

Equal Rights

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FIVE CENTS

SATURDAY,
DECEMBER 5, 1925



Photo by Underwood & Underwood.

Mrs. Rebekah Greathouse

Recently appointed Assistant United States District Attorney in Washington,
and Member of the Lawyers' Council of the National Woman's Party.

Feminist Notes

Woman Suffrage for All India

THE conferring of the vote on all qualified women in India, and the recognition of their right to enter the legislatures is assured, *Stri Dharma*, official organ of the Women's Indian Association, reports. The majority report of the Reforms Enquiry Committee of the Indian Assembly recommended that women throughout India be enfranchised, and that the bar against women's being elected or nominated as members of either chamber of the Indian Legislature or of the Provincial Councils be removed. The assembly unanimously voted in favor of resolutions recommending the adoption of these recommendations of the Reforms Enquiry Committee. It will take some time to go into effect, since the rules governing elections will have to be changed.

German Women Students Win All Prizes

WOMEN students won all the prizes in the Berlin University competition this year. No candidates competed in the State's prize for the philosophical and juridical faculty; the works for the theological faculty came in too late for competition; therefore, only the prize for the medical faculty was considered. It was divided between Fraulein Levy and Fraulein von Balden for their elaborations on "the diagnostic importance of the blood circulation for ear diseases." The minister has been asked to double the prize instead of dividing it between the two women. The Berlin city prize for the philosophical faculty was awarded to Fraulein Natalie Thon for a chemical investigation.

Woman Sheriff

MRS. FRANCIS HALL is the new sheriff in Henderson, Kentucky, elected after she took the place of her husband as candidate, following his death which resulted from a gun shot. She is Kentucky's second woman sheriff.

Postmistress Retires

AFTER serving as postmistress at the West Point Military Academy for twenty-five years, Mary Newlands has retired because of her age.

Manufacturers Seek Removal of Legislation

TEXTILE manufacturers of Massachusetts are seeking to have legislation affecting women's working hours and prohibiting their working after 6 P. M. repealed.

Women Engineering Students

THIRTY-FIVE women are students of engineering in the Massachusetts Institute of Technology this year.

Chinese Women

THE Chinese women seemed like a hidden stream of molten femininity renewed by the birth of daughters, but from which only sons sprang forth and had any real being," says Caroline Singer in the *New York Times*. The woman's first devotion is to her father, next to her husband, and then to her children, if she becomes a widow. One of the most frequent demands of the modern woman, Miss Singer says, is to have a home of her own separate from her husband's family. Loneliness is her greatest trial, however, if she escapes the lack of privacy that prevails in a large household, for if her husband has wealth, she has no work, and in any case only limited social intercourse. The situation is particularly difficult, because the pressure of population is such that there is not enough work for even all the men to be economically independent, much less the women whose religion has taught them submission.

Campaign for Equal Franchise in England

THE National Union of Societies for Equal Citizenship (England) has opened its intensive campaign for equalizing the franchise in England. The campaign will culminate in a large mass-meeting soon after Parliament meets in February. Distinguished speakers are being obtained for the occasion, the main object of which, *The Woman's Leader* reports, is to demonstrate the force of public opinion in the country in favor of equal franchise. The Women's Freedom League and other Feminist organizations are co-operating in the campaign.

Woman's Law School of New Kind

TIERA FARROW who belongs to the Missouri Branch and the Lawyers' Council of the National Woman's Party, has opened a women's law school of a new kind in Kansas City, Missouri. Her school will specialize in giving short, practical, non-technical courses in business procedure and in law affecting business, for housewives and others needing just enough law to attend to their business and property interests. It would be well if she would give a course on the disabilities of women under the laws of their country and their State, so that women would know exactly their legal status.

Self-Supporting at 100

SUSTAINING herself by her hunting and trapping up till the day of her death, a 100-year-old Indian squaw was found dead from heart failure in the lake near her canoe, which had been filled with game. The squaw lived in a lonely camp near Lake Kiskinning, in Quebec, and lived by her skill in trapping.

Italian Women Get Limited Vote

THE Italian Senate has adopted a bill granting women the right to vote in municipal elections by a vote of 157 to 68. The *New York Times* correspondent in Rome, however, says:

"The joke of the Woman Suffrage bill is that while the Senate is discussing the advisability of granting to women the right to vote in municipal elections, there is a bill before the Chamber to suppress municipal elections in 7,000 of Italy's 9,000 municipalities, thus depriving an overwhelming majority of women of anything to vote for. It was the knowledge probably, that the Government was depriving women with one hand of what was granted with the other that prevented any great opposition from developing in the Senate."

