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McCULLOCH, CATHARINE GOUGER WAUGH

June 4, 1862–April 20, 1945

LAWYER, SUFFRAGIST, POLITICAL ACTIVIST

Catharine Waugh McCulloch, the attorney and activist who helped lead the campaign for equal suffrage in Illinois, was born in Ransomville, New York. In 1867, her parents—Abraham Miller and Susan (Gouger) Waugh—moved the family to a farm in New Milford, Illinois. There Catharine Waugh and her younger brother, Edwin, attended the village school and joined in the youth activities of the Congregational Church. Foreshadowing her strong adult friendships with Reverend Anna Howard Shaw and ELLA SEASS STEWART, Waugh had many close girlfriends in the village. To her mother's dismay, these relationships led Catharine into fist fights with local boys who teased the girls. She delighted in being a tomboy, fighting, climbing trees, and wading in the river.

The Waugh family supported woman suffrage, but when Catharine Waugh tried to share this view with her schoolmates, the boys laughed. The ten-year-old then vowed never to marry and to devote herself to a career in law. Like the fathers of many first generation college women, Abraham Waugh encouraged his daughter to study and prepare for a profession. In practicing law, Catharine Waugh would also fulfill ambitions her father had previously abandoned for himself.

In 1878, Catharine entered Rockford (Illinois) Female Seminary (now Rockford College). She was guided and encouraged through school by JANE ADDAMS, who became a lifelong friend. At Rockford, "Kittie" was known for her intelligence, graduating first in her class, as well as for her sense of fun and love of music. The class prophecy predicted that her beauty—petite frame, dark hair, and "the most smiling brown eyes in the world" (*Rockford Seminary Annual*, n.p., reel 13, McCulloch Papers)—would attract many men, but they would be disappointed, as law came first for Waugh.

After graduating in 1882, Waugh stayed in Rockford and read law in the offices of Marshall and Taggart. In 1885, she entered Union College of Law (later Northwestern University's law school) in Chicago. Waugh faced a difficult transition to law school, made easier by the support of the only other woman in

her class, CATHARINE WAITE. Until the women proved themselves, the men pelted them with spitballs during recitations. The one exception, Frank Hathorn McCulloch, not only ranked first in the class, but supported equal suffrage, and Waugh later told the *Boston Globe*, "he never smelled of alcohol or tobacco" (August 11, 1913). For five years he pursued Waugh, but committed to her career and to her vow of celibacy, she refused all of his proposals.

Waugh was admitted to the Illinois bar in 1886. Despite her qualifications, she could not obtain a position in Chicago. Male attorneys told her to go home and take in sewing, or said that she appeared to lack the stamina for law. Two lawyers offered her clerkships in exchange for sexual favors. Disgusted, Waugh returned to Rockford in 1887 and opened her own practice. During these trying times, Waugh received support from letters exchanged with members of the Equity Club, the first association of women lawyers in the country. As a law student, Waugh had been instrumental in the establishment of this organization.

While in Rockford, Waugh continued her studies at Rockford Seminary, and "in 1888, having written a thesis on 'Woman's Wages,' was awarded both a B.A. and an M.A. degree" (NAW, 459). Her thesis demonstrated the importance of minimum wage standards and reflected her emerging concern for economic as well as political equality for women. Many of Waugh's first clients were women beset by problems related to their lack of legal status: wage discrimination, divorce, probate, child custody, abuse. She wrote to the Equity Club that her usual client was "a poor woman who cannot afford to pay anything. I call that a free dispensary case and rejoice that I had an opportunity to learn some new point there" (Drachman, 174). These cases propelled Catharine Waugh into a leading role in the women's movement and made her one of the foremost advocates of woman suffrage in Illinois. A passion to redress the inequities women experienced brought her and Frank McCulloch together. Even before their marriage, this passion cast her as a public crusader for women's rights. Her earliest publications reflected the nineteenth-century view that women needed the ballot to protect themselves from abuse and discrimination.

Waugh felt a special sympathy for clients who had been seduced and abandoned by men who refused to support the children of these unions. Under state law an attorney could do little for these women. She tried in vain to find homes where the mothers could work and raise their babies. The citizens of Rockford, including her parents, criticized Waugh's involvement with "fallen" women. Only Frank McCulloch encouraged the mission. Waugh began to believe that a married woman, with a supportive husband, could accomplish as much for women as a single woman, whose activities and associations always provoked questions, and she finally agreed to marry McCulloch.

