Albany Law School's first woman graduate in 188 was also New York State's first woman lawyer, a leading local suffragist, and graduate and long term faculty member of the State Normal School, subsequently the State Normal College.

Kate Stoneman was born the fifth of eight children of George and Katherine Rebecca Stoneman about 1841 at Stoneman Farm, Lakewood, New York. In a 1925 newspaper interview, Ms. Stoneman, recalled that her family's farm was "within sight of the great Chautauqua organization" the wellspring of the 19th Century educational lecture movement. Perhaps as a result of this proximity her family was "very liberal minded". Apparently they family environment was stimulating for in addition to Kate Stonemen's achievements, one brother, George, served as a Civil War cavalry general and subsequently, from 1883 to 1887, as governor of California.

Determined from an early age to become a teacher, Kate graduated from the State Normal School in January 1866.

After graduation she taught briefly at the Glen's Falls Seminary, before returning to the State Normal School in August of 1866 to being a forty year career teaching Geography, Drawing and Penmanship. After being admitted to the Bar in 1886 she also taught School Law.

Soon after she began her teaching career Ms. Stoneman was attracted to the suffrage movement. As she pointed out, echoing the words of Susan B. Anthony, in the nineteenth century there were only seven occupations open to women, "housekeeping, sewing, cooking, tailoring, domestic nursing, teaching in 'dame' schools, and shop work." Evidence of her consciousness of the inequities that women suffered from comes from a letter she and four other women teachers at the State Normal School wrote a letter praising the retiring president, John Alden, for favoring equality of opportunity and pay for women, a position apparently not universally shared by the faculty. Ms. Stoneman was reputed to be a close friend of Julia Ward Howe.

Kate Stoneman's career as a political activist began in 1880 when she and other local suffragists lobbied the State legislature to pass legislation that would allow women to participate in school elections. When it appeared that the legislation had a chance of passing she and her colleagues organized the Women's Suffrage Society of Albany. The first mission of the members of the society was to lobby the members of the legislature to ensure the bills passage. As Ms. Stoneman commented in 1925, "I think it is called lobbying now, but in those days, it was the simplest thing in the world to get inside the brass rail. We had the 'run'

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By 1880 Ms. Stoneman was an accomplished teacher, an successful lobbyist, and a fevrent suffragist. Her admission to the bar came fortuitously. Developing an interest in the law, she entered a clerkship at the office of Worthington Frotheringhame in February of 1882 while continuing to teach at the State Normal School. She worked nights, weekends and summers at her legal studies. When a relative died leaving her executrix of the estate, she decided to take the bar exam, despite her knowledge that one woman had already failed the exam.

On her first try she passed both the written and oral exams only to have the New York State Supreme Court deny her admission to the bar citing at there reason:

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By June of 1886, however, the tide had clearly turned in favor of the suffragist cause. With the adjournment of the legislature and the Supreme Court imminent, Stoneman's supporters, suffragists and educators mounted a major lobbying campaign to allow the admission of women to the bar, and in one day a law was passed through both houses of the legislature "with hardly a dissenting vote." The same afternoon Stoneman and her supporters "visited with the Governor and the Secretary of State, and they signed the bill." The next morning she presented the signed bill to the Supreme Court and was admitted to the bar.

Ms. Stoneman continued to play an active role in politics, becoming an active supporter of prohibition, and she taught at the State Normal College until her retirement in 1905. A resident of 134 South Swan Street until her death in 1925, she continued to be a great favorite of returning Normal

School, Normal College and State College for Teachers students. In her last interviewing, Ms. Stoneman noted that "Time, place, and circumstances combined to help me accomplish my work," and she urged urged young women to "take their opportunities as they come. Always there are opportunities to be had. "[Alumni Quarterly, January 1925, p. 18.]

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WOMAN LAWYER BY GROSSING V.
WILLOWS J.
State lawl.
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was Kate Stoneman's recollection of the May 1886 ruling of the New York State Supreme Court Justices Landon, Bockes and Parker in May of 1886 when confronted by her application to be admitted to the bar.1 Within a few days that decision was overruled by both houses of the Legislature, and the bill was signed by Governor David B. Hill, stating that "The race or sex of such person [the applicant for admission to the bar] shall constitute no cause for refusing such person admission to practice in the courts of record of this State as an attorney or councilor."2 Armed with this bill Kate Stoneman was swiftly admitted to the New York State Bar by the Supreme Court. New York State had its first woman lawyer, and the Albany Law School would in time have its first female graduate. A leading local suffragist, graduate and long term faculty member of the State Normal School, subsequently the State Normal College, now the University at Albany, SUNY, Stoneman was for many years a prominent political force in Albany.