Women Liable for Husbands' Support

WHILE Austrian women members of Parliament are sponsoring a measure to make the wife equally liable with the husband for the support of the family, depending on individual ability, a Vienna judge has held that they already are so. Joseph Zaicz sued his wife for support on the ground that he was out of work, while she owned a store from which she received \$150 a month income. The husband claimed half of this income, and got it. The court held that while no law compels a wife to support her husband, the moral obligation to do so exists.

Danish Women and the Ministry

THE Danish Government has brought in a bill enabling women to be admitted to the ministry of the church. A similar bill was introduced last year and dropped because of the opposition of the State Church. It was thought that the measure might lead to the separation of Church and State.

National Bank Director

FLORENCE E. CASLER, "housewife, builder, and plumber," has been made director of a national bank in Los Angeles, the press reports.

Mrs. Greathouse Guest of Honor

REBEKAH GREATHOUSE, recently appointed Assistant United States District Attorney in Washington, was the guest of honor at a meeting at National Woman's Party Headquarters on Capitol Hill on November 22. Mrs. Greathouse expressed her gratitude to the Woman's Party and the Women's Bar Association of the District of Columbia, of which Burnita Shelton Matthews is president, in obtaining the appointment of a woman to this post. She emphasized the importance of women in the profession of law, since so large a percentage of the lawmakers are lawyers, and since the interests of women must be protected before the law.

Ruth Hudnut, author with her husband, Hayes Baker-Crothers, of "Problems of Citizenship," now used in more than thirty colleges and universities, introduced Mrs. Greathouse and told of the work of the National Woman's Party for freedom and equality. She defined a Feminist as "a figure of light, a woman who meets life, sees life, and feels life," and is willing to work for the advancement of women, even at personal sacrifice.

Miss Hudnut spoke of the comprehensiveness of the program for Equal Rights planned by the early Feminists, a comprehensiveness which was temporarily overlooked in the long arduous struggle for the suffrage as a tool for creating that final equality which they, as well as modern Feminists, sought.

"The Declaration of Principles of the National Woman's Party is an elaboration, a redefinition of that early 'women's declaration of independence' formulated at Seneca Falls seventy-seven years ago," she said.

The importance of concentration and single-mindedness in working for the immediate adoption of the Equal Rights Amendment as the next step in the struggle for final equality in every aspect of human life was stressed. Miss Hudnut also pointed out the need of international work to obtain and make permanent equality between the sexes in law, in customs, in politics, in economics, to bring about "a world not of men, nor yet of women, but of both men and women living and working on an equal basis."

Miss Hudnut briefly but vividly sketched some of the injustices and inequalities

which women now face in every field of human life, the sex barrier which hinders women at every point of their progress, from their childhood on through life.

Mrs. Harvey Wiley, chairman of the Homemakers' Council of the National Woman's Party, told of delegations to Virginia Senators and Congressmen, urging the importance of writing immediately into the Constitution of the United States the principle of Equal Rights between men and women.

"Next year we celebrate the 150th anniversary of the founding of our Republic, based on the principle that all men are born free and equal with certain inalienable rights to life, liberty, and the pursuit of happiness. It would be peculiarly fitting if, before we celebrate the 150th anniversary of the founding of that nation, we could include women in that category of freedom. We have already included the Negro by declaring in the Constitution that he shall be free. Let us also write into the Constitution the freedom of women," she said.

Tea was served following the addresses by Miss Hudnut, Mrs. Greathouse, and Mrs. Wiley.

The Ends of Justice

By Rebecca Hourwich

THERE is a scarlet woman in our town. She is curly haired, sunny, radiant with good spirits, beautifully built with perfectly turned ankles, jolly, always willing to lend a hand at anything, and unanimously voted an awfully good sport. Her unlined creamy face shows no line or trace in excess of her seventeen years. Popular, witty, she went her merry way.

One summer night a travelling salesman came our way. It is a breathlessly lovely country here, and when the moon makes a glittering pathway over jagged rocks and gayly tinkling water, many a sturdy heart is known to have had a quiver. Nothing has been said of the lady's head, merely her goodwill. So, presumably on one of these breathlessly lovely nights, the lady was more kind than clever, and took her portion of the forbidden fruit. * * * * * The salesman proceeded on his journey peddling useful wares. The girl became ill with that ugly disease the high price of which fleeting pleasure is often called upon to pay.

