

# NUGGETS of HISTORY

Volume 28

Winter 1991

Number 1

THAT'S THE WAY SHE IS!

by Hazel M. Hyde

Edith Osborn Jones (Mrs. Avery) age 98, is a great lady. When as a Christmas gift she sent her fourteen page "Memories of Edith Osborn Jones", with index, it activated my knowledge of this remarkable woman, first met about 50 years ago. Dr. William Magnelia, seated across the table from us at Rockford Country Club, at the annual Rockford Chapter of Lyric Opera of Chicago Brunch, spun yarns about her accomplishments and adventures. He was her dentist and still goes out to visit her at her country home on Egan Road. One part of her story was the fact that she had been a teacher in Rockford. Here is a record of her education in her own words:

Letter December 20, 1990, "I have had a long life and it has been a good one. When nearly six years old I went to a one-room school 1½ miles from home. At age eight we moved and I went to a second one-room school which I attended until ready for high school. In 1906-7 I attended Winnebago High School, stayed away from school 1907-8, then went to Rockford Central High School and graduated in 1911. Then I attended Rockford College and graduated in 1915. I taught a year, then went to the University of Chicago for graduate work in mathematics. The summer of 1915 I attended the University of Wisconsin; my main activity was learning to swim. In 1915-16 I taught grade school in Rockford, 1917-18 High School in Toulon, 1918-19 attended summer school at Columbia University in New York City, and summer of 1920 studied at Harvard University, with no attempt to win a degree. I taught mathematics at RHS until December 1922 when I left to be married. In 1923-24 I taught in a one-room rural school. Teaching was all right, but married life was better." So Rockford has a claim on this woman, who has such a zest for life, because of her attendance at Rockford College on the old campus and her years of teaching mathematics at Old Central High School.

MEMORIES (quoted with written permission) p 4. "FAIRVIEW SCHOOL. A one room country school stood on the southeast corner of Conger and Montague Roads. It was the usual oblong type with a single north door which opened into an entry, a place where a water pail stood. There were two doors opening into the schoolroom and at each end of the north wall there was a cloak room--girls on the east, boys on the west. Water was carried in a pail from the William Wright farm across the road. The school was organized by early settlers from a two area. Among the early pupils were William and George Bridgeland. I had my first day of school there in the spring of 1898 and my teacher was Jean Bowie, one of the finest teachers I ever had. The Fairview population has changed greatly since 1900."

Three members have been honored for 50 years of service by Rockford Chapter Daughters of the American Revolution: Edith Osborn Jones, Irene Hildebrand Anderson and Hazel Mortimer Hyde. Edith Jones writes letters and she told that a friend Jean Nelson White would take her to the Illinois State Conference in Oak Brook on March 17, 1991, where 50 year national members are to be honored at a luncheon in the Oak Brook Hills Resort. When acting as Mistress of Ceremonies for a vintage style show, bits of information were gathered about the participants for my use. Edith "stole the show" with a nightgown over 100 years old, hand-made and decorated, it had tiny buttons from neck to floor with hand-worked

Mrs. Avery Jones (Edith), 50 Year Member, Age 97 Honored October 20, 1989, for 67 Years of Membership (1922-1989) in Rockford Chapter NSDAR



button holes. She corrected me about the age I gave for her and then delivered her own comments!

My most recent face-to-face talk or interview with Edith Jones was before a meeting of Rockford Chapter NSDAR as guests of Rockford Colony of New England Women, held December 10, 1990, in St. Anscar's Episcopal Church. "About my membership in Rockford Chapter DAR, I joined March 8, 1922. Nobody invited me, I just joined because a friend belonged and I knew that I was eligible," Edith told me. As a friend and as Sunshine Chairman of our chapter, I send cards with a note or longer letter at Edith's birthday and some other occasions. She replies immediately with her thanks! Her writing is very legible.

Edith's memory is fantastic. She wrote, in response to my questions, "I am reluctant to talk about myself, but I have had a fine life and am glad to tell about it. I was born June 30, 1892, in Byron Township, Ogle County. I was the oldest of four children and am the only child still living. When I was small my father bought a surrey with fringe on the top, a fancy outfit. It was drawn by a team. In 1906 Dad bought an automobile, one of the first in our area. It had a top and side curtains. Our normal speed was 12 to 16 miles per hour. Oregon and Lake Geneva were as far as we went. Roads were not paved and dust was dreadful. Gasoline was twelve cents a gallon. In 1916 my father took three of the children to Colorado, an unheard of long auto trip. At age fifteen I taught myself to drive and drove until the age of ninety-five. I had many narrow escapes but no serious hurt.

Avery and I had a thriving antique furniture business for forty years, buying, refinishing, and selling. In 1968 we went to Washington, D.C. and to California. I have been in or traveled over every state in the U.S. plus Alaska, Hawaii, Canada, and a bit of Mexico.