Kate Stoneman was born of pioneer stock, the fifth of eight children of George and Katherine Rebecca Cheney Stoneman on April 1, 18413 at Stoneman Farm, Lakewood, New York. 1919 Knickerbocker Press interview, Ms. Stoneman, recalled that her family's farm was "within sight of the great Chautaugua organization" the wellspring of the 19th Century educational lecture movement. Perhaps as a result of this proximity her family was "very liberal minded". 4 Both Ms. Stoneman's parents had been teachers and, in any age when books were scarce, had a library that included one law book which Kate Stoneman remembered reading often as a child.519 Apparently they family environment was stimulating, for in addition to Kate Stonemen's achievements, one brother, George, served as a Civil War cavalry general and subsequently, from 1883 to 1887, as governor of California, while another brother, John, became a judge in Cedar Rapids, Iowa.64

Determined from an early age to become a teacher,75 Kate was admitted to the State Normal School in 1864. Ms. Stoneman remember that trip from Jamestown to Albany, which she took with a school friend, Anne A. Young who was also attending the Normal School,86 in the middle of the Civil War, as "very long and the traveling was quite perilous."97 The school that Stoneman entered in 1864 was at the time the

only state school in New York for the training of teachers for the common schools. It accepted students from each county in the state who on arrival signed a pledge "to prepare ourselves for a faithfully performance of the duties pertaining to the office of teacher...in the school of the state." 33 The program was a two year course of study leading to a diploma which allow Normal School graduates to teach in any common school in the state.

While attending the Normal School Stoneman managed to put her early legal reading and her excellent penmanship to work. Through friends she obtained a job as copyist Ethe first commercially successful typewriter was not manufactured until 18741 for Joel Tiffany, the state reporter for the New York Third Court of Appeals. She was paid at the rate of ten cents per page 129

Stoneman graduated from the State Normal School in January 1866, and after refusing President Oliver Arey's offer of a position teaching arithmetic and grammar1310 taught briefly at the Glen's Falls Seminary.1432 In September of 1866 Stoneman returned to the Normal School to being a forty year teaching career that would include a brief semester as assistant Principal of the Model [practice teaching] School.3415 at least one year teaching the Science of

Government, French and Penmanship, and a second year teaching Algebra, Map Drawing and Penmanship.3517 By 1871 the Normal School Catalogue lists Stoneman's teaching assignments as teaching Geography, Drawing and Penmanship, a combination of courses that she would continue to teach until 1890 when the State Normal School became the State Normal College.186 With the change in the Normal School to what was in reality a combination of professional and graduate school of education, Stoneman's duties at the college were reduced. From 1890 through 1897 she taught Drawing and Penmanship, a half load at half salary,4419 and in 1898 her course load was reduced to teaching Drawing alone.20 After receiving her LL.B. from the Albany Law School in 1898 she taught Drawing and School Law7, until her retirement in 1906.8

Soon after she began her teaching career Ms. Stoneman was attracted to the suffrage movement. As she pointed out, echoing the words of Susan B. Anthony, in the nineteenth century there were only seven occupations open to women, "housekeeping, sewing, cooking, tailoring, domestic nursing, teaching in 'dame' schools, and shop work."9 Certainly the Normal School itself gave evidence of the inequities that women suffered under. During the entire 19th Century no woman was raised to the rank of Professor, and despite the

their salaries as teachers were always about half that of male professors.36 The one significant attempt at raising women's salaries was made when, at the urging of President Alden in 1878, the Executive Committee raised the salaries of women teachers by \$100.00 per year to \$900.00.37 With this salary raise women's salaries reached exactly half that paid the professors. This act, and perhaps other support by Alden, clearly endeared him to the female faculty. On his retirement in 1882, Stoneman and her female colleagues wrote to praising President Alden, for favoring equality of opportunity and pay for women, a position apparently not universally shared by the faculty.10

Though Ms. Stoneman's career as a political activist apparently began some time in the 1870's, she speaks of working "consistently but in no organized fashion..." until 1880 when she and other local suffragists lobbied the State legislature to pass a bill allowing women to participate in school elections. When it appeared that the legislation had a chance of passing she and her colleagues organized the Women's Suffrage Society of Albany. The first mission of the members of the society was to lobby legislators to ensure the bill's passage. As Ms. Stoneman commented in 1925, "I think it is called lobbying now, but in those days,

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Stoneman was reputed to be a close friend of Julia Ward Howell, according to Ms. Stoneman, The Women's Suffrage Society of Albany remained resolutely local.13

By 1880 Ms. Stoneman was an accomplished teacher, an successful lobbyist, and a fervent suffragist. Exactly when Stoneman began seriously studying the law is unclear, but the impetus that drove her to take the bar exams was her appointment as executrix for the large estate of a great aunt from Troy.14. She entered a clerkship at the office of Worthington W. Frothingham, a family friend and attorney at law, in February of 188215 while continuing to teach at the State Normal School. She worked nights, weekends and summers at her legal studies. Her progress in studying law was such that she decided to take the bar exam, despite her knowledge that one woman had already failed the exam.16

