

Woman's Journal, vol. 5. No. 11, 3/14/74, seq. 88, Schlesinger Library, Radcliffe Institute, Harvard University.

#### ADVANCED PRINCIPLES

"Taxation without representation is sometimes right." "The simple truth is that protection is the only individual right that goes with taxation. The right to representation rests on other grounds altogether."

The above are among the recent oracular utterances of the Chicago Advance; and are enough to make a monarchist tear his hair with regret, that its editors hadn't been in existence, a century ago, to give King George the benefit of their discoveries in legal science.

It is a new doctrine, and perhaps had better be well weighed before acceptance, that taxation is the duty paid for protection. On the contrary, elementary law writers lay down the principle that allegiance is the return for protection, and—in free governments—taxation, for representation.

In the Middle Ages, when feudalism was at its height, the vassal swore allegiance in return for the promise of protection, given him by his lord; the lord swore allegiance to the king in return for protection by him. Those paying taxes on property had the right of voting for members of Parliament. Parliament, being the body which gave or withheld funds, decided how they should be appropriated.

These, therefore, came to be fixed principles of the English common law; that those protected owed allegiance, and that those taxed should be represented.

Blackstone says: "Allegiance is a debt due from the subject, upon an implied contract with the prince, that so long as the one affords protection, so long the other will demean himself faithfully."

For a fuller view of this subject, see Chap. X., Vol. I., Blackstone's Commentaries, from which this extract is taken.

For qualifications of voters, see Chap. II., of same volume, where it appears that taxation was the basis of representation. Also, Vol. IV, of Kent's Commentaries, Section LV., states that "By the ancient law, a freehold interest conferred upon the owner a variety of valuable rights and privileges," and enumerates among them that "he was entitled to vote for members of Parliament." Blackstone informs us that no estate qualified a voter "unless it had been assessed to some land tax aid, at least twelve months before election." From these facts it will be seen that the theory of the Advance is quite new and original. Of course it is not to be despised on that account, only one would like to know a little more about it before throwing overboard old and well established principles of law, and one can't help wondering what are those "other grounds" on which the right to representation rests, so mysteriously hinted at by the Advance.

In another column, the Advance is warmly in favor of ladies being placed on the School Boards. It was once a powerful argument against Woman Suffrage, that if women voted they would have to be voted for—to hold office—and then the heavens would certainly fall! Pictures of coarse, unsexed, masculine

women, meek and suffering husbands, and neglected children were sketched ad infinitum., till we all closed our eyes and shuddered in holy horror. And now here comes the Advance and begs that women be put on our School Boards! "Is Saul also among the prophets?"

If women be voted for, what shall long hinder them from voting? If Mrs. Smith has time to serve on the School Board, it were sad indeed if Mrs. Jones had not time to step around to the next corner and drop a ballot for her.

The opponents of Woman's Rights have been obliged to draw some exceedingly fine lines in their day, but the Advance deserves the premium for drawing the line so close as to put women office-holders among the sheep, and women voters among the goats.

Lavinia Goodell. Janesville, Wis., March 8, 1874