"In 1967 my sister Frances and I made our first trip to Europe,

went on the 'Queen Mary', just a wonderful trip. We flew home. I have crossed the Atlantic fourteen times. That first European trip included eight countries and was thrilling.

"In 1968 Avery and I went to Washington, D.C., and Hawaii, stopping at Pearl Harbor. In 1969 Avery and I went to Alaska beyond its Arctic Circle. We rode in a kayak on Bering Sea and had a ride in a sled drawn by dogs.

"In 1970 Avery and I went to Nova Scotia on a bus trip, stayed in a fine hotel on the St. Lawrence River at a point where Avery had boarded a ship to go to Europe in World War I.

"In 1971 Frances and I went to the Canary Islands--had the excitement of riding on a sled down a small mountain. Two men carried poles to guide it. From the islands we went to Morocco, a beautiful country. Frances bought an elegant rug made on a hand loom.

"In 1972 Frances and I went to the Holy Land when I regretted not being better acquainted with the Bible. Paul's travels were unbelievable and so was the dungeon where he was held. We felt almost afraid of natives because of their fierce looks and actions. The Catacombs left a lasting impression. It is hard to believe that we walked where Jesus walked. We rode camels to the Pyramids. No elephants!" (One question had been: "Did you ever have a ride on an elephant?")

"In 1973 Avery died and we had no trip.

"In 1974 Frances and I went to the Orient, eight countries and as far south as Singapore. That was an extra fine trip.

"In 1975 Frances and I went to the British Isles, had a wonderful time in London. Our ancestors had come from London and we came across family names.

"1976 took us to Scandinavia, and interesting combination of scenery and people.

"In 1977 we had an Alps trip through those wonderful mountains. Our bus had to go over dangerous roads and at times the curves seemed almost impossible.

"1978 Frances and I to Yugoslavia. It is the only country where we were not welcome but were safe with our own crowd. We visited Europe's largest cave.

"Much more could be written about the famous cities we visited, Paris, Cairo, Venice, Rome and others.

"I had the balloon ride on my 87th birthday, and was afraid my DAR friends might disown me for being so silly. As to things in which I have ridden, my latest was on a glider at an airport near Chicago, a gift for my 97th birthday. Now they have run out of odd rides.

"I may have bored you with this long dissertation but when I got started I could not stop. I am blushing to think of being mentioned in NUGGETS, a magazine I read from cover to cover the day it comes. Congratulations on doing a good job with it.

"Yes, camels can be disagreeable and mine tried to spit on me. Our church has film of my trip to Egypt. It is almost comic. My travel days are over but I can amuse myself by recalling events. You opened up a big subject."

Edith Jones is now 98 and a 69 year member of Rockford Chapter NSDAR. In the Rockford Register Star, July 25, 1989, in Leona Carlson's column, we read, "CELEBRATION CIRCUIT: How's a girl supposed to celebrate her birthday when she's already ridden camel-back in Egypt, kayaked the Bering Sea, helicoptered past the Statue of Liberty, visited 40 different countries and gone up, up, and away in a hot air balloon? That's easy. She takes a glider ride, of course, which is just

what Edith Jones did—when she turned 97 last month....

"The glider flight was a gift of Jones' grandchildren, and about 30 other relatives converged on Clow Airport at Plainfield to cheer her on. Her son, Marshall Jones, went along for the ride, which turned out to be more of a thriller than anticipated. 'I sat beside my mother, behind the pilot,' says Marshall. 'We were going about 80 miles an hour behind the tow plane and climbed to about 5,000 feet. But just as they let us go the tow rope looped around the wing and tripped the canopy open. Luckily the rope was strong enough; he had to hold it all the way, which was fine as long as it didn't rip the wing off. But the pilot was terrific and the ride was great. I enjoyed it immensely.'

"So did his mother. She, in fact, at first had expected her son to pilot the glider himself, was undaunted by the prospect, and she had full confidence in his capabilities...She has this column's vote for 1991 — as a candidate for the country's first centerarian in space."

Another Rockford Register Star article featured her honor by Rockford Memorial Hospital on her final appearance as a pink lady volunteer. She enjoyed the chore of wheeling out departing patients. A wheel chair was named in her honor and the length of her service as a volunteer was stressed.

Harold Hyde had come to the area near Seward and Winnebago in the 1930s. The Avery Jones family had many contacts in that area so Harold and Betty came to know them. They were impressed with the skill the Joneses had in buying and restoring antique furniture in the 1930s and made a visit resulting in a quite handsome drop leaf table finding its way into the Hyde home. The table now graces a breakfast area in the home of Harold's sister, Marjorie, who lives with her husband Clifford on Edwardsville Road.