Each week the girl visits a clinic prescribed by law. Once she missed her regular visit and she was notified that the state required regularity in attendance from her. Viewed from a health angle this is only right.

Through this malignant infection, this little lady has achieved importance in our community. Her every movement is watched and reported. My friend, the town constable, explained the situation to me. "That girl is sick with a contagious disease. She has no right going around with any fellows, for she is liable to make them sick, too. What she has got to do, is keep away from the boys for a year, and then maybe if she is careful about her cure, the doctor says, she can commence going out again. Right now, she better lay off the good time or there will be trouble for her. She has had plenty of warning and she knows there are plenty of us watching her. The other night she went out with that city boy in his car and thought she could get away with it, but somebody saw her and told us.

"If she gave that boy her sickness, all he would have to do would be to swear out an affidavit against her, and she would get sent to a reformatory quicker than jack rabbits. * * * * * We can't have boys coming here unprotected. It's up to us to protect the boys from that girl, and we will, too!"

Often in past moments of malice I have

expressed myself of the hope that men had some of this "protection business" foisted on them. Here it was, a situation where boys were protected, and I could not relish the situation. For I could not help but think of the highways this girl had trod unprotected, and the long line that would follow her with that self-same salesman, and other men of roving habit. The ends of justice were not concerned with her, or her kind, as long as the clean and healthy were laid open to disease and foulness; the ends of justice were concerned with them only after they became tainted carriers that might despoil the manhood of the country. Apparently the ends of justice have not heard of "potential motherhood," or that Equal Rights applied to moral laws is more than a cranky principle, but the foundation without which all laws and legal adjustments are as futile and ridiculous as they were in the above mentioned case. And I have still said nothing about the spirit of fair play that presumably underlies our entire judicial system, and that the scarlet woman of our town has been heard to say that she thinks she got a rotten deal, and altogether her face is losing something of its radiance, its creaminess, and its goodwill.

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OBJECT OF THE WOMAN'S PARTY

To remove all forms of the subjection of women.

THE LUCRETIA MOTT AMENDMENT

"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

"Congress shall have power to enforce this article by appropriate legislation"

[Senate Joint Resolution Number 21.
House Joint Resolution Number 75.]

Introduced in the Senate, December 10, 1923,
by SENATOR CHARLES E. CURTIS.
Introduced in the House of Representatives,
December 13, 1923,
by REPRESENTATIVE D. R. ANTHONY.

When Will Women Dare to Be Free?

"RESOLVED, That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation by declaring themselves satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want."

THE above resolution was adopted in 1848 by the first Woman's Rights Convention held in this country. Seventy-seven years have passed, but the resolution holds as good today as it did in the first years of the work in this country for the equality of women. To be sure, a certain degree of freedom has been achieved by women during these years of endeavor to win for them greater opportunity and greater recognition. Women are taking part in practically every field of human activity, and in every one of these fields there exist discriminations based on sex to hamper and restrict them!

Although still discriminated against in every field, women, like other classes long suffering subjection, even now remain content with laws and customs which bar women from high public office, which make wives subordinate to husbands, which place difficulties in the way of woman's economic independence, which prohibit women earning their livings at certain hours and in certain occupations.

Women still "publish their degradation" by not daring to fight for more freedom, and still display "their ignorance by asserting that they have all the rights they want."

Recently in Washington a great body of women was called on by its Executive Board to oppose the Equal Rights Amendment, and was told by one of its men speakers that women already have all the rights to which they are entitled. They listened without protest and gave tacit approval to the resolution of previous conventions of their body, which is printed on the opposite page.

Subjected peoples acquire the psychology of subjection. Men long imprisoned have been known to be afraid of freedom. Women, long in subjection, still fear to be free, still dare not stand on an equal basis with men.

The fear and the timidity women display is but another argument for Equal Rights. It demonstrates dramatically to what condition minds and souls are brought by subjection. Freedom demands strength and courage. When will women dare to be free?

A Discrimination Because of a Minimum Wage

A MOST striking example of the point of view on which industrial legislation on a sex basis is founded, and what may happen when minimum wages apply to women alone, is furnished this week by British Columbia.

British Columbia has a minimum wage law applicable to women only. It seems that the farmers in British Columbia are meeting with difficulties this year. The law has said that women can live on a certain wage. Therefore, the agricultural committee of the provincial Legislature has proposed to the Minister of Finance, the Honorable Dr. D. J. Maclean, that a poll tax be imposed on women who are earning more than the legal wage under the terms of the minimum wage act, the proceeds to be used to relieve the condition of the farmers.