The McCulloch union lasted almost fifty-five years and was by all accounts a happy partnership; but it began in acrimony. Her parents did not like the groom, and his mother objected to the Waugh's Irish ancestry. Only twenty somber guests gathered on May 30, 1890, to witness the marriage. The bride's close friend, Reverend Anna Howard Shaw, conducted the ceremony. The two met through suffrage work, and four years later Shaw became president of the National American Woman Suffrage Association (NAWSA) in which McCulloch would serve



FIG. 73. Lawyer and suffragist Catharine Waugh McCulloch, first woman Justice of the Peace in Evanston, Illinois, a suburb of Chicago.

as an officer. The McCullochs honeymooned in South Dakota, where the bride was already scheduled to speak on behalf of woman suffrage.

The couple returned to Chicago and opened a law partnership. In 1891, their first child, Hugh Waugh, was born. Three more children were born (Hathorn Waugh, 1899, Catharine Waugh, 1901, and Frank Waugh, 1905). McCulloch continued her suffrage advocacy and her law practice. She had begun chairing the Legislative Committee of the Illinois Equal Suffrage Association (IESA) in 1890 and continued in that position for the next twenty-two years. In Illinois, there was not enough support for a constitutional amendment on woman suffrage, so McCulloch devised an alternative strategy. Under "statutory suffrage" women would be allowed to vote for president and in all other elections not constitutionally limited to men. McCulloch's bill was introduced in 1893 and every year thereafter. "In support of the bill [in 1893] she road on a whistle-stop train with Jane Addams, making speeches from Chicago to Springfield on the importance of women's suffrage" (Harrigan, 30).

As the family grew, the McCullochs moved from their first apartment in Chicago to a much larger home in Evanston, Illinois. For several years while her children were small, McCulloch also cared for her invalid mother. In order to pay for household help to assist her in caring for her extended family, McCulloch continued to practice law. Yet, at the same time, she felt she should be at home. Though aware that this ideal was clearly impossible for many women, McCulloch's autobiography stated her belief that a woman's most important job was motherhood. McCulloch's *Mr. Lex* (1899), a fictionalized account of some women's legal disabilities, led to legislation she drafted that guaranteed mothers the same rights as fathers in custody cases.

In 1905, McCulloch wrote the bill that strengthened rape laws and raised the age of consent in Illinois. Her play, *Bridget's Sisters*, produced in 1911, brought attention to a woman's need for greater protection from an abusive or alcoholic husband. Her writings led to public speaking engagements, and by 1908 McCulloch was addressing international audiences. That year, she traveled to Amsterdam, the Netherlands, with Anna Howard Shaw and Ella Seass Stewart as a NAWSA delegate to the International Suffrage Alliance convention. McCulloch's reform causes included temperance, moral purity, child welfare, labor reform, the ordination of women, and peace. To her, they all stemmed from a woman's restricted citizenship. A tireless campaign for equal suffrage became her way of redressing all the problems of women.

The central dilemma in her own life became how to balance the children's needs with her own career ambitions and reform objectives. She solved this problem between 1907 and 1913 by serving as Justice of the Peace in Evanston. McCulloch was one of the first, if not the first, women in the country to hold a judicial post. In campaigning for the office, McCulloch stressed that, as the mother of small children, she needed to be at home and thus would always be available to perform the duties of a justice. Twice an all-male electorate gave her a wide margin of victory.

McCulloch carefully disassociated herself from the most militant suffragists and disavowed their tactics of picketing and subjecting themselves to arrest. McCulloch maintained that women could only advance through proper legal channels and confined her own activities to lobbying, writing, and speech-making. Her concern with proper and legal behavior stemmed from her belief that women had a special mission to purify and perfect politics.

As Progressive Era governments exhibited greater interest in

the issues of municipal housekeeping—pure food and water, moral reform, public health, education—suffragists claimed they needed women's traditional expertise in these areas. The rationale for equal suffrage changed from how the ballot could help women to how voting women could help the community. Catharine McCulloch was in the forefront of this transition and was particularly effective in discussing a mother's contribution to civilization.

In 1912, IESA elected GRACE WILBUR TROUT president. McCulloch resigned from the organization because she felt Trout's tactics were too passive and accommodating. Trout's supporters considered McCulloch too radical. After McCulloch's resignation from IESA, she traveled from New York to Oregon speaking in favor of votes for women. The IESA, however, once again asked the lawmakers to extend presidential and municipal suffrage to Illinois women, reintroducing the same bill McCulloch had written and first brought to the General Assembly in 1893. Ironically, within one year of Trout's ascendancy to IESA leadership, the General Assembly finally passed the suffrage bill. Trout and her followers attributed this victory to a series of new political strategies they adopted, including sending motor cars of suffrage supporters to the state capital with much fanfare and publicity. Antisuffragists charged that McCulloch was "the guy who put the ill in Illinois" (*Boston Globe*, August 11, 1913).

