pearing on the list published by the overseers of claimants to votes in the township of Manchester, was duly objected to by Matthew Chadwick, a person on the list of voters for the said parliamentary borough.

The name of the said Mary Abbott appeared upon the list of claimants in the following manner:—

Abbott, Mary	51, Edward-st.	House	51, Edward-st.

It was admitted that the said Mary Abbott was a woman of the age of twenty-one years and unmarried, and that she had for twelve months previously to the last day of July, 1868, occupied a dwelling-house stated in the said claim with the said claim within the said township for such occupation, and that she had paid the rates for the relief of the poor assessed in respect of such dwelling-house before the 20th day of July last, and in other respects had complied with the requirements of the Registration Acts.

On behalf of the claimant it was contended that under the existing statutes the claimant was duly qualified and entitled to be registered as a voter and when registered to vote in the election of a member of Parliament, and that women for the purpose of being registered electors and voting in elections for members of Parliament are not subject to any legal incapacity.

It was maintained, on the part of the objectors, that under the existing statutes the claimant was disqualified on account of her sex.

The revising barrister held that Mary Abbott, being a woman, was not entitled to be placed on the register, and her name was erased from the said list of claimants.

There were also struck out of the list the names of 5,346 whose names and qualifications are set forth in the schedule, and as the validity of their claims depends on the same point of law as that raised in the case of Mary Abbott the appeals were consolidated.

If the Court shall be of opinion that the said Mary Abbott is not entitled to have her name inserted in the list of voters for the said borough of Manchester then such names and the names referred to and set forth in the schedule above mentioned will remain erased; but if the Court shall be of opinion that the said Mary Abbott is entitled to have her name inserted in the said list of voters then her name and the said names referred to and set forth in the schedule are to be restored.

The following are the appellant's points for argument:—

1. That there is no disability at the common law whereby a *feme sole* otherwise duly qualified is prevented from voting in the election of a member or members of Parliament.

2. That the Representation of the People Act, 1867, section 3 confers the right to be registered, and when registered to vote for a member or members to serve in Parliament for a borough, on every man who is qualified as in such section is mentioned.

That in the 13 & 14 Vic. c. 21 (Lord Romilly's Act), it is declared by section 4, 'that in all Acts words importing the masculine gender shall be deemed and taken to include females unless the contrary is expressly provided.' That the words 'every man' denote the masculine gender, and that in the Representation of the People Act, 1867, the contrary is not expressly provided. Therefore, the words include 'every woman' and that a *feme sole* duly qalified according to the provisions of the said last mentioned Act is entitled to be registered, and when registered to vote for members of Parliament.

Coleridge, Q. C., (*Dr. Pankhurst* with him), for the appellant.—My main argument is this—women have this right at the common law, they have in ancient times exercised it, and no statute has ever taken it away. This is my main argument, and I shall enter upon it at once, though, of course, I also rely upon the construction of the word "man" in the Representation of the People Act, 1867. I shall, however, make that point last. Now, as to the position that at common law women have this right, and have in ancient times exercised it, the argument as to sex cannot be local; if, therefore, I can satisfy your Lordships that in counties the right was anciently exercised by women, that argument will avail for the present case, though it is the case of a borough. The first statute affecting the franchise in counties is 7 Hen. 4, c. 15. The words are, "From henceforth the elections of such knights shall be made in the form as followeth: (that is to say) at the next county to be holden after the delivery of the writ of the Parliament, proclamation shall be made in the full county of the day and place of the Parliament, and that all they that be there present, as well suitors duly summoned for the same cause as other, shall attend to the election of the knights for the Parliament, and then in the full county they shall proceed to the election freely and indifferently, notwithstanding any request or commandment to the contrary; and after that they be chosen, the names of the persons so chosen (be they present or absent) shall be written in an indenture under the seals of all them that did choose them, and tacked to the same writ of the Parliament, which indenture so sealed and tacked shall be holden for the sheriff's return of the said writ, touching the knights of the shires."

Now, here the suitors are those who are to have the franchise, and why not female suitors as well as male suitors? In 1 Hen. 5, c. 1, again, the words used are large enough to include both sexes, and I shall show as a matter of evidence, that women did in fact exercise the franchise. Now the elections for counties were held in the county court: 1 Bl. 178. What was this county court? It was a court where the freeholders were judges: 1 Reeves, 47. [Bovill, C. J.—In Saxon times there is no mention of anything in their Parliaments except of wise *men*.] I am not speaking of the Witenagemote, but of the county court, to which clearly women as well as men must have been suitors, and it was in these county courts that the elections for the knights of shires were held. Now I contend that it is for my learned opponents to show that the county court held for the election of the knights of shires was different from the ordinary county court which tried causes. If the statute of Marlbridge, 52 Hen. 3, c. 10, be referred to, it will be seen that women attended the county court on some occasions, for the following passage is to excuse the attendance of nuns on certain occasions, namely, when members of Parliament were to be elected: "De turnis vicecomitum provisum est, ut necesse