receives some learned support from Mr. Kenelm D. Cotes, the editor of the "Social England" series. "May I," he writes, "lay before you the facts as to trial by jury? The jury, as Palgrave pointed out, were originally in a way the lawgivers, and this right they never lost till quite lately; at least, the right to declare the law. William I. summoned twelve men from every shire to declare the English law, and Lord Hale called this as full and sufficient a Parliament as ever was held in England. In, I think, Bushell's case (temp. Car. I.) it was decided that the jury need not take the law absolutely from the Judge. 'The jury resolve the law complicately with the fact.' When the Stuarts were prosecuting men for seditious libel the juries frustrated the Crown by refusing to find a verdict; they insisted on finding 'Guilty of publishing'; and the Judges did not like to declare that a verdict of guilty in law. In a Quaker's case the jury found a verdict of not guilty for unlawful assembly, and a medal was struck to commemorate the action of the jury, who were 'the judges of law as well as of fact.'"

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In the old time, as Palgrave put it, "the obstinacy of one sturdy yeoman in a distant shire might stand firm against all the thunder of the Exchequer at Westminster." "It is only in our later times," says Mr. Cotes, "that it has been forgotten what the functions of a jury really are; that is, not to stand out against king or nobles only, but also against the king's judges. 'We all know,' Selden wrote, 'what twelve men in scarlet can do.' I am sorry not to quote the authorities with certainty," adds Mr. Cotes, who writes from Cheltenham, "but provincial towns have practically no books."

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"Judges and barristers now assert that the jury must take the law absolutely from the judge," concludes our correspondent. "It seems from the case you quote that they are beginning to say they are to take the facts also. Mr. Justice Ridley is right in saying that juries were bound to return a verdict, but that was because, as men of the neighborhood, the facts were supposed to be within their cognizance, so that they were obstinately refusing. But what verdict they returned was left to themselves. They need not even bring the verdict on the facts in court; for one of their number might reasonably know of something that he brought to the knowledge of his fellows. They swear to find a verdict, not, of course, as the judge directs, but 'so help them God.'"

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Referring to the same interesting case, a reader in Manchester writes:

Your comment on the hustling of a jury by Mr. Justice Ridley at the Shropshire Assizes recalls an experience we once had in Manchester. In January, 1892, the last time the late Lord Coleridge attended here, he took the civil business. A commercial case came before him.

Now, it had often been noted that judicial decisions in commercial cases had too frequently been unsatisfactory, and an agitation for specially arranged commercial courts and the appointment of special judges versed in commercial usages had set in.

Lord Coleridge, in the action now referred to, summed up for a certain verdict, and, to his amazement, the jury disagreed with him. What in the world a jury is for, except to well and truly try to use their own brains, is hard to say. Evidently his lordship considered their business was to do as they were told.

"He became intensely angry," says our correspondent, "at their daring to differ from him, and contemptuously compared the twelve good men and true to a lot of Dorsetshire laborers. (Why Dorset I can't say. His lordship lived on the Dorsetshire border, and may have remembered that Dorsetshire laborers had suffered in the early forties the martyrdom of transportation as pioneers of trade unionism.)"

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"His lordship told the jury their verdict was perverse, refused to accept it, and ordered a new trial," concludes our friend. "The new trial took place a fortnight later before another Judge and another jury, and the second jury confirmed the verdict of the first—establishing, as the Press pointed out, that the perversity lay on the side of the Judge."

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THE SUFFRAGETTE "HUNGER STRIKE."

From a Letter in the Westminster Gazette of July 22, 1909, Written by Elizabeth Robins.

For several years women have endured for their political opinion's sake such treatment as is meted out to drunkards and to thieves. Suffragettes have endured this for a cause which has been before the country for forty years, a cause to which 420 members of the present Parliament have given their adhesion, a cause of which a majority of the present Cabinet are in favor. Now, if the traditional avenue through which voteless citizens can carry a grievance (the orderly petitioning of the King's representative)—if that be barred, what are voteless citizens to do?

If they are men their practice has been either to make the general public suffer for its apathy (by burning down buildings and by indiscriminate bloodshed) or else they have made their opponents suffer in person.

The women's way has all along been to take the brunt of the suffering upon themselves.

