

University of Windsor

Scholarship at UWindsor

History Publications

Department of History

2021

Legal Paperwork and Public Policy: Eliza Orme's Professional Expertise in Late-Victorian Britain

Leslie Howsam
University of Windsor

Follow this and additional works at: <https://scholar.uwindsor.ca/historypub>



Part of the [European History Commons](#), [History of Gender Commons](#), and the [Women's History Commons](#)

Recommended Citation

Howsam, Leslie. (2021). Legal Paperwork and Public Policy: Eliza Orme's Professional Expertise in Late-Victorian Britain. *Heidi Egginton and Zoë Thomas, eds. Precarious Professionals: Gender, Identities and Social Change in Modern Britain*. London: University of London Press, 2021..
<https://scholar.uwindsor.ca/historypub/259>

This Contribution to Book is brought to you for free and open access by the Department of History at Scholarship at UWindsor. It has been accepted for inclusion in History Publications by an authorized administrator of Scholarship at UWindsor. For more information, please contact scholarship@uwindsor.ca.

1. Legal Paperwork and Public Policy: Eliza Orme's Professional Expertise in late-Victorian Britain

Leslie Howsam

For women in late-nineteenth-century Britain, a university degree in law could launch a lucrative and prestigious career that was professional in character but lacked a name because it challenged the very culture of expertise. Highly regulated by powerful institutions, the legal profession established conditions beyond precarity to exclude women until 1919 and the Sex Disqualification (Removal) Act.¹ However, the universities, operating with different values, began cautiously in the 1870s to allow women to attend lectures and later to write examinations and, eventually, to graduate with the degree of Bachelor of Laws. Historical studies of women and the legal profession have stressed the heroic but ultimately futile attempts of these graduates to be admitted to the bar or to the ranks of solicitors.² Apart from that struggle, though, they found ways to apply their knowledge of the legal profession to establish a profitable foothold on its doorstep, and then to use their academic and occupational confidence to move into the public sphere. Eliza Orme (1848–1937), the first Englishwoman to achieve a law degree at the University of London, in 1888, is the focus of this study, but she was not an anomaly. She had partners and peers who were doing the same thing: Mary Richardson and, later, Reina Lawrence, both with London degrees, shared Orme's Chancery Lane chambers early in their careers, while Cornelia Sorabji, their counterpart at Oxford, found her own foothold in Indian legal practice. It is likely that further study will reveal more examples of similarly precarious, equally prosperous legal professionals.

Eliza Orme was thirty-nine years old and already in mid-career when she completed the degree she had begun some fifteen years earlier. Based

¹ M. J. Mossman, *The First Women Lawyers: a Comparative Study of Gender, Law and the Legal Professions* (Oxford, 2006), pp. 121–37. L. Howsam, "'Sound-minded women": Eliza Orme and the study and practice of law in late-Victorian England', *Atlantis*, xv:i (1989), 44–55 <<http://journals.msvu.ca/index.php/atlantis/article/view/5125/4323>> [accessed 28 July 2019].

² See, e.g., Judith Bourne, *Helena Normanton and the Opening of the Bar to Women* (Hook, Hampshire, 2017), pp. 55–65.

in a well-appointed suite in London's Chancery Lane, she and colleagues prepared the paperwork for property transactions, patent registrations, wills, settlements and mortgages – most of them documents that would be officially processed under the name of a male lawyer. Orme recalled in a 1903 interview: 'I "devilled" for about a dozen conveyancing counsel who kept me busily employed on drafts they wanted done in a hurry, and for twenty-five years I found it both an interesting and profitable employment.'³ What she was doing was highly skilled labour; it was identical to the quotidian tasks of most men working in law firms, men who held both academic and professional qualifications.⁴ The work of a law office – then and now – consists largely of high-level and very exacting clerical tasks associated with the preparation and management of legal documents.⁵ It must be undertaken by people who understand the principles behind what they are reading and writing, but there is a distinction between their functional skills and the professional qualifications normally associated with those skills. Eliza Orme and her associates found ways to manipulate that distinction to their advantage.

For women, legal education afforded three valuable prospects: a regular income from skilled work in a business setting; the opportunity to create a public identity associated with chosen causes; and freelance opportunities that enhanced their public identity without damaging their business and income. After an introduction to Eliza Orme's early life, this chapter addresses each of these three affordances and concludes with an analysis of her posthumous reputation (or lack thereof).

Family and education

Her parents were Charles Orme, distiller and manufacturing chemist, and Eliza Andrews, who had once served as governess to the poet Elizabeth Barrett Browning. Married in 1832, they lived in a large and comfortable home in London near Regent's Park and had six daughters and two sons,

³ 'Women and the Bar', *Law Journal*, 12 Dec. 1903, p. 620. To 'devil' meant preparing written legal work on behalf of a more senior barrister; normally this referred to a junior barrister (a qualified man), but because the fee paid was a private arrangement between 'devil' and senior barrister, someone not called to the bar but otherwise qualified could offer this service.

⁴ See Mossman, *First Women Lawyers*, ch. 3, for the intricacies of qualification for the bar in Britain (as a barrister) or for work as a solicitor, and for the Inns of Court.

