

your American snob has no objection to Negroes anywhere *as servants*—conceding this necessity, why exclude Negroes from the private dining rooms of white guests at hotels? If an organization which is composed mostly of white persons, yet does not bar Negroes from membership—if such a body engage private rooms for a private dinner at a hotel, how can it hurt the business of the hotel if Negro members participate? They are in that case not guests of the hotel; they are guests of the organization dining there in private. In such a case is it not the hotel rather than the general public that makes the exclusion? At any rate, this was the question which the Singletax Conference of last week found itself suddenly forced by the La Salle Hotel of Chicago to decide. This Conference refused to draw the color line with reference to its own delegates and guests in its own private dining rooms when the hotel made the demand, and for that reason was obliged to cancel its arrangements. If this plan of exclusion persists, the hotels that enforce it will have to refuse dining accommodations to political gatherings, to religious gatherings, to civic gatherings, to all gatherings of organizations and movements which do not wish, or else do not dare, to “draw the color line.” Either that, or all those gatherings will have to find accommodations where no such absurd rule exists. If hotels exclude Negroes in the regular course of business between themselves and Negroes, that is an affair between the Negroes and the hotel, and of nobody else except as public opinion may seem to make it a business necessity and therefore a reason for public agitation. But the hotel which carries this anti-Negro policy to the length of dictating to any of its otherwise acceptable patrons, the conditions of race, color or other social status that shall govern the admission of their own guests to their own private apartments in the hotel, must be considered as having a management superiorly comic in its lack of the saving sense of humor.

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Jurors and Judges.

Some fun has been made in the newspapers over the reluctance of a woman jury in California to find a verdict of “not guilty” in a criminal case in which they believed the defendant to be guilty but were ordered by the judge to acquit. So far from having made themselves fair subjects for male mirth, those women did the sensible thing until they yielded. Could any custom be more absurd than this of judges in ordering sworn jurors to find verdicts contrary to their own judgment and conscience? Could anything open the door wider

to judicial maladministration? Jurors ought to be willing to go to jail for contempt rather than yield to such usurpation, moss-grown with age though it be, on the part of the judiciary.

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That no judge should be allowed to order a verdict of “guilty,” goes without the saying. We haven’t yet reached a time when the judiciary undertakes to compel criminal *convictions* by supposedly independent juries. But the vicious practice of *ordering* verdicts of acquittal leads straightway in that direction. If a jury’s verdict of conviction shows prejudice—as very well might be,—the judge is in position to protect the outraged prisoner by setting the verdict aside and ordering a new trial. By that procedure the responsibility is upon himself, where it belongs; and the jury’s remains with them, where that belongs. All the power a judge needs or should have over verdicts is thereby conceded. In civil cases he may set aside verdicts whichever way they go; in criminal cases he may set them aside if they are for conviction. He needs no further authority in the interests of justice. But when judges *order verdicts*, whether civil or criminal, they confuse responsibility and assail the independence of juries. When juries acquiesce in such orders, contrary to their own judgment and conscience, they help judges to make a mockery of the jury system—a worse and more dangerous mockery than any for which it is criticized by the autocratic-minded who wish to abolish it.

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WOMEN AND WOMAN SUFFRAGE.

Among the fallacies of the opposition to woman suffrage is the argument that it makes no civic improvement where it has been introduced; and some vitality is given this fallacy by advocates of woman suffrage who allow themselves to become entangled in futile controversies over petty, local and temporary questions of fact with nothing in them but confusing irrelevancies.

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An instance in point is the following from The Remonstrant, an anti-suffrage periodical tract published in Boston. Under the fallacious title of “The Proof of the Pudding,” The Remonstrant for October said:

The Colorado legislature, which enjoys the distinction of being the only legislature with women members, passed at its recent session, in spite of the indignant protests of the decent element of the public and the strong opposition of the Governor, a bill to legalize race-track gambling. The deplorable

fact is recorded that all four of the women members voted for the bill. Apologists for conditions in the suffrage States are in the habit of insisting that women cannot be held accountable for what is done simply because they have the ballot. But these women in the Colorado legislature are surely responsible for their own votes. By casting them for this bill, they did what they could to disprove the claim that woman suffrage means cleaner politics. What Governor Shafroth, himself an ardent suffragist, thought of the women members of the legislature may be inferred from the following extract from his message vetoing the bill:

We are looked upon as a progressive State, one where the influence of the mother and wife, by reason of the existence of equal suffrage, is exerted upon all public questions. We know they are against such measures, but let this bill become a law and the finger of scorn and ridicule will ever after be pointed at the influence of woman's franchise in State affairs.

It is a homely old adage that "the proof of the pudding is in the eating." Is there any better way of judging what the political woman would do than to observe what she actually does, when she has the chance?

If all women were as illogical as the writer of that final paragraph seems, and men were not, the paragraph might suggest reasons for doubting the competency of women for citizenship. To adjudge all women incompetent from the fact that four Colorado women may have been so, raises a more serious question over the judge than over the judged. But we attribute this illogical comment of The Remonstrant to human nature rather than feminine unreasonableness. It comes not from vacuity but from the ardor of controversy, and goes to prove that women also are human.

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It is less The Remonstrant's comments, however, than its facts and what they signify, that call for attention; and we have taken pains to investigate the facts before considering their significance.

It seems that of the four women alluded to by The Remonstrant as members of the Colorado legislature, three were from Denver. They had been nominated by the "gang" that controlled the local boss-ridden Democratic party, and had been elected by a plurality of hardly more than one-third of the votes, thereby defeating three other and better qualified women. The fourth was a Republican from an outside county who was regarded as superior to her three colleagues, two of whom were not especially bright in civic qualifications and had probably been put on the Democratic ticket by the "bosses" for that reason. They are regarded however as better than the men who were on the ticket with them. So much for the four women legislators as individuals.

