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EDITED BY HORACE W. FULLER

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LIST OF PORTRAITS.

	PAGE		PAGE
ALLEN, WILLIAM F.	325	CLARK, LEWIS W.	482
ALLEN, WILLIAM H. H.	480	COLE, GORDON E.	205
AMES SAMUEL	530	COMSTOCK, GEORGE F.	289
ANDREWS, CHARLES	337	COOLEY, THOMAS MCINTYRE	385
ANDREWS, CHARLES B.	433	COOPER, HENRY	69
		CORNISH, W. D.	208
BACON, SELDEN	212		
BEACH WILLIAM AUGUSTUS (<i>frontispiece</i>) .	509	DANFORTH, GEORGE F.	333
BELLOWS, HENRY A.	478	DAVIES, HENRY E.	282
BINGHAM, GEORGE A.	487	DEAN, AMOS	155
BITTENBENDER, ADA	21	DENIO, HIRAM	286
BLACK, JEREMIAH SULLIVAN (<i>frontispiece</i>)	189	DENIS, HENRY	121
BLODGETT, ISAAC N.	483	DURFEE, THOMAS	534
BRADLEY, CHARLES S.	531		
BRADWELL, MYRA	13	EARL, ROBERT	339
BRAYTON, GEORGE A.	532	EDWARDS, ISAAC	157
BREWER, DAVID JOSIAH (<i>frontispiece</i>) . .	1	ELDON, LORD (<i>frontispiece</i>)	97
BRONSON, GREENE C.	278	ELLIOTT, CHARLES B.	210
BROWNE, IRVING	165		
BUNN, CHARLES W.	206	FELCH, ALPHEUS	380
BURLINGAME, LETTIE L.	19	FOLGER, CHARLES J.	330
BUTLER, THOMAS B.	430	FOSTER, J. ELLEN.	20
		FOSTER, WILLIAM L.	479
CADY, DANIEL	290	FOURNIER, TELESOPHORE	245
CAHILL, EDWARD	397	FREEMAN, ABRAHAM CLARKE (<i>frontispiece</i>) .	145
CAMPBELL, JAMES VALENTINE (<i>frontispiece</i>)	233		
CAMPBELL, JAMES VALENTINE	384	GARDINER, ADDISON	281
CARPENTER, ALONZO P.	485	GORDON, LAURA DE FORCE	22
CARPENTER, ELISHA	434	GRANT, CLAUDIUS BUCHANAN	395
CARPENTER, GEORGE M.	533	GRAVES, BENJAMIN FRANKLIN	387
CARUTHERS, ABRAHAM	65	GREEN, NATHAN	67
CARUTHERS, ROBERT L.	68	GREEN, NATHAN, JR.	73
CASSELS, ROBERT	253	GREENE, MARY A.	29
CHAMPLIN, JOHN WAYNE	391	GREENE, RICHARD W.	527
CHURCH, SANFORD E.	323	GROVER, MARTIN	327
CHKISTIANCY, ISAAC PECKHAM	383	GWYNNE, JOHN WELLINGTON	249

	PAGE		PAGE
HALE, MATTHEW	161	PATTEE, WILLIAM E.	213
HALL, HARRY H.	122	PATTERSON, CHRISTOPHER SALMON .	252
HALL, MARY	27	PECKHAM, RUFUS W.	329
HALSBURY, LORD CHANCELLOR	172	PERLEY, IRA	477
HARRIS, IRA	154	PIERCE, JAMES O.	207
HENNEN, ALFRED	119	PORTER, JOHN K.	283
HENRY, WILLIAM ALEXANDER	251		
HINMAN, JOEL	429	RAPALLO, CHARLES A.	331
HOOKE, JOHN	438	RICHARDS, SIR WILLIAM BUELL . . .	242
HUNT, CARLETON	119	RICKER, MARILLA M.	11
		RITCHIE, SIR WILLIAM JOHNSTON . .	243
JEWETT, FREEBORN G.	279	ROBINSON, LELIA JOSEPHINE	31
JOHNSON, ALEXANDER S.	287	ROSELIUS, CHRISTIAN	118
		RUGER, WILLIAM C.	335
KELLOGG, FRANK B.	209		
KILGORE, CARRIE BURNHAM	25	SELLEN, HENRY R.	284
KIRCHWEY, GEORGE W.	159	SELLEN, SAMUEL L.	285
		SEMMES, THOMAS J.	120
LEARNED, WILLIAM L.	160	SEYMOUR, EDWARD W.	436
LIVERMORE, SAMUEL	471	SEYMOUR, ORIGEN S.	431
LOCKWOOD, BELVA A.	23	SHERWOOD, THOMAS RUSSELL	389
LONG, CHARLES DEAN	393	SICKELS, HIRAM E.	164
LOOMIS, DWIGHT	435	SMITH, HORACE E.	158
LYNDHURST, LORD (<i>frontispiece</i>) . . .	417	SMITH, ISAAC W.	481
		SMITH, JEREMIAH	473
MANISTY, SIR HENRY	142	STAPLES, WILLIAM R.	529
MARSTON, ISAAC	388	STINESS, JOHN H.	537
MARTIN, ANDREW B.	71	STRONG, SAMUEL HENRY	244
MARTIN, AUSTIN	229	SWEETLAND, MR. SHERIFF	255
MARTIN, GEORGE	381		
MATTESON, CHARLES	535	TASCHEREAU, HENRI ELZEAR	247
MILLER, HENRY C.	123	THOMPSON, SEYMOUR D. (<i>frontispiece</i>). .	49
MILLER, JUSTICE SAMUEL F. (<i>frontispiece</i>) .	461	THURLOW, LORD (<i>frontispiece</i>) . . .	369
MILLER, THEODORE	332	TILLINGHAST, PARDON E.	539
MITCHELL, STEPHEN M.	426	TORRANCE, DAVID	437
MOAK, NATHANIEL C.	163	TULANE, PAUL	117
MONROE, FRANK A.	121		
MORELL, GEORGE	379	WAITE, CATHERINE V.	15
MORSE, ALLEN BENTON	392	WAITE, HENRY M.	428
		WALES, GEORGE W.	228
NORTHROP, CYRUS	204	WAUGH, CATHERINE G.	17
		WILBUR, GEORGE A.	540
O'BRIEN, C. D.	211	WILLIAMS, THOMAS S.	427
PARK, JOHN D.	432	WOODS, ANDREW SALTER.	475
PARKER, AMASA J.	156		

INDEX TO VOLUME II.

	PAGE		PAGE
About Witnesses	522	Circuit Court for the New Hampshire Dis-	
Acuteness, Legal	169	trict One Hundred Years ago	262
Albany Law School (Illustrated)	153	Clergy, Benefit of	51
Animadversion of Counsel by the Court .	148	Coif, Process of taking the	451
Antiquities, Legal . 42, 90, 138, 182, 226, 270,		Common Law, Short Studies in the Early	257
314, 362, 412, 454, 502, 558		Connecticut, Supreme Court of (Illustrated)	425
Athenian Legal Methods, A Satire on . . .	358	Counsel, Animadversion of, by the Court .	148
 Barrington, Sir Jonah, "Personal Sketches		Court-Room Revery, A (In Verse)	126
of his own Times"	75	 COURTS OF FINAL APPEAL (Illustrated) :	
Battel, Trial by	104	Supreme Court of Canada,	241
Beach, William A. (With Portrait)	509	The New York Court of Appeals	277, 321
Benefit of Clergy	51	Supreme Court of Michigan	377
Black, Jeremiah Sullivan (With Portrait) .	189	Supreme Court of Connecticut	425
Book Notices . 47, 96, 144, 187, 231, 276, 319,		The Highest Courts of Law in New	
368, 416, 460, 507, 563		Hampshire	469
Bookseller Carlile's Images (In Verse) . .	238	Supreme Court of Rhode Island . . .	525
Brewer, David Josiah (With Portrait) . . .	1	 Crime, Detection of, in China	467
 Campbell, James V. (With Portrait)	233	Cumberland University, Law School of	
Can Imagination Kill?	463	(Illustrated)	63
Canada, Supreme Court of (Illustrated) . .	241	Curious Pleas, Some	1 2 5
Capital Punishment	524	Curious Pleas, A few more	350
 CAUSES CÉLÈBRES: —		Curious Version of Justinian's Institutes, A.	175
XIII. The Marchioness De Brinvilliers .	36	Curious Wills	444
XIV. The Queen's Necklace	8 1	Cutter v. Powell (In Verse)	3 4 2
XV. Lesnier	128	 De Brinvilliers, The Marchioness (Cause	
XVI. De Praslin	76	Celebre)	36
XVII. Montély	2 2 1	De Praslin (Cause Celebre)	176
XVIII. The Case of William Harrison . .	265	Deadly Yew, The (In Verse)	1 1 4
XIX. Desrues 307, 351, 402, 448		Death Penalty, Kemmler's Case and the	54, 107
XX. The Mystery of Metz	492	Deaths, Recent . 45, 94, 142, 185, 228, 273, 364,	
XXI. A Ghost in Court	551	457, 561	