⁵ See Mossman, *First Women Lawyers*, p. 132, for an explanation of why Orme was not a mere 'legal assistant'. The term 'paralegal' was not in use at the time, but her work, transposed to a modern setting, was more independent and professional (in the sense of trustworthy) than that term implies.

cared for by at least four domestic servants. One daughter, Rosaline Orme, married the literary scholar David Masson, while another, Julia, married the pioneering neurologist Henry Charlton Bastian; both young families moved in for a time, while their younger sister Eliza Orme was growing up.⁶ Visitors to the family included Thomas Carlyle and John Stuart Mill. The setting was prosperous, intellectual, politically and socially progressive and secure.⁷

It was in 1869 that Eliza Orme, barely twenty, was one of nine women who sat the first General Examination for Women at University College London (UCL); she passed with honours and embarked on higher education.⁸ She had already begun to express her political views and personal ambition by joining the Executive Committee of the National Committee for Women's Suffrage, but at this point her career ambitions may have been unclear. In 1870 she was awarded a University of London Special Certificate in physics and chemistry. Two years later she began studying law at UCL, though she also intended to take Special Certificates in mathematics and mechanics, and she studied political economy in 1872–3. The record shows that in 1874 she won a prize in jurisprudence, and that same year her article 'Sound-Minded Women' was published in the *Examiner*.⁹ She was twenty-five years of age and opening her own business in Chancery Lane while continuing her studies. In 1876 she won first place in the Roman Law examination as well as the Hume Scholarship in jurisprudence (the latter over the objections of a male competitor), and in 1880 she passed with honours the first of two LL.B. examinations.¹⁰

⁶ Eliza Andrews (1816–92) and Charles Orme (1806–93) had eight children: Charles Edward (physician; 1833–1912), Emily Rosaline (1835–1915; m. David Masson); Helen Foster (1836–57); Julia Augusta (1840–1928; m. Henry C. Bastian); Campbell (physician; 1842–1883); Olivia Blanche (1844–1930; m. Howard Fox); Eliza (1848–1937); Beatrice Masson (1857–1949).

⁷ See 'Orme Family,' in E. Crawford, *The Women's Suffrage Movement: a Reference Guide, 1866–1928* (London, 1999), pp. 479–80.

⁸ P. Carter, 'The first women at university: remembering "the London Nine"', *Times Higher Education*, 28 Jan. 2018. <<https://www.timeshighereducation.com/blog/first-women-university-remembering-london-nine>> [accessed 28 July 2019].

⁹ E. Orme, 'Sound-minded women,' *Examiner*, 1 Aug. 1874, 820–21. Orme's degrees and awards were announced in the press, including the *Examiner* and the *Englishwoman's Review*.

¹⁰ Pascoe Daphne had missed the prize exam and asked to be allowed to write it anyway; he was outraged to learn that Orme had been awarded the prize, because he had not often seen her attending Professor Sheldon Amos's lectures. Her letter notes that she had sometimes arrived late but that she had indeed been present, despite having sat through the same course of lectures and having applied for the same prize the previous year. It does

The degree itself was finally awarded in May 1888, when she was already a respected public figure.

Most of what is known of Eliza Orme and her family must be pieced together from the public record – journalism, census records, wills, city directories and so forth. Her personal and business records have (apparently) been lost and it remains difficult to assess her motivations. One important exception, however, is a series of letters she wrote to Helen Taylor beginning on 7 December 1872; Taylor was a stepdaughter of John Stuart Mill and a leading figure in the movement for women's suffrage and so their remarkable correspondence has survived.¹¹

Few, if any, of the leaders of the contemporary women's movement harboured any practical ambition to enter the legal profession, where misogyny was enforced by strict regulation. Taylor and others were preoccupied with the enormous challenges associated with medicine, as well as with suffrage, and with opening a few respectable occupations to single women who needed a modest income. Orme, however, calmly sought Taylor's counsel before she set aside her scientific studies in favour of the law:

For some months I have been considering the best method of entering the legal profession. Professor and Mrs Cairnes, who have taken the kindest interest in the matter, approve my now writing to you for advice. Before stating my plans and difficulties it may be as well to explain, as shortly as possible, why I have undertaken what seems such a hopeless task. Since I have been actively working on the Women's Suffrage committee, I have become convinced that we probably have many years [sic] work before us and that nothing assists the question so much as practical work done by women. Mr Cairnes and Mr Fawcett also hold this opinion and my brother-in-law Mr Masson has always urged it very strongly. I therefore resigned my office of secretary of the Executive Committee of the London National Society [for Women's Suffrage] with the definite purpose of doing some practical work if possible and at the same time remaining a public supporter of the cause which seems to me to be of paramount importance.

I have made up my mind to study law (1) because I see work to be done in

not mention the pressure of business in Chancery Lane during these months. UCL Library Special Collections, London, University College London Archives, letters from Pascoe Daphne to Sheldon Amos, 20 Nov. and 14 Dec. 1876; Daphne to the President and Council of University College London, 20 Dec. 1876; letters from Eliza Orme to Talfourd Ely, 9 and 11 Jan. 1877.

¹¹ I did not see these letters until after my 1989 article was published. There is a reference in Crawford, *The Women's Suffrage Movement*, pp. 479–80; see also A. Robson, 'Legal proof of [John Stuart Mill's] dissertations and discussions', *Mill News Letter* (summer 1976).

explaining to women their real position from the legal point of view; (2) because it is a lucrative profession which ought to be open to women. The manner of making such an attempt as this has such an important effect that I should be quite willing to give up all public action if experienced friends thought the time ill-chosen or that I was an unsuitable person to commence it. Otherwise I am prepared to work steadily at the subject, quite independently of whether I am admitted as a student, and to gather support and sympathy as I go along. In 1869 I passed the General Examination at the University of London and in 1870 took a Special Certificate in Physics and Chemistry. I intend taking similar certificates in Mathematics and Mechanics and in Political Economy next May, if possible. I am 24 years of age and am strong enough to work hard without its doing me any harm. I tell you these particulars because it seems unfair to ask your advice without giving you full information.¹²

Mill and Taylor responded quite kindly, offering financial as well as moral support.¹³ No doubt the names of supporters like David Masson, John Elliott Cairnes and Henry Fawcett were reassuring, and both Mill and Taylor were acquainted with Orme through the suffrage movement. Eliza Orme had set her career goal, with the mixture of personal ambition and strategic pragmatism that was to characterize the next thirty years of her life.