Nothing was said about taxing men of any income to help the farmers. No law determines what is a living wage for a man. But the law thinks it knows what is necessary for a woman to live on; therefore, all women earning more than that can afford to give of their funds to help the farmers, the honorable committee seems to argue.

It makes us a little dizzy to try to figure out who is protected by this "protective" law for women.

Blessings on Them

THE members of the Woman's Club of Secondary Schools of Baltimore, Maryland, have given EQUAL RIGHTS good cause for thanksgiving. Not only did they send us a check for fifty dollars in token of their gratitude for help given by the paper in behalf of the Equalization Bill, but in addition they renewed our faith in human nature and gave us inspiration to carry on.

Council of Catholic Women Opposes Equal Rights

THE convention of the National Council of Catholic Women held in Washington, November 15 to 18 went on record as opposed to the Equal Rights Amendment by adopting the report of its Executive Board which called upon the members of the organization to oppose the Equal Rights Amendment as actively in the future as they have in the past.

"Since the support of this measure will be vigorous, our opposition must be vigorous," said the Executive Secretary, who presented the report.

The attitude of the recent convention is in accord with the stand taken by every convention of the National Council of Catholic Women in the past three years. In Washington in 1922 the convention of the Council of Catholic Women adopted the following resolution:

Whereas, the so-called Equal Rights Amendment will seriously jeopardize the remedial industrial legislation for women in industry now existing in many States and will postpone indefinitely the passage of such legislation in States where such laws do not exist, and

Whereas, the adoption of such amendment would affect seriously the whole attitude on the part of men and women to the obligation assumed as husband and wife, and

Whereas, through this amendment the unity of home and family life is seriously menaced; therefore be it

Resolved, That we, the National Council of Catholic Women in convention assembled, do pledge ourselves to oppose actively the passage of such blanket legislation.

This resolution was reaffirmed at the

conventions of 1923 and 1924 and was presented to the House Judiciary Committee in a speech opposing the Equal Rights Amendment made by Agnes Regan, the executive secretary of the council, at the hearing before that committee last February.

While this resolution was not actually reaffirmed at the 1925 convention, the continuance of the opposition of the Council of Catholic Women was approved by adoption of the report of the Executive Board.

There was no discussion of Equal Rights on the floor of the convention in Washington, but reference to the equality of women with men was made by one of the principal speakers, a man, appearing before the Council. Women do not want Equal Rights, he stated, but desire some man to make them obey. Even if women did want Equal Rights, he said further, their wishes would be vain, for men could not be induced to give up their places as "lords of creation."

The attitude of the National Council of Catholic Women on the Equal Rights question is directly contrary to that of the organized Catholic women of Great Britain who have taken action favoring Equal Rights. Last April the Executive Committee of the St. Joan's Social and Political Alliance of Great Britain, a large and powerful organization of Catholic women, issued the following statement:

"The St. Joan's Social and Political Alliance stands for equality as between

men and women in industrial legislation. It opposes all so-called 'protective' legislation which applies to women and not to men, believing that all such restriction should be based on the type of work and not on the sex of the worker."

The St. Joan's Alliance stands also for political, economic and legal equality—for Equal Rights in every aspect of human life. Virginia Crawford, president of the St. Joan's Alliance, is a member of the International Advisory Council of the National Woman's Party.

The opposition expressed by the National Council of Catholic Women is, of course, not to be taken as indicative of the attitude of the Catholic Women of this country. Among the active members of the Woman's Party in every State are Catholic women who are working valiantly for the Equal Rights Amendment. During the recent convention, Catholic members of the District of Columbia branch of the party, headed by Mrs. Peter Drury of Washington, zealously lobbied the delegates, urging that the Equal Rights question be further investigated before action was taken. Many delegates to the convention were found to be in harmony with the Equal Rights program. Letters and telegrams to the same effect were also sent to officers of the Council from Catholics in a large number of States.

The action against Equal Rights taken by the National Council of Catholic Women, and other women's organizations, recalls the fact that the work for equal suffrage was carried on and accomplished, with identical opposition.