	PAGE
Desrues (Cause Celebre)	307, 351, 402, 448
Detection of Crime in China	467
Dogs or Men?	422
Drunkenness and its Ancient Punishment	306
Effigy, Punishment in	2
Eldon, Lord (With Portrait)	97
England, The Lord Chancellor of (With Portrait)	172
Enigmas of Justice	1 0 0
Evading the Law	4 2 0
Execution, Remarkable Resuscitations after	464
Facetiæ	42, 91, 138, 183, 226, 271, 315, 363, 412, 454, 502, 558
Foot-Ball in Law	33
Freeman, Abraham Clark (With Portrait)	145
French Bar, Reminiscences of the	235
Ghost in Court, A (Cause Celebre)	551
Gleanings from Early Massachusetts Laws	295
Great Legal Victory, A (Legal Incident)	544
Green Bag, The	41, 89, 137, 181, 225, 269, 313, 361, 409, 453, 501, 557
Halsbury, Baron, Lord Chancellor of Eng- land (With Portrait)	172
Head Note, The Reporter's	215
Ideal Lawyer, The	180
Identifying Thieves in Paris	34
Imagination, Can it Kill?	463
In the Name of the Law	167
Incidents, Legal	127, 299, 544
Jim Way (Legal Incident)	299
Judicial Compliments	311
Judicial Remuneration	3 9 9
Juries as they Were and Are	300
Juryman, The Melancholy-looking	3 4 7
Justice, Enigmas of	100
Justinian's Institutes, A Curious Version of.	175
Kemmler's Case and the Death Penalty	54, 107

	PAGE
Law and Poetry	202
Law, In the Name of the	167
Law, Popular	498
Law Reform, A Soliloquy on (In Verse)	305
LAW SCHOOL ARTICLES (Illustrated) : —	
Cumberland University	63
Tulane University	116
Albany	153
University of Minnesota	203
Lawyer and Clerk (In Verse)	440
Lawyer, The Ideal	180
Lawyers in Literature	146
Lawyers, Women in the United States (Illus- trated)	1 0
Legal Acuteness	1 6 9
Legal Antiquities	42, 90, 138, 182, 226, 270, 314, 362, 412, 454, 502, 558
Legal Incidents	127, 299, 544
Lesnier (Cause Celebre)	128
Lickbarrow v. Mason (In Verse)	292
Limb of the Law, A (In Verse)	375
Literature, Lawyers in	146
Lord Chancellor of England, The (With Portrait)	1 7 2
Lord Eldon (With Portrait)	97
Lord Lyndhurst (With Portrait)	417
Lord Thurlow, Reminiscences of (With Portrait)	369
Lyndhurst, Lord (With Portrait)	417
Massachusetts Laws, Gleanings from Early	295
Master McKenzie's Goodies (In Verse).	61
Melancholy-looking Juryman, The	347
Michigan, Supreme Court of (Illustrated)	377
Middle Ages, Slander in the	4
Miller v. Race (In Verse)	151
Miller, Justice Samuel F. (With Portrait)	461
Minnesota, Law School of the University of (Illustrated)	203
Montely (Cause Celebre)	221
Mrs. Dr. Butcher's Birds (In Verse)	200
Mystery of Metz, The (Cause Celebre)	492

	PAGE
New. Hampshire, The Highest Courts of Law in (Illustrated)	469
New York Court of Appeals, The (Illus- trated)	277, 321
Nice Question, A	406
Noblesse de la Robe	549
Notes 44, 92, 140, 184, 227, 272, 316, 364, 413, 456, 503, 560	
Oldest of Known Wills	547
Ordeal, Trial by	344
Pleas, Some Curious	125
Pleas, A few more Curious	350
Popular Law	498
Process of taking the Coif	451
Professional Remuneration	446
Public Opinion. The Verdict of, v. The Ver- dict of the Jury	87
Punishment, Capital	524
Punishment in Effigy	2
Queen's Necklace. The (Cause Celebre)	81
Recent Deaths 45, 94, 142, 185, 228, 273, 364, 457, 561	
Remarkable Resuscitations after Execution	464
Reminiscences of the French Bar	235
Reminiscences of Lord Thurlow (With Portrait)	369
Remuneration, Judicial	399
Remuneration. Professional	446
Reporter's Head Note, The	215
Revery, A Court-Room (In Verse)	126
Reviews 46, 95, 143, 186, 230, 274, 317, 366, 414, 458, 505, 561	
Rhode Island, Supreme Court of	525
Satire on Athenian Legal Methods. A	358
Saved by a Picture	127

	PAGE
Sensible Laws	373
Short Studies in the Early Common Law	257
Sir Jonah Barrington's "Personal Sketches of his own Times"	75
Slander in the Middle Ages	4
Soliloquy on Law Reform (In Verse)	305
Some Curious Pleas	125
Supreme Court of Canada, The (Illustrated)	241
Supreme Court of Connecticut. The (Illus- trated)	425
Supreme Court of Michigan. The (Illus- trated)	377
Thieves, Identifying, in Paris	34
Thompson, Seymour D. (With Portrait)	49
Thurlow, Reminiscences of Lord (With Portrait)	369
Tongue-Taming	198
Trial by Battel	104
Trial by Ordeal	344
Tulane University, Law School of (Illus- trated)	116
Ungrateful Husband. The (In Verse)	490
Usury	303
Verdict of Public Opinion v. The Verdict of the Jury	87
Wager of Law	219
Whipping as a Punishment	400
White v. Lang (In Verse)	8
Widow and her Gun, The (In Verse)	545
Wills, Curious	444
Wills, Oldest of Known	547
Witnesses, About	522
Women Lawyers in the United States (Illus- trated)	10
Yew, The Deadly (In Verse)	114

WOMEN LAWYERS IN THE UNITED STATES.

BY LELIA J. ROBINSON, LL.B.

THIS is an era of experimental philosophy. New departures of every kind have been taken in all directions, physical, mental, and moral, many of which must lead their followers entirely away from the broad paths, smooth-trodden by the myriad feet of custom through the ages, into fields unknown, perhaps to gracious heights beyond, and possibly into pitfalls and quagmires ; and of all nineteenth-century novelties, there is probably no one that would have amazed our good ancestors of a century ago more than the woman lawyer as she exists to-day.

Not that she is, strictly speaking, a new invention. The oft-quoted proverb, "There is nothing new under the sun," has been well verified in this respect by the valuable brochure entitled "*La Femme Avocat*," which was recently published in Brussels by Dr. Louis Frank, an advocate at the bar of that city, in view of the application of Mlle. Marie Popelin, in September, 1888, for admission to the Order of Advocates. An able translation of this pamphlet by Miss Mary A. Greene of the Suffolk Bar, Massachusetts, has been running for the past year in serial form in the "*Chicago Law Times*," and has made us all familiar with the litigious Calphurnia, upon whose ancient shoulders seems to have been thrown all the burden of woman's legal inferiority since the old Roman days, when she made herself obnoxious. "The forwardness of Calphurnia appeared to all the ancient jurists a peremptory reason for excluding women from the forum," says Dr. Frank ; and his citations from legal authorities in many countries prove him quite correct. Eve plucked the apple and shared it with Adam ; Calphurnia argued loud and long, and occasionally won cases which presumably some man lost. The race of women ever since has borne the yoke of these wickednesses. Sisters in the law, one and all,

let us take heed that we walk not in Calphurnia's footsteps, thereby becoming a hindrance and a stumbling-block to those that shall follow us!

In various countries and at different times since the ill-fated Calphurnian epoch, a very few women have been noted students of law, and one or two Italian ladies lectured and taught in some legal branches ; but it remained for the United States to inaugurate the era of the woman lawyer of to-day. And this was so short a time ago, — for the woman lawyer in the abstract has not yet attained her majority, — that the novelty of her very existence has scarcely begun to wear off, and the newspapers publish and republish little floating items about women lawyers along with those of the latest sea-serpent, the popular idea seeming to be that the one is about as real as the other.

I have often been asked how many women there are in the law, and until the returns came in from a somewhat extended system of correspondence which I started a few weeks ago for the purpose of gathering material for this article, I had to give very vague replies ; for though I have preserved every scrap of information which I could gather on the subject for a dozen years past, this gave me only a mass of unreliable data. Another difficulty in the way of a direct reply to this question is the fact that many women who have studied law, who have taken degrees in law, or who have been admitted to the bar, are not at the present time in active practice, owing to a variety of reasons ; yet as we do not cease to regard as a lawyer the politician who spends his days at Washington in his country's service, so neither should the woman who has temporarily or even permanently abandoned the office and the court-room for the platform or the nursery, thereby lose recognition as a lawyer. One of the things

to be said in defence of the woman lawyer, indeed, is that she exists to quite as numerical a degree in the married state as in that of single-blessedness ; so that it cannot be charged against her, any more than it can against the college girl of the period, that she does not marry. Perhaps a majority of the married women lawyers, however, were wives before they began the study of law many of them studying in their husbands' offices ; while in several instances a young couple has entered law-school and taken the entire course together, as will be shown later on in this paper.

Webster's first definition of a lawyer is : "One versed in the laws, or a practitioner of law." And inasmuch as lawyers of both sexes who have studied but have not followed the profession in practice are liable to resume it at any time, and as it seems of interest to know how many women have studied law to the point of a degree or of admission to the bar, as well as the number of actual practitioners, I have opened up a line of inquiries intended to secure the names at least of all such women in the country. But as many addresses have been lost, especially by means of the somewhat inconvenient custom of changing a woman's name at marriage, and as it is a very difficult matter to get trace of women who have lately studied in offices and been quietly admitted to the bar in States where such an occurrence is no longer so rare as to create any sensation,

the list must necessarily be more or less incomplete. Many of the most interesting letters which I have received have come to me from ladies whose names I only secured by accident and at the last moment of my investigations.

