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Recommended Citation

Rogers, William P., "Is Law a Field for Woman's Work?" (1901). *William Perry Rogers (1896-1902)*. 3.
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IS LAW A FIELD FOR WOMAN'S WORK?

BY

WILLIAM P. ROGERS,
OF INDIANA UNIVERSITY.

I make no apology for bringing before the Section of Legal Education the question embraced in the subject of this paper. While it has never before been presented to us collectively for discussion or otherwise, each of us, doubtless, has been called upon to answer it for some one whose chosen life-work depended largely upon the answer given. It is of increasing importance and will arise more frequently within the next few years than ever before. It is of interest to the bench and bar, because women are not only asking admission to practice, but are rapidly entering our ranks and practicing at our bars.

It is of interest to our law schools because in at least sixty-four of our one hundred and two schools have women been admitted to the study of law. They have entered, studied and carried away honors and degrees. There are many instances where prizes offered for the best work in law have been won by young women over a large class of young men competing for the prizes.

More than three hundred women have been admitted to practice law in the United States within the last twenty-five years. Not all these, perhaps, are practicing in our courts, but very many of them are, and the others, like many of the men who have been admitted to the bar, find it more congenial and, perhaps, more profitable to confine themselves to the work of the office. But they are none the less lawyers, doing the work of the legal profession. This does not include a large number of female clerks doing legal work in lawyers' offices all over the country. There were during the past year in our law schools more than two hundred women studying law. And while the increase of law students has within the past five

years been much larger than in that of most other professions, the percentage of increase during the same time of female law students has been double the percentage of the increase of male law students. This may be accounted for largely by the fact that our schools have been open for women for a much shorter time than to men, yet it remains an interesting phase of our question. Besides the large number of law schools where men and women study together in the same classes, there are two schools, one in Washington, the other in New York, where special work is laid out for women who compose the entire membership of such classes. There are several organizations, prominent among which is the Woman's Legal Educational Society of New York City, formed and conducted for the purpose of advancing the legal education of women. So the question of women in the law is neither forced nor theoretical. It is both real and practical, touching the lives and life-work of some of our most noble and most intellectual women.

In our schools and colleges they have long been discriminated against. Only within the last half century have they been admitted to those sacred precincts of higher learning whose teachings, it was believed, only men could grasp. But here they have shown a mental power and alertness unsurpassed by the young men of their college classes, and it is now conceded on all hands that higher education is adapted alike to the sexes. It is only a few years since all the professions were closed to women. They could consistently do general housework, cooking and sewing, but beyond such as this they ventured at their peril. But when it was discovered that they were capable of learning all the higher branches, it was also learned that they could teach, and, to their credit and to the advantage of the children, they have for years been in control of the common schools all over the country.

The schoolmaster with his birchrod government has given place to an army of more than 284,000 splendid women, whose examples and teachings in the schoolrooms of our land have saved us the necessity of larger armies of a more belligerent

character in other fields of our government. Step by step they have taken higher positions in the educational world till to-day there is no course in the college curriculum which they have not mastered and do not teach. In our high schools, public and private, there are 14,950 female teachers. In our institutions of higher education there are 1738 female professors and instructors, besides 1456 female professors in colleges for women. There are 37,505 female students pursuing work in our colleges and universities. There are 132 colleges for women alone, with an attendance of 18,415 students. Having mastered the field of general and higher education, our women have entered the domain of technical and professional work. As pulpit orators they have for many years proved themselves capable. In 1889 there were 156 women enrolled in the theological schools of our country. In this field there is an opportunity for work which bids fair to attract many of our best educated women. But the medical profession has been most attractive to the women. In it they have won fame and more of fortune than in any other work. There were 1436 female students enrolled in the medical schools of the United States in 1899, besides 8907 studying to become professional nurses.

But when the women have entered all these fields of work which so recently were held sacred to men, and when they find that in such work they can successfully compete with men and make for themselves an independent support and, perchance, a fortune, why shall they not enter the law? Enter it they will—in fact, they have already done so, with, perhaps, indifferent success, but with determination to bring out of it complete success.