Republican Women Consider Equal Rights

By Jane Norman Smith
Chairman of the New York Branch of the Woman's Party

LAST spring the New York State Affairs Committee of the Women's National Republican Club stated in *The Woman Republican* that it was so determined to arrive at the right decision concerning legislation affecting the work of women in industry, that at its meeting on April 17 it adopted the following resolution:

"Owing to the agitation concerning the regulation of the working hours of women in industry which has resulted in confusion in the public mind; be it

"Resolved, That the State Affairs Committee of the Women's National Republican Club during the next six months make a thorough survey to ascertain the real desire of the women themselves who are actually employed in industry in New York State regarding legislation regulating their working hours."

As a first step toward enlightenment, the State Affairs Committee reserved a table and was represented by eleven of its members at the Consumers' League lunch-

eon, where industrial legislation was discussed by Assemblyman Shonk, Republican, who introduced the 48-hour week bill for women in the last Legislature, and Senator Nathan Straus, Jr., who introduced the 8-hour bill for women in previous Legislatures, both, of course, being strongly in favor of special restrictive legislation for women.

The New York State Branch of the Woman's Party then asked the privilege of having Mary Murray, chairman of the State Industrial Council, who is a woman actually working in industry, speak before the State Affairs Committee, which was granted by the chairman of the committee. Literature of the Woman's Party, containing arguments in opposition to special restrictive legislation applying to women but not to men in industry, and facts with regard to the position

of feminist organizations in other countries, were sent to the State Affairs Committee, together with a request that two articles, one on each side of the question, might be published in *The Woman Republican*, in order that the membership of the Women's National Republican Club might be fully informed on the subject.

Mrs. Murray was in Detroit on the day in June when the State Affairs Committee met, and her place was taken by Ella Sherwin, an officer of the Industrial Council of the New York Branch of the Woman's Party, who was one of the women printers who lost her job when the law prohibiting night work for women in newspaper offices was passed.

On November 12 members of the Women's National Republican Club were invited to a meeting to hear the report of Elonore von Eltz, on the survey completed by her, a report of which will be published in EQUAL RIGHTS when made public by the State Affairs Committee. Ex-Assemblyman Hart, representing the

manufacturers' point of view, spoke for half an hour in opposition to a 48-hour week law for women, and Mrs. Frederick Nathan, honorary president of the Consumers' League, spoke for half an hour in favor of such a law. No one represented the working women.

THE Woman's Party asked that Mrs. Murray be allowed to speak before the committee, and she was asked to speak for ten minutes on November 20. Only a few members of the State Affairs Committee were present.

Late in the summer the New York Industrial Council of the Woman's Party decided to make a survey of certain factories in Greater New York in order to ascertain the sentiment of women factory workers with regard to the proposed 48-hour week law. Mrs. Mary Murray, Mrs. Weinstein and Miss Anderson of the Industrial Council asked permission to speak to the women workers during their lunch hour. Mrs. Murray spoke several times between twelve o'clock and two, as the women came in, and was received with applause, the majority of the women going to her and asking to sign the petition opposing a 48-hour bill for women unless it applied to men also. Some of the women were timid about affixing their signatures to any kind of a paper, so not all signed, but eight hundred and twenty-six women signed the petition. When Mrs. Murray appeared before the State Affairs Committee of the Women's National Republican Club on November 20, she carried this petition with her. Mrs. Murray's address to the committee follows:

"I thank you for giving me the opportunity to present in my small way the reason why women in industry do not want a 48-hour week for women in industry which does not apply also to their male competitors. Their reason for objecting to these laws is the same as that which urged you and all other progressive women to fight so long and so hard for suffrage. You knew the only way you could get justice from men was to have equality with them, so it is with us working women. We know that the only way that we can get justice with working men, the only way that we can get an equal chance with men to earn our living, an equal chance to compete with men in the markets of labor, is to have equality with men, and if there is one class of women more than another that should have the fullest equality with men, it is the woman who depends upon her weekly wage for her very existence, the woman in industry.

"There are many well-intentioned people who are sincere in their belief that those special protective laws applying only to women really benefit women. They believe this because they do not understand them. They think the 8-hour day that is being asked for women is the

same kind of an 8-hour day enjoyed by men. Of course this is not so. There is as much difference between the two as there is between night and day. The 8-hour day that men have is a basic day, giving men the privilege of working overtime, if necessary, with pay. The 8-hour day asked for women is an 8-hour law, denying her the privilege of working overtime with pay, and making it a criminal offense for an employer to keep a woman worker five minutes over a specified eight hours, no matter what the emergency. He becomes a criminal, liable to a heavy fine or imprisonment.