My first move was to send a circular letter to the Deans of the principal law-schools, asking whether any women had ever been enrolled as students in these schools, or would be so enrolled on application, and for names and addresses of women graduates. To all these letters, save two, prompt and courteous responses were received, containing the desired information ; and as the question where women may study law is pertinent to that of women in law, I will refer from time to time to the facts contained in these letters.

From the Southern schools to which I wrote, only one responded in favor of co-education in law.

The Cumberland Uni-

versity Law School of Lebanon, Tenn., the Law Department of the Washington and Lee University in Lexington, Va., and the Law Department of the University of Virginia, do not admit women as students. It is possible that the time may not be far distant, however, when women will not be refused admission to the law schools of Virginia, for even now a woman is knocking at the bar of that State' for admission. Mrs. Annie Smith, wife of P. A. L. Smith, Esq., an attorney in Danville, Va., has studied law the past two years and a half



MARILLA M. RICKER.

in her husband's office. Last July she applied to the Corporation Judge of Danville for the necessary certificate to enable her to be examined for admission to the bar, but her application was refused on the ground that a special statute would have to be enacted before a woman could be admitted to practise law in that State. Mr. and Mrs. Smith propose to lay the matter before the Legislature this December, and possibly before this article gets to press news may arrive that the desired legislation has been enacted.

Widely different from the decision of the Virginia judge just referred to was that of the Supreme Court of the neighboring State of North Carolina, in 1878, when Miss Tabitha A. Holton, of Dobson in that State, appeared before them for examination and admission to the Bar. Miss Holton (as a letter from her brother, with whom she was afterwards associated in practice, informs me), having lost her mother in early childhood, was thrown much into the company of her brothers (three of whom are now practising attorneys in North Carolina), and with them she read law under the instruction of their father, the Rev. Quinton Holton. Her taste for the study grew with what it fed on ; and no obstacle was put in her way, for the court examined her, and on the 8th of January, 1878, duly granted her a license. She practised in association with her brother, Samuel L. Holton, devoting herself chiefly to office work, until a short time before her death, which occurred in June, 1886.

There can be no better place than the present, perhaps, in which to speak of the other State in which is now pending an application by a woman for admission to the bar. The North and the South march together in this, for the State that is keeping step with Virginia is New Hampshire,—or perhaps I should rather say that the two States are running a race, which shall first admit the woman who has applied for a license to practise law.

Mrs. Marilla M. Kicker, of Dover, N. H., has for a number of years been a resident of the District of Columbia, where she was admitted to the bar in May, 1882, after four years' study in a law office. She was in practice there until some three years since, appearing as counsel in some important cases,—among them the famous Star Route trial, where she represented Dorsey, one of the defendants, and the test case whether a barber could keep open shop on Sunday. She was appointed commissioner and examiner in Chancery by the Supreme Court of the District, and several cases were heard before her. Her special interest, however, is in the defence of criminals, and she has been known as "the prisoners' friend." On Mrs. Ricker's return to her home in New Hampshire recently, she made application for admission to the bar there. Her petition came up for a hearing before the Supreme Court of that State, a few days previous to the present writing, and she made an argument in support of her brief, followed by myself on a point of construction which she had not fully covered. The court reserved the question for consideration, but a decision may be looked for at any time. Her argument for admission rests chiefly on the decision upon the similar application of Miss Hall of Connecticut in 1882, which will be referred to later on ; and the principal obstacle in her way is the unfavorable Massachusetts decision in my own case in 1881.

Among other prominent law schools which do not admit women as students are those of Harvard, Columbia, and Yale. One woman, however, does wear the honors of the degree of Bachelor of Laws as conferred by Yale. This is bliss Alice R. Jordan, now Mrs. Blake, who, after a year of study in the law school of Michigan University and admission to the bar of Michigan in June, 1885, entered the law school at Yale in the fall of the same year, and graduated at the close of the course with the degree as already stated. Since that time she has mar-

ried, and has not practised as yet because she has been travelling most of the time ; but to my question whether she intends to practise, she replies, "Yes ; my husband is a lawyer, and the profession is to be our future life." Their home is in the beautiful city of Seattle, in Washington. Dean Wayland, of Yale Law School, sends me a catalogue of the University, writes that "the marked paragraph on page 25 is intended to prevent a repetition of the Jordan incident." The paragraph referred to appears on the page devoted to departments of instruction, and reads as follows : —

"It is to be understood that the courses of instruction above described are open to persons of the male sex only, except where both sexes are specifically included"

The Southern law school to which I have referred, as an exception to the rule against the admission of women as students, is located as much West as South, and it is undoubtedly owing to the Western spirit of liberality that women have ever been recognized at the bar in this country at all. The Law Department of Washington University in St. Louis, Mo., was always open to both sexes without distinction. The first woman to enter as a student was Miss Lemma Barkaloo, of Brooklyn, N.Y., who had been refused admission to the Law School of Columbia. She entered the St. Louis School in the fall of 1869, but probably did not take a full course,

as her name is not found on the rolls as a graduate. She was admitted to the bar of the Supreme Court of Missouri in March, 1870 ; and I learn from an article on "Admission of Women to the Bar," by Miss Ellen A. Martin, published in the initial number of the "Chicago Law Times," that Miss Barkaloo was the first woman in this country to try a case in court. She died

of typhoid fever in September, 1870. In 1869, also, Miss Phebe W. Couzins, of St. Louis, entered this law school, graduated in May, 1871, and was immediately admitted to the bar, but I understand that she has never practised. For some time, however, she acted as deputy under her father, who was United States Marshal, and at his death she was appointed to fill the unexpired term as marshal. She has also been well known as a public speaker and lecturer. Another woman, Miss A. E. P. McAlister of St. Louis, attended the



MYRA BRADWELL.

school in 1886-1887.

But though Miss Couzins graduated in 1871, there were two women ahead of her, — one by a year, the other by a couple of months. The palm of seniority in this new departure of conferring a degree for a regular course of legal study upon a woman must be awarded to the Union Law College of Chicago, and Chicago is altogether the banner city in the number of its women, lawyers as well. Dean Henry Booth of this college sends me the names of women graduates as ten in number, and adds that some

five or six others have been in the school at different times. The first woman to graduate was Mrs. Ada H. Kepley, of Effingham Ill., who took her degree in June, 1870, having previously studied in her husband's office. She was not admitted to the bar at that time, the adverse decision in Mrs. Bradwell's case (which will be referred to later on) barring the way against her; but in 1881 she was given her license, and has practised to some extent, having good success with all that she has attempted. Her most active efforts have been given to temperance work. Miss Alice D. Merrill, of Chicago, was the next woman to graduate, in 1878, but of her I can learn nothing. Neither do I hear from Miss Phebe M. Bartlett, also of Chicago, who graduated in 1880.

Miss Bessie Bradwell, of the same city, graduated in 1882, being chosen orator of her class for the commencement exercises, and was admitted to the bar. This young lady is one of a legal family. To quote from an article in a Western paper : — "Through ex-Judge James B. Bradwell, the family of which he is head achieved legal distinction. Through Myra, his wife, it attained legal celebrity." Mrs. Bradwell studied law under her husband's instruction, and in August, 1869, she passed the examination for the Chicago Bar, but admission was refused her on the ground of sex.¹ On a writ of error, the case was taken up to the U. S. Supreme Court, where, however, she was again unsuccessful,² though Chief-Justice Chase dissented from the opinion against her. Later on, in March, 1882, the Legislature of Illinois passed a law forbidding the exclusion of any person "from any occupation, profession, or employment (except military), on account of sex." But meanwhile Mrs. Bradwell had established on a solid foundation the well-known paper, "The Chicago Legal News," and had no time for law practice, and she has never been admitted to the bar, except by courtesy as an honorary

member. The two, children of Judge and Mrs. Bradwell, a son and a daughter, are both lawyers ; and the daughter has also married a lawyer, Frank A. Helmer, Esq. Mrs. Helmer is not in active practice, but aids her husband in his business, and has also compiled, unassisted, the last ten volumes of Bradwell's Appellate Court Reports.

Another legal editor, Mrs. Catharine V. Waite, comes next in the list of graduates from the Union College of Law, in 1886. Mrs. Waite writes me that she read law at different times with her husband, ex-Judge C. B. Waite. In 1885 she entered the law school, graduated, and was admitted to the bar in 1886. She has practised little, but immediately upon graduation she established the "Chicago Law Times," a quarterly magazine of great interest and merit, which she has edited and published ever since. She has five children, one of her daughters being a physician of unusual ability ; and as is the case with Mrs. Bradwell, her family relations are of the closest and pleasantest.

But the women attorneys of Illinois are by no means all middle-aged nor all married. In the same class with Mrs. Waite, there was another woman, Miss Catharine G. Waugh, of Rockford, Ill., who was at that time about twenty-two or twenty-three years of age. She is one of the brightest and ablest of the young women of the profession in the West, though she modestly disclaims any such merit. She studied a year in a law office, and the following year in the Law School, was admitted to the bar in 1886, and has been steadily in practice at Rockford since. She does all varieties of work, foreclosing mortgages, obtaining divorces, drafting wills, collecting claims, settling estates, and occasionally appearing in probate and justice courts, but seldom doing anything in criminal law. She was for a year or two professor of commercial law in the business college of her city. She is entitled to write the title A.M. as well as LL. B. after her name..

¹Bradwell v. The State, 55 Ill. 535.

²Bradwell v. The State, 16 Wall. 130.