Legal paperwork

A year later, on 9 December 1873, Orme reported to Taylor on her first attempt to move into the practice of law. She became a pupil in the Lincoln's Inn chambers of the barrister John Savill Vaizey (1829–1916), whose wife, Harriet Vaizey, was part of the emerging feminist network. Aspiring practitioners normally entered the profession via admission to one of the Inns of Court, and it was these institutions which barred women. Vaizey, however, was prepared to accept her (at a hefty fee) on an unofficial basis but without making any commitment that Lincoln's Inn would allow Orme even to enter the ranks of 'conveyancers under the Bar', let alone become a full-fledged barrister. She regarded him as a good teacher, and he in turn recruited her assistance with his book on marriage settlements. Using the veiled language in which women referred to the indignities and dangers of moving into masculine precincts, she told Taylor: 'The fact of my being alone has not caused any kind of inconvenience and I do not think my presence within the sacred precincts has attracted the slightest

¹² London School of Economics Library, British Library of Political and Economic Science, Mill–Taylor, xiv, item 67, Eliza Orme to Helen Taylor, 7 Dec. 1872. Hereafter cited as Mill–Taylor.

¹³ Mill–Taylor, copy of letter, Taylor to Orme, 7 Jan. 1873, item 68.

attention.’ Despite this tempered optimism, she realized that it was going to be difficult to ‘do anything profitable’ in this situation and had undertaken some tutoring in the evening to make ends meet.¹⁴ At some point another law student, Mary Eliza Richardson, joined her in Vaizey’s office.

This unsatisfactory arrangement went on for a couple of years, until 1875, when Orme and Richardson were introduced to another sympathetic barrister, William Phipson Beale.¹⁵ He advised them to abandon the idea of working inside Lincoln’s Inn and instead lease office space in nearby Chancery Lane and seek out work from barristers. His rationale was that this strategy would be cheaper, but also, as Orme told Taylor, ‘By taking rooms in Chancery Lane we shall excite less attention than if we were to try to engage any within one of the Inns of Court. Mr Beale is strongly of the opinion that we had better do some work before we make our claims to enter the profession and Miss Richardson and I both agree with him in this entirely.’¹⁶ Orme was too circumspect to give Taylor any details, but the discreet anonymity of the early days had obviously not persisted, and the two women were presumably now ‘exciting’ some onerous ‘attention’ – perhaps outright harassment – in and around the Inns of Court. Chancery Lane was squarely in London’s legal neighbourhood, but it was a commercial thoroughfare where barristers and solicitors practised, not a legal institution.

Another 1875 letter gives us a fuller picture of working life in the new chambers:

I am busy with Miss Richardson and Minnie Robertson, Mrs Cairnes’s niece, is living with us and working up for her examination. So we have a sort of miniature Girton! Miss Richardson and I have taken chambers at 38 Chancery Lane. They are suitable in every way and only £55 a year. We have a little boy to run errands &c and a very respectable laundress in the attics who looks after the whole house. Since we have been there we have as much work as we can do from Mr Vaizey our old Tutor and Mr Beale. The latter gives me half the fee he takes for any draft which I do completely enough to save him trouble. He also gives us invaluable help in explaining little technicalities which are difficult for us to pick up and in every way assists us in getting into the work. He thinks we should get work from solicitors in time even without being called and that if we never sign our drafts but do them in the character of outdoor clerks we can go on safely even without being called.¹⁷

¹⁴ Mill–Taylor, Orme to Taylor, 9 Dec. 1873, item 75.

¹⁵ Beale (1839–1922) was also a Liberal politician; he was knighted in 1912.

¹⁶ Mill–Taylor, Orme to Taylor, 3 Aug. 1875, item 81.

¹⁷ Mill–Taylor, Orme to Taylor, 13 Nov. 1875, item 84. In the same letter Orme asked Taylor to join in helping Hertha Marks with her mathematical studies; Marks later became the physicist Hertha Ayrton.

To twenty-first-century ears, this sounds like a classic case of exploitation, but Beale's manipulation of the strict rules associated with legal writing did allow Orme and Richardson – mid-Victorian single women in their mid-twenties – to establish their own business, employ staff and plan their future. It also reminds us that male lawyers received extensive informal training beyond the LL.B. Being a pupil at one of the Inns of Court was a matter of consuming a minimum number of meals ('eating one's dinners') with established barristers and enjoying opportunities to learn about the various 'little technicalities' that were not accessible to their women counterparts.

