

# DAILY WOMAN JUDGE IN AMERICA

## Presides in Court with Dignity but Cuts "Obey" from Marriage Ceremony

**T**HE only woman judge in America? Quite right. But she is making such a creditable record on the bench that she may have a number of sister justices before long.

Justice is usually pictured as a stately female with bandaged eyes. But Mrs. Catherine Waugh McCulloch—now Mrs. Justice McCulloch—of Evanston, Ill., keeps her eyes and her ears wide open. It is rarely, too, that lawyers attempt to confuse her, for she is a lawyer, and a good one, herself.

She is not a creature of fortunate circumstances, a favorite of opportunity, elevated to judicial dignity and power by appointive authority upon which she brought influence to bear to seek the prize she now possesses.

No, indeed. The sovereign vote of man, cast in sufficient number at a regular election, secured for this plucky little woman the office which was coveted by male politicians, who contested with her in the battle of the ballots.

Woman suffragists in Illinois and everywhere else are jubilant over the success of their sister in the Sucker State, and while her election is not a victory for the cause of woman suffrage, it is a signal triumph for one of its most ardent champions and persistent workers.

A Daniel come to judgment! Yes, a Daniel, O wise young judge, how I do honor thee. Merchant of Venice.

**F**OR years Mrs. McCulloch has been a leader among the woman suffragists of the middle West, and has rendered invaluable work on the platform and in women's clubs and political conventions in furthering the movement.

Mrs. Justice McCulloch takes her new position and the honors that go with it with her usual charming self-possession. While her fellow-townsmen of the large, fashionable and progressive suburb of Chicago, in their election, having chosen her above several anxious aspirants of the other sex for the office of justice, are priding themselves as being something of innovators, "her honor" herself is quietly dispelling that feeling by declaring that there are precedents.

Madame Justice's assertion is true; there is a long list of precedents, but there is no precedent in the United States.

It is true that women justices can claim a flourishing family tree, but hitherto its root, trunk and branches have been in the old world. According to old English customs, there never was any discrimination as to the sex of the holder of the office of justice, for that matter, there is nothing in the constitution of Illinois as to the sex of the holder of the office.

As to the precedents—that is, the English ones—they date back to the time of Edward I, when women were entered as holding courts of frankpledge, as Johanna de Huntingfield in the Hundred of Poppeworth. Lady Margaret, Countess of Richmond, under Henry VII, was justice of the peace, as was the Lady of Berkley under Queen Mary. History mentions other women as filling the position of magistrate.

For modern America Mrs. McCulloch will be the precedent for the country's future generations, as so far as is known, she is the first woman to be elected by the votes of male suffragists at a popular and regular election.

If the woman suffragists of Illinois and the country generally are rejoiced over the success of Mrs. McCulloch, they are not more elated than are the women lawyers of Chicago, of which fraternity she is a leading, honored and pioneer member.

The new feminine dispenser of law and justice has been for years an active practitioner in the Illinois courts, and regarded as an able and willing candidate. She possesses calm judgment, resourcefulness and a manner of finality in argument—qualities which stamp her as possessing to an admirable degree the judicial temperament. The story of how Mrs. McCulloch, wife, mother, lawyer, woman suffrage advocate, civic reformer and up-lifter, became a candidate for justice of the peace in Evanston, and was triumphantly elected is a unique and interesting story of politics and town pride.

A short time before the town election last April one of the seven justices of the peace in the university suburb of Chicago—it is the seat of the Northwestern University—resigned. The vacancy had to be filled.

Now, there is no lack of judicial timber in Evanston, for many of the most prominent members of the Chicago bar make their homes in the pretty country town. It was supposed that some one of them, especially one of the younger attorneys, would consent to make the race for the office.

But there was just where the hitch came in. The legal fledglings did not relish the idea of giving up a prospective of remunerative practice in the big city for a country justice's office.

While the best element of the town was casting about for an acceptable and willing candidate, William E. Moore, better known as "Billie," a plumber and a popular "good fellow," announced his candidacy. Of course, there was consternation in certain sets, including the university faculty. "Billie" Moore as a plumber was all right. But as justice it was not to be thought of.

**ENDED A DISTRESSING DILEMMA**

For a time Moore was the only candidate in the field, and the leading citizens were prey to more or less violent nightmares, in which the chief vision was the plumber administering justice according to his peculiar notions. A number of men lawyers were requested to accept the nomination, but declined.

Then came a sudden inspiration to some quick-witted individual, who suggested Mrs. McCulloch. Happy thought! It found ready and general endorsement by the men and women of Evanston. All knew her to be a good lawyer, a ready and resourceful woman, and of high standing at the bar as a member of the law firm of McCulloch & McCulloch, the senior partner being her husband, Frank H. McCulloch.

