

Portias of the Prairie

Early Women Graduates of the University Law Department

by Teresa Opheim

It is not to be understood that the advantages of the Law Department are limited to men. The University of Iowa from the first has admitted to all its Departments women on equal footing with men, obeying in this the growing sentiment for equality which has abolished distinctions between the sexes as to property rights, and has admitted women to practice at the bar. No objection whatever has appeared to the admission of women to the Department; they have made excellent students. But there seem to be obstacles to the practice of the profession by women, inherent in the nature of the occupation, which have discouraged the study of law by them, so that few have availed themselves of the advantages of the Department.

In 1872 the United States Supreme Court denied an Illinois woman the right to practice law, one justice explaining that "[t]he paramount destiny and mission of woman are to fulfil the noble and benign offices of wife and mother." The next year the first woman was graduated from the University of Iowa's law college and promptly was admitted to the practice of law. Between 1873 and 1910 twenty-six other women joined Mary Hickey Wilkinson, LL.B., 1873, as graduates of the University of Iowa's law department.

The University of Iowa's law college produced only a handful of women who made a career out of the law in the nineteenth century. Many of the other women law graduates served their Iowa communities briefly as lawyers, and then became involved in educational, community, and philanthropic enterprises. A majority had husbands, fathers, and brothers who were

attorneys.

The Iowa law department, the oldest law school west of the Mississippi, was established as a private law school in 1865 by Judges George G. Wright and Chester C. Cole. Classes were initially held in a private Des Moines law office. The Iowa Code of that time specified that any white male could be admitted to the bar if he "possesse[d] the requisite learning" and if "he [was] of good moral character." The 1886 Iowa Code required two years of law preparation, either by school or office training. (Belle Mansfield, the first woman to be admitted to the bar in the United States, received her legal training in her brother's Mount Pleasant law office.)

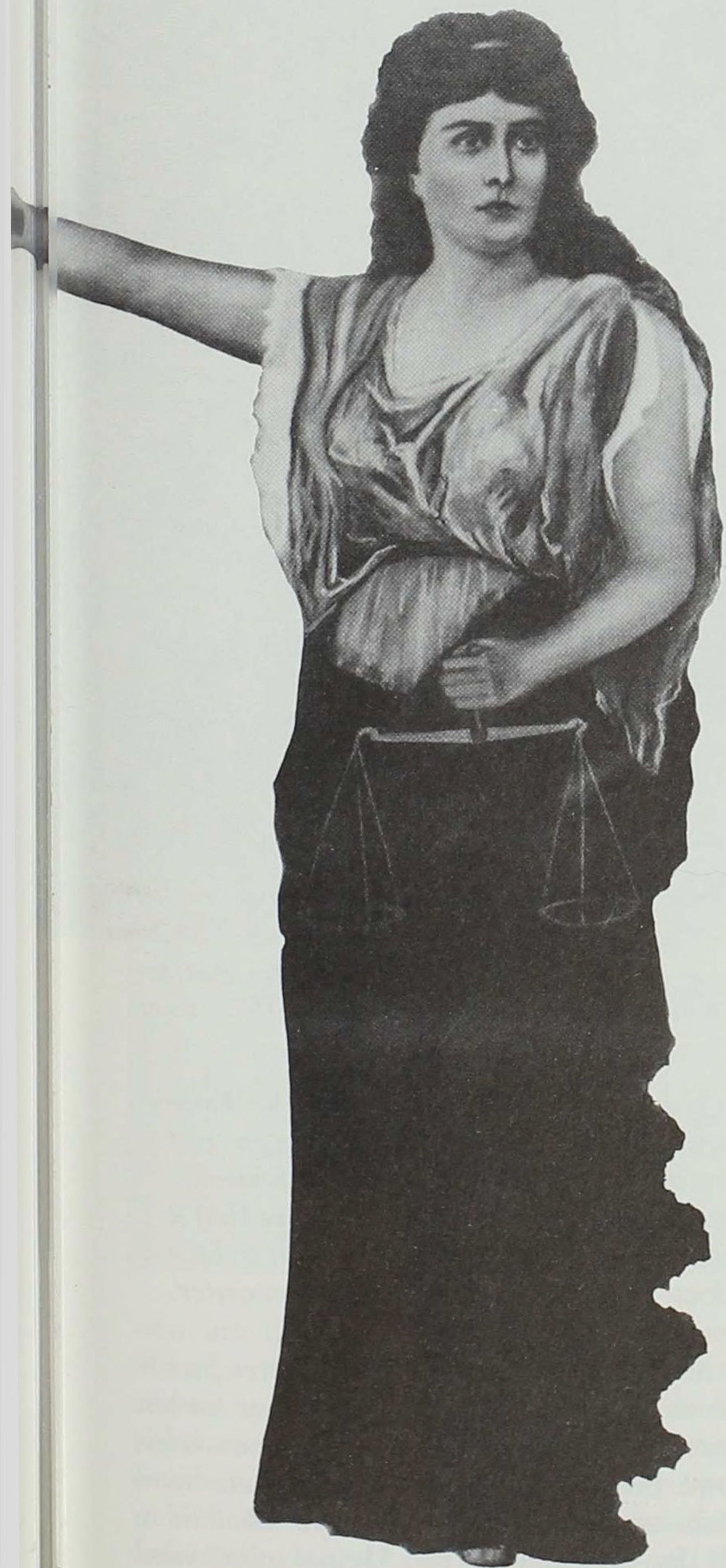
In 1868 the law school was attached to the State University of Iowa. Classes for the sixteen students were held in two upper rooms of Old Capitol in Iowa City. That same year the Iowa Code was changed to allow women to be admitted to the bar. William G. Hammond,