Edith has been extremely interested in local history. Her own life is a vital part of the happenings from what is known as "The County Line" and the community around Seward and Winnebago. That has been a tie that led to a deepening of our friendship with her. She is a member of Rockford History Society, Seward Historical Society, and a charter member of Ogle County Historical Society. One of the stories in MEMORIES deals with a church which has a cemetery attached. I was in a group of Rockford Chapter DAR members who copied the records from the stones. It has a special significance for Edith, too.

MEMORIES pp9-10 MIDDLE CREEK PRESBYTERIAN CHURCH "Middle Creek United Presbyterian Church was organized by sixteen charter members, December 23, 1859. It was decided that a church should be built on their property so George Osborn donated an acre for the building and several acres for a cemetery. He was a Methodist who never attended Middle Creek Church. He was a great great grandfather of James Bridgeland who now owns the original Osborn farm. On May 11, 1861, it was written that the first meeting was held in the church. Several substitute ministers served until Reverend Joseph Stephenson Braddock came and preached his first sermon there December 10, 1865. He preached there forty-two years. He was an unusually fine man and his good influence spread far beyond Middle Creek.

"In the autumn of 1908 Reverend Harry Patterson Armstrong became Middle Creek's second installed pastor. He served until 1933. In the spring of 1910 the church was remodeled and a bit enlarged. A basement was constructed. The whole country experienced hard times and a depression and at times there was little money to pay the pastors' living expenses.

"Marriages usually were performed at the parsonage or in the home of the bride but on December 30, 1922, Avery and I had the first middle Creek Church wedding. Many weddings have been performed there since

then.

"George W. Swalve, Jr., came to Middle Creek in April 1946, newly married and graduated from Dubuque Seminary. He and Trudy stayed the next forty years. Many changes occurred, a parsonage was built near the church, an education wing was added to the church, and finally the church was torn down and the present brick structure was built. Membership increased and people came from greater distances. Middle Creek Church has its distinction of having three ministers whose combined services lasted more than a hundred years."

The list of topics covered in MEMORIES further illustrates the depth of Edith's knowledge of and interest in the area's history and the people. It depicts much that happened in nearly a century. The list:

"Accidental Death; Fires; Contagious Diseases; War Dead; Victims of Lightning; Swedish People; Fairview School; Seward School; Serious Accidents; Suicides; Murders; Seward Doctors; Sales People; Business Rewards; Blind Joe; Country Kitchen and Flies; Calling; Peacocks; Churches; Ice; Book Sales; Privies; Farming; Interurban Lines and Street Cars; Bedrooms; Adopted Children." It was not intended to be a story of her life but rather of the events and places she holds in memory.

Living on a farm with her son, Edith is vibrant and lively in spite of a slower step and less acute hearing. She enjoys company and good conversation. I salute her as a woman who should be remembered during Women's History Month.

#### LEGAL PIONEERS: FOUR OF ILLINOIS' FIRST WOMEN LAWYERS

Four women pioneers in Illinois broke the barriers of the male dominated legal profession. Through their individual struggles and combined effort Myra Bradwell, Alta Hulett, Ada Kepley, and Catherine McCulloch opened the door of the legal profession to women, and serve as role models for today's lawyers of either gender.

by Meg Gorecki

(Reprinted with permission of the Illinois Bar Journal, Vol. 78 #10, October 1990. Copyright by the Illinois State Bar Association.)

#### I. Introduction

Throughout the late eighteen hundreds, women were moving ahead in the medical profession. Some were able to break the barriers and establish medical schools, hospitals, and clinics to educate women. Unfortunately, the legal profession was harder to enter. "In 1880 there were only two hundred women lawyers in the entire United States, which was less than the number of

women doctors practicing in Boston alone." Illinoisans can be proud that four pioneering women lawyers from the Prairie State helped break the barriers of the male-dominated legal profession.

These four women — Myra Bradwell, Alta Hulett, Ada Kepley and Catherine McCulloch — were not only individual successes, but also played a role in the larger struggle for sexual equality. Myra Bradwell was the first woman to apply for a license

to practice law. Alta Hulett was the first woman to become a lawyer in Illinois, Ada Kepley was the first woman in the world to receive a law degree, and Catherine McCulloch was the first woman in Illinois to become a justice of the peace.<sup>1</sup>

By working within the socially accepted female role, these four pioneers opened the legal system to all women. Once women had access to the courts, they began to present legal arguments for women's suffrage. The story begins with a woman who went down in history as one of the greatest contributors to the advancements of law without practicing a single day.

## II. Myra Bradwell

Myra Colby Bradwell, born in 1831, was the first woman in the United States to apply to become a lawyer. After her marriage to James Bradwell in 1852, she began working with him at his legal office in Chicago. "Originally a school teacher, Myra had no intention of practicing law, but hoped to be helpful in preparing briefs, doing research and interviewing clients for her husband."<sup>2</sup> Yet, the more Bradwell became involved with litigation and briefed cases, the more she wanted to become a licensed attorney.