From Miss Annie M. McCoy, who graduated from the Union College of Law in 1888, I hear nothing ; but the three ladies who graduated last June have all replied to my letter of inquiry. Mrs. Mary A. Ahrens, of Chicago, was admitted to the bar upon graduation; and has been in practice since, her special object being to settle without litigation all cases which with justice to clients can be kept out of court.

She is "of middle age, well-known as an active worker in philanthropical and charitable lines, and is spoken of as a bright, ambitious, energetic, and intellectual woman. Miss Bertha E. Curtis, another of last summer's graduates, and a bright young girl, was admitted to the bar and began practice in Chicago at once. Her practice thus far has been miscellaneous in its nature. Miss Minerva A. Doyle, the last of the women graduates from the Union College of Law, is a very fortunate young woman indeed. Upon her

graduation last June at the age of twenty-three, she was admitted to the bar and went immediately into her father's office in Watska, Ill., as a member of the firm, which reads at present Doyle, Morris & Doyle, and has been very actively at work since that time in preparing pleadings, briefs, and written arguments. Her father's health requiring his absence this winter, much extra work has fallen upon her young shoulders in preparing for the November term of court, and taking on cases of his in the Supreme and Appellate Courts. Many women law-

yers, old and young, will envy Miss Doyle her exceptional opportunities.

There are at present four women students in the Union College of Law. Miss L. M. Starr and Miss K. E. Wallace do not intend to practise the profession. Miss Alice M. Albright, of Chicago, has been engaged for some years in court reporting, and is studying with the intention of practising. Miss

L. Blanche Fearing, of Chicago, who will graduate next June, is a student of whose abilities I hear unusual praise, and who intends to devote herself to practice, though it is hoped that she will not altogether abandon literary work, in which she has gained a reputation above the ordinary as a poet.

There is also in Chicago another legal institution, the Evening College of Law, in which three women are studying, — Miss Emma Bauman and Miss Cora B. Hirtzel, both of Chicago, who expect to practise the profession eventually;

and Miss Husten, from whom I have not heard.

There are well-known women practising law in Chicago who graduated from other schools, but I will refer to them here. First, however, must be named the lamented Alta M. Hulett, a young and beautiful girl of remarkable ability and brilliant prospects; who lived only long enough to demonstrate what a woman could accomplish in a very brief time in her chosen profession of the law ; and this proof, given when the new departure was still in its earliest infancy, has



CATHARINE V. WAITE.

been invaluable to the women who have come to the bar since that time. She studied about two years in law-offices, was at first refused admission to the bar, but secured the passage of the new law under which she was admitted in 1873. From this date till that of her death in the spring of 1877 she had a lucrative business, following general lines of work without limiting herself to any specialty, and succeeded marvellously well both in handling her cases and disarming prejudice.

Miss Ellen A. Martin, who has been in uninterrupted practice in Chicago for thirteen years, studied two years in a law office, and two years more in the Law School of Michigan University, where she graduated in 1875, together with Miss M. Fredrika Perry, who had also pursued the study of law for four years. These two ladies were admitted to the bar of Illinois shortly after graduation, and formed a legal partnership, doing a general practice until the death of Miss Perry, which occurred in June, 1883, since which time Miss Martin has continued the business alone.

Miss Kate Kane, also of Chicago, is one of the active women lawyers, whose business is largely in court. She was admitted to the bar in Janesville, Wis., in 1878, after a course of study in a law office and in the Law School at Ann Arbor, where she duly graduated. She began practice at once in Milwaukee, continued there five years, and then went to Chicago, where she has remained since. Her business is general, and she writes me that in criminal law she has either prosecuted or defended in every crime known to modern times except treason and piracy ; that she has represented clients from every quarter of the globe, of every hue and every religion except the followers of Zoroaster and Mahomet.

Miss Alice C. Nute studied in law offices in Chicago for several years while engaged in her business of court reporting, and was admitted to the bar of Illinois in 1885. Miss Jessie E. Hutchinson, who is now engaged

as law clerk in Miss Martin's office in Chicago, has studied law during the past five years, during part of which time she held an appointment as deputy clerk of the Circuit and District courts in Fayette County, Ind. This was followed by active experience in a law office, and a regular course in the Law Department of the University of Wisconsin, where she graduated last June, and was admitted to the bar. She intends to practise for herself later on.

Another woman who is a member of the bar in Illinois, but is not in practice, is Miss Cora A. Benneson, of Quincy, who graduated from the Law School at Ann Arbor in 1880, and was admitted to the bar. She has used the profession chiefly in connection with literary and historical work. In 1886 she was law editor for the West Publishing Company of St. Paul, Minn.

The Bloomington Law School, a department of the Illinois Wesleyan University, makes no distinction on account of sex, but has graduated only one woman, Mrs. Marietta B. R. Shay, of Streator, Ill., of whom the Dean writes me in the highest terms. She is the author of a work on law entitled "Students' Guide to Common-Law Pleading," of which I have seen favorable criticisms from many authorities.

The only remaining woman lawyer of Illinois of whom I have learned (excepting Miss Emma Strawn, of Lacon, with whom by an oversight I have failed to correspond) is Miss Lettie L. Burlingame, of Joliet. She is one of our able and successful women practitioners, whose years are yet so few as to give great opportunities for the future. She began study in 1883 in a lawyer's office, where she continued till she entered the Law School at Ann Arbor, where she graduated in 1886, and was admitted to the bar of Michigan and afterwards to that of Illinois. She speaks of the kindness and encouraging attitude of the professors in the school, but says one of them used to "arouse my indignation by picking out easy questions to ask us women." After a few months' delay Miss

Burlingame opened her office for practice in Joliet, her home, in January, 1888, since which time she has had a remarkable degree of success, business coming in much more rapidly than a newly fledged lawyer can ever reasonably expect. Her practice has been varied in nature, including considerable civil work in the Circuit Court and a little criminal work. She has had clients from several different countries, and has been consulted on legal matters by parties in distant States.

Some of the cases which she has successfully handled before court or jury have been important ones, and she now has, among others, a contest pending on the construction of a trust deed, involving several legal points which have never been decided in Illinois. it may be of interest to those who question whether a woman's strength, physical and mental, is equal to the strain of a legal practice, to mention that Miss Burlingame's friends were very anxious when she opened her office, because she had always had, as she writes me, "the weakest constitution ever given to mortal ; but legal practice agreed with me, I continually grew stronger, gained fifteen pounds in weight in six months, and now enjoy the best health I ever had."

The Law School of the Michigan University, located at Ann Arbor, has graduated more women than any other in the country ; but my facts concerning some of these ladies are meagre, owing to my inability to get the list of their names in season to correspond with all of them. The greater part of the information which I have concerning them

was very kindly furnished me by Miss Martha K. Pearce, at present resident in Chicago, who is herself a graduate of the school of the class of 1883, and a member of the Michigan Bar, but who has devoted herself to literary rather than professional work. As Secretary of the Equity Club, Miss Pearce is well informed concerning the graduates of her school and women lawyers generally ; and before proceeding further, a word right here concerning the Equity Club may be in place.

This society originated at Ann Arbor in the fall of 1886, when it chanced that seven women were attending lectures at the law school there, and two women who had graduated were still resident in the place. From a local club for personal meeting, it became a correspondence club, which women lawyers and law students everywhere have been invited to join. Some forty in all have been members of the club ; and the "Equity Club



CATHARINE G. WAUGH.

Annual," consisting of letters from members and restricted to private circulation among members only, is a most interesting and valuable yearly visitant, making us better known to each other, and extending to each the sympathy and fellowship of other women of similar tastes and experiences.

The first woman to enter the Law Department of Michigan University was Miss Sara Kilgore, who had previously studied one year in the Chicago Law school and then entered the school at Ann Arbor, where she graduated in March, 1871, thus being the second woman in the country to receive the degree of LL.B. Miss Kilgore was admitted

to the Supreme Court of Michigan in 1871, and was, so far as I can learn, the third woman to become a member of the bar in this country, the first being Mrs. Mansfield of Iowa, who will be referred to later on, and the second Miss Barkaloo of Missouri, already mentioned. Not long after her graduation Miss Kilgore married J. S. Wertman, Esq., of Indianapolis, where they practised law together for a few years, until domestic duties caused her to withdraw from the active profession of the law. For several years past, however, Mrs. Wertman has resumed business in Ashland, Ohio, where the family now make their home, devoting herself especially to real-estate matters and the abstracting of titles. It is their intention soon to remove to Port Townsend, Washington, where Mr. and Mrs. Wertman will engage together in law and real-estate business, thus making the second couple of husband and wife, both lawyers, who will practise the profession in partnership on the shores of Puget Sound.

The second woman to graduate in law at Ann Arbor was Harriet A. Patton, of that city, of the class of 1872. She was admitted to the bar, but has never practised. Miss Emma L. Hubbard and Miss Susannah Roper graduated in 1873; but the former has been lost sight of, and the latter has embarked in a business enterprise in Auburn, N. Y. In 1874 Jane M. Slocum, now of Canandaigua, N. Y., and Mary Stockbridge, now of Fort Wayne, Ind., took their degrees in law. Of these ladies, the former is one of the proprietors of the Granger Place School in Canandaigua, and the latter is engrossed in domestic duties. Mrs. Mary E. Foster, of Ann Arbor, graduated in 1876, was admitted to the bar and practised for several years. Miss Hattie Mason graduated in 1877, and married a classmate, named Willard, shortly after; their present address I have been unable to learn.