longtime chancellor of the law department, remarked about the change, "What a new zest it will give to the dull routine of practice, to have a pretty girl for associate counsel, — or to measure one's strength before a jury, with a lady that has learned to rule mankind by long matrimonial experience." The law department became an internal part of the university in the 1871-1872 school year, and Mary Hickey was graduated from the then one-year law program in 1873.

Two years later, Mary Humphrey Haddock of Iowa City and Anna Nowlin Savery of Des Moines became the next women to graduate from the law college. Both Haddock and Savery were honored with commencement appointments. Haddock gave a speech entitled the "Genii of the Law," in which she posited that the role of legislators is only to reflect and serve the sentiments of the people; "The people are in fact the masters of the legislatures." Haddock, originally of Tipton, was the first woman attorney ever admitted to practice in the United States circuit and district courts. Her husband, William G. Haddock, was a judge of the circuit court of the Eighth Judicial District and also served thirty-eight years as secretary of the board of trustees and regents of the State University of Iowa. Mrs. Haddock served as assistant secretary of the board of regents under her husband for a number of years, first as an unpaid worker and later as a salaried assistant.

Haddock was a founder of the Nineteenth Century Club, the first women's literary club in Iowa City. She was the first president of the club, the club members deciding that perhaps "a lawyer could best start our infant on its way." As a club member, Haddock gave numerous lectures. The Nineteenth Century Club held open meetings for two of Mrs. Haddock's pre-

With her sword drawn and pointing to the words "My Defenders," Justice graced the picture of the State University of Iowa's 1897 law class. (SHSI)