Before Bradwell began to study law, she worked for the Union cause during the Civil War. Bradwell designed a program to raise funds for nursing wounded soldiers, and worked to assist soldiers' widows and orphans.<sup>3</sup> After the war, Bradwell was able to turn her attention back to law. She passed the bar exam in 1868 and in August of 1869 was certified to the Illinois Supreme Court for admission to the bar. Unfortunately, her application was rejected. Bradwell received a letter from the supreme court reporter which read as follows:

The court instructs me to inform you that they are compelled to deny your application for a license to practice as an attorney-at-law in the courts of this state upon the ground that you would not be bound by the obligations necessary to be assumed where the relation of attorney and client shall exist, by reason of the disability imposed by your married condition.<sup>4</sup>

On October 6, 1869 Bradwell filed a brief citing several arguments in sup-

port of her application, including statistics showing the number of women in the medical profession. However, the Illinois Supreme Court affirmed the original decision denying her admission to the bar. There was one significant difference between the original decision, *In Re Application of Bradwell*,<sup>5</sup> and the appeal, *Bradwell v Illinois*<sup>6</sup> — Bradwell would now be denied access to the bar not because she was a married woman, but simply because she was a woman. The court based its reasoning on common law which barred all women from becoming attorneys.

Neither of these rejections deterred Bradwell from her goal of becoming a licensed attorney. She filed a writ of error to the United States Supreme Court, and while the case was pending she pursued several other interests. In October of 1868, just before she applied to the bar, she had become the founder and editor of the *Chicago Legal News*. This newspaper was the first weekly legal publication in the Midwest. In each issue there was a record of recent case decisions from the United States and Illinois courts.

The paper also included general news and legal developments. Bradwell "made it clear that she would use her publication to battle for improvements in everything directly or indirectly connected with the practice of law."<sup>7</sup> She struggled to change the poor conditions of the Cook County Courthouse. She attacked law schools that had discriminatory admission standards, and occasionally lashed out at inept lawyers.<sup>8</sup>

Because she managed the *Chicago Legal News*, Bradwell often found herself in front of the Illinois Legislature. In 1869, she "drafted the law giving married women their own earnings; she became the first and only woman in the world to possess her own earnings by special act of the Illinois Legislature."<sup>9</sup> Bradwell continued to work for women's rights and during that same year, 1869, she was an organizer and speaker at the Chicago Suffrage Convention. She not only argued for women's suffrage but for women's right to own property, to sit on juries, and to enter law school. She even had a column in the *Chicago Legal News* called "Law Relating to Women" in order to advance the polit-

ical and legal status of women.

In this column, Bradwell's style was blunt. "She campaigned for women's suffrage, maintaining that the issue was not a matter of politics, but of necessary reform":

We have never said anything in the columns of the *News* and never intend to, from which any person could tell whether we were in favor of the Democratic or Republican party — the Methodist, Baptist, Universalist or Catholic churches. But one thing we do claim — that woman has a right to think and act as an individual — believing that if the Great Father had intended it to be otherwise, he would have placed Eve in a cage and given Adam the key.<sup>12</sup>

In October of 1871, Myra and James Bradwell lost their home, their law library, and the *Chicago Legal News* in the Chicago fire. Their library, which contained over two thousand volumes, was completely destroyed, but Myra insisted that the newspaper would continue. In a matter of a few weeks she had the paper back on its feet. Several of the paper's subscribers were mailing law books and journals to help the Bradwells rebuild their library.<sup>13</sup>

In May 1873, the United States Supreme Court upheld the decision of the Illinois Supreme Court denying Bradwell admission to the bar. In *Bradwell v Illinois*<sup>14</sup> the court held that admission to the bar was not a privilege guaranteed by the Fourteenth Amendment. The Court emphasized that women were limited to their functions of womanhood, based on their weakness and inability to be rational, maintained by "the Laws of the Creator."<sup>15</sup>

Even after this rejection, Myra Bradwell refused to quit. "[S]he devoted her time to legal reform, her newspaper, women's rights, working for the formation of what would eventually be the Chicago Bar Association, and encouraging other aspiring female attorneys."<sup>16</sup> In 1876 she was appointed by the governor to be the Illinois representative at the Centennial Exposition in Philadelphia. Bradwell was also selected by the governor as a delegate to the Prison Reform Congress in St. Louis. She attended the American Women's Suffrage

Convention in Cleveland and was the secretary of the Illinois Suffrage Association.

