

Women Jurors on Trial: Popular Depictions of the American Woman Juror in Twentieth-Century Newspaper Coverage

Meredith Clark-Wiltz, Franklin College

“Women as Jurors: San Francisco Experiment is an Interesting Study in Psychology,” read a headline in the *San Francisco Chronicle* in 1913.¹ In California, women became jurors in certain locales following the adoption of equal suffrage, and this report sought to evaluate this new “experiment” in women’s citizenship.² It found that an all-woman jury summoned to try a female defendant had “interpreted justice and so far the heavens have not fallen.” While it exaggerated the potential consequences of the trial, the report evaluated the women jurors, finding “their mental processes are such they will always deliberate on different lines” than men. Additionally, these women jurors incited changes in dress, style, and argumentation strategies for attorneys. Women jurors, the article stated, relied on “instincts and impressions” rather than evidence, benefiting the female defendant more than men who would consider the facts of the case before her “protestations of innocence.” The article concluded that future women jurors may not act similar to this jury, but this trial proved one thing—“the sentiment of justice is two vastly different things in man and woman.”³

This newspaper article illuminates several of the underlying assumptions about women jurors and their impact on the judicial process that were present for much of the twentieth century. It called attention to women jurors as novel and emotional; it asserted women would transform the courtroom. Most importantly, the article determined that women jurors—while not predictable—would be forever different than men jurors. Correctly, this article anticipated that women jurors would remain a “subject of special comment” until they became conventional

figures in the U.S. justice system. What the article did not predict was the lengthy duration in which women jurors would stand trial before the American public.

Throughout the twentieth century, newspaper articles about women's jury service reflected a larger question about women's fitness for full citizenship. Concern about women's ability to perform equal obligations of citizenship effectively surfaced frequently in debate over policies that allowed women to access juries in various locales and in discussion of women's service on important trials. Tracing these assessments of women's jury service promulgated through popular media highlights the extremely slow process of challenging gendered assumptions about women's fitness for citizenship and full civic membership. These stories produced popular images of the woman juror that the American public consumed over most of the twentieth century. A survey of these accounts reveals that the popular images of women jurors, while complicated and sometimes contradictory, have remained remarkably static, even as women's legal access to jury service gradually increased. Regardless of whether the representation of women jurors presented was negative or positive, the image always emphasized two underlying assumptions: that women were innately different from men and that gender difference mattered in their execution of jury service, and therefore civic membership.⁴ Depicted as a novelty, a threat, an unpredictable phenomenon, a silly trend, a devoted citizen, an instigator of change, or a purveyor of morality, the female juror remained a visible part of the legal system—one that required explanation or discussion to assure the integrity of the jury system was not in jeopardy. The continued replication of these images over the twentieth century exposes how gradual, localized changes to women's civic status failed to exact immediate change in popular perceptions of women's citizenship.

Not until the Supreme Court declared sex-based exemptions unconstitutional in 1979 did women have the same obligations as men to serve on juries, and the news coverage of women juries through the 1970s reflects the uncertainty surrounding women's roles as citizens. Women gained legal rights to serve on juries primarily on a state-by-state basis.⁵ All states in the mid-to-late nineteenth century restricted jury service to male citizens, and the federal government legitimized states' exclusion of women from juries from the nineteenth century through the 1960s.⁶ Ratified in 1920, the Nineteenth Amendment, which secured suffrage rights for women nationally, created a debate over the extension of jury service rights to women, but it ultimately did not significantly change women's legal claims to jury service obligations in most states.⁷ As a result, women actively campaigned for jury service in several different states in each decade between the 1920s and 1960s. By 1961, all but three states (Alabama, Mississippi, and South Carolina) allowed women to serve on juries, though less than half made women's service mandatory.⁸ Not until the late-1960s did every state allow women to serve on juries; only in the 1970s did the Supreme Court begin to rule against laws that granted women special exemptions from service. This prolonged and uneven history of sex discrimination in jury service qualification and the jury selection process made women jurors unconventional nationally until the last three decades of the twentieth century.

Certainly, images of female jurors emerged alongside suffragists' calls for the vote and equal citizenship in the late-nineteenth and early-twentieth centuries. Legal scholar Carole Weisbrod carefully addressed the perceptions of women jurors during the first half of the twentieth century, examining the essentialist assumptions underlying the arguments of both opponents and advocates of women's jury eligibility.⁹ Weisbrod's article primarily showcased the agreement of both sides about women's innate moral superiority and unique domestic

qualities as they applied to the notion of female jurors. These gendered notions assuredly permeated popular conceptions projected in newspaper accounts, often to confirm women's ability to fulfill the requirements of equal citizenship. Weisbrod examined the image of the woman juror through the 1940s. These gendered depictions of women jurors, however, continued to appear in popular publications well into the second half of the twentieth century, until women served on an equal basis as men in all states.

Gender is the central category of analysis in this article, and this paper critically assesses the content of these sources for its gendered assumptions and biases. Historians, especially over the past three decades, have reexamined historical sources to understand better how notions of gender shaped American life and society, and this article uses this methodological approach to reveal how gender permeated public understandings of women's citizenship.¹ The mention of sex or gender or the description of femininity or masculinity in these articles offers insight into the "gendered imagination" of reporters and potentially of many in mainstream America. As Alice Kessler Harris noted, "gendered habits of the mind" or entrenched presumptions about gender differences shaped ideas, outlooks, and policy throughout American history, and this study uncovers how these "habits of mind" contributed to public discourse on women's civic membership throughout the twentieth-century.¹⁰ Whether explicit or implicit, gendered conceptions of jury service and citizenship appear in each of these sources, and reading these sources to understand the shape of widely-accessible twentieth-century perceptions of women jurors exposes how the divergent meanings of citizenship for men and women appeared regularly in newspapers.

¹ Joan Wallach Scott's seminal article influenced the development of this historical approach; see Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review*, December 1986, 1053-1075.

This paper examines newspaper articles and editorials from the early-twentieth century to the 1970s, when the Supreme Court equalized women's obligations to serve on juries, in order to investigate the broader, popular understanding of women jurors.¹¹ This study utilizes stories, reports, and editorials generated through searches of historical newspapers archived in digital databases.¹² While many of the over 450 articles that surfaced in these searches come from the *New York Times*, other newspapers including the *Los Angeles Times*, the *San Francisco Chronicle*, the *Washington Post*, and the *Chicago Tribune* also offer evidence of these images produced for public consumption by large, mainstream urban newspapers. This selection of newspapers offers insight on the type of news reports, articles, and other media that reached a broad cross-section of society. Therefore, these sources become a solid basis for analyzing the gendered assumptions and impressions of mainstream Americans about women jurors throughout the twentieth-century. While the number of these articles generally declines over time and there were periods of increased news coverage—such as in the late-1930s—that corresponded with changes in women's eligibility, this paper's central methodological strategy is to provide a qualitative analysis of the representations of women jurors rather than an attempt to quantify and trace any numeric pattern in the news coverage itself.¹³ This survey of newspapers shows that regardless of the number of stories published in any year or decade, the images publicized in them remained relatively constant until policies concerning women's obligation to serve become more equitable.

