The Court Archive:
Catharine Waugh McCulloch

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Catharine Waugh McCulloch is probably best known for her suffrage work in the late-nineteenth and early-twentieth century as superintendent of the Illinois Equal Suffrage Association. Her persistence resulted in Illinois passing a law in 1913 to allow women to vote in presidential elections—the first state east of the Mississippi River to do so. The Illinois Supreme Court sustained the Women's Suffrage Act in *Scown v. Czarnecki*, 264 Ill. 305 (1914).

She was born Catharine Waugh in New York in 1862. In 1867, the family moved to Winnebago County, Illinois. Waugh graduated from Rockford Female Seminary (now Rockford University), then graduated from the Union College of Law (now Northwestern University School of Law) in 1886. That same year, she became the 19th woman in Illinois to obtain her license to practice law. While in law school, she met her future husband, Frank McCulloch, and they married in 1890.

After obtaining her law license, she attempted to set up a practice in Chicago. Male lawyers discriminated against her and refused to work with her because she was a woman. Instead, she moved to Rockford to set up a practice there. Waugh was a general practice attorney, mainly dealing with divorces, probate, and debt collection. Eventually, she and her husband moved to Evanston, and she joined her husband's law firm in Chicago. In 1898, she was admitted to argue before the U.S. Supreme Court.

Among her many civic activities, Waugh McCulloch was one of the first members of the Equity Club, a bar association of women lawyers that formed because they were excluded from the network of men's bar associations and also simply to share common concerns. Many Equity Club members did not marry out of concern that their family lives would supersede their legal career. Waugh McCulloch advised the Club that both were possible. She had four children and principally left the trial work to her husband while she managed the law office, but Waugh McCulloch believed women should be advocates for their clients in the courtroom.

While many women in Chicago urged her to run for the Illinois General Assembly, Waugh McCulloch declined, noting that with four children in Evanston, she could not engage in a public life in Springfield. In 1907, however, Waugh McCulloch ran for and won election as an

Evanston justice of the peace—the first woman in Illinois to have a judicial position—defeating her opponent handily 2,226 to 1,021. Her opponent in the election vowed to begin a quo warranto proceeding against her but never did. When she arrived at the Cook County Court office to take her oath, there was a question whether she could be a justice of the peace. The Cook County State's Attorney stated that the Illinois constitution had no restriction against women in a justice of the peace role.

In May 1907, she held her first session, disposing of three cases and continuing a fourth. There was a large crowd in her courtroom, including two male justices of the peace, who wanted to know if she needed help. She replied, "I do appreciate the courtesy of my friends so much, but I don't see why there is so much interest in this. I've studied law, you know."

In 1909, she won a four-year term as justice of the peace but declined to run again in 1913 because she believed that two terms in any public position was sufficient. In 1917, she was appointed as a Master in Chancery for Cook County and served in that capacity until 1925. Her three sons became lawyers, and while her daughter studied music, she eventually married a lawyer. Waugh McCulloch died in 1945 at the age of 82 and was buried at Graceland Cemetery.