On her first try she passed both the written and oral exams

and was judged "well qualified for admission" by reason of exams according to the Albany Law Journal review of the decision, however the New York State Supreme Court deny her admission to the Bar citing as their reason her sex. opinion Judge Landon said that the statute Code of Civil Procedure, section 56, "prescribes regulations and provides for rules to be observed in the case of male citizens of the State applying to be admitted to practice as an attorney, and in the courts of record of the State." He stated that in the New York Constitution, the term "male" was not meant to be a generic term for citizen, and that successive revisions of the constitutional provisions relating to eligibility to practice law in 1871 and 1876 had specifically reserved the privilege of making application for admission to the Bar to male applicants. Noting the "growth of liberal opinion" in other states that had admitted women to the Bar by legislative action, Judge Landon pointed out should such a change in public opinion occur in New York, remedy for women could only by sought through "special legislative action."17

By May of 1886 it was clear that the tide was turning in favor of the suffragist cause. With the adjournment of the legislature and the Supreme Court imminent, Stoneman's supporters, suffragists and educators, mounted a lightening

lobbying campaign to allow the admission of women to the Bar. In one day, May 19th, both houses of the legislature passed a law admitting women to the Bar "with hardly a dissenting vote." The same afternoon Stoneman and her supporters, despite misgivings that Governor Hill would not sign the bill, "visited with the Governor and the Secretary of State, and they signed the bill." The three days later, armed with the signed legislation, Stoneman reapplied for admission to the Bar. Supreme Court admitted her to the Bar on May 22, 1886.18

The admission of women to the bar was greeted with mixed reactions. Governor Hill, speaking at a State Bar Association meeting in January 1877, welcomed "the fair sex in this new field of honor" and expressed the hope that "the influence of women, usually so potent for good, shall be conductive toward arraying the whole profession more thoroughly on the right side of ever public question, the sphere of all women may well be more generally extended"24 Other reactions were more reserved. An article titled "New Anticipations" in the Daily Register, the predecessor of the New York Law Journal, mockingly compared the tendency of women's fashions to change dramatically from year to year to and imagined practice of the law by women lawyers. It suggested that every year all legal documents would be

changed to meet the latest fashion.25 In a similar vein the Albany Law Journal, while congratulating Ms. Stoneman on her admission to the Bar, offered "a little advice. We humbly adviser her to have just as few women clients as possible. They are troublesome." The note concluded with the somewhat more positive statement that, "It is monstrously absurd that one—half the human race shall not have every avenue an opportunity to earn a living that the other half have."26 It is doubtful that Ms. Stoneman would have followed the advice of either of these writers.

An opinion that she did have to follow was that of the Executive Committee (Board of Trustees) of the State Normal School. While no evidence exist of the reaction of her colleagues at the State Normal School to her elevation to the Bar, the is direct evidence that the Executive Committee was not pleased with her advocacy of suffrage to her students. On November 1, 1887 the Executive Committee directed President Waterbury "to explain to Miss Stoneman than any expression of he views in regard to Women's rights and cognate subjects to the students was contrary to the wishes of the executive committee."38

Having succeeded in admission to the bar, Stoneman lost no time in setting up a practice. The Albany city directories

for 1886 list Ms. Stoneman as both a teacher at the Normal School and as a lawyer and notary of the public with an office at 136 State Street.21 Stoneman maintained a separate law office until 1888. From 1887 through the 1921-22 the Albany city directories list Stoneman as a lawyer with her office in her home at 134 S. Swan Street.22 How active her practice was has yet to be determined. Certainly she continued to be listed in the city directory as a practicing lawyer long after the city directory ceased to list her as a teacher in 1906.23

Her admission to the bar and establishment of a practice did not quench her desire for wider knowledge of the law. In 1896 the Albany Law School admitted Stoneman as a special student.39 In 1896 the school, nominally a constituent of Union University since 187342, was situated in the former Universalist Church, modified by the removal of the stained glass windows to improve lighting and the attachment of boards behind pews to make writing desks. The building, located on the north side of State Street near Swan Street, was demolished to build Alfred E. Smith State Office Building.40 Since its founding in 1851, the Albany Law School emphasized experience in legal practice, rather than legal theory alone. As a consequence, many of its professors practiced law or served as judges.41 Among the faculty when

Stoneman attended was the same Judge Judson S. Landon who, as a justice of the Appellate Division of the Supreme Court of the Third District, had rule against Stonemen's admission to the Bar in 1886. Judge Landon taught constitutional law.43

The course of study at the Law School was ideally suited to someone like Stoneman, who continued teaching part time at the State Normal College. A student could spend one or two years study law in a law office, and only spend the last year before exams in residence. Ms. Stoneman successfully completed that LL.B. in 1878, the first female student to achieve that honor.45 The same 1879 Albany Law School catalog that announced Stoneman's graduation also contained the announcement that "Sex is no longer a bar for admission to the School...."46 Stoneman was thus instrumental in opening the Albany Law School to female students.