Because of the lengthy and localized process by which most women accessed juries over the twentieth century, newspapers continually covered women's initial service in various locales. The consistently renewed novelty of women jurors reinforced an uncertainty of how their

inclusion would affect the quality of the system. Newspaper coverage of women jurors began with rather extensive coverage of the “first” woman juror or the “first” all-woman jury. These reports that emphasized the uniqueness and even mysteriousness of the woman juror continued for decades.¹⁴ The first time women served on juries sometimes produced questions about the legality of their service. As early as 1887, the *Los Angeles Times* section, “A Novel Point,” included a story about a judge who reversed an indictment because women served on the grand jury in Washington.¹⁵ Other women became local celebrities, their service lauded. A 1909 headline read “Three Men Desire to Wed Jurywoman Johanna,” the first woman juror in California. She became “famous,” having several photographs and articles published about her and yielding for her three marriage proposals and a job offer.¹⁶ Many times these stories also included trivia that emphasized women’s different proclivities. In 1912, the first all-woman jury in Eldorado, Kansas prayed before beginning their duties and reportedly talked over each other in deliberations.¹⁷ These stories continued to appear in the middle of the twentieth century, as women began qualifying or volunteering to serve in various capacities in places like New Jersey, Maryland, Hawaii, and Illinois. A 1937 article noted the irony in having the first women jurors in New York serve in the courthouse where Susan B. Anthony was convicted.¹⁸ The first women to serve in New York City reportedly were “gallantly received,” and appeared “to Enjoy Experience, Few Asking to Be Excused.”¹⁹ With news of “first” woman jurors continuously reported over the twentieth century, the question of how women would change courtrooms and whether they would execute their duties effectively remained constant.

Alongside these “first accounts,” newspapers examined how women’s presence in the courtroom required actual structural changes to these courthouses, questioning women’s physical suitability for the activity. The perception was that women jurors transformed the traditional

masculine domain of the court into something distinctly different. That 1937 report about New York City also noted that the judge apologized “for the lack of accommodations in a court room built shortly after the Civil War.”²⁰ Other articles similarly stressed the need for more convenient facilities in the courtroom for women jurors or detailed the changes courtrooms had undergone to accommodate women jurors. In 1918, women jurors asked that the jury room be kept cleaner, remarking “the janitor should take lessons in duster work.”²¹ Popular ideas of women’s housework permeated this public space, as did images of women establishing their own feminine spaces to handle their own affairs. A 1939 article exclaimed that women could expect better facilities—“a place soon where they can powder their noses”—in the New York County Supreme Court building, especially with the two large mirrors that had already been purchased.²² Women’s presences also necessitated updating the furniture. “Jury Chair Fixed So A Woman Can Lean Back, Too” titled one article that reported that the single female juror was given a cardboard box to keep her feet from dangling above the floor so that deliberations in the 1940 case could continue.²³ By the second half of the twentieth century, the issue of courtroom accommodations appeared in reports less frequently but did not go away entirely. As late as 1964, a *Chicago Tribune* article reported that a Massachusetts court required the installation of a curtain to hide women jurors’ legs, indicating a concern for women’s modesty coinciding with changes in fashion.²⁴ By 1966, at least one courthouse needed to renovate its restrooms to accommodate women jurors.²⁵ Newspapers honed in on how women’s presence in the jury box (regardless of their appearance in courtrooms otherwise) required structural changes to judicial buildings and its accommodations. Because of the physical difference and particular needs of women, courtrooms across the nation remodeled. These stories questioned women’s physical compatibility with serving in courtroom settings.

Concerns over how women jurors would impact courtrooms extended beyond these reports to include interest in how they would challenge the masculine atmosphere of the courtroom and be a concern for lawyers. A 1937 report about New York City contended that women's presence would change the traditional, masculine courtroom space. It claimed "lawyers modified the thumping tone of an appeal to masculinity," implying a change to something more pleasing to women jurors.²⁶ Other articles emphasized the adjustments to court practices that attorneys made to address the new phenomenon of women sitting on juries. A 1913 trial in Redwood City, California had three of the "fair sex" on the jury until the prosecution removed them. The prosecutor explained that his side had a better chance with an all-male jury but might allow a woman juror—not three—serve as an experiment in the future.²⁷ In 1918, a female defendant rejected having "any women on the jury," asserting that "a woman would stand no chance with a woman juror."²⁸ A 1966 Florida jury contained "a quartet of real live women," which "bothered" the attorneys who wondered whether they would be harsh or forgiving to members of each sex.²⁹ An article from 1979 explains what "Mr. Lipsig" believed about selecting jurors, focusing on various factors including occupation, residence, and sex. He asserted that women were poor choices for a "good-looking woman" client, because they would "burn her at the stake." Additionally, he believed that "young ladies with small mouths are a nightmare."³⁰ Each of these articles demonstrated the gendered assumptions of attorneys who saw women jurors as unpredictable, emotional, and perhaps even unduly harsh. These articles also indicated that women jurors—because of their difference from men jurors—would be different, perhaps less effective, than men in their roles as civic members.

Challenging perceptions of women as incapable of civic responsibilities, other articles rebutted notions of women's susceptibility to place sentiment over rationality in deliberations,

often using the testimony of judges as evidence.³¹ In 1939, a presiding judge remarked on the competency and courage of the women jurors who convicted an “arsenic widow.” He scolded “those who contended that women jurors, being ‘prey to emotions,’ could not give a verdict on evidence.”³² A 1955 report focused on the selection of two women for the jury. The defense attorney hoped they would “see thru a prostitute’s story.” The prosecution worried that the testimony might embarrass or upset the women, even though the women themselves declared “they won’t blush.”³³ These articles dispelled the notion that women’s difference from men rendered them inadequate jurors, challenging ideas that women were unfit citizens.

Some news reports showcased women jurors as having special intuitive powers, contending that women would make good, if not superior, jurors. In 1911, one story supposed that “men will stand a far better chance of obtaining justice where women are concerned than they do at present. Tears and sobs are far more persuasive with a jury of males than they are likely to be with women.”³⁴ This conclusion appears to answer accusations in other stories that highlighted women’s emotionality as a potential hindrance to their effective service. Another judge reported that women “have a rare faculty for sifting out the truth and I am sure they will weigh the evidence and determine the guilt or innocence on the facts alone.”³⁵ Other court officials also championed women jurors. In 1937, a District Court Judge claimed that “women are less cynical than men and therefore make better jurors.” He wished to have more women serve on juries in his courtroom, because “they were better qualified than men because they were more high-minded and idealistic.”³⁶ Another report insisted that “women are credited with a higher sense of duty and more patience than men.”³⁷ Some of these newspaper articles probably surfaced because of the work of women’s organizations, such as the League of Women Voters, that sought judges’ endorsements of women jurors and publicity for the issue of women’s jury

service broadly. Despite the possible origins of these articles stemming from feminist activism, most of these accounts did not specifically reference feminist activism. Either way, they challenged negative images of women jurors to underscore women's capacities to fulfill the duties of citizenship on an equal basis as men.