It is this difference which has blinded many men to the force that lies behind the woman's movement. It has led responsible officials to jeer at a "policy of pinpricks," and to speak with pride of the way in which men forced the door "at which the ladies are scratching."

The time has come when any available light should be shed upon this darkness, especially as a new phase has been entered upon by the fourteen members of the W. S. P. U., who feel that enough suffragettes have undergone punishment in the Second Division. These latest prisoners are trying in their own persons to ensure that the indignities they suffer shall be the last inflicted upon the women of this country on account of political agitation.

Though the story of human fortitude is older than any history that is written in any books, the fortitude that will go any length still wears to the average mortal an air so strange that it runs the risk of not being recognized. Now, Sir, my point is that these women know that. They undertake their "hunger strike," realizing that it will be supposed they will not go so far with it as to do themselves a mortal injury. They know it will be supposed that they are trying merely to frighten authority, and that they will prudently stop this side of a course that will bring them a release for which neither the Home Secretary's order nor that of the King will be needed.

There are, without doubt, persons so angered against the suffragettes as to say, "Very well, let them expiate their foolishness with their lives."

But that will not be the public view of the matter. Nor will it be the (intended) view of the Government. It therefore seems necessary to say that in dealing with these women it will not do to count upon the usual canons of self-interest. There are those (whether among the suffragettes now in Holloway or the thousands outside)—there are those prepared to pay any price that may be exacted for protesting against more women being made to suffer the indignities of the Second Division—for what? For following to its logical conclusion an opinion they share with the majority of the legislators of this country.

The prisoners know quite well how it may end for any one of them. The people who are not fully informed are those whom the country will hold responsible for the issue. And that seems to me not fair. There should be no avoidable misunderstanding as to the spirit (however reprehensible) in which the "hunger strike" is undertaken. The women are laying hands upon a very terrible weapon, but there is no ground for hoping that if they let it fall others will not take the weapon up. That this should be so may be fanaticism. But it is also hard fact. Calling it names, good or bad, will not alter it.

I know it is said that if the authorities do not deal stringently with these cases general disorder will ensue in England; and everyone hereafter who has a grievance will think he has only to break a few windows and gather a crowd in Westminster to get his will. But that is childishness. "Anyone," with a grievance hereafter who can get thousands of reputable people to espouse his cause, hundreds to go to prison for it, and the general public to give him fifty thousand pounds a year to spend on it, will have reason to be listened to. No cause is fed so fat on air.

But my aim in addressing you is to prevent anyone having a right to say, when one of these women succumbs in Holloway Gaol, that it was "death by misadventure." It will be no accident. But for the Government it would be a misadventure which even their opponents would gladly see them spared, if one of these women (with the memory of the smiling members of Parliament out for "fun," to see how women meet the nerve-shattering horror of a contest with mounted police)—if, with that memory to nerve her, one of these prisoners force the gates of Holloway and sets out upon the Great Adventure that even heroes evade as long as they with honor may.

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WILLIAM ALLEN WHITE ON GEORGEISM IN ENGLAND.

From the Emporia Gazette of August 26. Correspondence From the Editor of the Gazette.

The party in power, headed by the Lord Chancellor of the Exchequer—Lloyd George, a Welshman—is enacting a law which looks toward the nationalization of the land of England. It is the old Henry George single tax idea thinly disguised.

Little did Snediker and the single taxers of Elmendaro township, Lyon county, State of Kansas, dream a dozen years ago, when they were leading a forlorn hope in Lyon county politics, trying to sugar-coat their creed and get it incorporated into the Populist platform, that the same doctrine would be preached up and down England by the head of the dominant party, and that successful politicians would be fighting under the slogan, "down with the dukes."

The plan, as outlined in the government budget, is to secure a valuation of all English land. And whenever any land is sold to take 20 per cent of the increase in value of the land for the state.

For instance, there is a vacant 100 foot lot at the corner of Tenth and Exchange in Emporia, which the writer bought for $500 seven years ago. He has refused $1,500 for it. Under the English proposal, when he sells it, if he does sell it for $1,500, the State, in addition to the regular annual taxes, would take $200 before the deed would be registered, as its share of what the single taxers called the "unearned increment."

And this would be absolutely fair. The man