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My dear Mr. Justice Sutherland;

I am taking this first opportunity to express to you and to your three colleagues, the Honorable Justices Butler, Van DeVanter and McReynolds, my gratitude for the display of character and wisdom exhibited in the Minority opinion on the Washington State Minimum Wage case. This decision is marked by courage and sound thinking, it places a long-time-program of justice to women, over a temporary expedient to grant a few women an increased wage.

In the long run the Majority Opinion, in my opinion, will hurt the prestige of our splendid Supreme Court, more than anything else that could have happened. I rejoice that a minority stood firm under the terrific pressure of recent events.

It is encouraging to know that four eminent justices take the point which many women are now upholding, namely, that interference with a woman's right to contract for labor (her dearest possession and sole source of her potential wealth) is an interference with her constitutional liberty. The strange sight is to view organized labor clamoring for protective laws for women only but protesting vigorously against such laws for themselves. I heard Mr. Green declare at the Town Hall in 1935 that "the keystone of a man's economic security was the right to contract for his labor". Why Mr. Green cannot understand that the same logic applies equally to women is hard to understand. All over the world to-day the work of women is being restricted. In some countries quotas have been established, and only so many women are allowed to work in each occupation. As if work were sacred to men. It is disheartening to see this attitude spreading in this country. It is strange to realize that the humanitarian persons who advocate restrictive laws for women only, cannot see the greater advantage of welfare laws for persons in industry.

The only hope is that the working out of this tragic set-back to the advancement of women may serve to awaken more women to the position taken by the Natl. Woman's Party for an equal rights amendment to the constitution, making it impossible for states to pass laws which apply differently to men and women. If this decision will hasten the day of the

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passage of this proposed amendment, then this calamity of yesterday, in God's good time, will work out for good.

At the present time we have the spectacle of men and women, economically speaking, at each other's throats for jobs. And the decision of yesterday will in the long run make women's struggle more difficult. We will never have an economic democracy in this country, with the job offered to the person most capable to hold it, until the proposed equal rights amendment is passed.

I am expressing of course my personal gratitude, although I believe I am voicing the gratitude of multitudes of women all over the country, for your wise and courageous stand.

Sincerely yours,

Anna Keeton Wiley

(Mrs. Harvey W. Wiley)

The Honorable Justice George Sutherland,
U.S. Supreme Court,
Washington, D.C.

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