One longer piece that showcased women's fight to serve on juries also underlined this gendered stereotype of the virtuous female juror. Mildred Adams's 1936 article entitled, "Women Knock Loudly at the Jury Box," revealed that the activism to get women on juries in New York appeared in sharp contrast to the growing sentiment of jury service as a duty becoming "increasingly unpopular with the men." Mildred Adams, sister-in-law of prominent lawyer and member of the League of Women Voters, Dorothy Kenyon and niece of suffragist Gertrude Foster Brown, found herself writing about women's jury service during New York's contentious struggle with the issue. In advocating for the woman juror, she extolled women's virtues: they can more readily detect perjury, they are less likely to be criminal, and they tend to be the disciplinarians of their families. Adams claimed that judges believed women were only as likely as men to let emotion sway their decisions, and women deliberated more quickly and with less bickering than men.³⁸ In this instance, the news reported the image of the woman juror as a women's activist saw it—and used women's difference as rationale for women's inclusion on juries, claiming women to be "fit," if not more "fit" than men even, for service.

Some stories exposed women jurors' perceptions of the justice system, also suggesting that these moral women jurors could "clean up" the courtroom. According to some reports, few women asked for exemptions, indicating that women felt a civic responsibility, enjoyed the experience, and even made male jurors shape up.³⁹ In 1938, Ruth G. Fauer wrote a letter to the editor of the *New York Times* explaining how disappointed she was with the quality of jurors.

Her letter maintained that people with “nasty dispositions,” uneducated individuals, mothers with children to watch, and “women who worry about [their] dogs,” should not serve as jurors because of their inattentiveness to the trial.⁴⁰ In another article, experienced women jurors “suggested” that women should not take challenges from lawyers personally, should arrive at verdicts carefully, and should not bow to the pressure from other jurors. Moreover, these newly-minted “experts” reminded women to refrain from the temptation of discussing the case with their husbands and to use evidence rather than lawyer’s charm as the basis to evaluate the case.⁴¹ In 1960, one letter exclaimed, “Hurrah for Women Jurors,” who rightfully arrived at good, moral decisions, finding them to be better qualified than many men in “cleaning up the city.”⁴² Women jurors erased the traditional masculine public space and by extension of their decisions “cleaned up” entire cities. These news reports suggested that experienced women jurors would be best suited to informing and bettering future women jurors in their readership.

Asking “What Women Jurors Think of It All,” Eunice Fuller Barnard’s 1939 article also emphasized women’s civic-mindedness and frustration with court facilities. Barnard conducted interviews with “representative women of all types,” including professional women and housewives, finding “they would like to serve again and again.” Women who have not served “have missed a tremendously enlightening human experience and an undercover view of . . . invaluable sidelights on masculine nature,” she noted.⁴³ Using a gendered metaphor, Barnard explained her interviewees had “opinions of their own on our judicial housekeeping.” She supposed these women would be disappointed when they encountered “cold, airless jury rooms, oppressive with stale smoke; ill-ventilated, inconveniently located washrooms, and dingy, dilapidated courtrooms.” Furthermore, she reported these women found male jurors inattentive, judges largely empathetic, and lawyers condescending with their appeals to female jurors. For

Barnard, women jurors would transform both the dismal facilities and the unproductive courtroom procedures.⁴⁴ Barnard's article blended together many perspectives frequently provided by news reports on women's jurors, namely the novelty of their service, their dutiful occupation of their role, their good influence on the courtroom atmosphere.

Rather than finding that gender difference uniquely qualified women for jury service, some articles questioned women's civic fitness by emphasizing examples of women's inability to fulfill the duties effectively. Some less flattering images of women jurors depicted them as more emotional and less rational than men. These images, while questioning women's overall capacity to be an effective juror, did not necessarily present clear-cut arguments against women's service. Some defenses found that selecting women jurors was a gamble that might be worth taking, believing women might be more sympathetic and understanding than male jurors or more easily influenced by lawyers' speeches.⁴⁵ A 1942 article described Brooklyn's first all-woman jury and the Irish defense who successfully "Sway[ed] Woman Jurors" to acquit. After presenting one juror with flowers, the defense used "orations on Irish history and a mysterious street battle with wraithlike Japanese" to persuade "the thirteen women jurors [who] smilingly" approved. The defense attorney wore a large white carnation on his lapel until the judge ordered he remove the "distraction." The attorney promptly pinned the flower to a juror. This article showed that women jurors elicited dramatic displays and were sometimes found unable to rise above sentiment to render a rational verdict.⁴⁶

The perception of women's innate emotionality permeated reports of women's lack of composure, leading some to call for their protection from "sitting with men on juries listening to the sordid and heartrending testimony brought forth day after day."⁴⁷ Several articles in the 1930s depicted women jurors weeping or fainting in court.⁴⁸ A 1931 Los Angeles jury returned

a guilty verdict “amid sobs from nearly all the women” in the courtroom, including three women jurors.⁴⁹ Another report described a scene where a woman juror “was biting her lips to keep from crying and her eyes were wet with tears as she left the jury box.”⁵⁰ Reports often also revealed women fainting during trials. For example, in 1941 “verbal fireworks” between lawyers “resulted in a woman juror fainting.”⁵¹ Another article reported that a woman juror fainted after hearing “gruesome testimony” and was “replaced by an alternate, a man.”⁵² Even in 1960, a report highlighted the fact that women jurors wept after hearing testimony about a dying woman’s last request.⁵³ News reports described instances of women jurors overcome by emotion, weeping, or fainting throughout much of the twentieth century, implying that women were overtly emotional and perhaps too delicate to hear courtroom testimony.

In addition to being overly emotional, newspapers consistently showcased women jurors as indecisive and disruptive. In 1937, a jury of eleven women and one man made news when the male juror spoke out against women jurors, claiming that he served “amid a ‘lot of clannish people’ [and] could barely get a word in edgewise.”⁵⁴ Another report showcased a woman juror’s uncertainty, explaining that she agreed to the verdict during the deliberation because of “cowardice,” but later she revealed that she did not really believe the correct verdict had been made and wished to change her position.⁵⁵ Headlines, such as “Woman Juror Fails to End a Deadlock” from 1937, emphasized the inability of women jurors to take leadership roles on the jury.⁵⁶ A 1952 *Washington Post* headline highlighted a woman juror’s dithering--“Driver Wins New Trial After Woman Juror Gives Court Verdict of Guilty, I Suppose.”⁵⁷ Women’s indecision became a part of the publically consumed image of the woman juror, producing questions about whether women could effectively serve as jurors.