Early in her time in Vaizey's chambers, Orme had lamented to Taylor that the law governing conveyancing (33 & 34 Vict c97s60) would not allow her to 'do anything profitable' apart from simple agreements, powers of attorney and testamentary instructions. 'These would not be sufficient to give a fair chance of success to a person debarred from drawing any more common form of conveyance.'¹⁸ By the time she was established in her office two years later, however, she was openly 'devilling' for qualified barristers, despite the legal prohibition against such a practice. Perhaps Beale, Vaizey and others were discreetly giving Orme and Richardson half the fees they received for ostensibly undertaking lucrative work on complex documents concerned with the transfer of property. Or perhaps the common practice in Chancery Lane entailed a tacit understanding that the letter of the law could safely be ignored. In any case, Orme and Richardson advertised themselves as conveyancers and as patent agents.¹⁹ The 1883 Patent Act had made patent registration a more complex process than earlier but had not designated specialized qualifications.²⁰ In addition to their two main services, Orme and Richardson became directors of the Nineteenth Century Building Society, one of the emerging institutions concerned with mortgage lending.²¹

A visit by an American admirer to a new office at 27 Southampton Buildings off Chancery Lane, fortunately recorded in 1888, offers a further

¹⁸ Mill-Taylor, Orme to Taylor, 9 Dec. 1873, item 75.

¹⁹ *Englishwoman's Review*, Nov. 1875, pp. 510, 533–4 and 15 Jan. 1904, pp. 49–51; M. Birks, *Gentlemen of the Law* (London, 1960), p. 229. The 1883 *Royal Blue Book* (directory) lists the partners as conveyancers; *City of London Street Directories* from 1874 to 1889 call them patent agents. For the changing scene of the 1870s and 1880s see Mossman, *First Women Lawyers*, pp. 132–7.

²⁰ For the Patent Act see K. Boehm, *The British Patent System, Vol. 1: Administration* (Cambridge, 1967), p. 30.

²¹ They were the first two women to serve in this capacity. Orme was re-elected as a director in 1909, aged 60 ('The Nineteenth Century Building Society', *British Architect*, 4 June 1909).

vivid picture of the ‘miniature Girton’ where highly educated women worked together on tasks that required a disciplined intelligence and meticulous accuracy. There was a brass plate on the door, identifying the office as that of ‘E. Orme and M. E. Richardson’. Once indoors, the interviewer Jessie Wright found herself in a room where ‘the floors were carpeted, a blazing soft coal fire burned in the open grate, two large windows were lowered from the top, a book case stocked with reports was behind me’, and good prints hung on the walls. She found Orme’s colleague Reina Lawrence at work at a large table in the centre of the room with the office boy waiting ‘stiff as a ramrod’ at her side to run an errand; the table was furnished with revolving chairs and ‘loaded with papers, pamphlets, books—a fine chaos’. Apart from offering a healthy and comfortable working environment, this was a typical late-Victorian office, as found in publishing houses, colleges, universities and government services, as well as in the various branches of the legal profession and those who served it. It’s not surprising that George Bernard Shaw, creating in Vivie Warren the character of a prosperous young professional woman, may have turned to Eliza Orme and her Chancery Lane office for models.²²

Public policy

One might have expected Eliza Orme to keep a low profile apart from supplying her professional services to licensed lawyers, and perhaps some of her male mentors did anticipate that she would work quietly and discreetly at conveyancing and patent agency.²³ She chose, instead, to strategically leverage the professional aspect of her identity to build up a reputation as an advocate for the causes she supported. These were primarily women’s independence (through employment as well as suffrage) and the Liberal party. Both Richardson and Lawrence developed similar reputations.²⁴

²² Mossman, *First Women Lawyers*, p. 13; quotes from a letter from Jessie E. Wright to the Equity Club, 23 Apr. 1888 in V. G. Drachman, *Women Lawyers and the Origins of Professional Identity in America: the Letters of the Equity Club 1887–1890* (Ann Arbor, Mich., 1993), p. 141. Mossman notes that George Bernard Shaw’s stage directions for Vivie Warren’s office in his play *Mrs Warren’s Profession* ‘bear a quite remarkable resemblance to [this] contemporary description of Orme’s office in Chancery Lane in 1888’ (Mossman, “New questions” about women’s access to the legal professions’, *Otago Law Review*, xi.iv (2008), pp. 591–2.) For the observation that Shaw modelled the Vivie Warren character after Eliza Orme see M. Holroyd, *Bernard Shaw, Vol. 1: 1856–1898: The Search for Love* (London, 1988), p. 295.

²³ Some of those mentors were John Elliott Cairnes (1823–75), professor of political economy at UCL; Leonard Courtney (1832–1918), Liberal MP and cabinet minister; and William Alexander Hunter (1844–98), barrister and politician.

²⁴ Richardson studied law at UCL alongside Orme and was also involved in the London

The public vehicles of Orme's advocacy were her journalism (writing books as well as articles in newspapers and periodicals and editing a periodical) and her appearances as a lecturer. These materials are vital evidence when it comes to piecing together an account of her life and career. However, they conceal what must have been an extensive and powerful network of connections, exercised behind the scenes of both feminist and Liberal causes and almost completely undocumented. Hints of Orme's influence surface occasionally, as when she urged Helen Taylor in 1875 to support the young and impoverished Hertha Marks or when she offered Saturday classes for 'ladies' on Debating and Public Speaking.²⁵ The fact that she wrote a biography of a leading member of the Women's National Liberal Association, *Lady Fry of Darlington* (1898), demonstrates that she was trusted to do so, and that she knew how to find a publisher. That she wrote an account of a miscarriage of justice in India and the London-trained lawyer who set it right (*The Trial of Shama Charan Pal*, 1897) suggests that this lawyer, Manomohan Ghose, wanted her to record his story.²⁶ These are suppositions that must be teased out of the public record, but they help to develop an analysis of a complex career, exercised with aplomb in a milieu whose gatekeepers had flatly declared it impossible.