"If a law prohibits women from working overtime or before or after a certain hour, and places no such restrictions upon men, common sense is all that is needed to see that men will have the advantage over women when seeking employment, and those laws which are advertised throughout the State as a benefit to women become a cruel handicap to them. This was proved beyond all dispute a few years ago right here in Greater New York, when thousands of wage-earning women were thrown out of work, out of candy stores, drug stores, restaurants, from news-stands, as elevator operators, and as printers and railroad workers. Women with invalid husbands, sons or daughters, women who had acquired worthless husbands and were forced to be the breadwinners of the family, and widows with dependents were thrown out of work, and deprived of their means of livelihood, in the name of protecting their health and morals. Many of those women did not know where their next month's rent was coming from, many the price of their next meal.

"MY friends, if you had been in the midst of those hundreds of frantic, half-crazed women, if you had heard their piteous cries—'What have we done to deserve this?' and 'What will we do?' And, as the months went by, to see women with tears rolling down their cheeks, telling you they had to break up their homes and put their children in asylums, and asking when they would get their work back, not understanding that the Legislature would not act until the next year. If you had seen and heard this as I did, you would know why our working women do not want any restrictive laws that do not apply to men.

"The press of New York carried this as headlines for months. Our boys 'over there' heard of it and wrote home to their mothers asking what had happened. Yes, even the papers in China copied it, and yet in spite of those undisputed facts, the proponents of the proposed 48-hour week bill will tell you that women did not lose their work due to the passage of those bills.

"In fact, from the very source from

which one might expect to get reliable information on this subject, we get the most unreliable. The head of the Women's Bureau of the Labor Department in Washington has given to the press a statement saying that women did not lose their jobs; that on investigation by the Labor Department in New York, they found that railroad work for women was only a war measure and women would have been discharged anyway when the war was over; that the management had commenced to discharge the women before the bill was even drawn up, and continued to discharge them during the introduction of the bill at Albany and also after the bill became a law.

"LADIES, I will let you judge for yourselves if railroad work for women was really a war measure. Thirty-two years before suffrage was won, women pioneers won the privilege for women to work on railroads. When the World War started, the B. R. T. in Brooklyn had 1,500 women in their employ, 1,200 ticket agents, 60 guards, and 40 conductorettes—two on the pension list, two in service for 27 years, and right down the list, service for 26, 25, 24 years—myself 18 years—down to the new-comers. That doesn't sound very much like a 'war measure.'

"When the bill passed, the management sent out this notice:

"ATTENTION—JUNE 7, 1919—ATTENTION
*Female Employees of the Elevated—
Subway Divisions*

"The present law regulating the hours and conditions under which women are permitted to work, if strictly enforced, will necessitate the Company dispensing with all their women and placing men in their places."

"On June 12, 1919, a meeting of the women employees of the above divisions was held to protest against the law. The women proponents of the bill were invited to be present but no one came. They had closed up their city homes and gone to the country!

"I would like to say that I have secured 826 signatures of women in industry, who protest against a 48-hour week law or any other restrictive laws applying to women alone, and I have visited only two factories. These names are only a drop in the bucket among the millions of women working in industry.

"I bring you a message, Mrs. Vanamee, from the 400 members of the Industrial Council of the National Woman's Party, and the other hundreds of women, whose signatures I have, all of whom are actually working in industry, not to decide this question until you have thoroughly investigated it, because it would not be fair to let a mere handful of women decide the fate of millions of working women."

Government Points Out Inequality of Women

By Ruby A. Black

SENATORS and Congressmen will no longer be able to declare that American women, in their opinion, have equality. For the United States of America, Plaintiff in Error, has presented a brief to the United States Supreme Court setting forth many of the inequalities of women before the California law.

In the suit of the United States Government to prevent California husbands and wives from filing separate income tax returns on their respective incomes from their community property, the Government's brief points out that various court decisions have held that the wife has no proprietary interest in the community income.

The following points summarized in bold face in the printed brief presented to the United States Supreme Court sound like a National Woman's Party argument for the Equal Rights Amendment:

1. The husband has complete and absolute dominion, possession, and control of the community property.

2. The entire community property is subject to the husband's debts contracted before and after marriage.

3. The husband may expend all of the community property and income as he pleases, wastefully and for his own pleasure, without infringing the wife's rights.

4. The only restrictions on the exercise of absolute ownership by the husband are a prohibition against gifts without the wife's consent (which has been held to vest no interest in her) and a prohibition * * * requiring the wife to join in a conveyance of community real estate.