While Myra Bradwell was a crusader for the woman's rights, she, like the three other pioneers discussed here, lived up to the typical expectations for women of this period. She was a married, white, middle-to-upper class woman with children; her husband was an attorney and later became a judge. Because of her social and economic status, Bradwell was able to join organizations and work for causes outside the home.

In short, she was able to remain in her defined role as a woman, mother, and wife, and still make reforms. She was the first woman admitted to the Illinois Press Association and was a member of the Illinois State Bar Association. She was a member of the Women's Club, the Daughters of the American Revolution, The Grand Army of the Republic, the Women's Press Association, and the National Press League.<sup>17</sup> Yet even after all of these achievements, Bradwell was eulogized as a devoted wife and mother.

In 1890, the Illinois Supreme Court granted Bradwell an *Amende Honorable*: a license to practice law. Although Bradwell never reapplied for the license she was issued one by the court "to right a previous wrong."<sup>18</sup> In 1891, Bradwell traveled to Europe, but not for a vacation or suffrage convention; instead, she saw a specialist who confirmed that she had cancer. She returned to the United States and spent her last two years fighting for women's rights and working on the World's Columbian Exposition to be held in Chicago. Myra Bradwell died on February 14, 1894. In a Centennial biographical sketch, written in 1876 by historian Charles Mosher, she was remembered as a journalist, not a lawyer. He wrote as follows:

Endowed with rare gifts of mind, a profound thinker and brilliant conversationalist, this talented journalist (was) also a true mother, one of those whose children shall rise up and call her blessed.<sup>19</sup>

## III. Alta Hulett

In 1871, while Myra Bradwell's application to the bar was pending,

another aspirant was seeking entrance to the bar. At first glance, Alta M. Hulett must have looked like a school girl lost in a courthouse on a field trip, but this young woman was to become Illinois' first female lawyer.

Alta Hulett was born on June 4, 1854 in Rockford. While growing up she attended the Rockford Seminary, and at 16 she began to work for a family friend, William B. Lathrop. Lathrop was a successful attorney in Rockford and under his direction Hulett studied law. One year later she moved to Chicago and worked for the law firm of Sleeper and Whiton. She continued to study law and in 1871, while Myra Bradwell's case was still pending, she petitioned the Illinois Supreme Court for admission to the bar.

Hulett used two arguments that were radical for the times. First, she argued that women as human beings had the right to be attorneys. Alta also argued that women had the same ability and intellectual capacity as men did and therefore could practice law at an equal level.

When Hulett's application was rejected the first time, Myra Bradwell immediately joined forces with her. In her newspaper column relating to women, Bradwell wrote as follows on November 18, 1871:

Well Miss Hulett, wait a little longer. The doors of the legal temple in Illinois will surely open for the admission of women. It only remains to be seen whether it will be done by the Supreme Court of the United States or the state legislature.<sup>21</sup>

Hulett was not discouraged by the court's refusal; one month later she began drafting proposed legislation that would prohibit denying access to any occupation because of sex. At the age of 18, she began lobbying the Illinois Legislature. She appeared before the judiciary committees of the House and Senate. During this battle she received support from Myra Bradwell and from Ada Kepley, who had also been refused admission to the bar. Only eight short months later, Alta Hulett was able to celebrate the passage of her bill into law. Instead of attempting to amend the general law to make it apply to both sexes, Hulett drafted a law making it illegal to dis-

criminate on the basis of sex. The law read:

Section 1. Be it enacted by the People of the State of Illinois, represented by the general assembly: That no person shall be precluded or debarred from any occupation, profession, or employment (except military) on account of sex; provided that the act shall not be construed to affect the eligibility of any person to an elective office.<sup>22</sup>

Illinois was the first state to enact a law giving women access to the legal profession. This law was also the first piece of legislation in the United States which prohibited sex discrimination in employment.

After passing the bar exam in 1873 (and receiving the highest score on the test) Alta Hulett was admitted to the bar on her nineteenth birthday. Hulett was not only the first woman attorney in Illinois, but also the youngest female attorney in the world. She began practicing immediately and was extremely successful. Hulett never lost a case before a jury, but her legal career was tragically cut short when she was diagnosed with pulmonary consumption in November of 1876. Four months later, on March 26, 1877, Hulett died at the age of 23.

Hulett was remembered as a genial and talented woman, always spirited in argument.<sup>23</sup> Her short, virtually flawless career and victorious battle for equal employment legislation helped the many women who followed gain access to the legal profession.

#### IV. Ada Kepley

The third pioneer, Ada H. Kepley, broke the barriers against women practicing law in a different way, by working within the established system of a male-dominated legal institution. Kepley enrolled at the Union College of Law, the predecessor to Northwestern University Law School. Upon entering, Kepley was considered a token woman and was never expected to finish the program. Women were viewed as mentally inferior to men, and those who enrolled in law school during this period must, it was thought, be trying to become better secretaries or stenographers. In June of 1870 the graduating class looked different from previous classes — a woman, Mrs. Ada Kepley, was

receiving a law degree. Kepley became the first woman in the world to do so.