There was a conference, in which the lawyers, business men and other leading citizens of the town took part. A committee of one to call on Mrs. McCulloch and inform her that it was the wish of the best citizens of her town that she should make the race for the vacant justiceship.

"I certainly was surprised," said Mrs. McCulloch afterward. "It was the first I knew of any desire on the part of my neighbors that I should be a candidate, for I had given the matter not the slightest thought with regard to myself. Why I never even cared to hold office in the woman's clubs, as it would take too much time from my home and my law practice."

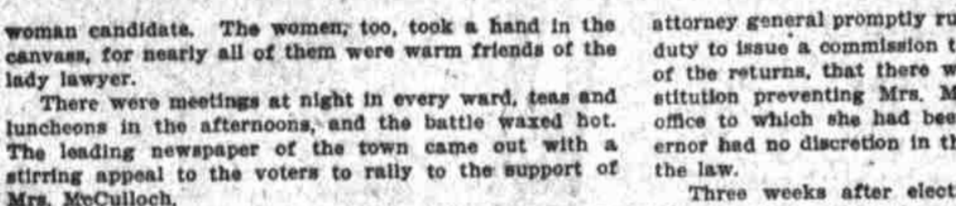
But Mrs. McCulloch consulted with her husband and decided to accept. As soon as her decision became known a lively campaign was started.



Mrs. Catherine Waugh McCulloch, Evanston, Ill., now Justice.



Her First Marriage Ceremony



First Case before Her was against Her Opponent at the Polls.

woman candidate. The women, too, took a hand in the canvass, for nearly all of them were warm friends of the lady lawyer.

There were meetings at night in every ward, teas and luncheons in the afternoons, and the battle waxed hot. The leading newspaper of the town came out with a stirring appeal to the voters to rally to the support of Mrs. McCulloch.

Her supporters soon discovered that the woman candidate, although self-possessed enough in court, on the suffrage platform and before the clubs, was much averse to taking up the cudgels of the politician. She refused to say a word in criticism or comment of her rival, and declined to parade herself or indulge in any kind of campaign pyrotechnics. Her modest and quietly conducted canvass attracted attention enough to gain additional support to her candidacy, and increased her strength daily as election day drew nearer.

Wives influenced their husbands, mothers their sons, sisters their brothers and the girls their beaux to pledge themselves to vote for the woman justice candidate. In the meantime "Billie" Moore did some very lively electioneering with brass bands and all the other old-time accessories of a regular political campaign.

### "POPULAR PLUMBER" BADLY BEATEN

On election day there was a big turnout. The popular plumber and his friends were as active as they could be in a spectacular way, and "Billie" Moore offered to bet all kinds of money that he would beat "that little woman lawyer" two to one.

The McCulloch adherents said nothing, but smiled quietly. They had good reasons to smile, for when the voting was all over and the returns announced it was found that "that little woman lawyer" had defeated the "popular" plumber by 1300 majority.

Mrs. McCulloch accepted her triumph at the polls and promotion to the ranks of the judiciary calmly, but with undisguised satisfaction, as friends of both sexes, old and young, crowded into her cozy home to congratulate her.

The plumber was so wrought up at his defeat that he employed an attorney to contest Mrs. McCulloch's election on the ground that she was ineligible on account of her sex. He met disappointment at every turn, however, for the election board forwarded the result to the secretary of state and certified that Catherine Waugh McCulloch had been duly elected.

Moore entered a formal protest before Governor Deeney against the latter issuing a commission to the woman justice-elect, and the executive referred the matter to the attorney general of the state for his opinion. The

attorney general promptly ruled that it was the governor's duty to issue a commission to Mrs. McCulloch on the face of the returns, that there was nothing in the state constitution preventing Mrs. McCulloch from assuming the office to which she had been elected, and that the governor had no discretion in the matter but to comply with the law.

Three weeks after election Mrs. McCulloch received her commission and was sworn in. After procuring a copy of the form of marriage license, the new justice returned to her home, where she opened her office in her library. She decided that she would not open a courtroom in a public building until the increase of business made it necessary to have larger quarters.

Her first official act was the acknowledgment of a chattel mortgage given by an Evanston woman, which brought her first fee as justice—50 cents.

Two days later she performed the first really important official act of her new position by marrying a couple from Indiana, for which she received a fee of \$2, the sum allowed by law.

She officiated with as perfect sangfroid as an expert "squire, deviating only in her method by living up to her announcement that she would omit the word "obey" from the marriage ceremony.

Business with Mrs. Justice McCulloch improved as time progressed. Two weeks after her induction into office she held a regular session of court. There were four cases on the docket, and for the convenience of the parties interested, her home office being too small, she held court in the chambers of a "brother" magistrate, Justice McCulloch.