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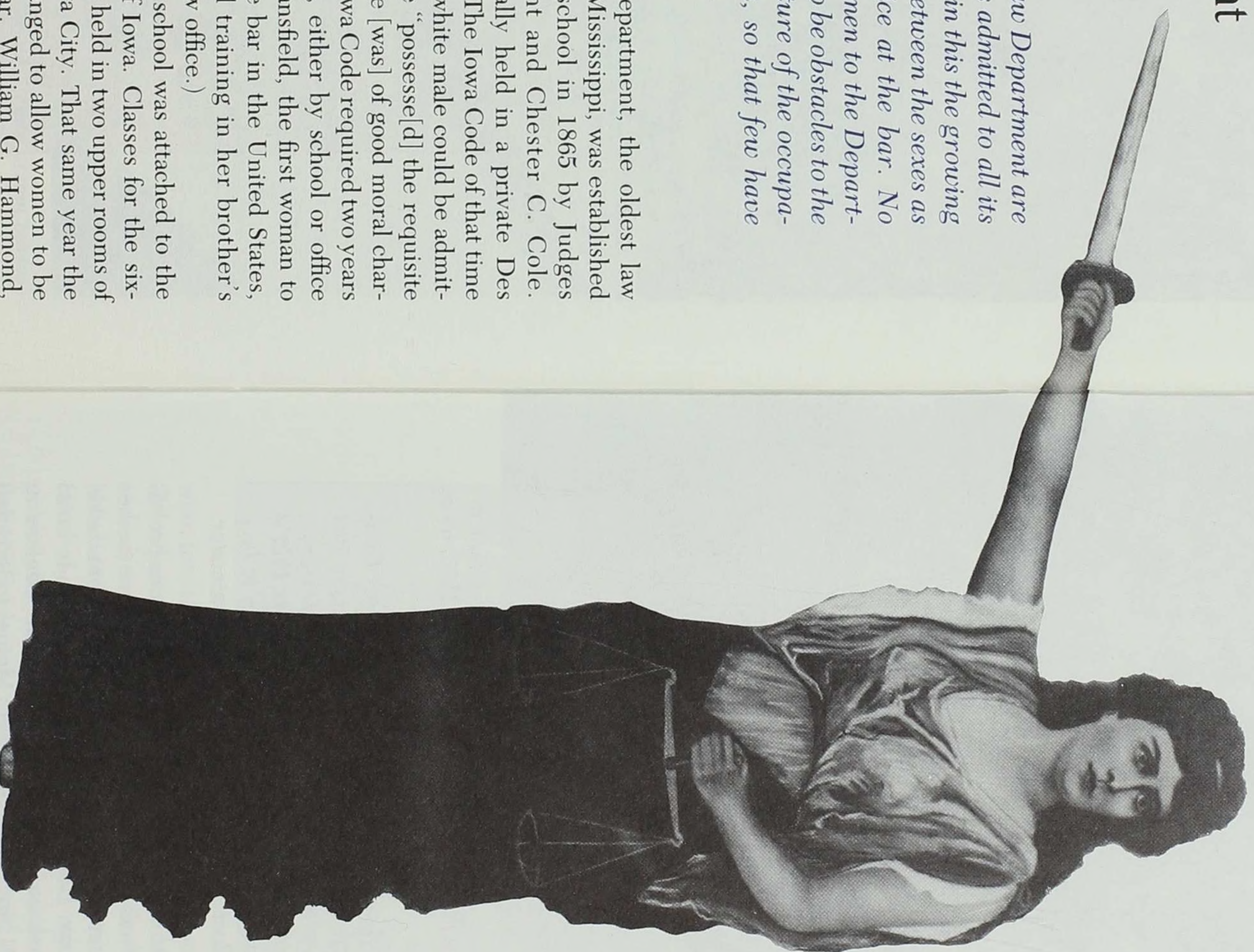
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With her sword drawn and pointing to the words "My Defenders," Justice graced the picture of the State University of Iowa's 1897 law class. (SHSI)



An 1870s law department class photograph. The presence of the woman in front indicates that the photograph dates from either 1873, when Mary Hickey Wilkinson received her degree, or 1877, when Mary Terrell Sanders received her degree. (SHSI)

sentations, "The Property Rights of Married Women in Iowa" and "Women as Landholders in the West." One club member, reflecting from her vantage point in 1908 back to 1875 when Haddock was attending law school and being admitted to the bar, commented that:

Women's Clubs as we know them now were just appearing above the horizon . . . "Votes for Women" were still a long way off. A League of Women Voters was unthinkable; unthinkable, also, that in less than fifty years we should be holding

office, sitting on juries, running for Congress — and getting there. We were just breaking into the learned professions, and most of us were not quite sure that it was really the thing for a woman to be a doctor, or a lawyer, or even a minister.

Annie Nowlin Savery of Des Moines probably was known best during her lifetime for her key role in the Iowa suffrage movement and is known best today for the Des Moines hotel which carries her name. Born in London in 1831, Savery moved to Des Moines in 1854 and

Graduates of the S. U. I. Law Department, 1873-1910*

Year	Class Size	Women in Class	Year	Class Size	Women in Class	Year	Class Size	Women in Class
1873	56	1	1886	40	0	1899	86	5
1874	64	0	1887	46	0	1900	95	3
1875	72	2	1888	51	0	1901	137	1
1876	55	0	1889	39	0	1902	9	0
1877	75	1	1890	63	1	1903	70	1
1878	84	0	1891	52	2	1904	53	0
1879	100	0	1892	73	0	1905	53	0
1880	111	0	1893	65	1	1906	58	0
1881	88	0	1894	97	2	1907	45	0
1882	137	0	1895	71	0	1908	50	1
1883	93	1	1896	105	1	1909	49	1
1884	103	0	1897	103	1	1910	64	1
1885	22	0	1898	84	1			