Now as to the circumstances of the race track bill. Let its wickedness be fully conceded, yet The Remonstrant is misinformed when it says that there were "indignant protests of the decent element of the public" against it. There were no protests at all prior to its passage. The papers had made no reference to it, and the public knew nothing about it until it had passed both Houses almost unanimously and Governor Shafroth interposed his veto.

Moreover, it was drawn so skilfully as to hide its wickedness beneath the cloak of a bill for promoting agricultural, industrial and live stock exhibitions under the censorship of a State commission.

Furthermore, when the Governor's veto came before the Senate the veto was sustained. The bill therefore did not become a law. For this result, which ought to cause The Remonstrant to inquire and reflect, the credit was given to the Women's clubs of Colorado. It is to-day considered in Denver as an undisputed fact that the bill would have become a law in spite of the Governor's veto but for women voters.

Finally, the very women legislators whom The Remonstrant condemns as typical of women with the ballot, publicly announced their regret for having inadvertently voted for such a bill, and thereupon helped defeat it by supporting the Governor's veto.

Those are all the facts we have discovered regarding The Remonstrant's criticism of woman suffrage in Colorado. It may be that we have given more facts than necessary; which is better, however, than to have withheld any that might possibly be pertinent on either side. We give the fullest measure in our power and leave consequences to care for themselves.

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But after all, the question of whether the record of four women members of the legislature of a State steeped in business and political corruption for years, was perfect is of not the slightest importance in considering the question of woman suffrage. This question does not turn upon immediate and right solutions of civic problems by women voters. It turns upon the service of women jointly with men as civic equals, in giving to the solution of civic problems the full benefit of an effective union of feminine with masculine ideals and intellect.

Suppose the statement of facts in The Remonstrant had been true instead of mistaken. What of it? It is unfair and impudent for men to de-

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mand of women citizens, as a condition precedent to conceding them the voting right, that they be free of all human weaknesses with reference to civic affairs; and *women* who make that demand are shirks as to their own civic responsibilities and obstructionists as to the civic responsibilities of others.

If those demands were exacted of all citizens, not only would democracy be impossible, but so would every other form of government. There was never a reigning monarch so perfect as this demand requires women to be before participating in the reign of the people.

But, unfortunately, opponents of woman suffrage are not the only offenders in this respect. To assert that women *do* come up to the requirements of that demand, is to argue against woman suffrage as truly as to assert that they do not. For that they do not is the fact. Judge Lindsey showed in his "Beast and the Jungle" how some women are as subservient to the Beast as some men, and he was "roasted" for it by woman suffragists who thought it hurt their cause. They were as wrong as The Remonstrant is.

The primary purpose of the suffrage movement, like that of every other democratic movement, is the improvement of civic conditions through the extension of civic intelligence by use of the human mind on civic problems. To meet criticisms of such a movement with arguments assuming that all woman voters would be civic angels, lends support to the fallacy that none of them would be if some of them are not or if none were quite so.

Why not stand for woman suffrage on broad democratic grounds, letting the opposition meet it on those grounds if they can? Why try to refute tory fallacies with toryistic denials of what may be deplorable facts?



Though The Remonstrant was in error as to the facts it happened to cite about Colorado, it might have cited stronger ones without error. Take, for instance, Judge Lindsey's bill for the protection of children from the vice trust in Colorado. Surely this was more important than a race-track gambling measure. But he had the greatest difficulty in getting the women members of that legislature to introduce the bill. Some of them absolutely refused, and one of them, a bitter opponent of child labor laws, did all she could to secure legalization for the employment of children over thirteen years of age in mining and other dangerous vocations.

Why not recognize the fact—for fact it is,—why

not recognize that under equal suffrage there will be "machine" women as well as "machine" men, as long as there are "machines;" and that well-meaning women voters as well as well meaning men voters will be fooled by those that are not well-meaning? These weaknesses, whether in state or church or business or frou-frou society, are neither masculine nor feminine but human.

In Denver, three progressive women had been nominated for the legislature against the women referred to by The Remonstrant; but the corporations and the vice trust—together with some really good men and possibly some really good women—all of it as human as the apple episode in Eden—combined against them. So the progressive women were defeated by a small plurality, and those whom The Remonstrant sets up as types of womanhood in civic action were elected.

But for that narrow plurality, there might have been no necessity for Governor Shafroth's veto of a gambling measure passed with women's votes, nor any difficulty in securing women sponsors in the legislature for Judge Lindsey's child-labor bill.



There will be "machine" women, reactionary women, tory women, vice-legalizing women, after as well as before suffrage, and some of them will no doubt get into legislatures. But that is beside the question. The question is whether our civic problems shall continue to be "stag"-muddled instead of humanly solved—whether organized society shall be of the bachelor type or of the family type. There is bad in both; but it is not bachelorhood, it is familyhood, that gives hope.

Even in Denver at its worst, let us not forget, Judge Lindsey was re-elected by a clear majority over both "machines," and the women electorate made it possible.

With all the civic frailties they have in common with men, the instinct for right things quickens with women as a mass more spontaneously than with men as a mass. Their moral hearing is less dull, their civic spirit more willing when the clarion calls.

EDITORIAL CORRESPONDENCE

WOMAN SUFFRAGE AT WORK.

San Diego Cal., Nov. 10.

It is "hats off" to the women of southern California. Obtaining their enfranchisement by the small majority of some 3,600 votes, they at once, even in spite of themselves and their previous attitude, find themselves possessing the balance of power on some very vital questions and being sought after with