

THE LAW STUDENT'S HELPER.



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Is Legislation Needed for Women,

An address by Mrs. Mary Lynde Craig, read before the Woman's Parliament of Southern California, Los Angeles, October 11, 1893.

MRS. PRESIDENT, NEIGHBORS AND FRIENDS—MY mother is a Methodist, and in my childhood she taught me to love the ordinances and the people of this branch of the church. In her name I would greet every Methodist in Southern California; and in her name lend a pen to you as you have lent a church to our Parliament.

When, in a day now happily past, black persons were held in bondage because they were black, one of the bondmen escaped, and finding his way to Yankee land was accosted by a knowing fellow in this wise: "Spouse yer master starved yer?" "No." "Spouse he licked yer?" "No." "Spouse he worked yer most ter death?" "No." "Don't see what yer run away for then." The whilom slave quietly replied, "The place is vacant." And the stony silence that fell upon that Yankee was appalling.

Decorate the cup of slavery as you will, it contains a bitter draught, and one that no citizen of this republic is likely to accept graciously.

"Of what avail is plough or sail,
Or land, or life, if freedom fail?"

There have been plenty of organizations always ready to level down to themselves, but, aside from the church, this Parliament is the first organization ready to level up to itself; to say as did the prophet:

"Ho, every one that thirsteth; let him come and drink of the water of life freely." This Parliament calls all women to its ranks, and herein is one great secret of its unparalleled success.

At Chicago, in May last, when I had the honor of speaking upon a legal subject at one of the congresses held in the Woman's Building, my story was eagerly listened to. This vast concourse of men and women from every corner of the earth, from Europe, from Asia and from the Isles of the sea—all desired to know upon what plane women stood in this far-famed California; in this State whose sun-kissed bowers, whose lovely clime and whose eternal summer had successfully wooed so many of the best in brawn and sinew, in mind and heart, from other lands.

Would that I could have told them a better story. Would that I could have told them that California laws did not discriminate against women. But I was constrained to tell the truth—to tell them that if a married woman in this State find it necessary to become a sole trader, that she may feed and clothe and educate her children, she must prove as much against her husband as she would be obliged to prove to secure a divorce from him, and, in addition to that, she must tell why she does not ask for a divorce. Thus, at the very beginning, must she place both herself and her husband far down in the valley of humiliation.

I had to tell them, too, that all property acquired by a woman after marriage, other than by gift, devise or descent, is community property, and that of community property the husband has management and control, with the like absolute power of disposal, other than testamentary, that he has of his separate property, except that he cannot give it away.

When justice is done to all alike; when women, rich and poor, high and low, black and white, realize that not only in name, as now, but in power, and in dignity that always accompanies power, they are citizens; not loss, but gain will be the outcome. Mothers will then own their children, and no citizen of either sex will be placed under both an oligarchy and a despotism.

At a celebrated tea party, held in Boston Harbor, in 1773, we emphatically declared that "Taxation without representation is tyranny." Is it not also robbery? If we, as women, are allowed no voice in the disbursement of taxes, why should we be required to pay them? A woman who owns stock in a manufacturing corporation votes her stock. Why should she not do the same in a municipal corporation?

The admission of women to the great universities made her admission to the ballot box sure. Learning and slavery are not fond of walking together.

In the eighteenth century, that dame was thought to be adorned amply, who, in her husband's eyes, looked lovely. But now, women are themselves ornaments, and times have changed. Every man whose home is adorned with a wise and good woman, one who not only looks lovely, but is lovely, and thought-

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ful and wise, has inspiration for his work that men, in that elder day, must have missed sadly.

Sometimes, we women, busy with the incoming of many cares, cast off our friends, "as the huntsman his pack;" convinced, as we are, that whenever we choose, "we can whistle them back."

We do not always agree in our societies. Do men always agree in theirs?

We have quite as many shortcomings as men have; and, because of this, we ask equal protection from the laws. If we were a more perfect race of beings than they, we might, perhaps, flourish upon less legal protection.

Let us look into the civil code. Here we find that if a wife die, all the community property passes to the husband without administration. The financial waters of the family are not disturbed in their placidity.

What if the husband die?

Ah! That is quite another proposition. After the debts are paid, then the expenses of administration, including probate charges, are to be met. The most exorbitant and inexcusable probate charges to be found in the civilized world! And then, if anything be left, the widow may take half. If the estate be small, nothing will be left. So the widow has an opportunity to divide zero by two-and take the quotient.

This is indeed an anti-climax.

Is there any justice in such unequal legislation?

Why should the widow be dealt with less leniently than the widower?

Is she *any more* likely to desert her children, or to cast them off for another brood, than the widower is to desert or to cast off his? Then why this difference?

Said the Earl of Rochester, in the latter part of the seventeenth century:

"It's a very good world to live in.
To lend, or to spend, or to give in,
Rut to beg, or to borrow, or to get one's own
It's the very worst world that ever was known"

Two hundred years later, we find that little change in this respect has come; and not being any wiser than men, we ask an equal chance with men—simply a fair field.

In the shadow of the law to-day, millions of women throughout the world are trimming spiritual lamps, aided by their noblest brothers; and, with gentle grace, millions more are sowing good seed, seed that will bring forth a hundred fold in the not distant future.

The device upon our banner is, "For God, for Home, for Native Land," and our success is not uncertain.

The marriage of a woman invalidates any will she has previously made. The marriage of a man does not so invalidate his will, if said will be properly drawn. [I speak now of California.]

"Strange such a difference there should be,
"Twxit tweedledum and tweedledee."

Throughout the world for ages, so to speak, women of leisure amused themselves by "writing ballads

an cl dressing dolls," but of late it has become distinctly fashionable for them to be informed upon the topics of the day. Women are congratulated, and justly, upon their skill in the practice of medicine and in the expounding of laws, both material and spiritual.

Blackstone tells us that it is a disgrace for a man of leisure to be ignorant of the laws of his country. How about a woman of leisure?

Women need women lawyers, and they need them now.

The doors and windows of our political house are off the hinges; and a mass of people, half of whom are entirely incompetent, are rushing through in search of the highest places. The most incompetent ones rush as if Satan were at their heels.

Let us not spend our time trying to extract "sun-beams from cucumbers," nor endeavoring to move huge weights with a sewing needle.

Rochefocauld defines gratitude as "a lively appreciation of favors to come." Let us as women be duly grateful, and let us recommend the same course to our brothers.

Allow woman to follow her tastes as man follows his. Endow her with the voting power and allow her to be the judge as to whether she shall use that power.

Knowing as we do that one electric light is worth ten policemen, and that one educated man or woman is worth ten soldiers in full military array, we turn our attention to light and learning.

"A sense of duty pursues us ever; it is omnipresent, like the Deity. If we take to ourselves the wings of the morning and dwell in the uttermost parts of the earth, duty performed or duty violated is still with us, for our happiness or our misery." To ourselves and to our children we owe a duty, and how shall we perform it? When we have studies and books of interest, words may be few to our dear ones, but when looks are fond and words are few, gossip and wrangling can have no place. And so we secure a "coign of vantage."

Let us plan for "cheerful yesterdays and confident to-morrows." Let us turn the "common dust of servile opportunity" into radiant rubies and priceless pearls.

Whatever we do we shall keep Heaven and home in view; and who can doubt that the silver link and silken tie of love will be as bright and strong when legal rights are ours, as they were when every woman who knelt at the marriage altar, though she were a woman of fortune, rose from her bended knees virtually a pauper and a slave?