5. During the community the wife has no right to expend or have expended for her benefit any part of the community property. The obligation of the husband to provide support and necessaries is a personal one arising out of the marriage relation, having no relation to the community property, and is a charge upon him and his separate as well as the community estate, and not based on the theory that the wife owns an interest in the community.

6. During the community the wife may not maintain any action respecting the community property, and she is not a necessary or even a proper party to a suit involving the community property.

7. On dissolution of the community by her death, her inchoate interest disappears. Absolute ownership remains in the husband. She leaves no estate in the community subject to administration, nor is it liable for her debts or expenses of administration, nor does the husband take by succession or descent.

8. If she survives her husband, the

wife succeeds to one-half of whatever may then remain of the community property, subject to payment of his debts, and expenses of administration. The entire community property forms part of his estate and is administered as such. The wife takes as heir, and her succession is subject to imposition of inheritance taxes. The Act of 1917 relieving the interest of the surviving wife from inheritance taxes is merely an exemption and does not alter the nature or extent of the wife's interest.

9. The statutory restriction on gifts by the husband has been held to vest no interest or ownership in the wife, and no case has yet held that she may, before dissolution of the community, sue to set aside a gift made without her consent.

10. On dissolution of the community by divorce, the community property is distributed by the divorce court, and in the absence of adultery or cruel treatment is divided equally. If such misconduct has occurred, the court distributes the community property according to what appears to be just and proper.

11. The community property is not liable for the debts of the wife contracted after marriage. It is liable for her debts contracted before marriage, not because of her ownership in the community property, but because her husband became liable for her debts upon marriage, and only his separate estate is exempted by statute. The freedom of the community property from liability for the wife's debts would prevent the United States from satisfying a claim against the wife for income taxes out of the community property. The United States could not lawfully compel the wife to pay an income tax on any share of the community income because it is not hers, but is the income and property of her husband.

THE brief further states: "* * * in California she is no more the owner of half the community income than is the wife an owner in a share of the separate property and income of the husband in States having a statutory substitute for common-law dower."

Thus the United States tries to establish the subjection of women in California.

On September 10, 1920, the Attorney General gave an opinion to the Secretary of the Treasury that under the Texas community system the wife is the owner of one-half the community income, and entitled therefore to make a separate income return on it. On February 26, 1921, the Attorney General held that under the community property systems in Washing-

ton, Arizona, Idaho, New Mexico, Louisiana, and Nevada, the wife had a half-interest in the community income, and could file separate returns under it. At the same time he held that the California system was different, and that under it, the community income was not a community income at all, but was the income of the husband, and must be returned by him.

THE California community property law was passed in 1915. It provided that all property of the wife owned by her before marriage, or acquired afterwards by gift, bequest, devise, or descent, with the income and profits on it, belong to the wife as her separate property, and that such property may be conveyed by her without her husband's consent. It provided similarly, and in virtually identical language, for the separate property of the husband, and the next section read:

"All other property acquired after marriage by either husband or wife, or both, * * * * is community property; * * *"

Thus property acquired by the wife in California, by other means than gift, bequest, devise, or descent, with the rents, issues and profits thereof, belong to the husband, and are in his absolute control and ownership. The wife has not even the right to have any of it expended in her benefit, no matter how much of it she may separately earn. So the United States Government in its suit maintains.

Thus the wife's earnings, whether labored for in the home or outside it, belong to her husband. As pointed out by Mrs. Mavity in a recent issue of EQUAL RIGHTS, her savings scraped from her household allowance belong likewise to her husband. Nothing is hers except the property she owned before marriage, and that acquired by gift, bequest, devise, or descent, and the income from it. Thus only women from families of considerable property ever have a right to anything while their husbands are living.

The most degrading part of the law, psychologically, is that which the brief quotes as holding that the obligation of the husband to support his wife arises, not out of her contribution to the family income by her work in the home, or by her earnings outside the home, but out of the marital relation.

The only protection the wife has in the property earned after marriage is that her husband cannot will away more than half of it, that he cannot make a gift from the community property without her written consent, that he cannot sell, convey, or incumbrance the furniture, furnishings, and fittings of the home, and the

clothing and wearing apparel of the wife and children, without her consent.