In the same year Elizabeth Eaglesfield graduated from this school; but I learn from Miss Martin's article, before referred to, that she had previously been admitted to the bar

of Indiana, at her home, Terre Haute, in the summer of 1875, under a 'statute which provided for the admission of "every person of good moral character, *being a voter.*" Mrs. Eaglesfield practised for a time in Terre Haute, after which she abandoned practice temporarily, resuming it, however, in Indianapolis; and she has now been established for some three years in Grand Rapids, Mich., where I understand she is doing well. In 1880 Miss Maud A. Kelsey graduated and was married the same day. I have not learned her husband's name, nor whether she has ever practised. In 1881 Miss Leona Taylor took her degree in law, was admitted to the bar of Michigan, and soon after married a classmate, J. R. Lounsbury, Esq., with whom she removed to Omaha, Neb., where they have resided until the death of Mr. Lounsbury, which occurred last May. Mrs. Lounsbury writes me that it was always their intention that she should unite with him in his practice, but the fulfilment of this purpose was postponed until it was too late. In 1882 Miss Laura A. Woodin took her degree at Ann Arbor. Having studied previously with her father, she was admitted to the bar of Michigan a few months before her graduation. In December of the same year she married a lawyer, D. W. Le Valley, Esq., and they immediately entered together upon the practice of the profession in East Saginaw, Mich., where they are still located. Mrs. Le Valley's share of the work has been principally in the office. Mrs. Martha Strickland graduated at the Ann Arbor school in 1883, was admitted to the bar and began practice in Detroit of that State, where she has continued to the present time. Miss Mary C. Geigus graduated in 1885, was married soon after, and removed to Los Angeles, Cal. Her plans for practice have been postponed, owing to continued illness. Miss Mary Merrill took her degree in law in 1886, was admitted to the bar, and began practice shortly after in Wichita, Kan., where I understand she is doing a flourishing business, though for some

reason my letter of inquiry addressed to her has not been answered.

In 1887 four ladies graduated from the Law Department of Michigan. Mrs. Margaret L. Wilcox and her husband entered the school and pursued the course of study together, and graduated in the same class. He began practice at once in Chicago, and she assists him materially in his work ; but they are waiting until

he shall have an office alone, for her to formally enter the profession as his partner. Another couple, husband and wife, belonged to this class of '87, — Hamilton Douglass, Esq., of Atlanta, Ga., and Corinne Williams Douglass. Mr. Douglass replies to my letter that his wife was admitted to the bar in Michigan after graduation, though not with the view to practising. He writes that "she finds her hands full in the 'Domestic Relations,' so to speak, in taking care of her boy and other duties. She studied law for the

purpose of helping me and not for the practice generally. In fact, women are not admitted to the bar in the State of Georgia." Miss Rebecca May was the third woman of '87's quartette ; and after graduation she was admitted to the bar and began practice at once in Topeka, Kan., where she remained a year, doing remarkably well during this time, but was called home by illness in her family; and I understand that she has not yet resumed her active legal work. Mrs. Mary C. Whiting also graduated in 1887, was admitted to the bar in Michigan imme-

diately after graduation, and entered at once on the active practice of her profession in Ann Arbor, where she is still located.

In 1888 there graduated from the Law School at Ann Arbor a young lady for whom opportunities are not lacking, and she is happily just the one to make the best use of them. This is Miss Almeda E. Hitchcock, of Hilo, Hawaii Islands, whose

father is one of the circuit judges of that far-away land. The time within which this article had to be prepared did not permit me to write and receive a reply from Miss Hitchcock, but Miss Pearce agrees with me in thinking she would allow me to take a few ideas from her letters to the Equity Club. About 1882, after she had finished the usual education of a young lady and tried teaching, which proved uncongenial, she began to be with her father in his law office and on his circuits; and her highest ambition was to know enough



LETTIE L. BURLINGAME.

to help him. Soon, however, she met Miss Cora A. Benneson (of the class of '80, already referred to), who was then making a journey around the world; and the idea flashed upon this little island girl that she might be a lawyer herself. Her father encouraged her, and she entered the next class at Michigan University Law School. She was admitted to the bar in Ann Arbor in December, 1887, and graduated with her degree the following June. Her letter to this year's "Equity Annual" (not yet issued) is intensely interesting. Almost im-

mediately on her landing at Honolulu she was, with her father's help, admitted to the Hawaiian bar, on presentation of her license from the Michigan Court. The same day she was appointed notary public. Her father made her his law partner at once ; and instead of going directly home to Hilo, they went to Waimea, Hawaii, where the Third Judicial Circuit was sitting. There she made and won her first motion. She writes that the natives were all astonished to see a "Wahine Loio" (woman lawyer), and the remarks which she heard in passing were often amusing, they not realizing that she understood their language. She speaks of a journey of two hundred miles which she made on horseback last March, to attend a sitting of the Circuit Court in one of the out-districts where the firm had some cases which it was decided she should try. Before she got far towards her destination, a telephone message from her father over-

took her, telling her to return as soon as the most urgent cases could be disposed of. She did so, and found herself deputed to act for the sheriff of Hilo for several weeks, during which he was obliged to be absent. When it is realized that the sheriff is to one of these islands practically what the Governor is to one of our States, the responsibility devolving upon this young girl can be imagined. To be sure, this little kingdom is a well-regulated and law-abiding place in general ; but during the five weeks in which Miss Hitchcock acted as sheriff of Hilo, a

bold burglary was committed on the island. Happily, by prompt action the man was caught, and nearly all the money recovered within four days.

I hear that three ladies are now studying at the Law School of Michigan, but have not learned their names.

The last of Michigan's women lawyers with whom I am acquainted, and one of

the best and brightest, is Miss Ada Lee, of Port Huron, Mich. She began to study in June, 1882, in the office of one of the Circuit Judges, and was admitted to the bar of St. Clair County in March, 1883, and has practised the profession constantly since the day of admission. In June, 1888, she was admitted to the bar of the District Court of the United States for the Eastern District of Michigan. In the fall of 1884 Miss Lee was nominated for the office of Circuit Court Commissioner by the Republican, Democratic, and Green-back parties, with



J. ELLEN FOSTER.

no solicitation for the nomination; and she was duly elected, receiving the entire vote cast in the county. She performed the duties of this office, and held it until the expiration of her term, despite the fact that thirteen suits were begun to oust her, during which time two hundred and seventeen cases were tried before her. This brave little woman, who has not yet seen a quarter of a century, has earned her own living and education, being without either home or money. The first woman who was ever admitted to the bar in this country or in the modern

world has yet to be referred to. Her name I have seen in every article I ever read on this subject, but until I received a letter from her recently, I had not known whether she was yet living, and her letter was exceedingly welcome. Not that it was so long ago, however, for it was only in June, 1869, that Mrs. Belle A. Mansfield was admitted to the bar of Iowa at Mt. Pleasant in that State, after having studied in a law office and at home. The statute under which she was admitted provided only for the admission of "any white male person," but there was also the section common to most compilations of statutes, that "words importing the masculine gender only may be extended to females." And Mrs. Mansfield writes me that the presiding judge said very significantly that when any of those restrictive words did a manifest injustice to individuals, the court was justified in construing statutes as extending to others not expressly included in them. Mrs. Mansfield studied law because of her love of it, and when admitted to the bar fully intended to begin practice soon, but delayed till she should return from a European trip which had been planned. During her stay in Paris she spent some months in the École de Droit, pursuing her legal studies under most favorable auspices. On her return to America circumstances led her into teaching rather than professional work, and she now fills the chair of history in the De Pauw University of Greencastle, Ind. ; but her interest in law and women

lawyers has never been lost, and she is glad that her pioneering along this line has helped open up the way in which others are now achieving success.

The name of Mrs. J. Ellen Foster the successful speaker on temperance, is generally known through the country both to the profession and the laity. Mrs. Foster's son, W. H. Foster, Esq., an attorney in Geneseo,

Ill., sent me the following particulars which his mother, who is fulfilling a series of platform engagements, was too busy to write out. Mrs. Foster studied law for two or three years in Clinton, Iowa, at home in her family and in the office of her husband, E. C. Foster. She has frequently said in public that she read Blackstone while she was rocking her babies. She was admitted to the bar of the Supreme Court of Iowa in 1872, and was the first woman to practise before that court. She practised alone at first, and then formed a partnership



ADA BITTENBENDER.

with her husband. She followed the profession generally up to within a few years, with good success ; but lately her platform work has taken her entire time, though this has been largely along and upon the legal phases of the questions which she has treated. Mr. Foster speaks of a murder case in Indianapolis where his mother was engaged in the defence of a woman who had been convicted and sentenced to be hung, but for whom a new trial had been secured, as probably her most celebrated cause. She was successful ; for the prisoner was only

sentenced to imprisonment for a term of years, which was the most that could be hoped for in the case

The Dean of the Law Department of the State University of Iowa, located at Iowa City, writes me that women are admitted on the same terms as men, and gives me the names of five women who have graduated there.

Miss Mary B. Hickey graduated in 1873. She writes me that after her graduation she was admitted to the bar, but was married soon, and has never practised. She says, however, that her love for the law has never flagged, that she keeps up reading to some extent, and will enter the profession yet if home affairs are shaped so that she can do so. She is now Mrs. Wilkinson, and her home is at Hutchinson, Kan. Mrs. Mary E. Haddock, of Iowa City, a graduate of the class of '75, is a woman of whom I have often heard, and always in terms of

highest respect and deepest affection. She seems to be a sort of mother in Israel to young women lawyers of Iowa. Mrs. Haddock writes me that after graduating in 1875, she took an extra year's course, receiving a certificate of special proficiency. She was admitted to practise in the Iowa State courts in 1875, and later in the United States Circuit and District Courts. She practised law in her husband's office in Iowa City from 1875 till June, 1887, devoting herself principally to office work and briefing cases. In 1887 it became necessary for Mr. Had-

dock, who is secretary of the University, to devote his entire time to the management of the business of the University, and since then she has been employed with her husband in this work. She was for several years appointed by the Supreme Court to examine students of the University for graduation and admission to the bar.