Naturally, news that the woman justice was going to hold public trials spread rapidly, and friends of Mrs. McCulloch and curiosity seekers crowded the courtroom until it was jammed and standing room was at a premium.

The personal friends of the fair magistrate present were numerous. The women visitors had seats about the bench, and among them were several prominent officials of different equal-suffrage leagues, school teachers, sociologists, social settlement leaders and women attorneys.

By a curious coincidence, the first case on the docket was that of a surety company against William E. Moore, the plumber opponent of Mrs. McCulloch. Judgment by default was entered against the defendant, who did not put in an appearance.

Justice McCulloch was quite self-possessed when she asked the surety company's attorney, Lawyer D. R. McMasters, to be sworn. Attorney McMasters approached the justice's bench timidly and was sworn, Mrs. McCulloch repeating the oath without a mistake. She after-

Every one of the able attorneys present, when responding to the toast assigned to him, paid high tribute to the woman justice—Squire McCulloch, of Evanston. When Mrs. McCulloch answered with a speech she was greeted with round after round of applause.

"I was elected without a smirch on my character or the promise of a solitary job," she said. "I hope now to see women in various public positions. I hope to see one a corporation counsel or a member of the drainage board or a master in chancery, and that the start made with my election will spread to the women of Chicago."

The most unique and eloquent demonstration in honor of the only woman judge in America was the reception to Mrs. McCulloch in honor of her victory given by the women members of the Chicago bar. There was a coronation ceremony, in which Mrs. McCulloch was given a Greek laurel wreath. This came as the finale to an afternoon of speechmaking and good cheer. Only women lawyers were present.

Some time after the little affair in her honor by the women members of the Cook county bar, Mrs. Justice McCulloch entertained the lady lawyers at her home. It was a feast for the woman suffragists, and all the speeches unstaked of confidence for more great victories for the cause to go down into history with the election of Mrs. Justice McCulloch.

### ENTERTAINED BROTHER JUSTICES

Later Mrs. McCulloch entertained her brother justices of Evanston at an informal dinner at her home. All the squires but three, who sent letters of regret, were present with their wives. It was a very enjoyable occasion, and the male justices manifested the greatest personal and official friendship for their fair colleague.

The qualifications of Mrs. McCulloch for the office to which she has been elected are of the highest. Nearing the prime of life as rated in years, Mrs. McCulloch is at her best in mentality and general capacity.

In her girlhood she graduated from Rockford College, in Illinois, where she received her master's degree. In 1886 she was graduated from the law college of Northwestern University. The same year she was admitted to practice before the Supreme Court of the United States. For a little over sixteen years she has been a member of the Illinois Bar Association.

Up to 1890 she practiced law in her old home at Rockford, Ill.; but on her marriage to Frank H. McCulloch, she removed to Chicago, and ever since has been associated with her husband in the practice of law under the firm name of McCulloch & McCulloch. At all times she has given Mr. McCulloch such assistance as she could in the time she was able to spare from the cares of home and children.

Several law college schoolmates of the justice have also been justices of the peace, two are now filling higher judicial positions in Chicago, four have been state senators and another is the present governor of Illinois, Charles S. Deneen.

### Humans With Animal Eyes

**D**O YOU know that some people have animal eyes? Have you ever seen a man with small eyes, screwed up, like the round eyes of a dog? Have you ever seen a woman with the strangely shaped orbs and dilated pupils of a cat, or one with the large and somber eyes of the owl?

Artists will tell you there are such persons. Indeed, there are models who pose for pictures of dogs. In their eyes may be found the patient, resigned look painters wish to put into the eyes of the favorite pet of man.



Mrs. Antoinette Funk

ward admitted that she had committed it to memory. The other cases were on notes, and it required only seven minutes to hear the evidence in all four.

Moore, the defeated candidate, who was not present when the case against him was called, afterward explained his absence by saying that he had not remained away from the hearing on account of any ill feeling toward Mrs. McCulloch, whom he esteemed as an able lawyer and woman of the highest character, but he didn't like the idea of being tried before a woman.

He declared, also, "that it is hard to convince a woman when she has an opinion on any subject. You can't reason with her," said Moore, in conclusion, "and I don't care to have a woman judge in a hearing in which I am a party."

Whatever may be the opinion of Plumber Moore as to the propriety of a woman sitting as judge in a case, his views are far from being shared by the male members of the Chicago bar.

The good opinion they entertain and the friendliness they feel toward the woman justice was demonstrated in a notable manner when Mrs. McCulloch was invited to be one of the guests of honor at the banquet of the Law Club at the Auditorium Hotel.