AN editorial writer who knows the situation in California, Ruth Finney of the Scripps-Howard Newspaper Alliance, says of the possible results if the United States Supreme Court upholds the decisions of the lower courts, which have held that the wife has a right to make a separate return on the community income:

"Community property laws in every State in the Union may result from a decision soon to be given by the United States Supreme Court. The court will rule on a complicated California case involving the community property law there and the right of husbands and wives to make separate income tax returns. This is the way of it:

"California's community property law recognizes that property acquired by husband and wife after marriage is owned by them jointly; at death either husband or wife may will away half the property, and the other half belongs to the surviving spouse. While both live the husband has complete control over and management of the property.

"The law has been on the statute books

only a few years. It was bitterly fought. But recently discovery was made that the law offered a way to reduce income taxes.

"If return on an income of \$100,000, for instance, is made by the husband alone, the surtax is \$17,020; while if husband and wife each file returns for incomes of \$50,000, the surtax for both amounts to only \$7,080, a saving of \$10,000.

"Accordingly, Californians are claiming the right to file separate returns and are asking refunds from the treasury amounting to about \$77,000,000 for taxes paid in past years.

"If the Supreme Court upholds their claim, it is not unlikely that forty other States may enact community property laws.

"There is another interesting angle to the controversy. In California, although women were conceded a right to will half of the community property, any acknowledgment of their vested right in the property while living—in other words, their right to control jointly the property—has been bitterly opposed. Yet the enemies of this proposition are now fighting for recognition of that very principle in demanding that wives be allowed to file a separate income tax return.

"If the Supreme Court permits wives to file separately, it will recognize the vested right of the wife in the property during lifetime. Women will be winning by indirection what they have failed to secure in many years of direct appeal."

THE California State Branch of the National Woman's Party, under the leadership of Mrs. William Kent and Genevieve Allen, has been very active in the fight of California woman to maintain their right to the income of half the community property. While the interest of men in upholding the wife's right to file a separate return on her share of the community property is their interest in saving considerable income tax, the interest of the National Woman's Party is, obviously, in the vested right of the wife to the income from half the community property.

Women everywhere eagerly await the decision. If the decision should be in favor of women, as Miss Finney says, it is likely that the other forty States may recognize the wife's contribution to the family income by making community property laws that would permit half the community income to accrue to her.

News From the Field

Mrs. Levy Gives Louisiana Room

THROUGH the generosity of Mrs. Max Levy of Lake Providence, Louisiana, one of the prominent rooms at National Headquarters of the Woman's Party is now being finished. Mrs. Levy sent her gift as a fund for the Louisiana Room. This makes nineteen States and the District of Columbia, Seneca Falls, and New York City—a total of twenty localities of the United States—which already have a part in the establishment of this national and international center of the Feminist Movement. Mrs. Levy is an officer of the Louisiana State Branch of the Woman's

Maryland Celebrates Victory

THE Thanksgiving luncheon of the Maryland Branch, celebrating the victory of the passage of the Teachers' Equalization Bill, held at headquarters, 19 West Chase street, at 1 P. M. on Tuesday, November 24, was largely attended, and was voted a huge success. Mrs. George R. Rollman was chairman of the luncheon.

The speakers were Mrs. Douglas Thomas and Judge Jacob M. Moses, both of whom had sponsored the bill, and together with the National Woman's Party and the Secondary Teachers' Association had succeeded after months of untiring watchful waiting, diplomacy and hard fighting in

putting the bill across. Judge Moses has for many years stood in Maryland for progressive reform movements—was at one time judge of the Juvenile Court of Baltimore when in its infancy, and was the first lawyer in the State to endorse the Equal Rights Bill.

In his speech Judge Moses referred to the members of the Maryland Branch as a group of courageous liberty-loving women who have by dint of pressing on in spite of almost unsurmountable difficulties won an advanced position in the passage of this particular bill; but there is still much more to do. Women in Maryland, according to State laws, are greatly inferior to men. They are, he said, still in the servant class.

Mrs. Douglas Thomas paid tribute to this same group of women as being as remarkable a group as she had ever seen—always behind every forward movement, no matter how unpopular, holding on endlessly in spite of dire discouragement—winning out through sheer stick-a-tiveness.

At the close of the luncheon it was announced that a check for \$50 had been sent by the Woman's Club of Secondary Schools to EQUAL RIGHTS as a mark of the teachers' high appreciation of the help given by the paper in their strenuous fight for the Equalization Bill.

CONGRESS OPENS DECEMBER 7

Help Pass the
Equal Rights Amendment
THIS YEAR
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Make checks payable to Campaign Fund, National Finance Committee, and mail to National Woman's Party, Capitol Hill, Washington, D. C.



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