Mrs. Anne N. Saveny, of New York City,

also graduated in 1875, and was admitted to the bar in Iowa soon after, but not with the intention of practising, unless to help some poor woman who should be without money. Miss Mary A. Terrell, now Mrs. Sanders, graduated in 1877. Miss Emma L. Brayton, of Delhi, Iowa, graduated in 1883, and was admitted to the bar of the State and to the Federal Courts, but has not practised.

Two ladies are now studying in this school. Miss Myrtle O'Lloyd, of Charles City, Iowa, writes me that she fully intends to practise ; and Miss Edith



LAURA DE FORCE GORDON.

M. Prouty, of Humboldt, Iowa, writes that after leaving the school, she will continue study in the office of her father, J. N. Prouty, Esq., with the purpose of active practice in the profession.

The only remaining woman lawyer of Iowa, of whom I have heard, is Miss Ce Dora Lieuellen, of Iowa City. She had studied for five years before her admission to the bar three years ago, and has continued her studies since. She has been teaching during most of this time, but has now given it up, and after taking a course

of lectures in the law school to perfect her familiarity with subject, she will begin active practice.

In Tiffin, Ohio, there are located two women who have pursued the steady, straight practice of law for a longer period of time than any other woman has ever done. They are sisters, and began the study about the same time, in the year

1871, though in different offices. Miss

Nettie W. Cronise was admitted to practise in the State Courts of Ohio, in April, 1873 ; and Miss Florence Cronise was admitted in September, 1873. A fellow-student in the same office with Miss Nettie and admitted to the bar at the same time, was N. B. Lutes, Esq.; and little more than a year after their admission as attorneys, they were married, but for some years afterwards the two sisters continued to practise together as partners. In 1880, however, Mrs. Lutes and her husband formed a partnership,

and Miss Florence Cronise went on with her work alone, and has continued to do so until the present time. She writes me that her practice covers all classes of business, and by way of illustration states that in the seven weeks' session of court which had just closed, she had tried, among others, cases involving questions of partnership, easements, the holding of a wife's separate property for her husband's debt under various circumstances', a civil action for damages for assault and battery, an action of foreclosure and marshalling liens,

one on the question whether the payment of a legacy may be offset by indebtedness to the estate, another on alimony, etc. "The fact is," Miss Cronise goes on, "if a woman wants to practise law just as men do, she can. But it requires patience and long waiting, — so does it likewise for young men, — and I know I have the same feeling for young men coming into the practice as the older lawyers may have had for me."

My letter to Mrs. Lutes was answered by her husband, who says: —

"Our practice is general in character, and extends to the courts of this State and the United States Courts for the Northern District of Ohio. The following facts will enable you to form an estimate as to the nature and extent of her practice and experience at the bar. The bar of this county, as you will see by the printed list enclosed, has forty-five members. The total number of civil cases on the trial docket of the term just closed was 226 ; of that number, our firm

was retained in fifty cases, which is probably a fair average of our share of the business for this county, and our practice also extends to a considerable extent to the adjoining counties of this district. Now, when I tell you that I am *totally deaf* and have not heard the sound of the human voice since 1881, you will understand that Mrs. Lutes is at least a busy lawyer, and has no cause for complaint for the want of recognition or business."

Mr. Lutes adds that both his wife and her sister "have won their standing at the bar solely upon their merits as lawyers, in every-



BELVA A. LOCKWOOD.

day practice and the fact that they are women seems to have been almost lost sight of, so far as their practice as lawyers is concerned ; and this, we think, is as it should be. So far as they are concerned, the law has been a success with them, far beyond the average of their brethren of the profession, taken as a whole." Elsewhere in his letter Mr. Lutes mentions his three daughters, the two eldest of whom (aged fourteen and twelve, respectively) are in attendance at Heidelberg University, at Tiffin, taking the full classical course, for which they were prepared under Mrs. Lutes's instruction, as she never permitted them to enter the public schools. Thus it is apparent that in attending to her large practice this able lawyer has *not* neglected her children.

Another woman, Miss Edith Sams, studied in Miss Cronise's office two years, and was admitted to the bar of the Supreme Court of Ohio in 1881, standing third in a class of twenty-six, and then practised for a while in partnership with Miss Cronise, until 1883, when she married C. A. Seiders, Esq., an attorney, and removed with him to Paulding, Ohio, where she has been since in partnership with him, though for the past few years, owing to domestic duties, she has not been in active practice. She writes that she took up law as a life work, and expects to resume it actively in the future. There was also a Miss Agnes Scott who read law with Miss Cronise for two years and who seemed very determined to gain admission to the bar, concerning which some question was raised, but after securing admission her ambition seemed to be gratified, and she has disappeared from public life.

Still another woman is practising law in Ohio,—Mrs. Spargo Fraser, of Cleveland. She studied in an office, and was admitted to the bar in 1885, and has been in steady practice since.

The first woman to be admitted to the bar in Wisconsin was Miss Lavinia Goodell, of Janesville, who was admitted to the Cir-

cuit Court of Rock County and began practice, but the following year she was refused admission to the Supreme Court of the same State.¹ The decision in this case did Chief-Justice Ryan little credit, for he allowed himself to depart from the legal point at issue to discuss the question of "Woman's Sphere" from a standpoint of domestic economy quite out of *his* proper sphere as a judge on the bench. The Legislature promptly passed a law allowing the admission of women, and Miss Goodell was admitted under it, though Judge Ryan dissented even from this decision. She was an able lawyer, and did good work until her death in 1880 from sciatic rheumatism. At the time of her death I cut the following clipping from the "Independent :"

"The Chicago Journal says the early death of Miss Lavinia Goodell, the Wisconsin lawyer, suggests the query whether women are able to endure the hard usage and severe mental application incidental to a legal professional career. Miss Goodell was forty-one years of age. Henry Armitt Brown, the noted young lawyer of Philadelphia, died recently at thirty-two. We would like to suggest the query whether men are able to endure the hard usage, etc. One swallow does not make a summer."

In the same Wisconsin city of Janesville, Miss Angie J. King began to study law in 1871, was admitted to the bar of the Circuit Court in 1879, and was in partnership with Miss Goodell until the latter's death, since which time Miss King has continued in steady active general practice alone, succeeding, as she writes me, far beyond her most sanguine expectations, retaining all her old patrons and gaining new ones every year.

Another woman lawyer, Miss Kate H. Pier, of Milwaukee, is one of a family of lawyers. Her father, Col. C. K. Pier, is an attorney of long standing, and Mrs. Pier and their daughter Kate graduated from the Law Department of the University of Wisconsin in 1887, and were admitted to the State and Federal Courts. All three practise together,

¹Re Goodell, 39 Wis. 232.

and are doing a fine business. Recently Miss Pier argued and won a case in the Supreme Court which secured her much praise. The balance of the family, consisting of two younger sisters (I am told that Miss Pier herself is only about twenty-two years of age), are at present taking the legal course in the same school from which their mother and sister graduated.

Two other sisters, named Spaulding, also students in this school, will practise in Janesville. Miss King speaks of them in the highest terms. From the same school was graduated a Mrs. La Follette in 1885, from whom I have not heard ; and last June Miss Jessie M. Hutchinson, already referred to.

The name of Mrs. J. M. Kellogg, of Topeka, Kan., has become familiar of late, owing to newspaper items announcing the fact of her appointment as chief clerk - or as that officer has been usually called there, assistant attorney-general — to her husband, the attorney-general. She studied in her husband's office at Emporia for two years, and was admitted to the bar of the Supreme Court in 1881, after which they formed a law partnership and practised together until Mr. Kellogg's appointment to office, with the exception of about four years during which she was not in active practice. Another lady, Mrs. Ella W. Brown. of Holton, Kan., is studying in her husband's office with the purpose of practising with him as soon as she gains admission to the bar.



CARRIE BURNHAM KILGORE.

Another well-known name is that of Mrs. Ada R. Bittenbender, who has been for the past two years active in the Women's Christian Temperance Union movement, representing the association in Washington. Her home is in Lincoln, Neb., where she read law for two years in her husband's office, was admitted to the bar in 1882, and in partnership with him she pursued a general practice until

1888, when she went to Washington. At the State convention of the Nebraska Prohibition Party two years ago, Mrs. Bittenbender was chosen, as the nominee for the position of Judge of the Second Judicial District. She is only out of practice temporarily, her legal partnership in her husband's business continuing, as I understand.

Another Nebraska couple who are practising law together is the firm of E. M. & Addie M. Billings, of Geneva, Neb. Mrs. Billings read law in her husband's office

several years, was admitted to the bar of Nebraska in 1887, and has practised continually, trying cases, civil and criminal alike. She writes me that occasionally a man comes into the office with work who does not want "the woman" to meddle in his case ; but such clients are exceptional.