Other news showed women jurors as interrupting the trial process unnecessarily. A female juror and mother of two small children was the single hold out in an otherwise all-male jury in a 1931 Minnesota trial—“the first case involving a woman juror in Minnesota since their employment as jurors became general, ten years ago.” After the trial, she was sentenced to jail for hiding her connection to the defendant, and the article noted that the lawyers could not find “any instance in the history of American jurisprudence where a woman was similarly cited.”⁵⁸ A 1933 Philadelphia trial came to an end when Mrs. Elizabeth Donohue “threw the court room into an uproar” by taking the witness stand to confess that she had talked about the case weeks before the trial, admitting to friends that she did not like lawyers who delayed trials.⁵⁹ In 1963, a woman juror, Toni Hill, stopped a Cleveland trial because she told the jury foreman that she did not feel bound by the oath she swore when she entered the jury. The judge held her in contempt and sentenced her to a year in prison, explaining that “she had trifled with the court” and at great expense.⁶⁰ These stories contributed to the image that women neglected to abide by court procedure and etiquette, failed to meet their obligation, and cost the court time and money in the process.

Other articles showed women jurors disrupting the judicial system by being late or absent from court, often citing their domestic duties as a conflicting obligation. A 1911 article in the *Los Angeles Times* reported that three female jurors in San Diego “demanded” a recess “with leave to go out for dinner” once “hunger pangs assail[ed] them,” refusing to deliberate until they had eaten.⁶¹ A woman juror delayed a 1936 trial in Hackensack, New Jersey, by being tardy. The housewife’s six-minute delay cost her a day’s pay and warranted a “stern” lecture from the judge, who told her “that punctuality is one of the jurors’ most sacred trusts.”⁶² Another article uncovered what it termed the “problem of the housewife-juror,” observing that these women

found jury service onerous to complete in conjunction with caring for kids and maintaining the home. The article reported that husbands worried and phoned the court asking about their wives.⁶³ Another story explained that a female juror held up a trial because she was awaiting her first grandchild.⁶⁴ “Woman Juror, Late Every Day, Causes a Mistrial in Brooklyn” headlined a 1939 article that found Mrs. Bessie Zahnstecher could not make it to court on time because of “household duties,” which included tending to an ill son, instructing a newly-hired domestic servant, and preparing a meal for her husband.⁶⁵ A 1942 report revealed that a Pennsylvania woman juror “frustrated” a murder trial, because she “refused to discuss the situation on Sunday.”⁶⁶ In 1958, another report noted that a woman juror had a “Doggone Good Excuse” for being absent; her dog had puppies.⁶⁷ These reports—of women caring for families, of women with physical weaknesses, or of women with confused priorities—were newsworthy because of their illustration of women’s difference from men. In these cases, women proved to be distracted from their duties as jurors by their familial responsibilities. The tension between civic duty and motherhood appeared frequently, undermining notions of women’s civic fitness as jurors.

In other accounts, women’s fragile health was a cause for concern in some courtrooms, posing the question of whether women could physically sustain the full duties of citizenship. A 1935 article featured a story about a judge from Flemington, NJ, who asked how a juror was feeling after he had been informed that she had a cold.⁶⁸ Also citing a health issue, a 1950 news report explained “Miss Bell” missed a day of court because of a “sore foot,” and caused a mistrial.⁶⁹ Another housewife-juror briefly delayed the second trial of Alger Hiss in 1950, because she felt she had a cold.⁷⁰ Women’s perceived delicacy was confirmed by reporters who believed women’s illness merited mentioning in the newspaper columns.

Still other reports showed women jurors as disruptive, even verging on being silly. A couple of articles pointed out accusations against women jurors, which incited a dramatic response from women. In 1911, female jurors or “juressees,” as the article named them, joined together to attest to their anger at the jury commissioners who accused them of stealing courthouse towels in Spokane, Washington.⁷¹ One 1937 article described four New Jersey women fainting after being “accused of placing nickel bets in the jury room.” The report noted that seven other women of the twenty-three potential women jurors required smelling salts after the accusation of gambling was made against the others.⁷² Another article commented on the new freedom found by husbands’ whose wives served, noting that women might not be able to maintain the same level of control over their husbands’ appearance. The 1935 article revealed that a women juror’s husband “flaunting” his “new, gray golf cap” in court—knowing his wife would dislike it.⁷³ A 1942 report found that women jurors “exclaim at Brilliance of Gems in Exhibit,” and “gasp in horror” when the defense attorney “accidentally dropped a diamond and sapphire bracelet on the stenographer’s desk.”⁷⁴ Women’s concern for the jewelry demonstrated how women’s perspective differed from men on basic points, while showing women jurors as overly dramatic in their reactions. In 1948, a brief blurb mentioned that a judge in Huntington Park, California, “recessed a trial so that women jurors could attend a nylon hosiery sale.”⁷⁵ In another odd example, American newspapers ran a story of a woman juror in England, who disrupted a 1961 trial by yelling at her husband “not to put the food on because I’ll be late getting home.”⁷⁶ Throughout the twentieth century, odd stories of women jurors disrupting trials made their way into newspapers. These stories often showed women as frivolous or at least exceedingly different and less focused on the task at hand than men. Some instances showed women as over-reacting or distracted by their families or other feminine concerns, such as

jewelry or shopping. Women's perceived emotional differences to men formed the basis of some critiques of women's suitability for service. The frivolity associated with these women jurors starkly contrasted with notions of rationale, sensible jurors invested in the common interest and public service.

Newspapers also recognized that women jurors would disrupt the courtroom by introducing new questions and testing old boundaries. The "burning question" for twenty-three women jurors in Los Angeles in 1918 was whether knitting would be permitted in the jury box. These stories showed women as focused less on the trial and more on the limits on their role in it. The article surmised women would be upset that "there is no opportunity to gossip while a trial is in progress" and likely reject the smoky smell of the court.⁷⁷ A 1937 article discussed the first women jurors in Sloansville, New York. These women demanded ice cream in place of the traditional cigars at the conclusion of the trial. The news reported that these women probably were setting a new precedent.⁷⁸ This story revealed women jurors' presence was novel and changed courtroom traditions, while also depicting their demands as feminine. Women's appearance on juries also fueled questions about appropriate dress for women in this new role. Many articles described women jurors' attire. One 1938 article reported that a New York Supreme Court Justice "decreed that hats could not be worn in the jury box," explaining that women should see their roles as business-like rather than as a social occasion.⁷⁹ These comments sparked a heated debate over whether women should be allowed to don hats or not. Of course fashion, often associated with issues of class and respectability, might have held more import for women in the early-twentieth century. Nonetheless, these articles indicate that women's entry into the jury box required the re-thinking of traditional protocol.