An English legal journal recently said: "The fact that women are admitted to practice in the United States is sufficient to prevent the matter being passed off as a joke. There are many things which women can do and can do well,—some things they can do better than men,—but is practice as a solicitor within their powers? That is the question involved. The practice of the law differs from most other walks in life in

the fact that it embraces the whole business of the world. Women may be competent to be artists, writers, preachers and doctors, and yet incompetent to be practicing lawyers. So soon as they have carried the other professions they may venture on law and not before."

This last assertion sounds somewhat authoritative and yet it is exactly what the women have done. Having succeeded in all the other professions they now seek admission to the bar. While there may be plausible reasons why women should not enter into active practice in our courts, surely one cannot, at this late day, insist that they shall not be educated in the law if their ambitions and inclinations lead them in this direction.

Our much-vaunted assertion that a knowledge of the law makes one a better citizen certainly applies to men and women alike. Whether or not we believe in women practicing at the bar, we should, at least, encourage their attendance in our law schools, that they may, by learning law, thereby acquire an important part of a liberal education. It would seem, indeed, that one's education, in these days of numerous law schools, is incomplete until such a course in law has been taken as will give one a general view of our legal system. For there is no condition in life where the law does not enter with its commands and restraints. It prescribes our rights as infants, never loses sight of us from the cradle to the grave, and distributes our estate when we are dead. The law seeks to control all those of different race, color, condition and sex who come within its domain. Surely it is important that all should know, at least in a general way, what this law is and what is their relation to it. If so, the doors of our law schools should not be closed to a class composing in numbers more than half our population, but should stand open for all who show themselves, by preliminary training, competent to enter. And if law is to be a part of a liberal culture, then, on the other hand, the most liberal culture possible should be attained by those who seek to enter the practice. The growing sentiment in favor of the study of law among both men and women

will doubtless, within the next five years, open the doors of all our law schools to women. As there is no sex limit to justice and equity, there should be none to the knowledge of their rules and to the privileges of the schools where these rules may be learned.

If it be claimed that women cannot succeed as practitioners in court because they have not the powers of advocacy, is it not also true that few men are successful advocates? An investigation would probably prove that the proportion of successful advocates among women practitioners is as large as among the men who practice. But eloquence, the power to move and convince great audiences by magnetic speech, plays a much smaller part in law practice than formerly. Many of our best lawyers seldom enter the courtroom. Much of their most important and most profitable business is done in the office. The competent office lawyer is rapidly becoming the firm's most important factor. Every successful law firm to-day does more business in the office than in court. Besides, a large part of the business done in court is before the judge, where a sound discretion and a thorough knowledge of the law count for much more than ability to speak glibly. An item containing this statement recently appeared in an eastern periodical: "Forensic eloquence is now of but inconsiderable moment to the average lawyer. The profession cannot live on the profits of litigation. Out of 11,000 lawyers in New York City not ten per cent. appear regularly in the courts. There will always be work for the jury lawyer; the great advocate will continue to be in demand and to win admiration for his skill and prowess in legal battles; but the business world is seeking more and more to steer clear of his domain by consulting in advance his less pretentious but more valuable associate. The shrewd business man knows of how much more worth it is to be kept out of a law suit than to win one. The aim of the true lawyer is not and should not be to promote litigation. On the contrary, it should be to avoid it. The physician who wins and keeps our confidence strives to prevent

sickness, and, if he cannot, then to cure it as rapidly as possible. If he does his highest duty as a citizen he will seek to promote and maintain such a state of sanitation that sickness will not occur. It is for this we pay him; and if he wilfully does otherwise, he betrays his profession. So with the genuine lawyer. His energies should be expended, not simply to bring his client successfully through litigation, but to aid him to avoid and escape litigation. There are few men who do not want to keep their business out of court. To do this successfully they consult the lawyer at his office, have the business attended to there and pay liberally for it. Such business, as a rule, can be done just as well by women as by men if they know how to do it; and it has long been conceded that they learn the law just as readily and thoroughly as do men."