A little farther west, and the Pacific coast is reached. From the Dean of the Hastings College of the Law in San Francisco, I learn that three women have graduated from that institution. The first was Miss Mary McHenry, of San Francisco, a daughter of Judge

John McHenry, for many years Judge of the First District Court of New Orleans, and a noted man both in Louisiana and California. She graduated in 1882, as one of the class speakers, was immediately admitted to the bar, and practised for seven or eight months with marked success, when she married Mr. William Keith, a well-known artist, removed to Berkeley, Cal., and retired from the law. She writes me that she hopes to resume practice before long, but that her husband laughingly says, "Not much you will."

Miss Emily Buckhout, of Oakland, Cal., now Mrs. Baker, graduated and was admitted to the bar in 1883, but has never practised, owing, she writes me, to "two reasons, — ill-health and disinclination. The more I see of life the stronger is my belief that public life for women is not desirable, individually or for society. I began life a woman-suffragist, but my own experience and observation have worked a radical change in my opinions." I quote this from Mrs. Baker's letter, which was very promptly and courteously sent in response to my inquiries, because out of all the hundred and odd letters which I have received from women lawyers and law students of the present and of the past, it is the only one which has been expressed in discouraging terms, and I cannot help but wonder whether the misfortune of ill-health has not had at least some part in forming the disinclination.

From Miss Josephine L. Todman, of Stockton, Cal., I hear nothing, but understand she is doing a good office business. Three other ladies have been enrolled as students at this school, — Mrs. Ida Hatch, of Los Angeles ; Mrs. Clara S. Foltz, who was for several years in practice at San Francisco, and is now, I understand, practising in San Diego, but from whom I have not heard ; and Mrs. Laura De Force Gordon, of Stockton, Cal. Mrs. Gordon writes me that in 1877, while attending the session of the California Legislature to report its proceedings for her own paper, the "Oak-

land Daily Democrat," she assisted in procuring the passage of an act permitting women to practise law. At the same session the Legislature accepted or founded the Hastings College of Law ; but when open for the admission of students, the applications for admission made by Mrs. Foltz and herself were rejected. They brought a writ of mandamus, which was successful ; and a year later these ladies were admitted. In the mean time Mrs. Gordon had studied diligently, and was admitted to the bar in 1879. She immediately began practice in San Francisco, and continued there for five years with very gratifying success. She sought no specialty, but seemed to drift into criminal practice, as the result of successfully defending a Spaniard charged with murder, within two months after her admission to the bar. Mrs. Gordon is now located at Stockton, where she is in steady active practice of a general nature. Among her most noted criminal cases was that of *The People v. Sproule*, which was indeed in some respects the most remarkable trial in the whole range of criminal jurisprudence in California. The defendant had shot and killed a young man named Andrews, by mistake for one Espey, the seducer of Sproule's wife. It was a fearful tragedy, and the excitement was so great that the jail had to be guarded for a week to prevent the lynching of the prisoner. Mrs. Gordon undertook his defence, against the advice of the most distinguished lawyers in the State, and obtained a verdict of "Not guilty" amidst the most deafening cheers of men and hysterical cries of women; half-weeping jurymen joining in the general clamor of rejoicing.

Mrs. Josephine Young was admitted to the bar at Sacramento about 1882, and has practised with her husband at San Francisco.

Mrs. Marion Todd, now located at Albion, Mich., but formerly of San Francisco, writes me that she studied two years in the Hastings College, graduated and was admitted to the bar in 1881. Probably by some mistake

her name was omitted from the list furnished me by the Dean. She practised three years in San Francisco with good success, but she proved to be specially adapted to platform work, and gradually drifted out of law and into politics, as so many lawyers of the other sex do. She was an active advocate and speaker in the various Greenback campaigns, as delegate to conventions and in regular canvassing tours. This party in California nominated her in 1882 for attorney-general of the State, and she ran far ahead of her ticket. During the past few years her time has been devoted to the cause of the Knights of Labor, and she has written a work entitled "Protective Tariff Delusion," which has been favorably criticised.

Since preparing this article, a young lady called at my office and introduced herself to me as Miss Alice Parker, of the San Francisco Bar. She studied there in a judge's office, and was admitted on examination over a

year ago, since which time she has devoted herself to practice, having all the business she could attend to. She is a Massachusetts woman, however, and has returned to her home in Lowell, with the intention of pursuing her profession in this State, probably in Boston.

In 1884 Mrs. Mary A. Leonard was admitted to the bar in Seattle, Wash., and subsequently removing to Portland, Ore., was admitted to the bar there in 1885, after a law had been passed providing for the admission of women. She practised

about a year, and then retired on account of ill-health.

The East was slower than the West to recognize women as lawyers. The struggles of Mrs. Belva A. Lockwood, of Washington, to obtain admission to the bar, are too generally known to need repetition here. Suffice it to say that she began to study law in 1870, graduated in 1873 from

the Law School of the National University in Washington as it existed at that time, was admitted to the bar of the Supreme Court of the District in 1873, to the United States Court of Claims and the United States Supreme Court in 1879, after securing the passage of an Act of Congress providing for the admission of women to this the highest court in the country. (Since that time Mrs. Bittenbender and Mrs. De Force Gordon have also been admitted to the bar of the United States Supreme Court.) Mrs. Lockwood has been in gen-

eral practice since her admission, with a specially large business before the Court of Claims. She writes me that she has never had any difficulty in securing plenty of good paying work, has succeeded fairly well throughout her whole course, and has made a good living.

The Law School of the National University, as it now exists, has never admitted women, as I am informed by its Dean; nor has that of Georgetown College. But the Howard University, also, of Washington, makes no distinction of sex, race, or color in



MARY HALL.

its students: 'Several ladies have graduated from its Law School, two of whom were colored; but I understand that the male students are nearly, if not all, colored men. The first woman student in this school was Mrs. Charlotte E. Ray, colored, who graduated in 1872, and was admitted to the Supreme Court of the District, where she practised for a time, afterwards going to New York, where I have lost trace of her. I have been told that her admission to the bar was secured by a clever ruse, her name being sent in with those of her classmates, as C. E. Ray, and that she was thus admitted, although there was some commotion when it was discovered that one of the applicants was a woman. In 1880 the names of four women were enrolled as students of this school, all of whom graduated in due time. One of these, Mrs. Louise V. Bryant, of Washington, I have not heard from ; Mrs. M. A. S. Carey, a widow, colored, graduated in 1883, took her diploma as attorney at law, and has been practising four years in Washington. This lady writes me that she took a course in this same school at an earlier date, being enrolled as a student in September, 1869, — the first woman to enter the school, — but that she was then refused graduation on account of her sex. Mrs. Ruth G. D. Havens, also of Washington, graduated in 1883, but did not seek admission to the bar owing to illness. She has an appointment in the Treasury Department, but intends to be admitted and practise later on. Miss Emma M. Gillett, of Washington, also graduated the same year, was admitted to the bar and has been in active practice ever since, with, I am told, an unusual degree of success. Her work has been principally in office lines, — the drawing of papers; taking testimony in equity causes, and probate business, together with a large amount of notarial and some financial work. Mrs. Eliza A. Chambers entered the same law school about five years ago, completed the full three years' course, took both diplomas which are earned thereby, and was then admitted to the bar.

She writes me, however, that the Law School faculty refused to hand in her name to the examiners, for admission to practice, omitting her from the list of her male classmates whom they recommended, simply because she was a woman. She has been in practice since her admission, giving special attention to matters in equity, with patents, pensions, and land claims.

The statements of Mrs. Carey and Mrs. Chambers concerning the discrimination made against them on account of sex is in direct contradiction to the claim of the school that no such distinction was ever made there ; but I feel that the statements should be given to the public just as they were given to me. Mrs. Havens, already referred to, speaks in the highest terms of the school and its faculty.

Mrs. Carrie B. Kilgore, of Philadelphia, was one of the first women in the country to ask for admission to the bar, and one of the last to gain it. Her struggles for recognition as a lawyer began in 1870, when she was registered as a student. In 1872 she was ready for admission ; being refused, she applied for a writ of mandamus, but this was also refused. She sued the Board of Examiners, tried to get the Legislature to pass a law admitting women, sought admission repeatedly in the different courts, and at last in 1883 was admitted to the Orphans' Court, in 1884 to one of the Courts of Common Pleas, and finally in 1886 to the Supreme Court, which last admission compelled all the other courts of the State to recognize her. At first, when studying, she was refused admission to the Law School of the University of Pennsylvania, but ten years later she secured admission and graduated with her degree in 1883 ; and now this law school is open to women, and the Dean in his letter writes with apparent appreciation of Mrs. Kilgore as its only woman graduate. Ever since her admission she has been in active general practice. Nearly two years ago she lost her husband, in whose office she had studied and worked, and she was able to

take up all his business just where he left it and carry it on, being requested to do so by his clients in all cases which were at issue except one. Mrs. Kilgore has won the respect and the confidence of the bar and the courts. She has twice been appointed Master by the courts, and the character of the business intrusted to her proves that she has gained also the confidence of the public.

Among other valuable business she is retained as the solicitor of a corporation. She regrets that no other women are practising or studying law in Philadelphia, and says she would like to have a lady student in her office, and would give such an one a good chance with her after admission to the bar.

There is, however, another woman studying law in Warren, Penn., who has been for three years a registered student in a law office. This is Miss Alice G. McGee, and she is ready now for examination, but is obliged to wait till

February, when she will be twenty-one years old, before making her application.