The twenty-seven early women law graduates were: Bernice Baer (1900), Keota Williams Bannister (1899), Emma Louise Brayton (1883), Fannie Ainsworth Dykins (1899), Imogene Benson Emery (1910), Louise Eversmeyer (1898), Carrie Grosenbaugh (1903), Mary Humphrey Haddock (1875), Margaret Irving Hamilton (1901), Cora Hansell (1894), Fannie Parker Anderson Himes (1899), Alice Hubbard (1900), Myrtle Lloyd Kennedy (1890), Kalita Leighton (1896), Clara McCullough (1908), Hilda MacDonald (1900), Eleanor Kraiger Meacham (1894), Mina Grant Talbot Stanton Mitchell (1899), Ida Ashcraft Mosseau (1897), Nelly Peery Price (1893), Edith Prouty Prichard (1891), Anna Harvat Holbert Reiss (1899), Mary Terrell Sanders (1877), Anna Nowlin Savery (1875), Mabel Eggert Waggoner (1909), Mary Hickey Wilkinson (1873), and Jennie L. Wilson (1891).

Fifteen of the twenty-seven women had relatives who were lawyers or law graduates. These included: Keota Williams Bannister (father, brother), Emma Brayton (father), Fannie Ainsworth Dykins (husband, assorted other relatives), Louise Eversmeyer (brother), Mary Humphrey Haddock (husband), Cora Hansell (husband), Alice Hubbard (father), Myrtle Lloyd Kennedy (husband), Eleanor Kraiger Meacham (husband), Nelly Peery Price (husband, son), Edith Prouty Prichard (father), Anna Harvat Holbert Reiss (husband), Mary Terrell Sanders (husband), Mabel Eggert Waggoner (father), and Jennie L. Wilson (husband).

*Source: *Alumni Directory of the Iowa Law School, State University of Iowa, 1866-1961*, (Iowa City, 1961).

went into the hotel business with her husband. She educated herself, ordering books of all the courses taught in the Des Moines schools. She hired a tutor to "coach her in subjects usually covered in higher education." Savery spoke publicly for woman's suffrage in 1868 when she delivered a lecture entitled, "Angels and Pol-

iticians." Elected corresponding secretary of the Iowa Woman Suffrage Association in 1870, she was active in the campaign that led to the passage of the suffrage amendment in the 1870 Iowa legislature and also in the 1872 suffrage campaign during which the amendment failed to pass the required second time.

Savery entered law school at a time when there were no conditions governing admission. Although a fellow classmate later described her as "quite an elderly woman" in 1875, she was actually only forty-four at the time. A friend of Savery's, Judge Hubbard, said that Savery had never intended to practice law but instead wanted to "fully understand the origin of the rights of persons and property and particularly to understand and trace the history of the rights of married women."

Savery was graduated with high honors from the law department. Chosen as a commencement speaker, her graduation thesis was entitled "Women's Relations to Civil Government." Her thesis posited that women's subordination to men in primitive cultures when physical force was the lawmaking power resulted from a law of necessity and not because of an unjust discrimination against the sex. She then invoked history to show that modern day rulers had not emancipated themselves from the "old superstitions and barbarous customs" that at one time had been the rule of necessity. She asserted that "the horizon of woman's duties" had extended more in the years between 1855 and 1875 than it had since "the historian made her a scape-goat for Adam's transgressions," but that the emancipation of women was far from complete:

Henceforth no woman need marry the pure and base for the sake of a protector and home. The disciples of the past — the followers of those who compelled Galileo to abjure and cure the doctrines of the movement of the earth — will still continue to fix a limit to woman's powers, until she soars above systems and creeds to where sex is forgotten in the realms of intellect, remembering always that "ignorance is the curse of God. Knowledge the wind wherewith we fly to heaven!"

The men who have led the way to freedom are those who have prepared them-

selves by a life study of its principles. It is the self-made men who give lustre to free government! The midnight oil has lighted up the whole world, and woman has commenced to burn it. She has come to understand what Cassius said to Brutus, "It is not in our stars, dear Brutus, but in ourselves, that we are underlings."