Ms. Stoneman continued to play an active role in politics, serving as Secretary of the Women's Suffrage Society of Albany, and as a poll watcher in the Albany City elections in 1918, the first year that women were allowed to vote. She was an active supporter of prohibition, and of world peace. 29 A resident of 134 South Swan Street until her death in 1925, she continued to be a great favorite of

returning Normal School and College graduates.27 In her last interviewing, Ms. Stoneman noted that "Time, place, and circumstances combined to help me accomplish my work." She must have felt a great sense of achievement. Kate Stoneman had worked successfully to have women vote in school elections, to allow women to be admitted to the bar, had opened the Albany Law School to women students, and she had lived to see the Twentieth Amendment to the Constitution of the United States which had given women equal franchise. She lived to see probation, however short-lived, enacted into law in 1919 and also saw the establishment of the League of Nations, offering the promise of world peace, her last cause. Ms. Stoneman concluded the her last interview by urging young women to "take their opportunities as they come. Always there are opportunities to be had."281

- 1 "Among the Lawyers," <u>State College News</u>, February 13, 1925.
- 2 "An Act to amend section fifty six of the Code of Civil Procedure, passed May 19, 1886," <u>Laws of New York</u>, Chapter 425, p. 668.
- 3 "Kate Stoneman, State's First Portia, Dead in Albany at 84," <u>The Knickerbocker Press,</u> May 22, 1925. Hereafter cited as "Kate Stoneman"
- 4 "Miss Stoneman Pioneer Lawyer," <u>The Knickerbocker Press,</u>
 February 9, 1919. Hereafter cited as "Miss Stoneman Pioneer Lawyer."
- 5 Cc. of letter from B. Dolores Thompson , City Historian, Jamestown, New York, to Jesse J. Present, New York State Senator, January 28, 1983, Stoneman Folder, Vertical File, University Archives, University Library, University at Albany, SUNY; "Kate Stoneman".
- 6 "Miss Stoneman, Pioneer Lawver."
- 7 The only other student to register from Jamestown.

 President's Registration Book, 1845-67, State Normal School,

 University Archives, University at Albany, SUNY.
- 8 "EMabel Jacques Elchell, "Miss Kate Stoneman, Lawyer, One of Our Pioneer Suffragists, " The Women Lawyers' Journal, Vol. 7, no. 5, February 18, 1919. The introduction to this article states that it was written for the Albany Knickerbocker Press in November 1916. It appears to be the basis of the February 9,

1919 Knickerbocker Press article "Miss Stoneman Pioneer

Lawyer."

31 See the minutes of the Executive Committee for February 22 and 29, 1866, typescript Minutes of the Executive Committee of the State Normal School, Vol. 1, p. . No reason is given for Stoneman's refusal of the position. Perhaps she wanted to avoid the bitter quarrels that had broken out between the faculty and Principal Arey. Arey would soon leave the Normal School under a cloud.

9 Catalogue of the Officers and Students of the New York State Normal School for the Fifty Fourth Term ending July 1, 1971 (Albany, NY: Munsell, 1971), p. 3.; An Historical Sketch of the State Normal College at Albany, N.Y. and a

10 "Kate Stoneman".

9 "Miss Stoneman Pioneer Lawyer."

N.Y: Brandon Printing Company, [1894]), p. 206.

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12 "Miss Stoneman Pioneer Lawver."

13 Ibid.

14 Her obituary in the <u>Knickerbocker Fress</u>, "Kate Stoneman, State's First Portia...," states that Ms. Stoneman first studied the law after being appointed executrix for the estate. We know that she first began a formal clerkship in February of 1882. In a Febuary 1925 interview in the State College News, Ms. Stoneman stated that "All the time I taught school but during the summer and at night and over weekends I read law. After three years of this, when I became executrix of a relatives' estate, I decided to take my bar exam...." art. "Among the Lawyers," State College ${
m News}$, February 13, 1925. In her 1925 interviews with the State College News and the Alumni Quarterly Ms. Stoneman's recollections of specific dates is not longer precise. indicates that she was denied admission to the bar and then admitted in June of 1886 when both events actually took place in May of 1886.

15 Certificate of Commencement of Clerkship signed by W. Frothingham, February 13, 1882, Series J0102, New York State Archives; Elchel, "Miss Kate Stoneman, Lawyer" describes Frothingham as an old family friend who made his extensive law library available to Stoneman.