Also in 1870, Kepley became the first woman to practice in a court of law. Although Myra Bradwell's case had not been decided by the Supreme Court and Alta Hulett's legislation had not been passed, Kepley was permitted to practice in the Circuit Court of Effingham County. Judge Decius, on November 16, 1870, in defiance of the opinion of the Illinois Supreme Court, entered an order allowing Kepley to practice in his court. "He stated that although the Illinois Supreme Court had refused to license a woman, it was in another case, and he believed that Kepley's motion was proper and in accord with the spirit of the age."<sup>24</sup>

#### V. Catherine Waugh McCulloch

In Ronald Chester's book, *Unequal Access*, the author interviews women who attended law school 50 to 60 years after Ada Kepley. Even though hundreds of women graduated from law schools all over the country, their acceptance into the legal profession had hardly changed. One woman remembered that "[n]eighbors had come to... (my parents) and tried to persuade them not to let their daughter go into law. She'll never get anywhere with it. Wouldn't it be better to have a safe career?"<sup>25</sup>

This view was common and there was discrimination against women in all law schools. Women were able to enter the profession by sticking to the definition of true womanhood. As in medicine, women entering the legal profession were restricted to "a regular" legal path. Just as female doctors were barred from progressive studies such as psychology, women lawyers were also forced to practice mainstream law.

Although few women practiced law, they concentrated in the fields concerning women — family law, labor law, food and drug regulation, and environmental law. Only a few women entered criminal or trial practices. The argument used for women to study law also kept within the context of the social norms:

Someone has said it will destroy our home and take away the refining influ-

ence of home life; I do not agree. It will make her have higher ideals and become more intelligent in every phase of life. It will make women better wives, mothers and citizens, and make the profession more respected than it ever had been before.<sup>26</sup>

Woman fought the social guidelines and sexism of the day through an early version of female networking. The first women's legal sorority, Kappa Beta Pi, was founded at the Chicago-Kent Law School in 1908. Although enrollment was low, the sorority provided a support system for women (interestingly, networking was much more successful for women in medicine, where they were able to organize hospitals, medical colleges, and medical associations to advance the status of women in the profession). Other legal sororities were established throughout the country, but Portia Law School in Boston was the only all-women institution of its kind.<sup>28</sup>

Women determined to enter legal roles reserved for men were required to perform the duties of a woman as well as an attorney. The fourth pioneer, Catherine Waugh McCulloch, was able to successfully blend career and family responsibilities. Born on June 4, 1862 in Illinois, she was known as "her father's little lawyer" from a very early age.<sup>27</sup> She studied at Rockford College and then attended the Union College of Law. In May of 1886 she graduated from Union and on November 9, 1886 she was admitted to the bar. Women's advancement in the legal profession was progressing slowly. "From 1875 through 1879, one woman was admitted to the bar each year. In 1880 and 1881, two women were admitted. In 1882 one woman was admitted; in 1884 through 1887, two were admitted each year."<sup>28</sup> Over this 13-year period Illinois admitted only 18 women.

After graduating from the Union College of Law, Catherine Waugh began searching for a job in Chicago. Because no firm would hire her as an attorney, she was forced to return to Rockford. During the next four years she practiced in Rockford until she received an offer from a member of her graduating class, Frank McCulloch. He not only offered her a position at his Chicago law firm, Prussing

and McCulloch, he also proposed marriage. On May 30, 1890, Catherine Waugh married Frank McCulloch, but being an ardent feminist, she refused to change her name. It was not until much later that she began using McCulloch.<sup>2</sup>

She was not only an attorney, but a leader of the women's suffrage movement. She was the president of the Illinois Equal Suffrage Association and a member of the National Women's Suffrage Association. McCulloch was constantly writing articles and preparing pamphlets on suffrage. She even wrote a play to further the cause called "A Mother's Prayer."

Catherine McCulloch used her skill and influence as an attorney to advance the suffrage movement and related causes. She wrote books on the legal aspects of suffrage and lobbied other lawyers and judges for support. She drafted and lobbied for legislation raising the age of consent to 16. McCulloch also worked for the passage of a bill that secured "joint guardianship" by parents of their children. She wrote educators, clergy, and labor unions to shift public opinion in favor of suffrage.

Although her letters and aggressive speaking style might seem radical, McCulloch, like the other pioneers, remained within the boundaries prescribed by society. Even when she lashed out at the male hierarchy, she maintained the image of a "true woman." Her plays which condemned women's lack of property rights, low wages, and poor legal status were given such titles as "No Doll."