Orme was a leading member of the women's suffrage movement during the 1870s and 1880s, but her name was not memorialized or celebrated by those who wrote the initial histories of their crusade. There are two probable reasons for this. She lived a very long life in retirement and out of the public eye, so that when she died in 1937 most of her contemporaries were dead. But some of those contemporaries probably believed she had betrayed their ideals and hence omitted or suppressed her leadership from the record. There is no evidence that she ever wavered from the cause, which she had told Taylor was of 'paramount importance'. Then as now, however, feminism was not a monolithic movement, and her approach diverged from that of the majority. Orme was on the Executive Committee of the National Committee for Women's Suffrage, and there are numerous press accounts of her lecturing, sometimes in drawing-room meetings, about the suffrage cause. But she saw the question of votes for women

National Society for Women's Suffrage; she was a member of the London School Board in 1879–85. Lawrence obtained her LL.B. at UCL in 1893; she served briefly (1907–9) as the first woman elected as a London borough councillor, with interests in housing, swimming baths and infant mortality.

²⁵ For Marks see Mill–Taylor, Orme to Taylor, 13 Nov. & 2 Dec. 1875, items 84 & 85. For the debates see *Englishwoman's Review*, 15 Feb. 1889.

²⁶ *The Trial of Shama Charan Pal: an Illustration of Village Life in Bengal*. With an introduction by Miss Orme, LL.B. Howrah Sessions, Nov. 1894 (London, 1897).

through the stereoscopic lens of liberal political ideology and Liberal party policy; the former went back to her studies at UCL, while the latter was a matter of alliances with powerful Liberal families. From that perspective, she deplored the strategy of embarrassing the party over the question of women's votes at a time when they were struggling with Home Rule for Ireland. She expressed this view from her platform as editor of the *Women's Gazette and Weekly News*, the organ of the Women's Liberal Federation, from 1889 to 1891. Most members of the federation disagreed, however; they preferred to make the suffrage issue an official plank of the party platform. In 1892 women including Sophia Fry, Catherine Gladstone and Eliza Orme formed an alternative group, the Women's National Liberal Association.²⁷ Although the ideological rationale is probably the most significant aspect of her decision, it's worth noting that, unlike most of the women remembered as leaders of the contemporary women's movement, she may also have been motivated by the consideration that she had a business to manage, a professional reputation to protect, and neither a sympathetic husband nor substantial private means for financial support.

Orme believed that financial independence – derived from an income through work and from the protection of property – was the most important goal for women of all classes, both married and single. In an early statement (1878) she described the vote as a means to that end: 'On the whole, the most direct means of obtaining for women those educational advantages and remunerative employments still withheld from them.'²⁸ She expressed this forcibly again in her 1897 article rejecting the concept that poverty was a necessary condition of unmarried women:

Let us suppose that [a young woman] enters some paying profession and earns perhaps £500 a year. She spends her time in doing what her talents specially fit her for, and in this way is a direct benefit to those for whom she works. Her time being thus employed she pays others to make her bonnets, her dresses, and her other clothing, and, being well off, she pays well for good work. She has a house of her own with servants, one of whom is very probably a lady help or companion housekeeper, whose domestic tastes make the position pleasant as well as profitable. And very likely she helps a younger sister or niece to enter upon a life as useful and honourable as her own.²⁹

²⁷ C. Hirschfield, 'Liberal women's organizations and the war against the Boers, 1899–1902', *Albion*, xiv (1982), 32–5. An incomplete run of the *WGWN* is held at the British Library and was microfilmed by Harvester. Further copies are to be found in the Special Collections Library at the University of Oregon.

²⁸ National Society for Women's Suffrage, *Opinions of Women on Women's Suffrage* (London, 1879), Leaflet 1 (1878), p. 3.

²⁹ Orme, 'How poor ladies live: a reply,' *Nineteenth Century*, xli, Apr. 1897, 613–19.

At the time, Eliza was living with – and perhaps supporting financially – her unmarried sister Beatrice in a substantial house in south London. There were nieces and other protégées who benefitted from Orme’s generosity. Both in private family life and in building a public reputation for professional work, Orme modelled her own commitment to women’s independence.

Freelance opportunities

The term ‘freelance’ is an anachronism for the 1890s, but it captures the precarious and flexible nature of Eliza Orme’s career and identity. Maintaining a reputation among professionals as a trustworthy handler of highly specialized legal paperwork was relatively inconspicuous. Developing and controlling a reputation as an advocate for women’s suffrage and financial independence was otherwise. With an eye for emerging opportunities, Orme twice managed to leverage those intersecting aspects of her identity to show how women could contribute – and what she herself was capable of – at the heart of government and public policy. But she was also prepared to take on humbler assignments that made use of her talents and supplemented her income.

The first opportunity to influence government policy came Eliza Orme’s way in 1892, and the second in 1894; she was in her mid-forties. The Liberal government of the day formed a Royal Commission on Labour to investigate working conditions in several industries and appointed a team of four ‘lady assistant commissioners’ under Orme’s leadership. The work was demanding, so much so that Orme declined an invitation to attend the Congress on Jurisprudence and Law Reform, held in conjunction with the World’s Columbian Exposition in Chicago; she barely had time to prepare a written paper for the event.³⁰ One of her supporters, Leonard Courtney, having been entrusted with the selection, chose her over Beatrice Potter. Potter’s reputation, with that of her new husband, Sidney Webb, was developing in a more radical and pro-trade union direction. Eliza Orme thought trade unions might make sense for men, but she opposed them for women on the grounds that most working-class women’s work outside the home was short term. Rather than combining for better wages and working conditions, women ‘ought to have the power of withdrawing the money they had paid in [to a union] if they wished to leave the trade, just as they would be able to withdraw it from a Savings’ Bank’.³¹ With this sort of attitude, she must have struck Courtney and others as a safe pair of hands to entrust with the delicate questions before their commission. In addition to supervising her three colleagues, she investigated the work of barmaids and

³⁰ Mossman, *First Women Lawyers*, pp. 137, 145.