Aside from all of these short articles that constructed notions of women jurors, several longer articles that directly evaluated women jurors surfaced in every decade between 1930 and 1980. Each of these articles assumed that women jurors were a unique group worthy of an investigation into their distinctive nature and the implications of their existence. They all addressed the quality of service provided by women, their capabilities to serve as competent jurors, and the consequence of their presence in the courtroom. With these reports, the image of the woman juror continued to appear as a novelty, an under-investigated phenomenon, and a questionable innovation in the justice system. These editorials continued to suggest that the jury was still out on the impact and effectiveness of women jurors. Between 1930 and 1980, as these editorials reveal, women struggled against preconceived notions about their fitness as not only jurors but also full citizens.

The first of these lengthy articles was a 1938 piece by Kathryn R. Swift. She assessed the quality of the voluntary service of women in New York, highlighting them as civic-minded citizens. Titling her article “Women Are Earnest Jurors,” she found many were willing participants for jury duty, emphasizing their “intelligence, public-spirited[ness]. . . keen sense of civic duty and . . . intense devotion to their self-imposed task.”⁸⁰ Swift explained they almost always had a “crusading spirit,” compared to men who saw jury service as a “nuisance.” Swift asserted that general opinion was that a “woman’s psychological and practical equipment for jury duty” was similar to men’s; however, she noted that “what she lacks in one way she makes up for in another.”⁸¹ Her sentiment was that women were capable jurors despite their inherent differences from men. Many of these volunteers were housewives, but she noted “the housewife of today is no longer a person primarily interested in her pots and pans.” Swift reasoned that while many question women’s lack of business savvy, the woman juror “possesses a certain

native acumen, call it that famous ‘feminine intuition’” that helped her make the correct decision. Swift also debunked the gendered notion of women’s unique emotionality and its disruption in the deliberation process, arguing that women “are surprisingly ‘hard-boiled’ in the jury box and remain uninfluenced by dramatics and ‘sob stuff.’” Countering other popular opinion, she believed that they would not favor men or be unnecessarily harsh to other women. Yet, she did admit that “women jurors’ feelings bruise easily, especially when challenged.” Swift argued that women remained concerned with their outward appearance throughout the trial, unlike men. She described the woman juror—“Her hair is carefully curled, her lips assiduously reddened, but she is careful not to powder her nose under the judge’s awful eye.” Though she does not mention it, Swift seems to imply that women would need places in courtrooms to freshen up, inadvertently touching on an issue found in other news stories. Overall, Swift found that self-selecting women jurors are capable, lawyers still have not yet figured out how they change the system, and judges generally found them to make excellent jurors. Regardless, Swift verified the popular notion that women jurors were innately and obviously different from men jurors but challenged any assumptions that they were unfit for service.

Two years later a 1940 editorial by Catherine Mackenzie investigated the first three years of jury service performed by New York women, finding “their work earns praise mixed with criticism and a contention that it should be made obligatory.”⁸² Distinctively, Mackenzie provides one of the only depictions which show women as different from each other and varying in their capabilities. She claimed that some women have been impressive, and “stupid and prejudiced women” have been as troublesome as some men. What had changed, according to Mackenzie, was “the novelty of femininity in the jury box . . . the novelty of women’s hats, and their knitting, and lipstick, and the rest of the trivia that provided such lively reading at the

outset, and such boredom for intelligent women coping with a citizen's role." The novelty of women's service had faded, according to Mackenzie; however, she continued to promote images of the changes—the feminization of the jury box. Like Swift, Mackenzie also recognized many of these volunteers as publicly-spirited. Yet, this article pointed out women did not always enjoy service, sometimes opting-out by using gendered justifications that relied on notions that women were weaker, more delicate, or constrained by domestic duties. Some women served on juries and then removed their names from the list for a variety of reasons including finding "experience 'less interesting' than they had expected," being "repelled by sordid cases," or facing "husbands [who] object to the irregularity of meals and sketchy bed-making caused by a wife's absence on jury duty." Mackenzie commented on what she called "pesky feminine ways" that get "on the nerves of the court." Here she cataloged a multitude of complaints about women jurors, including that they "stare around," "appraise the hairdos and clothes of other women," and "fall asleep." However, she noted that the judge who made these assessments was "not condemning women as jurors" but singling out that some women made for poor jurors for different reasons than those that made for poor male jurors. Here, gender difference even pervaded the reasons certain women or men were poor jurors. Even though she found women and men to be inherently different, Mackenzie dispelled notions of women's complete essentialism, emphasizing difference of ability among women. Like men, Mackenzie argued, women proved to be capable jurors, though some better than others.

A decade later, in 1950, Gertrude Samuels provided another evaluation of female jurors, interviewing male and female jurors and jurists for her article, "The Verdict on Women Jurors." She noted the increase in female jury service as made evident by the composition of juries in high profile cases. Claiming that women arrived at verdicts slower than men because of their

ability to be less opinionated, Samuels found that some judges, lawyers, and even male jurors believed women made better jurors than men.⁸³ Her conclusion that women made better jurors than men fits with many of the images found in news stories about women's civic-mindedness and intuition. Samuels mentioned popular ideas that women would be more easily impressed and confused, more emotional and subjective, and less rational and compromising. Yet, her research found that "the great majority" of women did not fit these stereotypes, and women, like men, "enjoy and understand jury work." In fact, Samuels found that housewives provided one of the largest pools of female jurors—ones that tended to be better rested than the average working man. Her article reinforced the more typical and complicated notions of female jurors, namely finding them to be an oddity worth reporting, to be less affected by emotional displays than male jurors, and to "have an innate sense of justice." She mentioned that many find women in the grand jury to be less noticeable, unless the jury foreman announces that "an unpleasant rape case is about to begin" so women who wish to leave the room may. However, she asserted that most women do not leave, and instead that "some male sources, who shall be nameless, incline to the bold view that women jurors are no more emotional than men jurors." Her admission highlights the overarching perception of women as more emotional and less rationale than the men she surveyed. She quoted one judge who, once uncertain of women jurors, testified to their ability, noting that they are less judgmental "since women have fewer commercial prejudices and intellectual calluses." Like the two authors of earlier pieces, Samuels concluded by arguing that women jurors were as effective as male jurors but different from them. In order to have a better legal system, she surmised men need to have fewer exceptions and women need to be made to serve on a compulsory basis everywhere. She also found that "women view[ed] jury service as

the process of growing into full adult citizenship.”⁸⁴ Samuels hints that maybe their inclusion not only bettered the judicial system but also positively impacted the women who served as well.