- 16 article, "Among the Lawyers."
- 17 "Notes on Cases," <u>The Albany Law Journal</u>, May 22, 1886, p. 402-3.
- 18 "Miss Stoneman Pioneer Lawyer"; Stoneman's 1925
 recollection of her admission to the Bar wrongly places the
 event in June of 1886 and also indicates that her admission

legislation. "Among the Lawyers," State College News,
February 13, 1925; see, In the Matter of the Application of
Kate Stoneman for Admission as Attorney and Council, 40 HUN
638 (3rd Dept. May 22, 1886) reports that Stoneman was
admitted to the Bar on May 22. It reads, "In the matter of
the Application of Kate Stoneman for Admission as Attorney
and Counsel. -Application denied. Opinion by Landon, J. The
Code being thereafter amended the application was renewed
and granted."

19 [Mabel Jacques Elchel], "Miss Kate Stoneman, Lawyer, One of Our Pioneer Suffragists, " The Women Lawyers' Journal, Vol. 7, no. 5, February 18, 1919. The introduction to this article states that it was written for the Albany Knickerbocker Press in November 1916. It appears to be the basis of the and appears to be the basis of the February 9, 1919 Knickerbocker Press article "Miss Stoneman Pioneer Lawyer."

21 The Albany Directory for the year 1886, Including Bath, East Albany and Greenbush, also a Business Directory and Records of the City and Village Governments, Their Institutions, &c., &c. Albany: Sampson, Murdock & Co., 1886, p. 277, 347, 3 ; The Albany Directory for the year 1888, Including Bath, East Albany and Greenbush, also a Business Directory and Records of the City and Village Governments, Their Institutions, &c., &c. Albany: Sampson, Murdock & Co., 1888, p. 277, 347, 3]

22 The Albany Directory for the year 1889, Including Bath,

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Institutions, &c., &c. Albany: Sampson, Murdock & Co., 1889, p. 277, 347, 3; Directory 1921 for the Year Ending July 1922 of the cities of Albany and Renssealaer containing Street Directories, Classified Business Directories and Directories of the City Governments and Their Institutions. Albany, N.Y. Sampson, Murdock Co., Inc., c. 1925), p. 455 23 Miss Stoneman retired from teaching in 1906 after the old State Normal School building on Willett Street burned down. From 1907 on she was listed in the city directory as a lawyer. Directory for the year 1907 of the Cities of Albany and Rensselaer, containing Street Directories, Classified Business Directories and Directories of the City Governments and Their Institutions. Albany, N.Y.: Sampson & Murdock, Co., c. 1907, p. 586.

24 Echel.

25 The passage was discovered by Karen Berger Morello while researching her book <u>We're Not Hiring Any Women This Year</u> and reprinted in an unattributed clipping in a file on Kate Stoneman held by the Director of Alumni Relation at The Albany Law School.

26 The Albany Law Journal, May 29, 1886, p. 422.

27 "Alumni Notes," <u>Alumni Quarterly</u> Cof the New York State College for Teachers], January 1925, p. 18.

28 Ibid.

29 "Miss Stoneman, Pioneer Lawyer"

30 (Echell

33 The phrase quoted is actually one used in the 1867 registration book but a similar pledge, the precise wording of which is now unknown, had been enforced since 1845.

President Alden's Registration Book, University Archives,

University at Albany, SUNY.

34 Like many beginning teachers, and perhaps more so in her case because she had only six months before turned down a position at the Normal School, on Arey's recommendation, the Executive Committee, immediately after her arrival, "dispensed with her services" in the Normal School and appointed her assistant in the Experimental School. Minutes of the Executive Committee, September 28, 1866. Not until November was Ms. Stoneman returned to employment in the Normal School. Minutes of the Executive Committee, November 19, 1866.

State Normal School for the Fiftieth Term ending July 1, 1869 (Albany, NY: Munsell, 1869), p. 3; Catalogue of the Officers and Students of the New York State Normal School for the Fifty Second Term ending July 1, 1970 (Albany, NY: Munsell, 1970), p. 3.

36 In 1886 Stoneman's salary as a teacher was \$800.00 per year while the lowest paid male professor earned \$1,800 per year. Minutes of the Executive Committee, July 1868. For a broader discussion of the relative position of men and women at the State Normal School see Paul Vogt, The State University of New York at Albany, 1844-1984; A Short History (unpublished, c. State University of New York at Albany, 1984), pp.

37 Minutes of the Executive Committee, January 10 & September 26, 1978.

38 Minutes of the Executive Committee, November 1, 1887.

39 Students during the 1896-97 term were either listed

simply as students or as "special students" as in Stoneman's case. Announcement of the Law School, Law Department of Union University, Forty-Seventh Year, 1897-98 (Albany: C. F. Williams, 1897), p. 33.

40 Dean Samuel M. Hesson, "Albany Law School: A Brief History," [unpublished, n.d.], p. 5, 7. Alumni Office, Albany Law School.

41 See particularly "Albany Law School: Its History and Traditions" [unpublished, n.d.], p. I-16-17 for a discussion of Albany Law School long adherence to the lecture method of practicing lawyers rather than the newer case method of study which emphasized intellectual virtuosity.

