

Women of the Law in Arkansas

1918 to 1959

By Jacqueline S. Wright

Approximately 150 women were admitted to practice law in Arkansas from the time the privilege was granted until 1959. Forty-four are listed in the 1960 edition of *Martindale-Hubbell*. Twenty-one were in Little Rock or North Little Rock. The others were all over the state: Arkadelphia, Blytheville, Clarksville, Conway, Cotter, Crossett, El Dorado, Fayetteville, Ft. Smith, Harrison, Hot Springs, Jonesboro, Lewisville, Marshall, Morrilton, Mountain Home, Prairie Grove, Stuttgart, Texarkana, Wilson, and Wynne.

Who were these women who chose the law? What skills did they bring to the profession? Why did they choose the law? What were they like?

I have spent the last two months searching for the answers to these questions and have found a wealth of material. However, the stories of many of these women are lost through time. Therefore my research is incomplete and my evaluations are thus subject to question. But I will add some literary license, some intuition, and some educated guesses to the facts at hand and draw some conclusions about the women lawyers of Arkansas, 1918-1959.

Following a Family Tradition

A number of them are from law families where the practice is a

tradition. Elsjane Trimble Roy followed in her father's footsteps in the grandest manner. She now presides over the same federal courtroom that he occupied. Nancy Daggett White, of the Eastern Arkansas Daggetts,¹ studied law but uses her talents teaching high school and college students. Her daughter, Ellen, is a lawyer who is a law clerk for the Arkansas Supreme Court.

Two of the earliest law-daughters were Ethel Jacoway Hart, admitted in 1929, and Mariperle Houston Robertson, 1932. Ethel's father was chief justice of the Arkansas Supreme Court.² Mariperle's brother was also a lawyer.

Zonola Longstreth, 1933, and Patricia Robinson, 1951, practiced law with their fathers—Zonola in Little Rock and Patricia in Lewisville, Arkansas.

Others whose fathers were lawyers were Gladys Milham Wied, 1941; Erle Chambers, 1920; Mary Burt Nash, 1934; and Frances Holtzendorff, 1940.

Ann Arnold Hastings, 1946, Ruth Lindsey, 1940, and Ruth Dexter Vines, 1949, each have a brother who is a lawyer. Bill Arnold, from Crossett, and Bob Lindsey, from Little Rock, hold prominent positions in the Arkansas bar. Ruth Vines' brother chose to use his legal training in the business world.

Frances Shaw was admitted to practice in 1933. Her uncle was Chancellor Frank H. Dodge, who

sat in the First Judicial District. Rebecca Norton, 1929, was originally from Forrest City and may have been related to Charles W. Norton, who practiced there with his son, Nathan.

The future generation includes David Orsini, son of Dorothy Orsini Jones, 1938. Dorothy left the state a number of years ago but David practices in Little Rock. Clyde Calliotte's daughter will soon receive her license to practice law in Massachusetts. Judge Roy's son, James Roy, practices in Springdale, Arkansas. The youngest Daggett has already been mentioned.

The list of women who were married to lawyers is almost as long. Ruth Brunson earned her law degree in 1941 then married and worked while her husband studied law. Dorothy Howard, 1947, and Neva Talley-Morris, 1947, read for the bar in their husbands' law offices.

Lily Carmichael received her law degree from the Arkansas Law School in Little Rock, then married the dean, Judge J. H. Carmichael. She was named registrar of the school and continued in that position until Judge Carmichael died and the school was incorporated into the University of Arkansas system.

Other women whose spouses were or are lawyers are Elizabeth Gregg Young Huckaby, 1931, whose first husband was Federal District Judge Gordon E. Young; Ruth Wassell Gibb, 1937, whose husband was also mayor of Little Rock; Mabel Mahony, 1930, who married Emon Mahony and practiced with him in El Dorado; and Mary Burt Nash, 1934, whose husband, Bill, is a partner in the Rose Firm.

Mary Bullion, 1940, is married to Chancellor Bruce Bullion; Bernice Parker Kizer, 1947, was married to a descendant of Ft. Smith's famous Judge Isaac C. Parker; Marian Penix, 1949, practices law with her husband Bill Penix, in Jonesboro. Judge Roy practiced law for several years in Blytheville with her husband, James.