The tendency is to make law practice more of a business practice. This is the age of corporations, trusts and combines in business. Whether fortunately or not, the law practice has not escaped the inclination to combine. In the large cities this tendency is especially marked. A firm of prominent lawyers will employ on salary specialists whose labor is all done in the name and under the direction of the firm. There are those employed whose whole time is given to briefing cases in the firm's name. Others do office work of a different character and still others appear in court trials. While it is highly improbable that such combinations will become general, the work thus done under the direction of the firm could, ordinarily, be done by women lawyers. Making wills, settling estates, probate work generally, abstracting titles, administering trusts, all afford legal work peculiarly adapted to women. Indeed, the woman lawyer, like her brother in the law, will find that the terror of legal battles is largely imaginary and that such contests are by no means a necessity to a lawyer's livelihood. Professor Issac F. Russell, of the New York University, has said: "The highest prizes should be open to women as to their brothers in the profession. The supreme honors are never for the many. Woman has now perfect control of her estate—

real and personal—and is admitted by the law to the responsibilities of executor, trustee and guardian. She is thus in need of instruction in the law to qualify her to appreciate and act on legal counsel understandingly. If she is to continue to figure as a capitalist, a taxpayer, a litigant, and, perhaps, a voter, she certainly ought to make herself master of the rudiments of legal science.”

The story of woman's admission to the bar is one of contest and struggle. We, their brethren, being already within the gates, with legal power to keep out those who are of opposite sex, have not extended a very hearty welcome to our sisters in the law. If the way has been opened for them to enter, it is only because with their own hands they have torn down the obstacles and cleared away the rubbish. The courts, in discussing the question of their admission, have divided on two main points:

First, whether, in the absence of an enabling statute, it is proper or legal to permit women to practice law? Second, whether, from an ethical standpoint, she should be allowed the privilege or should accept it if granted? The courts which hold that women have this right, in the absence of legislation on the subject, stand upon the theory that such right exists unless restricted by the constitution or laws of the state; that it is not a privilege granted but a right held. The constitution of Indiana provides that “every person of good moral character, being a voter, shall be entitled to practice law in all courts of justice.” The Supreme Court of that state, in *ex parte* Leach, held that, notwithstanding women are not voters, they are not, by this clause of the constitution, excluded from practicing law. They say that while voters of good moral character are granted admission upon application and proper evidence, there is no denial of such right to women. The laws of England and the rules and usages of Westminster Hall are said to have been based on mere fiction which should be so far forgotten as not now to bar the door of the legal profession to women when other learned professions are open alike to the

sexes. That clause of the Federal Constitution which provides that "no state shall make or enforce any law which shall abridge the privileges or immunities of a citizen," is quoted as sustaining the theory that no abridgement of rights was intended by the state constitution. And the court holds that "the theory upon which our political institutions rest is that all men have certain inalienable rights; that among these are life, liberty and the pursuit of happiness; and that, in the pursuit of happiness, all avocations, all honors, all positions, are alike open to everyone, and that, in the protection of these rights, all are equal before the law."

Women are citizens and these rules of law are meant to be applied to citizens regardless of sex. Besides, the constitution of the state provides that "the General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities which, upon the same terms, shall not equally belong to all citizens." In this way many of the state courts in which the question has been tested have decided. But, on the other hand, the courts of many states have held to the contrary, sometimes contending that the privilege of practicing law is in itself an office, the attorney being an officer of the court; or insisting that, as women were not admitted to practice under the common law in England, such disability continues here unless removed by statute. These decisions, made in Pennsylvania, Massachusetts, Maryland, Oregon, Wisconsin and in many other states, and sustained by the United States Supreme Court, are in square conflict with those first mentioned and have for their support the precedents found in the common law. But in nearly every instance, if not in every case, where the Supreme Court of a state has decided against admitting women to practice, the state legislature has promptly passed a statute authorizing their admission. The persistence with which women have pressed their applications for admission through all the courts of the state, appealed to the Supreme Court of the United States, and, again meeting defeat there, have then successfully applied to the legislature for an enabling

statute, is an indication of their earnestness and zeal in this matter. Their desire to enter the profession is neither a fad nor a whim. It is an effort to gain recognition by merit in the noblest of professions.

