THE CAUSE OF WOMAN.

A WOMAN PROPOSES TO REVIEW THE SUPREME COURT DECISIONS.

Indiana Produces the Lady Who Will Pick These Decrees to Pieces, So Far as They Refer to the Rights of Women—Troubles of a Congressman Who Declared for Equal Suffrage Recently.

It is said that a very able woman in Indiana is about to publish a book reviewing the decisions of the Supreme Court of the United States and of various States regarding the rights of women. This should by all means be listed under the head of humorous publications, for when it is considered that the decisions of these courts are accepted as the finality of legal acumen, specialized investigation and unsurpassed knowledge, it must be admitted that on this question they reach the climax of humor.

There are half a dozen pronouncements of the Supreme Court of the United States to the effect "that citizenship confers the right of suffrage," but when the Fourteenth Amendment, in its efforts to enfranchise the male negro, declared that everybody born or naturalized in the United States is a citizen, and women therefore claimed the right to vote, the court was obliged to run to cover. It provided its own shelter in its decision of March 29 1875, that "women are persons and citizens, but the National Constitution does not confer the right of suffrage upon any one." The States regulate all that. To be sure, the Federal Constitution says: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," but a little thing like that would not affect a great body like the Supreme Court.

Indiana offers a notable instance of the infallibility of Supreme Court decisions. In 1893, Mrs. Antoinette V. Leach brought suit to be admitted to the bar. The State Constitution reads: "Every person of good moral character, *being a voter*, on application shall be entitled to practise law in all courts of justice." The Legislature also enacted into a statute these identical words.

It seemed as if women were forever shut out from the legal profession in Indiana, but the Supreme Court got around it in this way: "The right to practise law is not a political question, but belongs to that class of rights inherent in every citizen, and pertains to the fundamental duty of every inhabitant to gain a livelihood. Judge Cooley says: 'To forbid to an individual or a class the right to the acquisition or enjoyment of property in such manner as should be permitted to the community at large, would be to deprive them of liberty in particulars of primary importance, &c.' In Story on the Constitution it is said that the right to acquire, possess and enjoy property and to choose from those which are lawful the profession or occupation of life are among the privileges which the States are forbidden by the United States Constitution to abridge.'"

So it was decided that the women of Indiana might practise law. Then one year later, in 1894, another woman decided she would like to be admitted to the bar also, but she wanted to stand behind it. The Statute reads: "Any *male* inhabitant having certain other specified qualifications may obtain a license, &c." Therefore this case also went to the Supreme Court, and it decided that, "by the use of the word 'male,' women are inhibited from obtaining license to vend intoxicating liquors at retail."

Thus the word "voter" does not prohibit a woman from practising law, because a statute has no right to interfere with the industrial liberties of a citizen, but the word "male" does prohibit a woman from earning a living by selling liquor.

The Supreme Court in its decision permitting women to practise law declared in the most unmistakable terms that, as the statute says simply that voters may practise and says nothing about women, "that which is expressed does not make that which is silent cease," "while voters are granted admission to practise, there is no denial of such right to women;" "this right may not be pursued in violation of law, but must be held to exist as long as not forbidden by law;" "the fact that the framers of the Constitution, or the legislators, did not anticipate a condition of society when women might desire to enter the profession of law, cannot prevail as against their right to do so independently of either;" "all restrictions upon human liberty, all claims for special privileges, are to be regarded as having the presumption of law against them."

Basing her claims upon these and many expressions equally as emphatic in the decision, Mrs. Helen M. Gougar of Lafayette offered her vote at the fall election in 1894. It was refused and she carried her test case to the Supreme Court in 1895. Her right to vote was denied, and the reasons given for the decision reversed absolutely every finding in the case of Leach for admission to the bar two years before, although in both cases the decision was written by the same member of the court, Chief Justice Hackney.

Thus in three consecutive years the Supreme Court of Indiana positively reversed its own decisions twice.

These cases are suggested by the recent finding of the Court of Appeals in Maryland, refusing admission to examinations for the bar to Miss Etta Maddox, a graduate in high standing of the Baltimore Law College. In that State the law does not use the term "male citizen," but speaks only of the "petitioner" or "applicant." Further on in the act the pronouns "he" and "him" are used and on this ground Justice McSherry refused to admit a woman.

They find no difficulty whatever in hanging a woman in Maryland by the use of these same pronouns, or in sending her to the penitentiary, the jail or the workhouse. In fact, all criminal law is written with the masculine pronoun, perhaps through the foresight that even as late as the beginning of the twentieth century, it would be needed but never three times in one as the formula in prison cases.

Justice McSherry was very magnanimous in his opinion, however, saying: "We are not to be understood as intimating that the laudable ambition of females to become lawyers [illegible] Assembly thinks it is expressing public [illegible] female might be admitted to the bar, it was so decided." [illegible] hope for Maryland females.

The Judge also [illegible] women were permitted to practise in England or in the principal courts of this country. Women are admitted to the full privileges of the bar in three Canadian Provinces, and half a dozen of the United States. As the crowning act of injustice he cites: "And they are denied representation in the Legislature which taxes them!"

In a recent interview Mrs. Bryan is quoted as saying: "Mr. Bryan has never quite reached the point of favoring woman suffrage."

Is it not singular how men will stand up for the rights of those of their own sex, be they white or black or yellow, and yet remain totally oblivious to the injustice of denying the same rights to women?

They are a chivalrous lot over in England. Recently the governing board of the Macclesfield Infirmary appointed Miss Murdock Clark as junior house surgeon. Thereupon the six honorary surgeons resigned. The board then met and requested Dr. Clark to hand in her resignation. She answered that she was fighting the battle of women physicians and would not do it. The board then adjourned to think over what should be done next.

In London last week the masculine staff of the *Chronicle* threatened to resign in a body if something was not done to check the encroachments of women journalists on the paper. So the management reduced the salaries of all the women one-third. Now there will be a protest from the men that women are underbidding them in the field of labor.

Mme. Sarah Grand must feel that her lecture on "Mere Man" is a tame affair since she attended the Pilgrim Mothers' dinner and heard Mrs. Lillie Devereux Blake on the subject.

IDA HUSTED HARPER.

DIVORCE IN TURKEY.

It is as Easy as Marriage Is in This Country—Any Cause Sufficient.

From the London Telegraph.

Divorce is very easy in Turkey and does not require a judge and jury to settle matters. All that is necessary is for the injured party to say, "I divorce you" three times and the deed is done. The husband has to place the wife a proper allowance, and all is over. Two cases have occurred recently which are rather amusing.

A certain Turkish gentleman is a keen amateur gardener, and his garden contains at all seasons a luxuriant show of flowers, he which he devotes most of his time, rather to the disgust of his wife, who is never allowed to eat them. Last month his favourite mouse wife in the height of their glory when a commission merchant [illegible] This threatened to destroy the magnificent flower beds of her husband, and in order to save them he said simply to her, "I divorce you!" [illegible] the last night he returned to Bagdad [illegible] the wedding and all the presents and sent her away to [illegible] the poor husband [illegible] and [illegible] the [illegible] which [illegible] the [illegible] and [illegible] the [illegible] and [illegible] the [illegible] and