McCulloch employed her role as a wife and mother to help win the office of justice of the peace. In 1907, she announced that she would be running for the office in Evanston. While campaigning she was quoted in the *Evanston Press* as follows:

As I am the mother of little children and must be near them I shall be in Evanston most of the time during the next two years, and thus be at hand to perform any judicial duties necessary.<sup>3</sup>

McCulloch won the election and became the first woman justice of the peace in Illinois. She was re-elected in 1909 and served a second term while

her involvement with the suffrage movement increased rapidly. McCulloch organized events and lectured throughout the state. She began drafting legislation and prepared the Illinois suffrage bill. In 1913, after intense lobbying, the bill passed the state legislature. The bill gave women the right to vote for president and vice president. Although women were still barred from voting for congressional and state offices, they were allowed to vote for municipal positions.

Even after Illinois became the first state to ratify the Nineteenth Amendment, Catherine McCulloch ceaselessly fought for women's rights. She pushed for women's rights to sit on juries and to serve as law clerks. McCulloch was quoted as follows:

The first two steps necessary for the woman lawyer have been accomplished in Illinois — admission to law school and admission to the bar. The confidence of the employing public is coming, but how soon we can not say.<sup>4</sup>

It was gaining this confidence that proved the challenge. McCulloch arranged meetings and organized several groups to raise the status of women. She was the first president of the Illinois Democratic Women's Club and the Chicago Women's Club. She helped found the Women's Bar Association of Illinois, the Women's City Club, and the Evanston Women's Club. McCulloch was also an active member of the Women's Christian Temperance Union, the League of Women Voters, and the Daughters of the American Revolution. Catherine McCulloch, like Bradwell, Hulett, and Kepley, was considered above all else a true woman. Even while holding a list of accomplishments longer than most men, she was seen as the nurturing wife and mother.

If you ever asked an Evanstonian about Catherine Waugh McCulloch you are most apt to hear she is a wonderful mother. No four children have been better trained!<sup>5</sup>

## VI. Conclusion

All of these women were extraordinary individuals, but were also part of a progressive movement that championed the causes of blacks and immigrants as well as women. All of these pioneers were married, white, middle

class, American born women, with the exception of Alta Hulett, who was not married. Myra Bradwell, Ada Kepley, and Catherine McCulloch were able to enter the legal profession largely because they married lawyers. No matter how hard a woman worked, and no matter how many hours she devoted to law, unless she was offered a legal position by a family member, her occupation was considered a temporary job, not a career. By marrying attorneys, Bradwell, Kepley, and McCulloch did not have the sort of struggle attorney Grace Harte described:

In fact, the young women starting out in general practice must be prepared for 'short commons' until she has built up a paying clientele by sheer dint of ability, integrity, perseverance, infinite capacity to take pains, work and study, and more work and study.<sup>6</sup>

By having powerful and supportive husbands these pioneers were able to spend time away from the home working for social causes. This flexibility was available to economically stable women, but it was these four pioneers who took advantage of this remarkable opportunity. The barriers of the legal system proved to be much more difficult to overcome than the barriers of the medical profession. Because law was seen as a public, aggressive, and rational occupation, women had a difficult time winning the argument for access, while access to medicine was more easily argued

on the grounds that women were by nature caring and nurturing. As a result, fewer gains were made for women in law and the complete acceptance of women into the profession, some claim, has yet to arrive.

Although these pioneers helped women advance in the legal profession, they were able to make these gains more quickly because they did not employ radical techniques. By cooperating with the male hierarchy, the women lawyers of Illinois were able to advance more quickly than women in other states. A 1901 issue of the *Chicago Legal News* contained the following quote:

It is with pride and pleasure we mention the fact that Illinois has more women lawyers than any state in the world and Chicago has more than any other city in the world.<sup>7</sup>

In Grace Harte's biographical sketch of Alta Hulett, she wrote a tribute to Hulett for her achievements. This tribute could be paid as well to Myra Bradwell, Ada Kepley and Catherine McCulloch for their devotion and dedication to women in the legal profession.

Even among the late comers in the profession of law her name and works are not the living force they are entitled to be. What she did for those that followed and are still unconsciously following in her footsteps, is not fully appreciated and the smooth path she has left for them to follow is taken as a matter of course.<sup>8</sup> ΔΤΔ

News (cited in note 3).

13. *Grace Harte Papers*, A-68 Box 2 p 2 (cited in note 11).

14. 83 US 130-142 (1873).

15. *Adelman* at 424 (cited in note 3).

16. *Id.*

17. James Bradwell, *Women Lawyers of Illinois*. The Chicago Legal News, June 2, 1900 (from The Chicago Legal News Collection of the Chicago Historical Society).

18. *Kogan* at 140 (cited in note 3).