A traveler who had looked upon the midnight sun in the north of Sweden, when describing his feelings, said "I felt that I had climbed so high up the ridge of the round world that I could look over into the secret chambers, where the king of day retires to his golden rest."

So it is with woman. She has climbed up out of the shade into the sunlight, and the added light reveals work and duties which through all these revolving years have awaited her coming.

Savery had many other causes and pursuits along with her suffrage activities. After discovering the lack of ventilation and cleanliness in the Des Moines jail, she became instrumental in bringing about changes in prison conditions. She unsuccessfully sought appointment as United States Consul to LeHavre, France. She ardently supported public education and the Des Moines Library Association. In 1876 she spearheaded a fund-raising campaign to establish the first Des Moines hospital. Savery also traveled extensively, lectured often, and had scholarly interests in religion, history, and literature.

In 1877 Mary Terrell Sanders of Iowa City became the next woman to graduate from the law department. Sanders' father owned and operated Terrell's Mill, a mill on the Iowa River north of Iowa City. She received her preliminary education from her father and then attended the State University of Iowa, graduating in 1874, before entering law school. Because of her father's failing health, Sanders took over his extensive business interests. She

worked for ten years with the business problems involved in mill operations, waterpower, and quarries and then married Euclid Sanders, a fellow department of law graduate. Mary Terrell Sanders and her husband sold to Iowa City for a nominal consideration the land that is now Iowa City's City Park. They also donated dam rights to the University of Iowa, enabling the university to build the present Burlington Street dam and power plant.

By the time the next female graduated from the law department, the faculty had raised the law college admission standards. While previously there had not been conditions governing admissions, beginning in 1880 the faculty

The 1883 S.U.I. law class on the steps of Old Capitol. Emma Louise Brayton was the sole woman law graduate in this year. (SHSI)