Brief quotations from the opinions of Judge Ryan, of the Supreme Court of Wisconsin, in the application of Lavina Goodell for admission to the bar of that state, and of Judge Arnold, of the Court of Common Pleas of Philadelphia, in Mrs. Kilgore's application for admission, will indicate the reasoning from the ethical standpoint for and against women entering the law.

Judge Ryan said: "So we find no statutory authority for the admission of females to the bar of any court in this state. And, with all the respect and sympathy for this lady which all men owe to all good women, we cannot regret that we do not. We cannot but think the common law wise in excluding women from the profession of the law. The profession enters largely into the well-being of society, and, to be honorably filled, exacts the devotion of a life. The law of nature destines and qualifies the female sex for the bearing and nurture of the children of our race and for the custody of the homes of the world and their maintenance in love and honor. And all life-long callings of women inconsistent with these racial and social duties of their sex, as in the profession of the law, are departures from the order of nature; and, when voluntary, treason against it.

"The cruel chances of life sometimes baffle both sexes, and may leave women free from the peculiar duties of their sex. These may need employment, and should be welcomed to any not derogatory to their sex and its proprieties, as inconsistent with the good order of society. But it is public policy to provide for the sex, not for its superfluous members and not to tempt women from their proper duties by opening to them duties peculiar to men. There are many employments in life not unfit for the female character. The profession of the law is surely not one of these. The peculiar qualities of woman-

hood, its gentle graces, its quick sensibility, its tender susceptibility, its purity, its delicacy, its emotional impulses, its subordination of hard reasoning to sympathetic feeling, are surely not qualifications for strife. Nature has tempered women as little for the judicial conflicts of the courtroom as for the physical conflicts of the battlefield. Womanhood is modeled for gentler and better things."

On the other hand, Judge Arnold, in Mrs. Kilgore's case, above referred to, says: "There is scarcely any subject upon which the opinions and practices of society have undergone greater changes during the present century than that which relates to the social and legal status of woman. Positive legislation has everywhere broken down the barriers within which she was formerly confined. Public sentiment has at the same time emancipated her from the restraints which formerly encumbered her life and fettered the freedom of her action. If there is any longer any such thing as what old-fashioned philosophers and essayists used to call the sphere of woman, it is, it must be admitted, a sphere with an infinite and indeterminable radius. She is no longer relegated to the position of plaything or drudge or compelled to bound her aspirations by the parlor or the nursery. Everywhere now she is permitted, by the common consent of mankind, to select and pursue her own vocation without criticism and without any sacrifice of social standing. She holds responsible public offices both under national and state governments. She is found in all the pursuits and professions of life, not only working out her own independence, but entering into competition with men for the highest rewards of ambition. It is to me surprising that anyone should speak with apprehension of an impending social change by which women are to seek fortune and fame in fields which were formerly denied to them. Such persons should awake from their slumbers. The revolution is over. It was so gradual that you, perhaps, did not observe it or note the several steps of its progress. But it is over. It is an accomplished fact. Its results exist to-day everywhere, and all

around us, and have existed long enough for a moral philosopher to write its history. Now, I will ask, are we to take notice of these changes and recognize the weighty facts which they have brought with them and the rights which have grown out of them, or are we to set ourselves to the vain task of attempting to turn back the wheel of time, to convince history that it is all wrong and to say, at this time of day, that a woman shall not be permitted to pursue the vocation to which her tastes lead her and for which her studies have qualified her; to earn her bread in any respectable calling she may elect to pursue, or that the profession of the law is, of all the professions and vocations in the world, the only one from which she shall be excluded—the only tree of knowledge from which she shall not eat? When we reflect upon what woman has accomplished for herself and are witnesses of the struggle which she everywhere bravely maintains, amid many trials and prejudices, to provide for her support and to improve her condition, we are unwilling, by any unnecessary exercise of power, to place an obstacle in her path in the pursuit of an honorable occupation which she is qualified to undertake.”