In 1962, an article written by an attorney and author also entitled “Verdict on Women as Jurors” featured the recent *Hoyt v. Florida* decision, in which the Supreme Court ruled that the state statute providing for automatic exemptions for women jurors based solely on their sex was constitutional. While Louis Nizer appeared to sympathize with women’s rights advocates who support equal obligations to jury service, he too reverberated some of the same gendered ideas as other earlier reports on women jurors. He alluded to the potential for special distinction of women, stating that “perhaps Socrates was right in saying that when women are made equal to me, they become their superiors.”⁸⁵ Moreover, he examined the impact of having women on juries from the perspective of the trial lawyer, suggesting their presence affects the judicial process or if they think differently than male jurors. However, in sharp contrast to earlier articles, Nizer believed that “only in rare cases” was “the sex of the juror the principal determinant,” since other factors including politics, economics, or temperament were more important. Nizer exploded the notion of gender essentialism, noting that women join a variety of political parties, are “soft-hearted, hard-hearted, or realistically self-disciplined,” and can be receptive or resistant to jurors’ work. Nizer’s article, like earlier editorials, emphasized women’s capabilities and “fitness” for service.

Yet, Nizer soon backed away from this critical position to explain that “women jurors reveal themselves to a male lawyer a little more readily than men,” providing gendered generalizations that appear to make women jurors more valuable to male defense attorneys. He (unsuccessfully) tried to balance this statement by noting that he would assume that male jurors would behave the same way for female attorneys. Nizer also expounded on various “sexual

factors” that he claimed were “exceedingly thin,” but detectable as “simply the automatic registration that often takes place in the interplay of personalities between the different sexes.” He claimed that a jury with women on it will discuss the case “differently than a jury of men alone.” Like earlier editorials, he warned against disregarding “women’s intuition” or “feminine logic.” Moreover, he claimed (and explained that many women themselves would maintain) that they are not superior to men and that “there is no distinction between the sexes” in their reasoning abilities; however, he believed ultimately that “in many instances a woman’s thought processes derive more from the emotions than a man’s” and that “her brain can be reached more often through ‘feeling’ than a man’s.” These clichés—women as emotional, moral beings—helped Nizer comment on the impact women jurors had on the trial process from the perspective of trial lawyers. He claimed that women were harder on women defendants and witnesses, especially the beautiful ones, than men—creating “a reverse bias.”

Women’s sexuality and roles as mothers played an important part in Nizer’s analysis, revealing the long-lived tension promoted between motherhood and citizenship. Nizer pressed the notion of gender difference, stating that women were less inhibited by sexual material than men. Tactlessly, he jabbed at feminists’ insistence that women jurors were no different than men by pointing to a recent jury which had a pregnant woman serving. He claimed that the other jurors “feared having a thirteenth juror in the box” and that this instance was a clear one that even “the most ardent ‘equalist’ cannot refute.”

He concluded his article by sidestepping his original question about women’s ability to serve as effective jurors, stating “it does not matter whether women contribute strength or weakness to the jury system,” but they should serve to uphold democratic ideals. Like others before him, Nizer sustained the need for women to serve on juries. He concluded by underlining

that gender difference would impact women's service, exclaiming "the need for universal representation is the real reason why women jurors are essential to the democratic process, and why even their differences should be honored and utilized."⁸⁶ As democratic process and equitable service began to be more important factors than the effectiveness of the jury system over the decades, women's fitness for citizenship hinged more on the need for their participation than on the requirement that they serve as quality jurors.

Even in 1978, the popular notion that women jurors would be more sensitive to certain issues remained a topic of interest. In another article entitled, "The Verdict on Women as Jurors," Leslie Maitland emphasized one major difference between women jurors of previous decades, calling them "numerous and influential." Yet, her article implied that previously no consensus had formed about whether women made effective jurors. Maitland found in the late 1970s that Manhattan juries had become "largely female." Even with the increase in female jurors, Maitland's discussion mirrored many earlier articles; she reported on women's attire, lawyers' concerns about women's sensibilities, the potential for women to be more empathetic than men, and the consequences of their "maternal instincts."⁸⁷ Suggesting women might make superior jurors, she explained that one lawyer noted that he preferred female jurors, finding they were "more careful and studied in their analysis of the issues." Other attorneys, she explained, worried "that a pretty woman" might "cause friction among fellow jurors," but found "that their own sex appeal can be a way of influencing a jury."⁸⁸ Maitland not only offered her positive evaluation of women jurors, but she continued to reinforce gendered constructions of women jurors—as emotional, dutiful, superficial, and most importantly, different—in popular culture. Even as women jurors' presence became a more conventional—and recurrent—part of the justice system, depictions of women jurors, while fewer, still remained in front of the public for

evaluation. By 1978, however, women jurors became more common place and less worrisome.

Women achieved a perception of civic fitness—one that remained full of gender characterizations but also provided legitimacy to women jurors.

Women not only struggled for equal access to jury service but also struggled against gendered conceptions of civic membership throughout the six decades following the achievement of women's suffrage. These articles reflect the popularized images of women jurors that underscored the notion that women jurors were different than male jurors. The question of women's civic "fitness" surfaced in each of these assessments of women's service. Women jurors remained a novelty—initially covered by heralding the pioneer woman juror or all-woman jury and later discussed as the trend seemed to find more women serving than men in some locales. Even with changes in the context of these stories over the twentieth century, the complicated, often contradictory depictions of female jurors remained eerily stagnant, as women slowly gained access to juries in various locales with varying degrees of obligation. Images of emotional, sympathetic, overly harsh, unforgiving, silly, moral, distracted, devoted, and civic-minded women jurors littered these headlines and newspaper accounts. The uncertainty about women jurors throughout the twentieth century parallels the slow process by which women entered the traditionally male-dominated public sphere—changing its operations and opening up questions about the implications of women's new roles for them, for men, and for the justice system. With the lack of quick-paced national change in women's status, the evaluation of women's new position remained likewise piecemeal and incomplete for decades. Women, once a more conventional part of the jury system, overcame these stereotypes and attained more credibility as a citizen fit to serve.

¹ I must thank Dr. Paula Baker for giving me the articles from the *Los Angeles Times* and *San Francisco Chronicle* that I included in this paper.

² Women's jury service was called into question after women received voting rights in California in 1911. The issue was not clear until 1917, when California decidedly supported women's service.

³ "Women as Jurors," *San Francisco Chronicle*, July 9, 1913, 6.

⁴ These representations of women jurors virtually never coincide with a discussion or even mention of their race. However, most images or cartoons depict white women; and most discussion of women jurors seems to conceive of women jurors as being white women jurors. Most likely this racial assumption stems from the discrimination black women faced in attaining equal citizenship rights, including access to juries. In addition, the most publicized campaigns to end sex discrimination in jury service obligations before the 1960s were those made by primarily white women's civic organizations.