19. Charles Mosher, 7 Biographical Sketches 50, Chicago Historical Society ("Mosher").

20. Chicago Legal News, "Law Relating to Women," Nov 18, 1871.

21. *Grace Harte Papers*, A-68, Box 2 (cited in note 11).

22. *Mosher* at 50 (cited in note 19).

23. *Adelman* at 425 (cited in note 3).

24. *Chester* at 97 (cited in note 2).

25. *Id.* at 94, quoting I. Adden, *Why Women Should Study Law*.

26. *Id.*

27. *McCulloch Collection*, Box 5 (cited in note 3).

28. *Adelman* at 425 (cited in note 3).

29. *McCulloch Collection* (cited in note 3).

30. *Evanston Press*, March 30, 1907.

31. *Id.*

For a discussion of women in the medical profession, see Mary Walsh, *Doctors Wanted. No Women Need Apply* (Yale 1977), and Virginia Drachman, *Hospitals With a Heart* (Cornell 1984).

2. Ronald Chester, *Unequal Access: Women Lawyers in a Changing America*, p 8 (Bergin and Garvey, 1985) ("Chester"), quoting Mary Walsh "No Women Need Apply."

3. For a discussion of women lawyers see The Dillion Collection, Schlesinger Library (Cambridge, MA); Charlotte Adelman, *A History of Women Lawyers*, 74 Ill Bar J 1986, p 424-428 ("Adelman"); The Catherine McCulloch Collection, Schlesinger Library (Cambridge, MA) ("McCulloch Collection"); and Herman Kogan, *Myra Bradwell: Crusader at Law*, 3 Chicago History 3 (Fall 1974) ("Kogan").

4. *Kogan* at 132 (cited in note 3).

5. *Id.*

6. *Id.* at 136.

7. 55 Ill 535 (1869).

8. 83 US 130 (1873).

9. *Kogan* at 133 (cited in note 3).

10. *Id.*

11. The Dillion Collection, A-68 Box 2, Schlesinger Library (Cambridge, MA) ("Grace Harte Papers").

12. *Kogan* at 134, quoting the Chicago Legal

32. The Dillon Collection, Box 2, "A letter from Ella Stewart, the President of the National Education Association."

33. *Grace Harle Papers*, folder 38 p 5 (cited in note 11).

34. *Chicago Legal News*, September 14, 1901, p 29.

35. *Grace Harle Papers*, folder 38 p 5 (cited in note 11).

THE LADY BACK OF LEE  
by Frances Burr Braur

It was the tantalizing aroma that first caught your attention when you approached Lee Burr's Candy and Nut Hut. A block away from the store you could smell the nuts cooking to just the right crispness. Each kind of nut was cooked in its own special oil, and yes, even then peanuts were roasted in their own 'Cholesterol free' peanut oil.

Lee H. Burr was the owner and operator of the Candy and Nut Hut. Located at 210-212 North Church Street, Rockford, Illinois, it was as unique in its time as Burr Brothers Grocery store had been, a "turn-of-the-Century" Super Market. And behind Lee Burr was the Lady of his life, his wife Mrs. Irene C. Burr.

Georgia Irene Cleveland was a native of Rockford, Illinois, born on a farm a few miles from the outskirts of the town. She attended Ferry Hall, a girls' school in Chicago, and was a graduate of the Chicago Art Institute. One of the escapades in Chicago may have been an omen of her future calling - the girls made fudge over the bunsen burners in the chemistry laboratory, quite an undertaking in their Gibson girl type dresses.

One entered the Candy and Nut Hut and was immediately drawn to the rear of the store. Lined up on a long marble topped counter were around two dozen large aluminum roasting pans with glass Pyrex lids. Inside these containers was an array of nut meats seldom seen. The peanuts were roasted fresh daily, many times sold piping hot. It was a good thing the nuts were put in specially lined white paper sacks. Spanish peanuts, Virginia blanched peanuts, and Redskins, large peanuts with the red skins still intact and crisp.

Next were the cashews, imported from India in large square metal tins that had to be opened with a can opener. These were cooked and salted to a delicate brown - three kinds - split, whole, and giant. Pecans were a favorite either salted or plain. They were regular or the fancy paper-shells. Broken pecans were popular for cooking.

(To be continued in next issue)

\*\*\*\*\*  
NUGGETS of HISTORY is published quarterly by the Rockford  
Historical Society, Rockford, Illinois  
Editor.....Robert H. Borden  
Associate Editor.....Hazel M. Hyde  
President.....Richard J. Marsh  
Vice President.....John J. Crandall  
Recording Secretary.....Martha E. Mangas  
Corresponding Secretary.....Eldora M. Ozanne  
Treasurer.....Russell H. Carlson  
Membership Chairman...Telephone 226-0880...Elaine E. Carlson  
Circulation Manager.....Robert J. Lindvall