There is no dissent from the opinion that women are excellent law students. They are much above the average in their classes, often standing first. But while law teachers generally admit their ability to learn law, there is here, as among the courts, a great difference of opinion as to the propriety of their undertaking court practice. The dean of a large school writes: “My judgment is against the advisability of women entering upon the practice of law. As office lawyers they may do well, but, upon the whole, I am of opinion that women as a class will not make any considerable success in the profession of the law. I would not discourage the study of the law by women, as I think that it tends to broaden and enlighten them in a way that no other course of study that they could pursue would do.”

Another eminent teacher says: “I believe that there is much of office work that women lawyers might do well. I

believe that they should have the opportunity to prove their capacity for law work, whether in an office or in the courtroom. I do not think it probable that women will hereafter constitute a large proportion of our lawyers."

Again, the dean of still another law school writes: "I think that for business reasons and for reasons of culture it would be highly advisable for women to study law, but do not believe they will ever be successful in actual practice."

From another well-known teacher the following was received: "All those graduating from this school were exceedingly able women, and one of them was, I think, the ablest student in the class in which she was graduated. She was selected in competition as one of the inter-collegiate prize debaters and held her own without difficulty in the debate."

The dean of a law school on the Pacific slope writes as follows: "I do not believe women will be court lawyers to any extent. The labor is too severe. They have the mental ability perhaps, but I do not believe they can long endure the physical strain of trying cases. As office lawyers, it seems to me, they may become a factor in the profession. The care and faithfulness they show in general induces me to think they would do excellent briefing and clerical work."

Women who have undertaken the practice and have continued in it for a few years are usually quite enthusiastic on the subject, even insisting that active court practice is as fitting for women as men. The determination to succeed, the fascination that legal work, new to women, brings, the belief that legal disabilities of women have been largely removed by the influence of women lawyers, and that, by their influence, complete legal and political equality of the sexes is to be obtained, stimulate the young women to enter the profession and give to them an enthusiasm which even a dearth of clients cannot suppress. But many of the women who have independently entered the active practice, including office and court work, find clients as willing to trust their business to them as to men of equal experience. They have not yet been long

enough in the profession to develop women lawyers equal to Marshall, Webster or Choate, but those in the practice probably average well when compared with the men, both in ability and income.

Mrs. Catherine Waugh McCulloch, who practices law with her husband in Chicago, writing concerning the income of women lawyers, says: "That is difficult to discover, but I believe but few of them have received as much as \$5000 a year. One told me of a \$10,000 fee, and I know of some who have earned and collected as much as \$2000 or \$3000 per year, but this was only after five or ten years' experience. When there are women lawyers of twenty to thirty years' practice there will be larger fees. But, even in the early years of practice, the fees of the women average fairly well with the fees paid men of similar experience for the same kind of work."

She further writes: "Law is excellent as a study for women, and, in the practice, sex is not necessarily a disability. In securing business, sex is, as yet, a hindrance, for some people have not yet discovered that women can have legal ability. From my own experience of fifteen years I have become so well satisfied that law is a proper sphere for women that I should be willing to have my daughter choose it for her vocation."

From Miss Isabella M. Pettus, who has for three years practiced in the courts of New York, I have received much information concerning the practice of law by women in that city. Many there have won success, not only in office work, but at the bar, before courts and juries. These women, many of them wives and mothers, have been none the less faithful to these "heaven-appointed" offices than before they entered the profession or than their sisters who, in other honorable professions or lines of work, help to make and keep the home. Miss Pettus, in a strong presentation in favor of woman's fitness and right to practice law, says: "I would condemn heartily the course of a wife or mother who would neglect her home and children to practice in the courts; I would praise, unreservedly, any earnest, intellectual woman who takes up 'toil unsevered

from tranquility' and fits herself for a professional life, for the love of law and of learning, thanking God that the nineteenth and twentieth centuries have given woman freedom to work out her own life, as she will, in honor and righteousness."