McCulloch expanded her professional activities, becoming legal adviser to the Woman's Christian Temperance Union (WCTU), headquartered in Chicago. "In 1913, McCulloch was appointed as Law Dean at the Illinois College of Law (now known as DePaul University College of Law)" (Harrigan, 31). From 1916 to 1920, she served as president of the Women's Bar Association of Illinois. In 1917, she became the first woman master in chancery of the Cook County Superior Court, serving until 1925. With Frank McCulloch, she wrote *A Manual of the Law of Will Contests in Illinois* (1929). In 1940, recognizing her fifty years of superior service, the Illinois Bar Association honored Catharine McCulloch by naming her senior counselor. She evaluated her accomplishments on her own terms. McCulloch told the *Chicago Record-Herald* that she was proudest of proving that it was possible "to be at one and the same time a good lawyer, a good justice of the peace, a good housekeeper, and a most devoted mother" (November 28, 1909).

McCulloch argued that women differed from men. They were more chaste, sober, intelligent, and peaceful. They thus had special interests and values that should be represented in the government. As early as 1889, McCulloch had written in the *Farmer's Voice*, "Woman, the last and most perfect of her Creator's handiwork, stands at the top of the ascending scale," and as mothers, women bear responsibility for the future of civilization. Years later, in a 1912 issue of the *Glencoe Record*, McCulloch questioned whether any had a greater "stake in government" than a mother who was selflessly devoted to securing her children's happiness.

For McCulloch a woman's responsibility did not end with enfranchisement. It also included seeking office and serving the public good. In 1894, she led the successful campaign to elect LUCY FLOWER as the first woman trustee of the University of Illinois. Two years later, the Prohibition Party nominated Mc-

Culloch for state's attorney. For many years she identified herself as an independent, but after 1912 she became a Wilsonian Democrat. She explained this choice in a 1916 campaign speech, saying, "My place is with those who are robbed, who are poor, who are hungry, who have no advantages" ("Draft Speech," reel 14, McCulloch Papers). That year, the Democrats selected McCulloch as a presidential elector, one of the first women in the nation to be so honored. In the early 1920s, the members of the Illinois Women's Democratic Club chose McCulloch as their first president.

After ratification of the Nineteenth Amendment giving women the right to vote, McCulloch chaired the League of Women Voters committee on uniform laws. She continued her involvement with the WCTU, Rockford College, the American Civil Liberties Union, the Chicago Commons social settlement, and the Women's International League for Peace and Freedom. With her children grown and equal suffrage achieved, McCulloch took more time for travel, sometimes with her husband, other times alone. She made several trips to Europe and South America, adding to her lifelong study of the legal conditions of women. McCulloch maintained her practice with her husband and sons until her death at age eighty-two. After a two-week cancer-related illness, Catharine McCulloch died at Evanston Hospital. She was buried at Graceland Cemetery in Chicago.

As a woman of the nineteenth century who achieved eminence in the twentieth century, Catharine Waugh McCulloch struck a complicated balance in her life. She traveled independently and chose her own reform endeavors, while devoting herself to her husband and marriage. She mothered four children as she established a pioneering legal career. A confident and assertive activist on behalf of the causes she supported, McCulloch rejected militant tactics in favor of legally grounded appeals. She received wholehearted support from men in her private life but faced scorn and contempt from many of those she encountered in the public arena. Because of these complexities, Catharine McCulloch could see, and persuasively argue, that women needed the protection of their government and that they had essential talents to offer in return. Her own exhaustive efforts helped to win fundamental rights of citizenship for the women of Illinois and the nation.

Sources. The Catharine Gouger Waugh McCulloch Papers, SL, include personal and professional correspondence, legal documents, book drafts, speeches, and scrapbooks. Also, 281 files of McCulloch's suffrage papers, correspondence, and publications are included in the Mary Earhart Dillon Collection, SL. Both the McCulloch Papers and the Dillon Collection are available on microfilm. Articles on McCulloch's work and views include her essay in *Farmer's Voice*, June 22, 1889; "Equal Suffrage Talk by Mrs. M'Culloch," *Glencoe Record*, June 1, 1912; and "Author of Suffrage Bill," *Boston Globe*, August 11, 1913. McCulloch's work in establishing the Equity Club is detailed in Virginia G. Drachman, *Women Lawyers and the Origins of Professional Identity in America: The Letters of the Equity Club, 1887 to 1890* (1993). The volume includes circular letters written to Equity members by McCulloch. McCulloch's biography is in NAW (1971). See also Maria A. Harrigan, "Catherine [sic] McCulloch," *CBA Record*, vol. 12, 1998.

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