p. 476; *Nairn* v. *University of St. Andrews* [1909] A.C. 147; *Robinson's Case*, ib. supra), or of the Knights of the Shire (*Chorlton* v. *Kessler*, L.R. 4 C.P. 397), or of town councillors (*The Queen* v. *Harrald*, (1872), L.R. 7 Q.B. Cas. 361), or of Town Commissioners under the Towns Improvement (Ireland) Act, 1854, (*The Queen* v. *Crosthwaite*, ib. supra), or to be elected members of a County Council (*Beresford-Hope* v. *Sandhurst* (1889) 23 Q.B.D. 79; *De Souza* v. *Cobden* (1891) 1 Q.B. 687.) They were also excluded, or rather excused, by the common law from taking part in the administration of justice either as judges or as jurors, with the single exception of inquiries by a jury of matrons upon a suggestion of pregnancy (Coke, 2 Inst. 119, 121; 3 Bl. Com. 362; 4 Bl. Com. 395; Willes J. in L.R. 4 C.P. 390, 391). And so, by inveterate usage, women were under a general disability, by reason of their sex, to become attorneys or solicitors (*Bebb* v. *Law Society* (1914) 1 Ch. 286; *Robinson's Case* (1881), 131 Mass. Rep. 376). More recently, it was held by the Court of Appeal in Ireland that a woman, by reason of her sex, was disqualified from being Clerk of Petty Sessions (*Frost* v. *The King* (1919) 1 Ir. Rep. (Ch.) 8; (1920) W.N. 178, H.L. (Ir.)

In *Chorlton* v. *Lings*, ib. supra, at p. 389, Willes J. referred to, as the highest authority produced by the appellant for the exercise of public functions by a woman, " the solitary and exceptional case " of the celebrated Anne, Countess of Pembroke, Dorset, and Montgomery, who took, by descent, the office of hereditary sheriff of Westmoreland and exercised it in person; at the Assizes at Appleby she sat with the judges on the Bench: Co. Litt. 326a, note 280. This is not the only instance of the kind to be found in the books. Pollock and Maitland in their History of English Law, vol. 1, p. 466, note 2, after observing that, " The line between office and property cannot always be exactly marked; it has been difficult to prevent the shrievalties from becoming hereditary," note that " for several years under Hen. III. Ela, Countess of Salisbury, was sheriff of Wiltshire," but that in this case " there was a claim to an hereditary shrievalty." Willes J. refers to the shrievalty of Westmoreland as " an office that could have been and usually is discharged by a deputy; although the countess, being a person of unusual gifts both of body and mind, thought fit to discharge the duties in person "; but the judgment of Gray C.J. in *Robinson's Case*, 131 Mass. Rep. 376, 378, contains an interesting discussion of this instance, in which he concludes that it is highly improbable in fact that the Countess did habitually discharge the duties of the office in person, and expresses the opinion that she could not have done so without violating the well settled law. " When such an hereditary office descended to a woman," stated Gray, C.J., p. 378-9, " she might exercise the office by deputy (at least with the approval of the Crown), but not in person; nor could it be originally granted to any woman because of her incapacity of executing public offices ": citing various ancient authorities.

9. Whether these cases are but instances of a general incapacity on the part of women at common law to hold any public office or perform any public function is by no means clear. In their work on the History