42 See "Albany Law School: Its History and Traditions" [Unpublished, n.d.], p. I-10-12.

43 Albany Law School Annual Circular and Information, 1897, p. 16

44 Stoneman's teaching load was reduced to half-time by the Board of Trustees in 1990 and her salary cut in half.

Minutes of the Executive Committee, July 5, 1890, p. 558.

In 1903 Stoneman's salary was listed as \$450.00, exactly half what she received in the 1880's when she was teaching full time. Minutes of the Board of Trustees, September 30, 1903, p. 622. Stoneman's teaching subjects are listed in the School's catalogues.

45 There seems to be some confusion over whether Stoneman was the first female graduate or the first student to graduate with an LL.B. As the Albany Law School had granted the LL.B. since the 1850's Stoneman was clearly not the first student to receive an LL.B. Dean Samuel M. Hesson, "Albany Law School: A Brief History", p. p. 4.

46 Albany Law School. Annual Circular of Information, 1899.
Union University Department of Law, p. 42.

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By 1880 Ms. Stoneman was an accomplished teacher, a successful lobbyist, and a fervent suffragist. Exactly when Ms. Stoneman began seriously studing the law is unclear, but the impetus that drove her to take the bar exams was her appointment as executrix for the large estate of a great aunt from Troy.14 She entered a clerkship at the office of Worthington W. Frothingham, a family friend and attorney at law, in February of 188215 while continuing to teach at the State Normal School. She worked nights, weekends and

summers at her legal studies. Her progress in studying law was such that she decided to take the bar exam, despite her knowledge that one woman had already failed the exam.16

On her first try she passed both the written and oral exams and was judged "well qualified for admission" by reason of exams according to the Albany Law Journal review of the decision, however the New York State Supreme Court deny her admission to the Bar citing as their reason her sex. In his opinion Judge Landon said that the statute Code of Civil Procedure, section 56, "perscribes regulations and provides for rules to be observed in the case of 'male citizens of the State applying to be admitted to practice as an attorney, and in the courts of record of the State." stated that in the New York Constitution, the term"male" was not meant to be a deneric term for citizen, and that successive revisions of the constitutional provisions relating to elibibility to practice law in 1871 and 1876 had specifically reserved the privilege of making application for admission to the Bar to male applicants. Noting the "growth of liberal opinion" in other states that had admitted women to the Bar by legislative action, Judge Landon pointed out should such a change in public opinion occur in New York, remedy for women could only by sought through "special legislative action."17

By May of 1886 it was clear that the tide was turning in favor of the suffragist cause. With the adjournment of the legislature and the Supreme Court imminent, Stoneman's supporters, suffragists and educators, mounted a lightening lobbying campaign to allow the admission of women to the bar. In one day, May 19th, a law admitting women to the Bar was passed through both houses of the legislature "with hardly a dissenting vote." The same afternoon Stoneman and her supporters, despite misgivings that Governor Hill would not sign the bill, "visited with the Governor and the Secretary of State, and they signed the bill." The next morning she presented the signed bill to the Supreme Court and was admitted to the Bar on May 22, 1886.18

The admission of women to the bar was greeted with greet with mixed reactions. Governor Hill, speaking at a State Bar Association meeting in January 1877, welcomed "the fair sex in this new field of honor" and expressed the hope that "the influence of women, usually so potent for good, shall be conducive toward arraying the whole profession more thoroughly on the right side of ever publich question, the sphere of all women may well be more generally extended"24 Other reactions were more reserved. An article titled "New Anticipations" in the <u>Daily Register</u>, the predicessor of the <u>New York Law Journal</u>, mockingly compared the tendency of women's fashions to change dramatically from year to year to

the practice of the law under the influence of women. It suggested that every year all legal documents would be changed to meet the latest fashion.25 In a similar vein the Albany Law Journal, while congratulating Ms. Stoneman on her admission to the Bar, offered "a little advice. We humbly adviser her to have just as few women clients as possible. They are troublesome." The note concluded on the somewhat more positive note that, "It is monstrously absurd that one—half the human race shall not have every avenue an opportunity to ear a living that the other half have."26 It is doubtfly that Ms. Stoneman would have followed the advice of either of these writers.

Having succeeded in admission to the bar, Stoneman lost no time in setting up a practice. The Albany city directories for 1886 through list Ms. Stoneman as both a teacher at the Normal School and as a lawyer and notary of the public with an office at 136 State Street.21 From 1887 through the 1921-22 directory Ms. Stoneman is listed as being a lawyer with her office in her home at 134 S. Swan Street.22 How active her practice was has yet to be determined. Certainly she continued to be listed in the city directory as a practicing lawyer long after the city directory ceased to list her as a teacher.23

Her admission to the bar and establishment of a practice did not quench her desire for wider knowledge of the law. In 1895 when the Albany Law School first offered the LL.B., Ms. Stoneman was admitted to the Albany Law School, where she spent the next three years, again while continuing to teach at the now renamed State Normal College. Ms. Stoneman successfully completed that degree in 1898, the first student to achieve that honor. (See if this is correct)