So numerous are the family connections between male and female lawyers that one should be careful what one says. A chauvinist remark could be said to the



Photograph of the Little Rock Association of Women Lawyers taken about 1950 at the Sam Peck Hotel. Front row: Lavita Gibson, associate member; Effie Combs, Dorothy Orsini Jones, Glendine Hill Greene, Ruby Hurley, Neva Talley-Morris. Back row: Mary Measler, Ruth Hale, Frances Shaw, Lela Bentley, Margarite Wolfe, Lois Morgan Faust, Alma Lowrey, Chancery Clerk Arline Turner, associate member; Assistant Chancery Clerk Ealey Red, associate member; Evalyn Rhodes, Mariperle Houston, Hazel Bob Pearson, Gladys Lucy.

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father, son, spouse or brother of a lawyer who happens to be female.

Close family connections between lawyers are not unique to Arkansas. A study was made of men and women who graduated from 108 accredited law schools during the ten year period from 1956 to 1965. One of the findings was that 28% of the women and 25.6% of the men had a parent, grandparent, uncle or aunt who was a lawyer.³

Varied Educational Backgrounds

Qualifications for the license to practice changed drastically during these decades. When women were first qualified to practice, graduates of the law department at the University of Arkansas were not required to take an examination. All others were "to be examined in open court..."⁴ But there were no minimum education requirements. In 1917 the General

Assembly invited the Supreme Court to promulgate rules for the admission to practice.⁵ The rules did not provide for any exceptions to examination until they were revised in 1927.⁶ At that time law graduates of the University of Arkansas were again given the diploma privilege.

In 1949 the Supreme Court again revised the rules to require that a candidate for the bar must complete at least two years of pre-law study in a college approved by the Board of Bar Examiners. In addition, they must complete 1250 classroom hours in an approved law school or study in a law office for four years. The diploma privilege was thus revoked.⁷

The addition of education requirements may have had more impact on the men than the women. Ruth Vines remembers that "most of the women [at the Arkansas Law School in Little Rock] had some college but most of the men did not."

The women brought a variety of

educational backgrounds to the profession. Many were teachers. Some have masters degrees. Others prepared themselves to be independent by taking business courses. Lois Dale, our first female judge, had an undergraduate degree from Lindenwood, a women's college in Missouri, and a law degree from Tulane.⁸ Bessie Florence and Virginia Darden Moose, 1921 admittees, had degrees from Vanderbilt. Ms. Florence also had a masters degree from that school, and a law degree from George Washington Law School.⁹

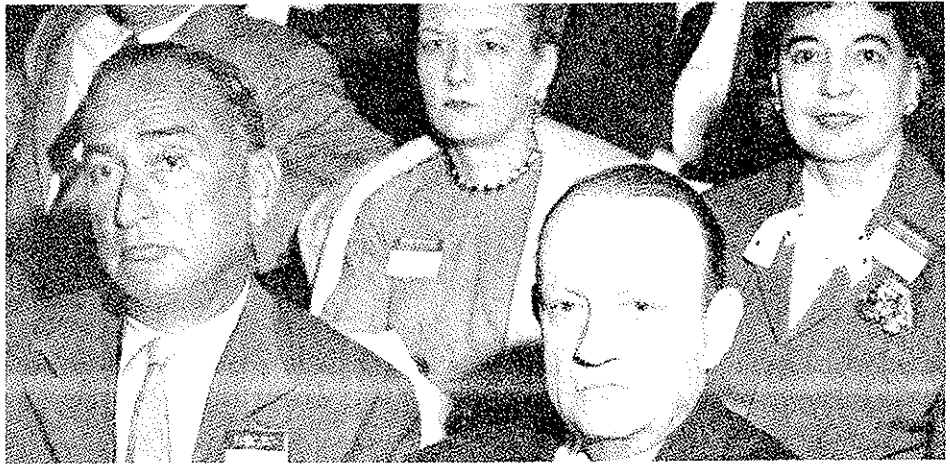
Other women studied closer to home. Jean Woolfolk, 1947, earned a Bachelor of Science in Business Administration from the University of Arkansas, at Fayetteville.¹⁰ Judge Bernice Kizer and Marian Penix received undergraduate degrees and law degrees in Fayetteville.¹¹ Neva Talley-Morris earned her B.A. at Ouachita and later a masters from the University of Texas.¹²

Judge Elsijane Trimble Roy and a few other women in addition to Judge Kizer and Marian Penix studied law at the University of Arkansas in Fayetteville; but most of them lived in Little Rock and took advantage of the local institution, the Arkansas Law School.