In New England Mrs. Clara H. Nash was the first woman to secure admission to the bar. She was admitted by the Supreme Judicial Court of Maine, at Machias, in the October term, 1872. She had studied about three years in the office of her husband, F. C. Nash, Esq., and after admission formed a partnership with him, and they practised together in Washington County, and afterward in Portland, until, recently, when they removed to Boston. Here Mrs. Nash has

taken a less active part in the business owing to domestic duties, and she has not yet been formally admitted to our bar.

In July, 1877, Miss Mary Hall, of Hartford, Conn., began to study law in the office of her brother, Ezra Hall, Esq. His death occurred the following November, but soon after she resumed her legal studies in the office of John Hooker, Esq., the State re-

porter, and continued there for three years. She then thought seriously of going to some State where women were admitted to the bar, dreading the noise and criticism to which a pioneer in such a matter is always subject, but was induced to make her application for admission in her own State, which she did in March, 1882. She passed the examination successfully, and the question of her admission under the statute went before the Supreme Court on briefs. In July of the same year a decision was rendered favorable to her admission,¹ and she



MARY A. GREENE.

was sworn in as an attorney soon after. She has been in constant practice since that time in Hartford, supporting herself comfortably. Her work has been largely for women. She does little court work, usually turning that over to her brothers of the profession.

Boston University has strongly favored coeducation from its foundation, and all of its departments have been open to women. In 1874 Miss Elizabeth G. Daniels, of Hyde Park, this State, was a student in the Law

¹ *In re Hall*, 50 Conn. 131.

School, but did not graduate. She married, and I have not been able to learn her name or address. In 1877 Miss Mary Dinan Sturges, of Mansfield, Ohio, was enrolled as a student. She did not graduate, and has never been admitted to the bar nor practised, but she writes me that her legal training is of great advantage to her in the management of her estate.

In the following year, 1878, the writer of this paper entered the school, took the regular three years' course, and graduated with the usual degree in 1881. About the time of graduation she duly applied for examination for admission to the bar; but her application was referred to the Supreme Court, before whom the question was submitted on briefs. The following November the rescript came down, holding that under the statute a woman could not be admitted to the bar.¹ Shortly afterward the Legislature passed a unanimous bill permitting women to practise law on the same conditions as men.² She then took the examination, and was admitted to Suffolk County Bar in June, 1882. The next year the Legislature extended the powers of women attorneys by authorizing their appointment to a newly created office termed special commissioner, which enabled them to administer oaths, take depositions, affidavits, and acknowledgments.³ This act was made necessary by the decision of our Supreme Court that a woman could not be appointed a Justice of the Peace.⁴ This act was further extended last year, the powers of a special commissioner being more fully defined, and the authority to issue summonses for witnesses added.⁵ Since her admission to the bar she has been in constant practice in Boston, with the exception of the time that she practised in Seattle, Wash., during which she had the remarkable experience of trying cases before

mixed juries of men and women, and some time also which was spent in the preparation and publication of a book intended to give rudimentary information on legal subjects to the public at large.

The next lady to enter the Boston Law School was Miss Anne C. Southworth, of Stoughton, in this State. She entered in 1882 and remained two years, ranking very high in her class as I have always understood from the faculty, but dropped the study at this point. Miss Jessie Wright was enrolled as a student in 1884, graduated in 1887, married a classmate, G. H. Whitcomb, Esq., and removed to Topeka, Kan., where she was admitted to the bar in March, 1889, and is now assisting her husband in some of his work.

In 1885 Miss Mary A. Greene, of Boston, but formerly of Providence, R. I., entered our Law School as a student, and graduated in 1888, ranking number two in a large class of men. The following September she was admitted to the bar of Suffolk County, and has been in practice here in Boston since that time. Last winter she made an exceedingly able argument before the Judiciary Committee of the Legislature in support of a petition for the validity of contracts between husband and wife in this State; and this argument she has embodied in a paper entitled "Privileged Communications in Suits between Husband and Wife," which has been accepted for early publication by the "American Law Review." Miss Greene has been engaged to deliver a course of lectures the coming season before the students of Lasell Seminary, on Business Law for Women. Her reputation for scholarly legal learning and her ability as a lawyer rank very high, and promise the best grade of work from her in the future.

There are at present eight women enrolled as students in the Boston University Law school. Two are members of the middle class,- Mrs. E. M. Campbell, of Maplewood, this State ; and Miss Lydia Colesworthy, of Boston. The others are juniors. Mrs.

¹ Robinson's Case, 131 Mass. 376.

² Acts of 1882, c. 139.

³ Acts Of 1883, C. 252.

⁴ Opinion of the Justices, 107 Mass. 604.

⁵ Acts of 1889, c. 197.

Anna Christy Fall, wife of a young lawyer practising in this city but resident in Malden, will practise with her husband, though under the existing law in Massachusetts they cannot form a legal partnership. Mrs. Leonora M. Martin is the widow of William H. Martin, Esq., late of Cambridgeport, a well-known attorney. Miss Ellen A. Stone, Jr., of Lexington in this State; Miss Lizzie A. Smith of Newburyport, also in this State; Miss Alline C. Marcy, of Rockville, Conn., daughter of the late Hon. Dwight Marcy, Esq., an attorney of prominence; and Miss Anna B. Curry, of Ishpening, Mich., complete the list of women students. There are two or three women also who are studying in offices; and from these students, together with Miss Greene and myself, are gathered the members of the Portia Club, which meets periodically for dinners and discussions, with women lawyers from other States as our guests whenever any such are known to be in the city or neighborhood.

New York was the latest State to refuse to admit a woman to the bar under the statute, and to pass a law remedying the omission. Miss Kate Stoneman, of Albany, studied in an office, passed the examination, and was refused admission; but the Legislature, which was sitting at the time, rushed a bill through, under which she was admitted in May, 1886.¹ Since that time I understand that no woman has been admitted to the

¹New York Code of Civil Procedure, § 56.

bar in New York State. From the Deans of the Law School of Cornell University and the Buffalo Law School, I learn that these schools will welcome women students, though none have as yet been enrolled.

Another school has recently been opened for women in New York City, concerning which I regret inability to give very definite information. Little more than a year ago,

Madame Émile Kempin-Spyri came to this country from Zurich, Switzerland. She had pursued the regular course of legal study in the School of Jurisprudence in Zurich, graduating with the title of Doctor Juris Utriusque in 1887. I understand that this degree is not conferred as a matter of course on all graduates, but denotes special proficiency in those on whom it is bestowed. The application of Madame Kempin for admission to the order of advocates being refused, she came to this country and settled in New York. She did not enter any of



LELIA JOSEPHINE ROBINSON.

our law schools as a student, but has, I understand, been studying common law and code law in an office. Last summer I received from her a circular concerning a proposed institution for women called "Dr. Emily Kempin's Law School." Courses of lectures for two years' study are laid out, and the circular closes with the following statement: "Examinations will be held at the end of each course before some of the most prominent jurists, and the degree of 'Bachelor at Laws' [sic] (LL.B.) will be publicly conferred on those who have passed the approved

examination, both oral and in writing, upon the required studies." Other printed communications have been sent me more recently concerning the "Women's Law School Association" connected with this school, and giving a list of "Visitors of the Law School for Women," including well-known names such as Noah Davis, LL.D., David Dudley Field, LL.D., Mrs. Jeanette Gilder, and Dr. Mary Putnam Jacobi. Desirous of giving full information concerning this new venture in my paper on women lawyers, I wrote Madame Kempin, asking whether it was by incorporation or otherwise that she advertises to confer a degree on graduates, and asking also for the names of some of the lecturers on subjects which it could scarcely be supposed that one comparatively unused to our language, and bred to the civil rather than the common law, would herself undertake to teach. I mentioned also the hope that she would be admitted to the bar of New York as soon as the rules would permit, thus establishing beyond question her knowledge of our system of law, and asked whether the law of New York differed from ours in Massachusetts, which allows the admission as attorney at law of an alien who has made his primary declaration of intention to become a citizen. I casually asked also whether her title of Doctor Juris was commonly abbreviated LL.D., as she uses it. I received a letter, rather hastily written, in which she explains at length her use of the title, but entirely omits any reply to my more important questions. I wrote again repeating them, but have received no answer, and must therefore leave them for the consideration of any who may be interested. Probably she expects an act of incorporation soon, or she may have already received one.

The foregoing names by no means include all the women law students of this country,

nor all who have been admitted to the bar. There are unquestionably many of whom I have never heard, and there are a very considerable number also of whom I have heard or read, but, the limits of this paper having been reached, I am unable to give even the list of their names. Women are coming into the profession so rapidly that in a few years it will be impossible to attempt in one paper, of whatever length, to treat of the women lawyers of the United States. As it is, I have been obliged to omit much of genuine interest which I had expected to use, and to cut down every personal mention to the fewest possible words.

In closing I must not neglect to say that although no question was asked in my circular letter of inquiry concerning the reception which women have met from the men of the profession, there have been very few replies received by me in which there has not been some word of acknowledgment of the courtesy, kindness, and cordial helpfulness with which we have been welcomed into the legal ranks by our brothers of the bench, the bar, and the law school ; and one letter expresses what I think many women have felt, when the writer says, speaking of the uniform courtesy and kindness shown towards her by both faculty and classmates, that it "was perhaps the better appreciated since it was in marked contrast to the treatment then received by ladies in the medical department of the University." In some places the public is slow to intrust legal business to women attorneys ; in others it readily does so, as some of the testimony contained in this paper abundantly proves. But in time, sooner or later, the lawyer everywhere who deserves success and can both work and wait to win it, is sure to achieve it,- the woman no less than the man.