And when the question in hand is examined from all sides, is not the answer found in the suggestion that, after all, women must be given freedom to settle the matter for themselves? Experience alone can determine their adaptation to the profession, and they are surely entitled to the test. If they fail, their better judgment will readily dictate the wise course to pursue. If they succeed, and the predicted dangers to home and motherhood do not come, let us, with them, rejoice in their success. We can do no less than give them every possible opportunity to determine for themselves how best to make the most of life.

We may consistently suggest, however, that there is no other profession like the practice of the law. It is a continual contest. The assertions from the minister in the pulpit are usually unquestioned and unanswered. His critics speak only in his absence. His hearers have assembled because they are in sympathy with his views and expect to agree with what he may say. So with the work of the physician. His errors may neither be all buried nor forgotten, but he can rely upon the assurance that no one will be employed to hunt for and expose them to public inspection. The teacher stands in advance of his pupils, teaching them things they have not yet learned. If, perchance, some leader of the class points out an erroneous statement, it may at once be corrected with little embarrassment. But the propositions of the lawyer in court are made in the presence of a shrewd opponent whose business it is to see the vulnerable places, point out the errors and inconsistencies and openly criticise the position assumed. His address to the jury is to be publicly answered and his conclusions refuted. He must be an antagonist because his client is. This is the life of the lawyer in court. It cannot be otherwise if success is to be won. The nervous strain borne by the law-

yer in a long, closely and often bitterly contested case, demands not only mental but physical vigor which few men possess. At the end of such a contest, where, if not the life or liberty of one's client, his property at least is lost, the lawyer must be strong indeed who can unperturbed proceed with the demands made upon him by other pressing business. Are women so constituted that they can successfully live such a life? Is such a life desirable for a woman where this strife and mental contest must be principally with men, even though she is strong, learned and experienced? Cannot a woman with such qualities utilize her life to better advantage elsewhere? Is there any crying need or pressing demand for women to practice in our courts? What great reforms, what betterment to society, would result from their assuming such onerous work?

To the woman who would enter the law, intending to take up its practice as a profession, these and many like questions must come for answer. But the answer must come from her. We have no right to deprive her of the privilege of personal experience. She has the right, and should have the privilege, of entering the bar as a practitioner on purely personal grounds, although there be no public demand or crying need for her. She should, in this matter, be just as free and independent as her brother, with the right and power to choose for herself any honorable calling, but in doing so she should, like every other citizen, select that for which she is best suited and which will bring to her and those about her the most of good and of happiness.

The following statistics and table prepared by Miss Pettus indicate the extent of the admission of women to law schools and to the practice of the law.

Thirty-four states admit women unreservedly to practice law, and wherever there are law schools in those states, with the exception of Yale and Princeton, women may be candidates for degrees. Eighty-seven have been admitted to practice in Illinois, forty in New York, thirty in Iowa, twenty in Massachu-

setts, twenty-five in Missouri, ten in the District of Columbia, twenty-five in Nebraska, nine in Oregon, "two or three" in Colorado, Kentucky, Nevada, Washington and Wisconsin, six in Michigan, two in Florida, Idaho and Connecticut, one in Arizona, Maine, Montana, Utah, North Dakota, Tennessee and Wyoming. From Pennsylvania the number is uncertain, because there admission is by county and the number could not be ascertained by inquiry. From California, Kansas, Indiana and Texas the answer is "but few."

Virginia, Alabama, Arkansas, Delaware, South Carolina and Vermont prohibit woman's entrance to the bar.

In Georgia, Louisiana, Maryland and Rhode Island, "Law is silent—none have ever applied." Yet Maryland and South Carolina admit them to their law schools.