Ms. Stoneman continued to play an active role in politics, serving as Secretary of the Women's Suffrage Society of Albany, and as a poll watcher in the Albany City elections in 1918, the first year that women were allowed to vote. She was an active supporter of prohibition, and of world peace.27 A resident of 134 South Swan Street until her death in 1925, she continued to be a great favorite of returning Normal School and Normal College graduates.27 her last interviewing, Ms. Stoneman noted that "Time, place, and circumstances combined to help me accomplish my work." She must have felt a great sense of achievement. Kate Stoneman had worked successfully to have women vote in school elections, to allow women to be admitted to the bar, and she had lived to see the Twentieth Ammendment to the Constitution of the United States which had given women equal franchise. She lived to see probition enacted into law in 1919 and also saw the establishment of the League of

Nations, offering the promise of world peace, her last cause. Ms. Stoneman concluded the interview by urging young women to "take their opportunities as they come. Always there are opportunities to be had."283

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Kate Stoneman ...

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BERKELEY WOMEN'S LAW JOURNAL

SCHOOL OF LAW (BOALT HALL) BERKELEY, CALIFORNIA 94720 (415) 642-6263

October 12, 1991

Mary C. Dickerman Albany Law School Union U. 80 New Scotland Avenue Albany, NY 1220

Dear Friend:

The Berkeley Women's Law Journal is edited and published by the students of Boalt Hall School of Law at the University of California at Berkeley. Our Journal's mandate is to publish articles which address the special legal issues affecting traditionally underrepresented women: poor women, women of color, lesbians, and disabled women. We are currently seeking articles, essays, and book reviews for publication in our seventh issue.

The Journal's approach is multidisciplinary, and we welcome submissions that integrate sociological, political or historical analysis with legal arguments. In addition, we would be pleased to consider non-traditional articles written by individuals who are knowledgeable in an area of law affecting women but who are not legal practitioners or academicians.

Please submit your manuscript to us at the letterhead address. In addition, we would appreciate your sharing this information with scholars from legal or other fields of study, as well as students, practitioners, and others whose writing addresses issues concerning underrepresented women and the law.

Please feel free to call us if you would like more information. We appreciate your time and consideration and look forward to working with you.

Sincerely,

Rebecca Schleifer Solicitations Editor

BERKELEY WOMEN'S LAW JOURNAL

Boalt Hall, Room 2 University of California Berkeley, California 94720 (510) 642-6263

CALL FOR PAPERS

The Berkeley Women's Law Journal is edited and published by the students of Boalt Hall School of Law. We are dedicated to providing a forum for scholarship which addresses the special legal problems affecting traditionally underrepresented women: poor women, women of color, lesbians, and disabled women.

Volume 6 of the Journal appears in two parts. The first part is a collection of observations, chronicles, and commentaries written by the Northeast Corridor Collective of Black Women Law Professors about their experiences in law teaching and practice. The second part includes a commentary on the Bush Administration's "War on Drugs" on low income communities, and especially poor women; an article advocating mandatory arrest policies for men who batter women; and an article exposing the real and symbolic implications of "toilets as a feminist issue."

We are currently soliciting manuscripts for Volume 7 of the Journal, which will be published in Spring 1992. The Journal invites scholars from legal or other fields of study, as well as students, practitioners, and others whose writing addresses issues concerning underrepresented women and the law to submit manuscripts to the above address.

Information For Authors

Manuscripts will be accepted with the understanding that their content is unpublished. If any part of a paper has been published previously, or is to be published elsewhere, the author must include this information at the time of the submission. Submitted manuscripts will not be returned unless the author includes a self-addressed stamped envelope. The author should retain a copy of the manuscript to facilitate correspondence and proofreading.

Please submit two typed, triple-spaced copies of a manuscript. Footnotes should be on the same page as the text. On the title page include the full names of the author(s), academic or other professional affiliations and the address of the author to whom correspondence and proofs should be sent.

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Albany Law School's first woman graduate in 1832 was also New York State's first woman lawyer, a leading local suffragist, and graduate and long term faculty member of the New York State Normal School/College.

Are Varience de de Kate Stoneman was born the fifth of eight children of George

and Katherine Rebecca Stoneman about 1841 at Stoneman Farm, 1919 Knicker Wacker Vress Lakewood, New York. In a 1925 newspaper interview, Ms.

Stoneman, recalled that her family's farm was "within sight of the great Chautauqua organization" the wellspring of the LKANCKENGOCKON Pross, Felswary 9, 1919 19th Century educational lecture movement. Perhaps as a result of this proximity her family was "very liberal minded". $^{\ell}$ Apparently the family environment was stimulating for, in addition to Kate Stonemen's achievements, one

brother, George, served as a Civil War cavalry general and subsequently, from 1883 to 1887, as governor of California. Taku o B. Woldrey Thompson, Cidy Kryborian, Frances Town, Mew york 5 New gode Sado Sandor Tars I. Pesent, January 28, 1982.