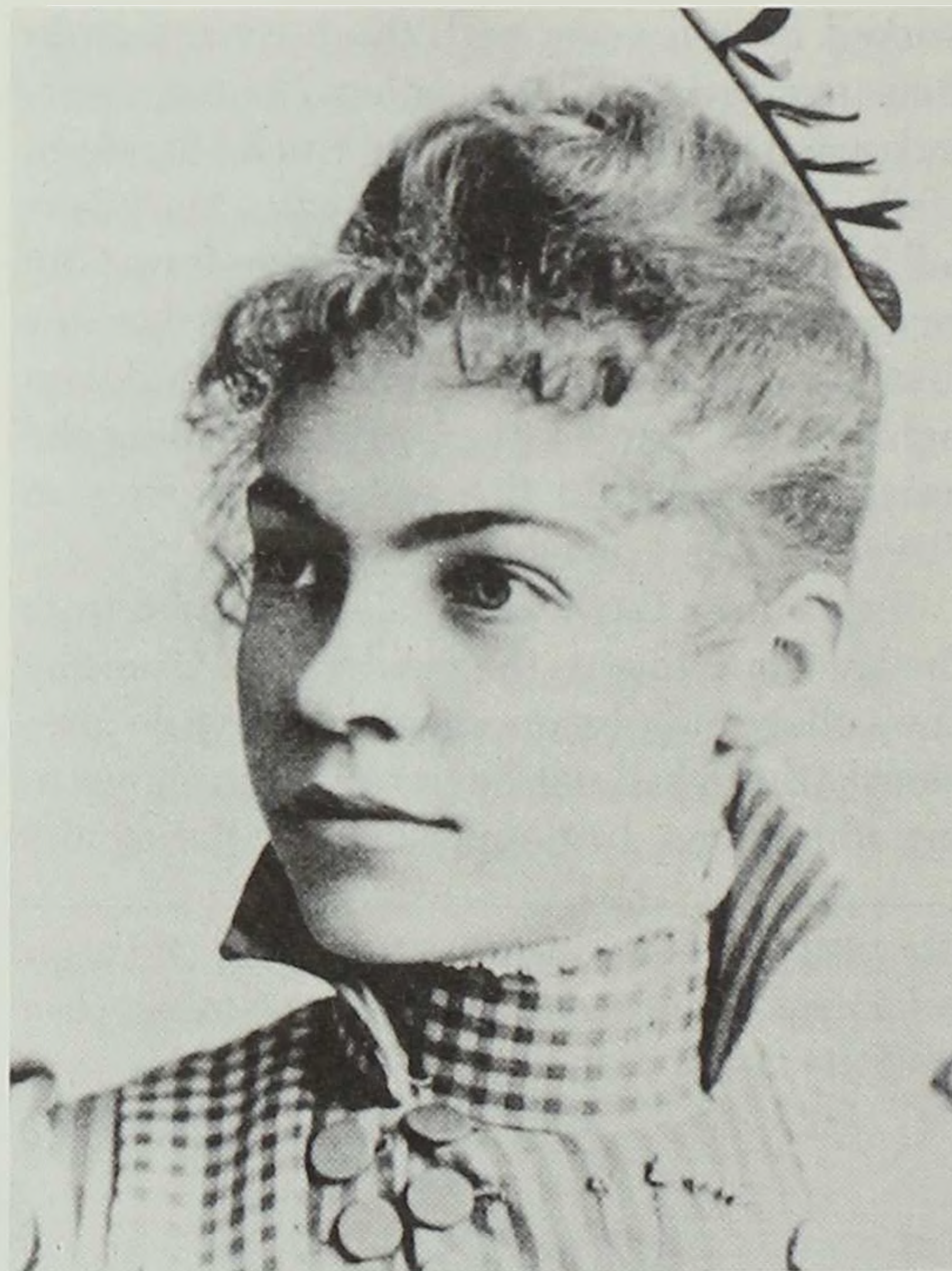


could reject "all candidates who [were] deficient in any branch of a common English education." In 1884, moreover, the law school switched from a one-year to a two-year course of study.

In 1883 a law class poll on woman's suffrage was taken. Fifty-two opposed and forty favored votes for women. That same year, Emma Brayton of Delhi was graduated from the law department. Brayton's father was an attorney, a former judge of the Ninth Circuit District Court, a state senator from 1864 to 1868, and "one of the largest land owners in Delaware County." Emma Brayton practiced law only in connection with her own legal matters and those arising from her father's estate. She started the first library in Delhi, the Emma Brayton Free Public Library, in a building that had been her father's office. She left the library, now called the Delhi Free Public Library, to Delhi upon her death.

The law department was using the entire second floor of Old Capitol when Jennie Wilson of Cedar Rapids graduated from the law school in 1891. The admission standards had been further raised to require a high school education or passage of an entrance examination in English and American history and the English language. Wilson served as law librarian from 1891 to 1893. She never practiced law although she did assist her attorney-husband, George W. Wilson, in his legal practice. She authored two books, one on the legal and political status of women in the United States and one on the legal status of women in Iowa. Wilson also was active in the suffrage movement, the Women's Christian Temperance Union, and the Linn County Humane Society.

Edith Prouty Prichard of Humboldt was a classmate of Jennie Wilson. After her graduation from the law department in 1891, Prichard went into practice with her father, James Nathaniel Prouty, the first lawyer in Humboldt. She presented oral argument before the



Nelly Peery Price, the 1893 woman law graduate. (SHSI)

Iowa Supreme Court and was the local attorney for the Chicago and North Western Railroad. She also had charge of the firm's collection and abstract of title business. Prichard taught a law class at the now-defunct Humboldt College. In 1909 she was appointed to the State Board of Bar Examiners (another woman law graduate, Myrtle Lloyd Kennedy of Sioux City, had been the first woman honored by such an appointment the year before). As a student of the woman's suffrage movement, Prichard visited all the states where suffrage had been granted to women to observe conditions in those states. She was a supreme president and state president of P.E.O. Humboldt friends described her as having a keen, analytical mind and said she stressed "the literal law." In 1920, Prichard married a book salesman, discontinued her law practice, and moved to Kansas City, Missouri, where she worked strenuously on the board of

Cottey College, a Missouri junior college for girls.