Mrs. Anna Hathaway

In the north of England there is said to be a solicitor who became quite wealthy. He ascribed his success to his eyes—they were large and dark, like those of an owl, so that he appeared very wise. People, he said, looked into his eyes and trusted him.

In Paris are two Englishmen who pose for pictures. Both are dwellers of the Latin quarter and are well known. One is said to have the eyes of a dog, the other of a cat. In Florence a model, Bontemp, posed for Matarazzo, the great animal painter. At Opor, in Italy, a man posed for Senor Joaquin da Costa, who painted animals. The man claimed to have been a Catholic priest. His eyes were said to strikingly resemble those of a dog.

## Must We Quarantine the Lips against Love?



**S**CIENCE has pronounced another anathema. After attacking many ancient institutions and customs; after discovering the sources and cures of mysterious diseases; after revealing to us the ravages of the armies of germs that infest the places we live in, it has made the most sweeping attack of all. Science has directed its shaft against love. It has uttered its judgment on the kiss.

That kissing is productive of more diseases than the flesh would ordinarily be heir to is the statement of world-renowned scientists, such as Pasteur, Roux, Netter and others. At the convention of the American Medical Society in Atlantic City a short time ago a physician advised the placing of a sign on every cradle in the land, "Don't Kiss the Baby."

"Germs and microbes lurk in every kiss," declared Dr. T. Franklin Gifford, of New Jersey, before a convention of the dentists of Ohio. "I would advise," declared the physician, "that every kiss be sterilized; and that if this were found to be impossible, to take a sanitary gargle after every kiss."

You call on Mary or Julia this evening. All week you have dreamed over the soft, lovely face, and the lips, red lips. How she enchants you as she appears in the parlor. How kittenish she is as you try to kiss her, and how delightfully she resists as you try to kiss her. Then suddenly she throws a handkerchief over her mouth. She blushes and motions you away. "John, John," she asks, "have you brought the peroxide with you?" Think of taking a gargle of germicide after every kiss!

Perhaps Mary would rush from your arms when you tried to kiss her. She would go to a recess in the parlor and place a mysterious-looking instrument over her mouth. You see it is made of very thin rubber. It smells "drugsy." Then Mary tells you it is a sanitary slip protector to prevent the transference of germs in kissing.

But what can we do? Science tells us in no uncertain tones that kissing is dangerous. That lips as red and fresh as June rosebuds may team with virulent and deadly bacilli. That cheeks soft and rosy may shelter an army of noxious germs.

may blast your life. "It is natural that germs of all kinds should linger in the mouth and on the lips. Germs teem in decaying particles of food in the teeth, especially if the teeth are decayed there are sure to be vicious and deadly germs. Various kinds of food you eat carry the germs to your mouth."

"Sometimes the germs find the environment suits them, and they colonize in your mouth. Again, they find conditions inauspicious for their growth and they perish. The mouth is the most unclean part of the body, and at the same time the channel most accessible to the armies of disease microbes."

"Before you kiss the sweet little one who lives in the sunlight of your smile, pause. Think of the danger to which you are heedlessly rushing. Tuberculosis, pneumonia, diphtheria—the possibilities of disease are appalling."

"Perhaps you are not infected yourself. You do not have tuberculosis, pneumonia, grippe or any other disease. Certainly, you say, it's safe for you to kiss. But you are weak, there is a predisposition to lung trouble."

"Lo, the germs go from your mouth to that of your friend, and within two or three years she may die of consumption. You may not know it, but you are the cause of her death."

"You go to the barber's and get shaved. You acquire germs of a skin disease. You do not become infected—no, because your blood can successfully fight the germs. But you kiss another, one whose blood is not in such a healthy condition. And your friend breaks out with sores, a victim to your kiss."

"No, it is not necessary for you to be ill with grippe, diphtheria, typhoid or any disease in order to impart a disease to others. Herein the danger lies."

"Knowing that a friend is ill with a contagious disease you would refrain from kissing. But when a dear loved healthy friend meets you and embraces you—do you refrain? No. Yet that friend, perfectly healthy, may add you to your grave."

"How often you kiss a person, unthinkingly, when you have sore gums, swollen tonsils or some slight throat infection. Do you know that you may be guilty of manslaughter by kissing? That the germs you give your friend may be fatal!"

"Ought we not, then, to kiss the sanitary kiss without joining? A prominent physician has advised the kissing of the mouth after every meal and every kiss with a mixture into which a few drops of the following mixture has been dropped: Tincture of eucalyptus, 15 grams; Alcohol, 100 grams; and peppermint, 15 centigrams."

"What will be touching of noses, pressing of cheeks, or rubber protectors? Who shall say?"