

# 1986

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## Women and the Law in Arizona

This is the first in a series of articles. This project is intended to gather histories, anecdotes, and research of interest on women and the law in Arizona. If energies and inspiration permit, the final product will be a compilation of these articles in book form. Elizabeth Upham and Alyce Pennington of the Public Fiduciary's Office have recruited Eileen Hollowell of Molloy, Jones, Donahue et. al., and Barbara Burstein of Legal Aid, to assist in the project. The focus will be primarily on women attorneys in Arizona who have "blazed a trail", but we will also include tales of women judges, legislators, office-holders, law enforcement agents, law professors, criminals, and a discussion of laws affecting women.

If anyone out there would like to help us write, interview, research, or provide other assistance (names we should add to our list, resources we should check, any anecdotes or stories on the subject), please call one of the four women listed above.

Women have certainly influenced the growth of this state. Among the more interesting personalities to evolve from the annals of history are the following women. Josephine Brawley Hughes was the wife of Louis C. Hughes, a Tucson newspaper publisher and territorial governor of Arizona. She fought for feminism and anti-temperance, set the editorial policies of her hus-

band's newspaper, and is sometimes referred to as the "Mother of Arizona."

Isabella (some reports cite her name as Isalolla) Selmes Greenway, widow of General John C. Greenway, was elected Arizona's first woman congressman, October 3, 1933.

Nancy Hayden, wife of Sen. Carl Hayden, was reputed to have designed the first Arizona flag, and is remembered by many as the "Betsy Ross of Arizona".

Ana Frohmiller, long-time state auditor and "watchdog of the treasury", ran for governor in 1950, and nearly won, but was defeated by the popular radio personality, Howard Pyle.

The first woman elected to the Arizona Senate was Frances Willard Munds of Prescott. She was elected to represent Yavapai in 1914. She was the first woman elected to that body and only the second woman in the United States to be elected a State Senator. Perhaps her most important achievement was the women's suffrage bill, which passed on a referendum vote in 1912. She had been an advocate of women's suffrage for fifteen years and was chair of the Arizona Women's Suffrage Organization, which led the campaign for the legislation.

Nellie Bush, "admiral of the Arizona navy", a riverboat and airplane pilot, also served in the state legislature. She entered

law school in Tucson and recalled, "They wanted to keep women out of the classes when they discussed rape cases. I asked if they had ever heard of a rape case that didn't involve a woman. They let us in after that." In 1924 she became the second woman elected to the Arizona Senate.

Annie Dodge Wauneka was the first woman elected to the Navajo tribal council. She was the granddaughter of the first Navajo tribal chairman, Chee Dodge.

Lorna Lockwood of Phoenix was the first woman in the country to become chief justice of a State Supreme Court. Previously she had been the first woman Superior court judge in Arizona.

The first requirements to practice law were spelled out in the Howell Code of 1865: White males over 21 of good moral character, who paid an admission fee of \$20.00. It was not until 1887 that the restriction of "white male" was removed. However, the 1870 census of practicing attorneys in Tucson included 6 attorneys. Five were men and the sixth was Mrs. Helen C. Ridge, aged 35, formerly of Georgia.

In 1893 Sarah Herring Sorin signed the Records Book as the first woman admitted to practice law in Arizona.

The first criminal case tried under the American regime was a murder case with a woman defendant, Dolores Moore. Proceed-

ings began December 17, 1864. By December 30, 1864, the jury had returned a guilty verdict and Dolores Moore was sentenced to death by hanging, which was shortly accomplished.

Arizona has its own "Bonnie and Clyde" legendary character. Pearl Hart, along with Joe Boot, robbed the Globe-Florence stage on June 5, 1899. She rapidly became the "darling" of the Hearst press. She was in her early 20's and had a charming way about her. Pearl charmed the prosecutor and jury. The jury turned in a "not guilty" verdict. The judge, however, was not con- cerned by Pearl, and facilitated the federal charges of mail tampering. Pearl was sentenced to Yuma Territorial Prison for 5 years, and Joe was sentenced to 20 years there. Joe walked out after two years, by way of his trustee status, and never returned. Pearl was released by parole after 3 years of her sentence. Quite a public outcry arose about this parole, and the reason behind it was not revealed until 50 years later. George Smalley, a newsman who had formerly been the Governor's secretary, revealed that Pearl had become pregnant while in prison. Part of the Parole conditions included keeping her mouth shut and getting out of the territory quickly.

...To Be Continued.