In Missouri and California nine have graduated from the law schools, in Illinois and Massachusetts, twenty-five, eight in Wisconsin, twenty in Michigan, sixty-five in New York, about nine in Nebraska, ten in Kansas, fourteen in Iowa, three in Oregon, the same in Washington, four in Pennsylvania, one in Colorado, and from other schools an indefinite number.

So far as we can discover with exactness, admission was by statute in New York, Iowa, Illinois, Maine, Massachusetts, Montana, Nevada, North Dakota and New Jersey; by decree of court in Pennsylvania, Connecticut, New Hampshire, North Carolina and Wisconsin; "always," "never prohibited," in Arizona, California, Colorado, Florida, Kansas, Michigan, Minnesota, Mississippi, Ohio, Oregon, South Dakota, Texas, Utah, Washington and Wyoming.

Women admitted to the Bar. State.	Date of admission to practice.	Remarks.	How many have been admitted?	Women admitted to law schools.	Date.	How many have been graduated
Arizona,	since state	since Arizona had existence	1	no		no law department
California,	1873	—	few	yes	1893	about 9
Colorado,	1891	probably always eligible	3	yes	since 1892	1
Connecticut,	—	by counties	2	no		
Dist. of Columbia,	1873	3 are in practice	10	—		not in Columbia University student organization
Florida,	1845	never prohibited	2	yes		
Idaho,	1899	February 3	2	yes		no post-graduate
Indiana,	—	number of years	few	yes	some years	only a few
Iowa,	1870	ever since 1870	30	yes	1865-68	12 to 15
Kansas,	1861	ever since Kansas was a state	not many	yes	—	10
Kentucky,	—	within 2 or 3 years	2 or 3	—		
Illinois,	1872	by statute	87	yes	1884-85	25
	1870	by decree				
Maine,	1872 & 1899	by statute	1	yes	1898	
Massachusetts,	—	by statute 139	20	yes	1872	25
Michigan,	about 1880	always	5 or 6	yes	1869	20
Maryland,	—	none have applied	—	yes	—	in Baltimore Law School
Minnesota,	—	since adoption of Constitution	9	yes	—	7
Mississippi,	—	there is no restriction	none	yes	—	but none have applied
Montana,	—	by statute since a state	1	yes	—	some are soon to be admitted
Missouri,	1865	word "male" omitted	25	yes	1880	9
Nebraska,	1880	at least 20 years	25+	yes	always	7 to 10
Nevada,	1864	by statute 93	3	—	—	no law school
New Hampshire,	2 or 3 years	Judge Doe's decree	—	—	—	no law school
New York,	1838	by statute	40+	yes	1890-98	
New Jersey,	—	—	1	no		
North Carolina,	1878	—	1	yes	1899	new law department
North Dakota,	1896	probably by statute	1	yes		
Ohio,	—	never a law against it	—	yes	—	1
Oklahoma Ter.,	—	no law prohibits	—	—	—	none have ever applied
Oregon,	1885	—	9	yes	—	3
Pennsylvania,	—	admission by counties	+	yes	—	4
South Carolina,	—	—	—	yes	—	in South Carolina College
South Dakota,	—	—	—	yes	—	no law school
Tennessee,	1897	not eligible as notary since organization	1	yes	—	none have applied
Texas,	1836	always except	few	yes	—	none
Utah,	—	never prohibited	1	—	—	
Washington,	—	they are admitted	3	yes	—	always 2 or 3
West Virginia,	—	—	—	yes	—	in Morgantown University
Wisconsin,	1874	—	2	yes	—	same as men, 8
Wyoming,	1899	never prohibited, law was silent	1	yes	—	to preparatory law department

Alabama: prohibits.
Arkansas: prohibits. None have attended.
Delaware: prohibits by statute 1900.
Georgia: no law on the subject, and no women who desire to study law.
Louisiana: law is silent.
Maryland: law is silent. None have applied.

Rhode Island: none have been admitted. No have applied.
Vermont: no. No law schools.
Virginia: no. One applied, refused. None have applied.
South Carolina: no. Yes, one who did not graduate in the Klondike.
Some in Canada.