⁵ Discussions of where and when women gained access to juries in various locations across the U.S. shows up in piecemeal fashion in several articles or chapters. See Linda Kerber, "Women is the Center of Home and Family Life," in *No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship*, New York: Hill and Wang, 1998; Gretchen Ritter, "Jury Service," in *The Constitution as Social Design: Gender and Civic Membership in the American Constitutional Order*, Stanford University Press, 2006; Alan Rogers, "Finish the Fight: The Struggle for Women's Jury Service in Massachusetts, 1920-1994," *Massachusetts Historical Review*, NA 2000 <<http://www.historycooperative.org/journals/mhr/2/rogers.html>> (14 Nov. 2009); Susan A. Lentz, "Without Peers: A History of Women and Trial by Jury, Part Two—The Law of Jury Service in the Twentieth Century," *Women & Criminal Justice*, Vol. 11 (4), 2000, 81-93; Joanna Grossman, "Women's Jury Service: Right of Citizenship or Privilege of Difference?" *Stanford Law Review* 46 (5) May 1994:1115-1160.

⁶ Kerber, *No Constitutional Right*, Ritter, *The Constitution as Social Design*.

⁷ Ritter, *The Constitution as Social Design*, 103-108.

⁸ Of the forty-seven states that allowed women to serve, only twenty-one made women's obligation to mandatory. Eight other states allowed women to escape service if they had family responsibilities; these states included Connecticut, Massachusetts, Nebraska, North Carolina, Oklahoma, Texas, Utah, and Wyoming.

⁹ Carol Weisbrod, "Images of the Woman Juror," *Harvard Women's Law Review* 9:76 (1986):59-82.

¹⁰ See Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in 20th Century America*, Oxford University Press, 2003, 5-6.

¹¹ Certainly, the National Woman's Party and the League of Women Voters, among other women's groups, attempted to get publicity for their cause in newspapers during this period. These stories were related to their particular agenda, but the majority of the articles examined here discuss the experiences of women in particular trials or the reaction of the court to women's attendance. Some might be more invested in the debate over women's access to juries than other, but the primary purpose of these articles was not to support any related legislation, platform, or group.

¹² The articles researched for this paper came from online databases, such as Historical Newspaper Database from Proquest. To generate these articles, I used combinations of "women," "woman," "female," and "jury," "juror," or "juries" to find any articles from the twentieth century. I used both articles that directly addressed the topic of women jurors or women's jury service as well as articles primarily written about a particular trial that also mentioned women jurors or described their service.

¹³ While this article puts qualitative analysis of the cultural constructions of these images above quantifying how many images were produced and at what time, a couple of intriguing patterns show up in the examination of this subject. First, the California news papers show increased coverage of women jurors in the 1910s, specifically around 1911—the year that coincides with woman suffrage in the state. In 1937, coverage in the *New York Times* reaches a high point, most likely because New York began to allow women to serve on juries. These trends in the number of articles produced in certain outlets must be related to local events related to women serving on juries; however, these changes do not substantially change the point that the representations of women remain focused on notions of gender difference regardless of their position on women's effectiveness as jurors. There also seems to be an overall decline in the number of articles that address this issue during the period. I speculate that this decline follows the rise in women's eligibility. With women eligible in a growing number of locales over the middle of the twentieth

century, the sheer number of places where women jurors would be completely new would necessarily decline. However, the coverage of women jurors in the later decades still points to the same images.

¹⁴ “Woman Juror Fails to End Deadlock,” *The New York Times*, October 7, 1937, 56.

¹⁵ “Indictments Void by Reason of Women Serving on the Grand Jury,” *Los Angeles Times*, 7 April 1887, p.4

¹⁶ “Three Men Desire to Wed Jurywoman Johanna,” *Los Angeles Times*, October 30, 1909, II10.

¹⁷ “Women Jurors Pray,” *The New York Times*, December 3, 1912, 4.

¹⁸ “Women Jurors Are Drawn,” *The New York Times*, August 28, 1937, 2; Other reports of first women jurors or other related firsts can be found in the following articles: “Woman Is Jury Foreman,” *The New York Times*, February 8, 1938, 23; “Women Jurors Impaneled,” *The New York Times* July 13, 1938, 16; “Illinois Impanels First Woman Jury,” *The New York Times*, December 4, 1930, 27; “Women as Jurors Praised By Judge” *The New York Times*, October 23, 1937, 19.

¹⁹ “Women Jurors Sit in First Cases Here,” *The New York Times*, September 28, 1937, 25. Other reports of women’s firsts include, “Mount Vernon Has Woman Juror,” *The New York Times*, September 14, 1937, 5; “On the Grand Jury,” *The New York Times*, November 4, 1937, 20; “Prince Georges To Have First Women Jurors,” *The Washington Post*, October 5, 1947, M16; “Northern Va. Calls First Women Jurors,” *The Washington Post*, October 1, 1950, F10.

²⁰ Ibid.

²¹ “Women Jurors Offer Court Suggestions,” *San Francisco Chronicle*, February 27, 1918, 4.

²² “Women Jurors to Get a Powder Room Soon,” *The New York Times*, October 1, 1937, 23; Other reports also noted advocates for women jurors surveyed court buildings to ensure they had appropriate accommodations for women. See “Jersey League Seeks Full Jury Service,” *The New York Times*, December 29, 1940, D4; “Kings Court House Held Inadequate,” *The New York Times*, July 10, 1939, 23.

²³ “Jury Chair Fixed So A Woman Can Lean Back, Too,” *Chicago Daily Tribune*, February 13, 1940, 7.

²⁴ “What They Say About Women,” *Chicago Tribune*, March 27, 1964, F3.

²⁵ John Maclean, “Orders Courthouse Fixed,” *Chicago Tribune*, July 17, 1966, IND1.

²⁶ “Women Jurors Sit in First Cases Here,” *The New York Times*, September 28, 1937, 25.

²⁷ “Seats on Jury Lost by Women” *San Francisco Chronicle*, March 19, 1913, 19.

²⁸ “Call Women Jurors,” *Los Angeles Times*, January 27, 1918, I17.

²⁹ “Firs [sic] Woman in Mossler Jury,” *Chicago Tribune*, January 26, 1966, 23.

³⁰ “Lipsig’s Guide to Venue and Jury Selection,” *The New York Times*, April 25, 1979, B15.

³¹ Using the testimony of judges to support the issue of women’s jury service was also a tactic used by women’s organizations, including the League of Women Voters, in the early-to-mid twentieth century.

³² “ ‘Arsenic Widow’ Doomed to Chair,” *The New York Times*, September 22, 1939, 28.

³³ William Fulton, “2 Women on Jelke Vice Case Jury,” *Chicago Daily Tribune*, March 9, 1955, 3.

³⁴ “Women’s New Status,” *Los Angeles Times*, December 10, 1911, V25.

³⁵ Eunice Fuller Barnard, “Welcomes Women Jurors,” *The New York Times*, July 21, 1937, 10.

³⁶ “Women as Jurors Praised By Judge” *The New York Times*, October 23, 1937, 19.

³⁷ “Women Jurors,” *The New York Times*, February 15, 1936, 14.