In 1899, one year before the law department initiated a three-year course of study, five women were among the eighty-six law graduates, the largest number of women graduates in the 1873-1910 period. Among those women was Fanny Ainsworth Dykins, a West Union woman who was married to a lawyer and related to numerous Ainsworth attorneys in West Union. Keota Williams Bannister also was among the 1899 graduates. Bannister was the daughter of Judge Morris J. Williams and his wife, Mary, of Wapello County. After teaching in the small country school near her home, she enrolled in the law school with her brother, Burn. Burn bred and dealt in horses, an occupation that often took him on trips to Kentucky and Tennessee. During his absence,



Ida Jessup Ashcraft, the only woman to receive a law degree in 1897. (SHSI)

Keota would take class notes for both of them, and brief Burn on his return. After graduation Burn and Keota hung a "Williams and Williams" shingle and practiced law on the north side of Main Street in Ottumwa. Keota discontinued the practice of law in 1903 when she married Dr. Murdoch Bannister. She later used her law acumen to prepare insurance, contracts, and abstracts of title for her own property. She was an active fund-raiser for the Ottumwa Hospital Association and also was a persuasive public speaker.

Louise Eversmeyer of Muscatine was one of the few early women law graduates who made the law a lifetime career. Upon graduation in 1898, Eversmeyer entered her father's insurance, real estate, and loan office in Muscatine. She later entered legal practice with her brother, F. W. Contracts and wills were a large part of her practice. Undoubtedly, she provided stability to the office during the years her brother was a justice of the peace (1901-1906) and member of the Iowa state senate (1915-1919). Eversmeyer spoke German fluently, a result of being the daughter of German immigrants, and many of the German-speaking people in Muscatine came to her for legal assistance. She was a school board member and one-time president of the Muscatine Ethics Club, a federated women's study club.

Imogene Benson Emery, a 1910 law graduate from Cedar Rapids and Mount Vernon, was the only married woman law graduate during the 1873-1910 period who made the law a lifetime career. Emery worked part-time in the registrar's office during her three-year law program. After passing her bar examination in 1910, she worked three years as the secretary for two University of Iowa presidents, George MacLean and John Bowman. She married Irving Cass Emery in 1913 and for fifteen years worked as a secretary for a law firm. From 1927 to 1933 she served as first deputy clerk of Linn County. She opened her own law office in the Cedar Rapids Higley Building, and also ran an

employment agency during the late 1930s and early 1940s. Later she worked in a Cedar Rapids law firm, specializing in tax and probate work. She served as the national chairperson of the D.A.R. National Defense Committee, as president of Quota International, a service club of business and professional women, and also wrote her family history. Emery once described being sworn into practice before the United States Supreme Court by Chief Justice Charles Evans Hughes in 1940 as one of her proudest memories.

