the importance of Local Governments.

TREASURER'S NOTE

Will readers do their very best to visit St. Joan's Stall at the Green, White and Gold Fair

at the Caxton Hall on either Thursday, Nov. 16th and Friday, Nov. 17th. The bazaar is open from 3 p.m. to 8-30 p.m. each day?

We shall have at our stall some very attractive Christmas cards and labels which have been specially designed for us by our member, Miss Butler-Bowdon, and we do beg all our members to come and help to make the Sale a success as the Alliance depends for its resources very largely on the proceeds.

There are still some members who have not yet paid their annual subscriptions. Would they kindly do so as soon as possible?

P. M. BRANDT.

TREASURER'S LIST.

October 1st—November 1st.

Anon.	5	0	0
Bagnall, Miss C.	2	0	0
Butler-Bowdon, Miss E.	3	0	0
D'Arcy, Rev. M. C., S.J.	7	6	
Fox, Mrs.	2	6	
Gerrits, Miss	7	6	
Gordon, Miss C. M.	5	0	
Jeffery, Miss	5	0	0
Morison, Mrs.	2	6	
Murray, Mrs. Mary A.	10	7	
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