Choosing Law: The Factor of Economics

They are not so different from other women; and what they did was not bizarre. They are responsible, intelligent individuals who for one reason or another wished to be prepared to earn a living and desired to practice an occupation that would give rewards—monetary and otherwise—as well as a challenge. All of us have been asked this question from time to time, informally. Aurelle Burnside, 1921, who practiced for many years in El Dorado, answered it in a major address to the Arkansas Bar Association at the 1936 annual meeting. Her summary was eloquent and poetic:

"She is lured into the profession by her intellectual curiosity about legal problems and judicial processes, the varied human interest which attaches to the work, its steady opportunity for growth, the wise perspective it offers, the constant men-



Law partners of NAWL members, distinguished speakers Henry A. Gair, New York City, left, and Robert D. Hudson, Tulsa, at Arkansas Bar Assn. midyear meeting. Shown also are Glendine Hill, left, Little Rock Assn. Women Lawyers president and Neva Talley, NAWL president.

tal stimulus, training in values, the independent position in society it offers, and the fact that it frequently opens a path to political and judicial honors and the opportunity for high public service."¹³

An in-depth examination of anyone's decision to qualify for the law practice would uncover a complex combination of reasons for choosing the law. Numerous factors influence one's career choice. Availability of role models is illustrated by the number of women and men in law whose close relatives were lawyers. Economic conditions will also encourage one to upgrade skills. The number of women admitted to practice during these four decades mirrors the unemployment chart. In the 1930s double digit unemployment coincides with the two years when we had double digit female enrollments. The farm depression of the early 1920s also coincides with a peak in females entering the legal profession.¹⁴ Although a statistician would not consider the variance significant.

A study done in 1967 at the University of Michigan Law School confirmed the fact that women enter the profession for economic reasons. The percentage of women who attended law school in order to have a career with good remuneration exceeded that of the males by a statistically significant margin. Other motivations for this career choice were measured but they were not reported.¹⁵ A variety of reasons are given by Arkansas women.

At least one decided to be a law-

yer at a very young age. Judge Roy can't remember exactly when, but it was either the first or second grade. She planned her education with that goal in mind.

Neva Talley-Morris grew up in an extended family populated by career-oriented boys, and was accustomed to engaging in com-

Author's Note:

The span of time covered in this article overlaps some of the years covered by Frances Ross in the first part of this series. However, the subjects are different; therefore repetition is minimal.

Much of the material presented in this article was learned from interviews with Judge Elsijane Trimble Roy, Ruth Husky Brunson, Ruth Dexter Vines, Dorothy Howard, Neva Talley-Morris, and Clyde Calliotte. These women graciously opened their files and their memories to assist in this project. Although a few of the facts are within my own memory, I could not have written the paper without their help. To avoid the complexities of endnote references to their statements of facts the author takes all responsibility for error or omission.

Editor's Note: Jacqueline S. Wright has been the Arkansas Supreme Court librarian since November 1, 1979. She served as a law clerk to Judge Elsijane T. Roy in 1979. Her publications include the Handbook for Appellate Advocacy in the Arkansas Supreme Court and Court of Appeals, 1980 and Supreme Court Rules Manual, 1980.

**Women Admitted
to the Bar—1918 to 1959**

Year	No. Women Admitted	Percent Unemployed
1918	1	1.4
1919	2	1.4
1920	7	5.2
1921	5	11.7
1922	1	6.7
1923	0	2.4
1924	4	5.
1925	4	3.2
1926	7	1.8
1927	8	3.3
1928	7	4.2
1929	5	3.2
1930	5	8.7
1931	3	15.9
1932	12	23.6
1933	8	24.9
1934	5	21.7
1935	13	20.1
1936	0	16.9
1937	6	14.3
1938	6	19.
1939	1	17.2
1940	4	14.6
1941	2	9.9
1942	2	4.7
1943	2	1.9
1944	0	1.2
1945	1	1.9
1946	2	3.9
1947	6	3.9
1948	3	3.8
1949	2	5.9
1950	2	5.3
1951	6	3.3
1952	0	3.0
1953	4	2.9
1954	0	5.5
1955	3	4.4
1956	1	4.1
1957	0	4.3
1958	0	6.8
1959	0	5.5

petition. She won the cup in a statewide geometry contest, majored in math in college, then taught school. She advanced her career in education by earning a masters degree in school administration which qualified her to be a public school principal when most who filled these positions were men.

A career in law was seriously considered when she finished college but was not pursued until fifteen years later when she moved to Little Rock and married a lawyer.

Ruth Husky Brunson learned the law so she could "save the world." It didn't enter her mind that she could improve her economic position. She believed that there was something important waiting for

her to do and she wanted to be prepared. And there was. She has built an institution—the U.A.L.R. School of Law Library.