³¹ Reported in *Englishwoman’s Review*, 15 Dec. 1888.

waitresses, women employed in the nail, chain and bolt-making industries in the midlands of England and women's work in Ireland. Her reports provide plenty of evidence for her conviction that women should not be excluded from any workplace, no matter how uncomfortable or dangerous.³² This put Orme, once again, in conflict with a strong current of contemporary feminist opinion – this time the campaign to protect women's health by keeping them out of heavy work such as blacksmithing and limiting the long hours worked in bars and restaurants.

Just two years later, Orme was invited by Herbert Gladstone to join a departmental committee on prison conditions, which he chaired as a member of parliament. Her questions to those giving testimony to the committee stressed the opportunities for women's paid work with respect to prisoners; she expressed her disapproval of the use of volunteer 'lady visitors' perhaps because prison matrons were unhappy with their interventions.³³ More of Orme's views about prisons for women can be gleaned from an article she wrote in 1898, 'Our female criminals': 'The real fact, is that women, instead of being reformed by prison treatment, are dragged down by it, and that our system ... is really calculated to manufacture habitual criminals and drunkards.' In her tartly expressed view, many of the policies in effect in prisons provided 'examples of the hideous mistakes which may be made by kindly-disposed men if they turn a deaf ear to female criticism'. A good example of valuable female advice is her suggestion that the matrons and warders in women's prisons should be treated with respect, as professional women with the potential for innovation and excellent management ('... warders of the right sort with sunny tempers, bright hopeful spirits, and bubbling over with originality').³⁴

Orme was paid for her eighteen months' work on the Labour Commission at the rate of £25 per month.³⁵ Her prison committee work probably

³² Royal Commission on Labour, *The Employment of Women: Reports by Miss Eliza Orme, Miss Clara Collet, Miss May Abramam and Miss Margaret Irwin (Lady Assistant Commissioners) on the Conditions of Work in Various Industries in England, Wales, Scotland, and Ireland* (Parl. Papers 1893 [C. 6894], xxiii).

³³ S. McConville, *English Local Prisons, 1860–1900: Next Only to Death* (Oxford, 1995), p. 647.

³⁴ Orme, 'Our female criminals,' *Fortnightly Review*, lxix o.s. (May 1898), pp. 791, 792, 795.

³⁵ McConville, *English Local Prisons*, p. 601. McConville notes that the other lady assistant commissioners received £20 per month and gives the archival source PRO HO 45/9837/B10296/67; /71 and /76. See also E. Harrison, 'Women members and witnesses on British government ad hoc Committees of Inquiry 1850–1930, with special reference to Royal Commissions of Inquiry' (unpublished London School of Economics and Political Science PhD thesis, 1998).

received a stipend, and there may have been other lucrative short-term assignments that supplemented (or perhaps temporarily replaced) her main income from the business in Chancery Lane. Similarly, she earned fees from some of her journalism and lectures.

Another source of income, which later turned into a different sort of relationship, appeared when the novelist George Gissing sought Eliza Orme's help with the management of his domestic situation. Gissing's second wife, Edith, was deeply unhappy and expressed herself with violence and vulgarity. From his perspective, she was insane and unfit to care for their son, Walter. Orme and Gissing had met at a dinner party in 1894 and he turned to her three years later, when the situation had worsened. She took Edith off Gissing's hands, initially by installing her in her own home as a lodger at the rate of £200 per year.³⁶ By this time Eliza and Beatrice Orme were living together with their brother in south London. No doubt the household budget was aided by having a tenant in the spare bedroom. Later, Orme offered professional advice (that Gissing should seek a legal separation). She helped settle Walter with another family when Edith Gissing was arrested, and there is no record as to whether she was paid for this service. Nor has any record appeared of other occasions when Orme may have offered a private service to some individual in need of discreet advocacy and practical assistance.

There is, admittedly, a difference between serving on government commissions, being paid fees for journalism or royalties for books and taking in a boarder who needed special attention. No doubt there were further instances of Orme engaging in piecemeal assignments that enhanced her private income without damaging her public identity. Many of her feminist contemporaries were either married women, supported financially as well as ideologically by like-minded husbands, or single women living on the income from inherited investments. She was a single woman, self-supporting in a professional role so precarious that it had no proper designation.