Determined from an early age to become a teacher, Kate graduated from the State Normal School in January 1866.

After graduation she taught briefly at the Glen's Falls Seminary, before returning to the State Normal School in August of 1866 to being a forty year career teaching all the stander Geography, Drawing and Penmanship. After being admitted to the Bar in 1886 she also taught School Law.

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soon after she began her teaching career Ms. Stoneman was attracted to the suffrage movement. As she pointed out, echoing the words of Susan B. Anthony, in the nineteenth century there were only seven occupations open to women, "housekeeping, sewing, cooking, tailoring, domestic nursing, teaching in 'dame' schools, and shop work." Evidence of her early consciousness of the inequities that women suffered from comes from a letter she and four other women teachers at the State Normal School wrote a letter praising the retiring president, John Alden, for favoring equality of opportunity and pay for women, a position apparently not universally shared by the faculty. Ms. Stoneman was reputed to be a close friend of Julia Ward Howe.

Kate Stoneman's career as a political activist began in 1880 when she and other local suffragists lobbied the State legislature to pass legislation that would allow women to participate in school elections. When it appeared that the legislation had a chance of passing she and her colleagues organized the Women's Suffrage Society of Albany. The first mission of the members of the society was to lobby the members of the legislature to ensure the bills passage. As Ms. Stoneman commented in 1925, "I think it is called lobbying now, but in those days, it was the simplest thing in the world to get inside the brass rail. We had the 'run'

of the two houses and were allowed to go and come as we pleased." The support of James W. Husted, speaker of the , and a strong supporter of women's suffrage, undoubtedly smoothed the way for these early lobbyists. The Women's Suffrage Society of Albany remained resolutely local.

By 1880 Ms. Stoneman was an accomplished teacher, an successful lobbyist, and a fervent suffragist. Her admission to the bar came fortuitously: Developing an interest in the law, she entered a clerkship at the office of Worthington Frotheringhame in February of 1882 while continuing to teach at the State Normal School. She worked nights, weekends and summers at her legal studies. When a relative died leaving her executrix of the estate, she

On her first try she passed both the written and oral exams only to have the New York State Supreme Court deny her admission to the bar citing at there reason:

decided to take the bar exam, despite her knowledge that one

"No precedent [in New York law].

"No English precedent.

woman had already failed the exam.

"No necessity."

An Albany Law Journal case note on the ruling noted that the ruling by the Supreme Court stated that Ms. Stoneman was "well qualified for admission" but her sex was against her."

[The Albany Law Journal, May 22, 1886, p 402] That same case note cited a recent newspaper article that stated that since the first woman had been admitted to the bar in Iowa in 1869, seventeen states, the District of Columbia and the Washington Territories, had admitted women to the bar. Among the states admitting women were neighboring Connecticut, Massachusetts, and Pennsylvania.

It was obvious by June of 1886 that the tide had classification turned in favor of the suffragist cause. With the adjournment of the legislature and the Supreme Court imminent, Stoneman's supporters, suffragists and educators mounted a lightening lobbying campaign to allow the admission of women to the bar, and in one day a law was passed through both houses of the legislature "with hardly a dissenting vote" allowing women to practice law in New York. The same afternoon Stoneman and her supporters "visited with the Governor and the Secretary of State, and they signed the bill." The next morning she presented the signed bill to the Supreme Court and was admitted to the bar.

Stoneman's admission to the bar did not remove the the lingering stigma against women in legal circles. that it was "monstrously absurd to say that one-half the human race shall not have every avenue and opportunity to earn a living that the other half have," the next issue of The Albany Law Journal congratulated the Legislature for removing "this disability of women" and Ms. Stoneman for "the distinction of being the first woman lawyer of this great State." The authors offered Stoneman some advice in setting up her practice, warning her against accepting women clients, stating that "They are troublesome." The form for Jourcel, May 39, 486, p. 4223

Admission to the bar did not end her study of the law, however, for she spent the next three years, again while continuing to teach at the State Normal School, studying to complete her LL.B. at Albany Law School. Ms. Stoneman successfully completed that degree in 188?. Whether Ms. Stoneman actually practiced Law is unknown. as a Notary of the Public in 1886.

Ms. Stoneman continued to play an active role in politics, becoming an active supporter of prohibition, and she taught at the State Normal College until her retirement in 1905. A resident of 134 South Swan Street until her death in 1925, she continued to be a great favorite of returning Normal

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School, Normal College and State College for Teachers students. In her last interviewing, Ms. Stoneman noted that "Time, place, and circumstances combined to help me accomplish my work," and she urged urged young women to "take their opportunities as they come. Always there are opportunities to be had."[Alumni Quarterly, January 1925, p. 18.]

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