³⁸ Mildred Adams, “Women Knock Loudly at the Jury Box,” *The New York Times*, March 26, 1936, SM6; Other examples of women being praised a critical and even superior jurors include: “Dewey Denounces Evaders of Jury Duty; Classes Shirkers With Slackers in War,” *The New York Times*, April 21, 1938, 5.

³⁹ “Few Women Seek Jury Exemptions” *The New York Times*, December 25, 1937.

⁴⁰ “Woman Juror Is Critical: After One Experience She Would Prefer Direct Action by Court,” *The New York Times*, November 29, 1938, 22.

⁴¹ “Women Ex-Jurors Suggest Reforms,” *The New York Times*, March 2, 1938, 21.

⁴² Mrs. Blanche E. Ott, “Hurrah For Women Jurors!” *Chicago Daily Tribune*, August 27, 1961.

⁴³ “What Women Jurors Think of It All,” *The New York Times*, February 26, 1939, 107.

⁴⁴ Ibid.

⁴⁵ “Train Robber Jailed,” *The New York Times*, January 20, 1937, 6.

⁴⁶ “A Tall Tale and Irish Courtesy in Court Sway Women Jurors and ‘Burglars’ Go Free,” *The New York Times*, April 25, 1942, 15.

⁴⁷ “To Use Women For Jury Duty,” *Los Angeles Times*, October 25, 1911, 13.

- ⁴⁸ “Girl Is Found Guilty in Farm Party Killing,” *The New York Times*, December 20, 1930, 22; Other articles included descriptions of women jurors crying in court; see “Miss Sepse Guilty of Slaying Doctor,” *The New York Times*, March 18, 1934.
- ⁴⁹ “Daisy De Boe Guilty on One Theft Count” *The New York Times*, January 24, 1931, 1.
- ⁵⁰ Russell B. Porter, “Hauptmann Guilty, Sentenced to Death for the Murder of Lindbergh Baby,” *The New York Times*, February 14, 1935, 1.
- ⁵¹ “Two Lawyers Clash in Court, Juror Faints, Fist Fly in Hall, Both Held in Contempt,” *The New York Times*, January 18, 1941, 17.
- ⁵² “Says Ring Used ‘Death Powers,’” *The New York Times*, March 19, 1939, 20.
- ⁵³ Seymour Korman, “Wife’s Dying Plea Told by Finch,” *Chicago Daily Tribune*, February 6, 1960, 1.
- ⁵⁴ “Woman Denounces Juror’s Outburst,” *The New York Times*, October 6, 1937.
- ⁵⁵ “Woman Juror Confesses ‘Cowardice’ in Verdict,” *The New York Times*, October 31, 1939.
- ⁵⁶ “Woman Juror Fails to End Deadlock,” *The New York Times*, October 7, 1937, 56.
- ⁵⁷ “Driver Wins New Trial After Woman Juror Gives Court Verdict of Guilty, I Suppose” *Washington Post*, February 21, 1952,
- ⁵⁸ “Woman Sentenced For Jury Deadlock,” *The New York Times*, December 27, 1931, 31
- ⁵⁹ “Woman Juror Halts Trial,” *The New York Times*, October 5, 1933, 9.
- ⁶⁰ “Woman Juror Gets Year for Reneging on Oath,” *The New York Times*, May 30, 1963, 29.
- ⁶¹ “Arrange Home Affairs,” *Los Angeles Times*, November 17, 1911, 115.
- ⁶² “Woman Juror Is Tardy; Fined Day’s Pay of \$3” *The New York Times*, March 17, 1936, 5.
- ⁶³ “Housewife Jurors Find Job Diverting” *The New York Times*, January 27, 1937, 23; Other articles also emphasize women jurors as housewives; see “Rother Murder is Finally Selected,” *The New York Times*, March 15, 1944, 14.
- ⁶⁴ “New Grandchild Excuse for Tardy Woman Juror,” *The New York Times*, October 20, 1937, 24
- ⁶⁵ “Woman Juror, Late Every Day, Causes a Mistrial in Brooklyn,” *The New York Times*, January 26, 1939, 18.
- ⁶⁶ “Respect for Sunday Ties Up Jury,” *The New York Times*, 18Jan 1943, p. 10; Other examples include “Mistrial Ordered Owing to Absence of Juror Who Is at Hearing on Charge Against...” *The New York Times*, August 20, 1938, 4; “Absent Woman Juror Fined,” *The New York Times*, June 10, 1943, 18.
- ⁶⁷ “Juror Has Doggone Good Excuse; Judge’s Bark Eased,” *Chicago Daily Tribune*, September 10, 1958, B16.
- ⁶⁸ “Woman Juror Has a Cold, Judge Asks Her About It,” *The New York Times*, February 7, 1935, 14.
- ⁶⁹ “Woman Juror Forfeits Fees for Absence,” *The Washington Post*, May 25, 1950, 23.
- ⁷⁰ William R. Conklin, “Woman Juror Ill, Hiss Trial Put Off,” *The New York Times*, January 14, 1950, 6.
- ⁷¹ “Women Jurors Angry,” *Los Angeles Times*, December 11, 1911, 13.
- ⁷² “4 Women Jurors, Accused of Playing Lottery, Faint,” *The New York Times*, March 11, 1939, 24
- ⁷³ “Husband Flaunts a Cap Disliked by Woman Juror,” *The New York Times*, February 3, 1935, 26.
- ⁷⁴ “Disputed Jewels Sparkle in Court” *The New York Times*, January 24, 1942, 30.
- ⁷⁵ W.B. Farbstain, “The Kind in Heart,” *The New York Times*, February 15, 1948, SM61.
- ⁷⁶ “Woman Juror Stops Court,” *The New York Times*, October 8, 1961, 24.
- ⁷⁷ “Twenty-Three Women Jurors,” *Los Angeles Times*, January 20, 1918, III3.
- ⁷⁸ “First Women Act on Jury in State,” *The New York Times*, June 29, 1937, 35.
- ⁷⁹ “Ten Women on Jury Told to Doff Hats” *The New York Times*, May 17, 1938, 25.
- ⁸⁰ Kathryn R. Swift, “Women Are Earnest Jurors,” *The New York Times*, May 29, 1938, 61. Also see “Women in the Jury Box,” *The New York Times*, February 3, 1935, E11.
- ⁸¹ Ibid.
- ⁸² Catherine Mackenzie, “Women Jurors of New York Tested by Three Years of Court Service,” *The New York Times*, September 1, 1940, D9.
- ⁸³ Gertrude Samuels, “The Verdict on Women Jurors,” *The New York Times*, May 7, 1950, 186.
- ⁸⁴ Ibid.
- ⁸⁵ Louis Nizer, “The Verdict on Women Jurors,” *The New York Times*, March 11, 1962, 20, 80, 82, 85.
- ⁸⁶ Ibid.
- ⁸⁷ Leslie Maitland, “The Verdict on Women as Jurors: Numerous and Influential,” *The New York Times*, April 10, 1978, B1.
- ⁸⁸ Ibid.