ANCIENT LAW DISCOVERED

Wife in England is Practically the Property of Husband, According to Old Statute.

(By Associated Press)

LONDON, Apr. 19.—Discovery of an ancient Saxon law, technically known as "the doctrine of coercion," under which a wife is virtually the property of her husband, has precipitated a storm in both houses of the British parliament.

Lady Astor has formally introduced a bill in the house of commons to amend the offending statute and Viscount Ullswater strongly pressed for a similar measure in the house of lords.

Parliament took note of the act when a member of the commons pointed out that it had been resurrected to secure the acquittal recently of the wealthy Mrs. Peel, who was concerned with her husband in betting frauds, while the husband himself was sent to prison.

The old law, Viscount Ullswater explained to the Lords, was founded on the assumption that a wife would not dare to contradict her husband; "but if we want to maintain respect for the law," he said, "it must be strictly in accordance with our lives and our social relations. Whatever the legal presumption may have been in the olden times, there can be no such presumption today."

"It connotes an inferior and degrading status which women of the present day will never accept. The whole tendency of modern thought has been in the other direction—to elevate the status of women and put them on the same footing as men."

The Viscount raised laughter when he continued: "I appeal to the ripe experience of any of your lordships. Bachelors with no experience of women are the only people who take an opposite view," and he pointed out that the doctrine did not prevail in Scotland, "presumably because of Lady Macbeth," he said.

Lord Buckmaster, a former Lord High Chancellor, defended the existing law. He said he was his firm conviction that the fault of divorce today acted under the direction of their husbands, and this, he held, was assuredly true among the lower ranks of society. "I am not prepared to destroy what had been established by the wisdom of our ancestors, who knew as much about men and women as we do today," he declared. "Women have got the vote but they are just the same as before."

Here the present Chancellor, Lord Birkenhead, spoke up. "As to husbands controlling their wives," he said, "every man has his own experience in these matters and I am not bold enough to make any such claim."

Lord Aberdeen, a former lord lieutenant of Ireland and ex-governor general of Canada, reflectively observed that one of his ancestors, when chancellor of Scotland, resigned office rather than carry out an act which proposed to make husbands responsible for their wives' non-attendance at church.

Lady Frances Balfour, president of the National Council of Women of Great Britain and Ireland, writing in The Times, calls attention to the fact that the "doctrine of coercion" is not the only survival of ancient English laws affecting married women. She cites the "law of coverture," according to which a man and his wife are one person and the husband is that person. The wife's "legal existence is incorporated and consolidated into that of her husband."

Lady Frances pointed out that it is no more than 30 years since the house of lords negatived a claim that a husband had the right to imprison his wife, which was based on this doctrine, which has, however, never been abolished in its entirety.

At the same time, she proceeds, a wife's position as her husband's property is still in practice, as, for example, when she is not allowed to decide for herself, like other adults, whether or not she shall submit to a surgical operation. Her husband must first give his consent.

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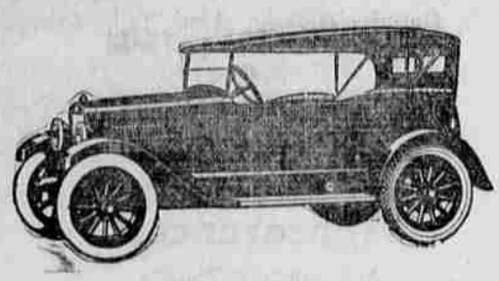

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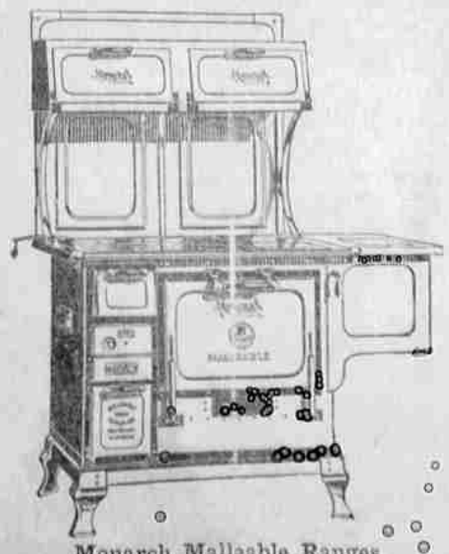

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