Her posthumous reputation

It was not until the 1980s that Eliza Orme became the subject of research, and the second decade of the twenty-first century was well underway before

³⁶ Gissing described the situation to his new wife, Gabrielle Fleury, in a letter of 6 Feb. 1899: 'I forgot that you did not know who Miss Orme was. She is the lady with whom that terrible person [Edith] lived for six months, in London, after my departure for Italy in late summer of '97. Her age is about 53 [she was 51], and she is a very strong-minded woman, who has been a good friend to me. In return to her kindness to that poor foolish creature, she was insulted and abused and all the peace of her home ruined.' *The Letters of George Gissing to Gabrielle Fleury*, ed. P. Coustillas (New York, 1964), p. 105.

anyone had tracked down even a photograph.³⁷ Traces of contemporary comments were waiting in the archives or in books about other people. There was the law student who tried to prove Orme had cheated her way to a scholarship he deserved; and the moment when she joined the gentlemen in enjoying an after-dinner cigar. A vindictive woman assured her friend that Orme was ‘horribly ugly’, while a young man was disconcerted to find the friendly girl he had been flirting with was the formidable ‘Miss Orme’.³⁸ A younger law graduate, Cornelia Sorabji, worried about being seen as ‘a kind of Miss Orme [known to] put in train ugly divorce proceedings’.(This might possibly refer to some discreet involvement, on Orme’s part, on behalf of Charles Dilke in a divorce scandal of 1886, but the evidence here is inconclusive.)³⁹ Thanks to internet search engines, the tidbits in print are now easily accessible, as are many of her public appearances, and even a few letters in archives. But her private emotions and motivations remain unknown (as do other occasions when rivals may have undercut her precarious reputation). Why did Eliza Orme retire around 1910, in her early

³⁷ In a graduate class at York University *circa* 1983 I encountered George Gissing and wondered why his ‘Miss Orme’ was elsewhere referred to with the designation LL.B. It was not until about thirty years later that I learned that the Gissing scholar Pierre Coustillas had received a copy of a photograph from a descendant of one of Orme’s nephews. I am very grateful to him and to H el ene Coustillas for sharing it with me, and for telling me that the original photograph is inscribed and dated 1889.

³⁸ For Pascoe Daphne’s allegations of cheating see above note 10; for Gissing and the cigar see below note 41. A woman engaged in a dispute with Orme about founding clubs for women wrote to her friend that Orme was the author of an ‘obnoxious’ (and presumably anonymous) article: ‘she is a friend of Mrs Heatherley’s. She is a conveyancer, and has offices in Chancery Lane. I am happy to say that she is horribly ugly’. *Letters between Samuel Butler and Miss E. M. A. Savage, 1871–1885*, ed. G. Keynes et al. (London, 1935), pp. 234–5. For the evidence of flirtation see E. Pratt, *Pioneer Women in Victoria’s Reign* (London, 1897), p. 82. A young man attending an evening party ‘had been for some time talking, without knowing it, to the far winner of a prize essay on some abstruse point of law. When at last he discovered her name, the shock was so great that, without waiting to collect himself, he blurted out, “What! *You Miss Orme?* Why, I thought you hadn’t an idea in your head!” – a remark naturally treasured by that lady as one of her most cherished compliments.’

³⁹ Quoted in Mossman, *First Women Lawyers*, p. 220, from a letter of 16 Oct. 1898 from Sorabji to Lady Mary Hobhouse. Mossman surmises that this refers to the legal separation between George and Edith Gissing, which was unpleasant although not widely publicized. However, a letter from Orme to the Manchester philosopher Samuel Alexander, dated 9 Apr. 1886, refers to her being ‘much concerned’ in a situation that is almost certainly the Crawford divorce case of that year. Prominent Liberal politician Sir Charles Dilke was cited as co-respondent; and Alexander corresponded with Emilia Dilke on the same subject. John Rylands Library, University of Manchester, Samuel Alexander papers. For the case see K. Israel, ‘French vices and British liberties: gender, class and narrative competition in a late-Victorian sex scandal’, *Social History*, xxii (1997), 1–26.



Photograph of Eliza Orme, 1889.

sixties? And what did she think of the suffragette militancy soon afterwards, or about the First World War, or indeed about the Sex Disqualification

(Removal) Act of 1919? What was the nature of her partnerships with Mary Richardson and Reina Lawrence? No evidence has surfaced that suggests they might have been sexual and intimate as well as business relationships, but nor has any survived to demonstrate that they were not. (Lawrence was named the executor of Orme's will in 1885 and fulfilled her duties in 1937; that is a lifelong friendship.) How significant was the extended family network which included such distinguished and very public figures as her brothers-in-law David Masson in Edinburgh and Henry Charlton Bastian in London, as well as the competent women who were her sisters and nieces, her bachelor physician brothers Charles and Campbell Orme, and her nephews? A future biographer or historian might trace such connections. This chapter is intended to help shape the narrative as new research emerges, to frame one woman's feminist advocacy, her freelance opportunities and her quasi-legal practice as part of the emerging pattern of a new (and precarious) kind of paid work and professional identity for women. In Eliza Orme's own words, 'nothing assists the [ideological] question so much as practical work done by women'.

As we have seen, Orme was on the 'wrong' side of women's-movement history, first when it began to be written in the early twentieth century and again when second-wave feminist scholars began to celebrate the foremothers who had fought, unambiguously, for the vote and to protect working women's health. Her position in the annals of the history of women in the legal profession is more secure, but still somewhat problematic. The 'First 100 Years' and 'First Women Lawyers' movements have recognized her as a precursor to the breakthrough of 1919. But as a precursor, she is inevitably cast as a 'failure' – someone who sought entry to the profession without success.⁴⁰ She herself contributed to that discourse in the 1903 *Law Journal* article where she wrote that 'perhaps I ought to have tried harder'. However, it was unreasonable then, and it's ahistorical now, to suggest that the climate of the 1870s and 1880s would have permitted any woman to become a barrister or solicitor in Britain. What it did permit was for them to charge substantial fees to the legitimate practitioners whose legal training was acknowledged and right to public roles recognized.