Clyde Calliotte wanted to do something more with her life than be a secretary. Law was the best option that was available to her. It has given her the opportunity to do many interesting things.

Ruth Dexter Vines wanted to earn a better living for her children. As a girl she was taught that "every tub sits on its own bottom," so she took business courses before she left home to seek her fortune. But the skills she learned did not allow her to make enough to support her children when she was left alone. She knew she needed an education to get a better paying job so she enrolled in the Arkansas Law School. She never aspired to be a trial lawyer but perceived law to be a discipline that would qualify her for any field of endeavor that she wished to pursue.

A false start as a music teacher led Effie Combs first to a number of secretarial positions and some temporary jobs, then to the Attorney General's office where she was the warrant clerk. When Mary Measler, her friend and housemate, and a legal secretary, decided to study law Effie liked the idea and joined her.¹⁶

All of these women are interesting individuals. They are different from the norm because they had the courage and tenacity to enter a male-dominated profession. Yet they are not unlike others of their educational and intellectual levels. A study of the career plans of a group of college women showed no significant difference between the women who chose careers in male-dominated professions and the others in the group. Among the personality variables measured were relationships with parents, dating frequencies, and participation in extra-curricular activities.¹⁷

They were a handsome group. An early chronicler of women's careers noticed that "[m]any, many of them are young—and many of them are good-looking, and many, many of them practice with their husbands."¹⁸ The description fits a photograph of the Little Rock Association of Women Lawyers. Included are sixteen of

Arkansas' best attorneys and three court clerks who were welcomed as associate members. Each could have been outfitted by the writer of *Dress for Success*.

They were friends as well as colleagues. They banded together as a support group and welcomed new members with an annual dinner. Neva Talley-Morris explained: "We were not competitive with each other. We helped one another." The beginnings of a "good-old-girl" network was partly responsible for Mary Burt Nash being appointed Pulaski County's first Juvenile Court referee.

In conclusion, the woman lawyer in Arkansas is a member of the law family, is well educated, entered the profession for sound reason and is, all-in-all, someone to be proud of. □

FOOTNOTES

- ¹ Robert R. Wright, "The Daggetts of Eastern Arkansas," *The Arkansas Lawyer*, 18 (October, 1984), 172.
- ² "Senior Class of 1929," *Ark-Law*, 1930.
- ³ James J. White, "Women in the Law," *Michigan Law Review* 65 (April, 1967), 1051.
- ⁴ 1873 Ark. Acts, no. 88; *Gantt's Digest*, §§ 450-451.
- ⁵ Act, March 28, 1917, p. 1786 § 1; *Crawford & Moses* § 596-599 (1921).
- ⁶ Act 199 of 1927, § p. 673.
- ⁷ *Rules of the Supreme Court of the State of Arkansas*, September, 1954, p. 5.
- ⁸ "In Memoriam," *Proceedings of the Thirty-Eighth Annual Session of the Bar Association of Arkansas*, 1935, pp. 283-284.
- ⁹ "Memorial—Bessie Newsom Florence," filed Nov. 16, 1971, Supreme Court Clerk.
- ¹⁰ "Members Added to UALR Board," *Arkansas Democrat*, Saturday, May 25, 1974, p. 9A.
- ¹¹ "New Chancellor Hopes Win Encourages Other Women," *Arkansas Gazette*, Sunday, June 23, 1974, p. 22A.
- ¹² "Neva B. Talley," *Who is Who in Arkansas*, vol. 1, (1959), 223-224.
- ¹³ Aurelle Burnside, "The Woman Lawyer—Why?," *Proceedings of the Thirtieth Annual Session of the Bar Association of Arkansas*, (1936), 141-146.
- ¹⁴ These figures were compiled from the *Directory of Women Lawyers in Arkansas*, January, 1979, and the United States Census.
- ¹⁵ White, 1069-70, 1118.
- ¹⁶ Thomas Allen Bruce, "Southern Kinswoman: Effie Elizabeth Combs," *Pulaski County Historical Review*, 29 (Summer, 1981); 35-43.
- ¹⁷ Elizabeth M. Almquist and Shirley S. Angrist, "Career Salience and Atypicality of Occupational Choice Among College Women," *Journal of Marriage and the Family*, 32 (May, 1970); 242-249.
- ¹⁸ Inez Irwin, *Angels and Amazons, A Hundred Years of American Women*, quoting Alice Ames Winter in *The Heritage of Women*. (Garden City, NY: Doubleday, 1933), 301-302.