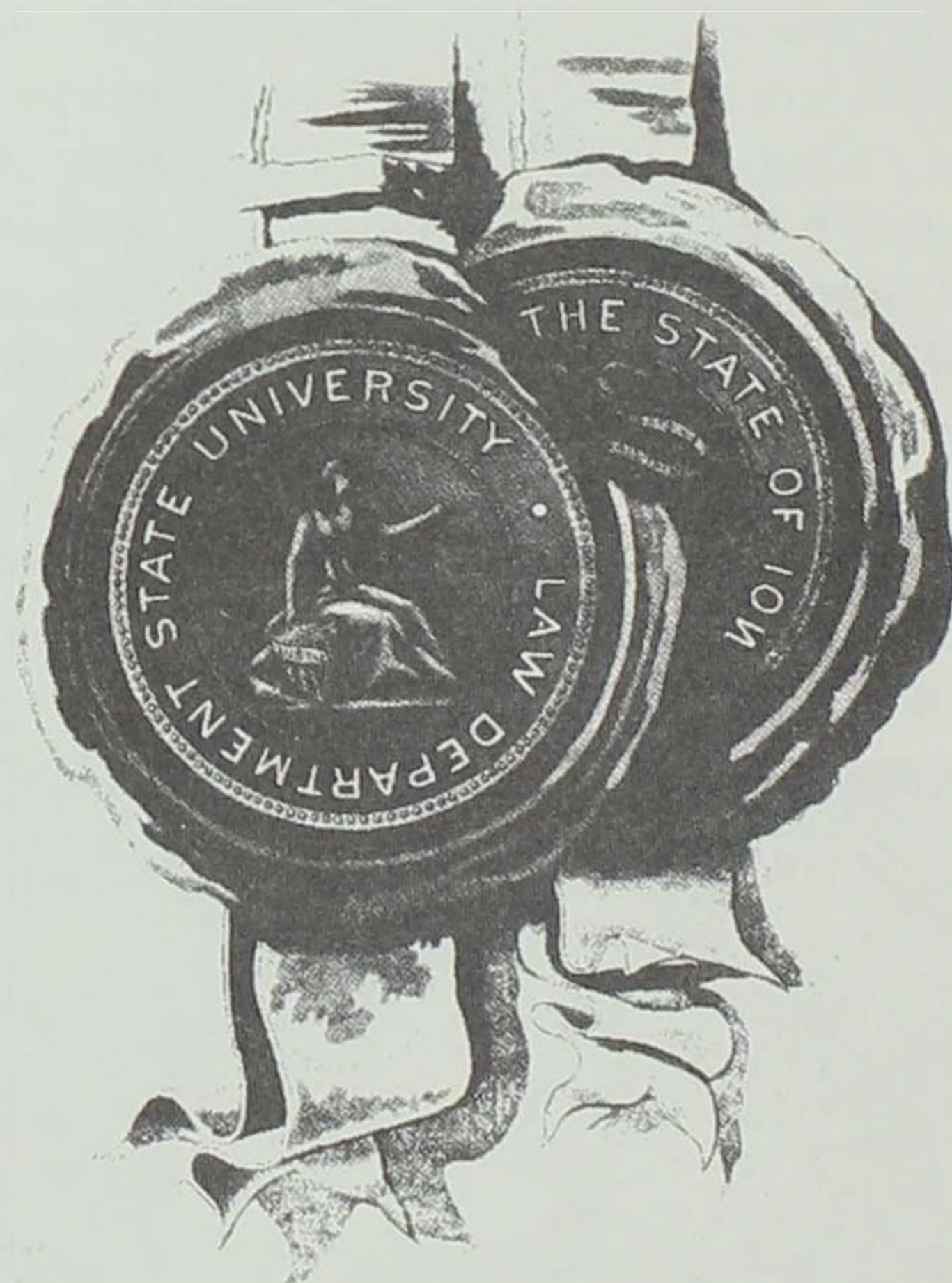
Mabel Eggert Waggoner is the only female law graduate before 1910 still living. Waggoner went to law school because of her father, Robert Eggert, an 1877 graduate of the law department. As a teenager, she spent a lot of time in her father's Charles City law office familiarizing herself with legal practice. Because her father had eye problems, she would read law reports to him which they then would discuss and analyze. Waggoner practiced law for a year while her father was in Europe but did not practice law after marrying. She reported:

To have had this early experience, training and study and having been admitted to the bar so many years ago, has always been a deep satisfaction as well as a personal and business help throughout the years. Looking back to the couple years being the only female . . . climbing the stairway in Old Capitol Building and again being alone taking the bar examination means that it all was more than worthwhile.

* * *

The women law graduates from 1873 to 1910 were courageous in entering that most established of male professions, the law. A majority of the twenty-seven women had lawyers in their families, suggesting that familial

exposure to the legal profession may have been the impetus for their decisions to obtain law degrees. Few of the women law graduates implemented their legal education by practicing law. Many instead used their legal talents in their own legal affairs and in political and philanthropic projects. □



Note on Sources

A variety of excellent source materials were used in preparing this article. Contemporary issues of the State University of Iowa's *University Reporter*, the *Green Bag*, and the *Daily Iowan*, and news items in papers such as the *Daily Iowa State Register* (Des Moines), the *Iowa City Citizen*, the *Anamosa Eureka*, and the *Muscatine Journal* contained valuable information. Three articles published in the *Iowa Law Review* were helpful: Millard Hansen, "The Early History of the College of Law, State University of Iowa: 1865-1884," 30 (1944-45); Rollin Perkins, "The Story of the Iowa Law School," 15 (1930); and Kenneth R. Rossman, "History of the College of Law of the State University of Iowa: 1881-1922," 32 (1947). Other sources of note included: Celia Moore Currier's *The First Twenty-five Years of the Nineteenth Century Club of Iowa City, Iowa, 1883-1908* (SHSI manuscript collection); Ruth Gallaher's *Legal and Political Status of Women in Iowa* (Iowa City: SHSI, 1918); Louise Noun's *Strong-Minded Women: The Emergence of the Woman-Suffrage Movement in Iowa* (Ames: Iowa State University Press, 1969); and a variety of family, club, and county histories in manuscript and book form. An annotated copy of this manuscript is on file at the State Historical Society of Iowa, Iowa City.