As an important novelist, George Gissing has attracted the attention of scholars who have preserved much of his correspondence and conscientiously researched his turbulent life. Traces of Eliza Orme's encounters with him

⁴⁰For Orme and other 'pioneers' as 'failures' see the programme of the First Women Lawyers in Great Britain and the Empire Symposium of June 2016, organized by Dr Judith Bourne of the Centre for Law and Culture at St Mary's University (UK). See also the First 100 Years history project <<https://first100years.org.uk>> [accessed 19 June 2021].

have been caught in that net, not least that first dinner-party when ‘she took a cigar as a matter of course’. She was the only woman in a party of four who dined at a restaurant and then went back to a place of business to smoke. Rather than behave conventionally in what may have been an awkward situation, she took the opportunity to assert a woman’s right to participate fully in a cultural ritual.⁴¹ The novelist took advantage of his new friend’s expertise and willingness to help. At the point when Edith Gissing’s mental health had deteriorated and a second son had been born, Orme again provided a useful service, this time by sending young Alfred to Cornwall under the supervision of her sister Blanche Fox. Although the relationship began with Gissing paying Orme for her services, it seems to have moved on to one of voluntary assistance which included finding a lawyer to help with the breakdown of his marriage. In view of the painstaking efforts of Pierre Coustillas and others to document Gissing’s correspondence and diaries, it is worth noting that the novelist was clearly blissfully oblivious to the extraordinary public and professional life of ‘one of the busiest women living’ who helped him so generously in his private tribulations.⁴²

Eliza Orme was a long-lived, highly competent woman who, from the 1870s to the 1910s, was quite well known in social and political circles in London and beyond.⁴³ While we remember her intellectual prowess and professional expertise and recognize the gender challenges she herself downplayed, let us also acknowledge that she could be very funny. She ‘evoked’ much laughter from an audience of women liberals with a ‘humorous description of the antics of the Irish police’ in an 1877 lecture.⁴⁴ We can listen to her referring blandly to ‘kindly disposed men’ making ‘hideous mistakes’ when they

⁴¹ *London and the Life of Literature in Late Victorian England: the Diary of George Gissing, Novelist*, ed. P. Coustillas (Hassocks, Sussex, 1978), p. 353. H. W. Lawrence and A. H. Bullen, the other men at the table, were London publishers with an office in Henrietta Street where the smoking took place. Lawrence had presumably met Orme through his sister Reina.

⁴² Gissing to Henry Hick (13 Apr. 1897), in *Henry Hick’s Recollections of George Gissing, together with Gissing’s letters to Henry Hick*, ed. P. Coustillas (London, 1973), p. 37.

⁴³ Her name disappears from the public record in the early 1920s. She died on 22 June 1937, aged 88; the address on the death certificate was the family home of Reina Emily Lawrence. Then 76, Lawrence inherited Orme’s real estate and was the residual heir after Beatrice Orme, who inherited the money and securities. Beatrice died in 1949. Information comes from Orme’s will and the probate record (ledger 1937, vol. L-P, p. 658) and from the death certificate (where she is identified as a spinster of no occupation suffering from cardiovascular degeneration and senility).

⁴⁴ *Women’s Gazette and Weekly News*, 22 Dec. 1888, p. 126. This was a meeting of the Strand Women’s Liberal Association, of which ‘Miss Orme LL.B.’ was then president. The newspaper reports several lectures by Orme on Irish land and other questions in 1888–9 and refers to her recent visit there.

'turn a deaf ear to female criticism'; or skewering the prevailing nostalgia for outmoded gender roles by praising the 'sound-minded woman' who could stand by a friend during a surgical operation and carried only a medium-sized umbrella. She once observed that while petticoats might be awkward, a barrister's courtroom wig was downright unhealthy, but 'If our judges and counsel are to be forgiven the little weakness of preferring fashion to comfort, the same leniency may be extended to self-supporting women of the educated classes' and their wardrobes.⁴⁵ But she was also cautious. Orme's humour, at least its expression in the media, was subtle and gentle enough never to make a barrister or politician feel too uncomfortable, or to put at risk the precarious edifice of business and reputation she had built in Chancery Lane.

The working lives of Eliza Orme and her colleagues illuminate the history of professionalism for both men and women in those tumultuous turn-of-the-century decades. While male barristers and solicitors held firmly to the tradition of restricting qualifications and accreditation within the 'sacred precincts' of the law, some found their practice to be much more efficient and profitable when they quietly employed women who had undertaken the appropriate academic preparation.⁴⁶ Women like Orme, Richardson and Lawrence, having taken degrees in subjects such as jurisprudence and Roman law, used the prestige associated with that knowledge to acquire related practical skills and secure profitable and prestigious employment. And like other professionals, they lived out their lives in public as well as in private – writing and organizing as advocates for everything from women's suffrage to barmaids' working conditions, from municipal politics to public swimming baths.

⁴⁵ On female criticism see Orme, 'Our female criminals', p. 792. On surgery and umbrellas see Orme, 'Sound-minded women'. On wigs see Orme, 'Woman's work in creation: a reply', *Longman's Magazine*, ix (Dec. 1886), p. 131. The following paragraphs skewer medical doctors' conventional dress in comparison to 'the pleasant summer costume of what is called the advanced woman'.

⁴⁶ Other women with law degrees made different choices. Letitia Walkington, who also received her LL.B in 1888, in Ireland, was twenty years younger than Orme. She had opportunities to enter the offices of solicitors but did not accept because she would not have been able to practise formally. She coached other students and did voluntary social work, while remaining alert to opportunities for women lawyers outside Britain (Mossman, *First Women Lawyers*, p. 199).