ANNETTE ABBOTT ADAMS
CALIFORNIA'S FIRST LADY OF LAW

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PREFACE

I attempted to write this paper in accordance with guidelines as set forth by von Ranke, but I fear that I have been influenced somewhat in favor of Mrs. Adams. However, primary sources have been used whenever possible and the accounts of "witnesses" and contemporaries have been utilized to tell the story. The reader is encouraged to draw his own conclusions.

In many cases the words and speeches of Mrs. Adams have been quoted almost in their entirety. This has been done for two reasons. First, because this is a good means of obtaining certain insights into her personality. Second, there does not seem to be a compilation of her speeches anywhere. Therefore this is one means of obtaining her verbal and literary expressions in one source.

In the early part of this century, Mrs. Annette Abbott Adams overcame great obstacles to attain professional success in what was considered "a man's domain." Her entrance into the federal courts in 1914 as the first woman in the United States to serve as a prosecuting attorney was the precursor that others followed; it should eventually culminate in the appointment of a woman as a United States Supreme Court Justice.

But the question comes to mind regarding the position of women in the United States legal profession today. Has the contribution of Mrs. Adams and others like her effected tangible long range amelioration in the professional status of women lawyers in modern society? Does the present day "Portia" find it as difficult to enter the legal profession as did Mrs. Adams? A study of some statistics and surveys should supply the answer.
The statistics below have been culled from various issues of the Statistical Abstract of the United States and show a comparison between male and female members of the legal profession in the years from 1910 through 1971.

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<th>YEAR</th>
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See Statistical Abstract of the U.S.
1920, p. 60
1940, p. 69
1950, p. 135
1960, p. 218
1971, p. 153

In a period of sixty years there has been very little improvement of the accessibility of women into the legal profession. In 1910 there were about two women to every four hundred men; in 1971 there are about twelve women to every four hundred men. Although the percentages of women have improved, their actual small numbers are disheartening.

The October, 1970 issue of American Bar News discusses a survey made by Barbara Armstrong for the American Bar Association. This survey substantiates that there are only 2.8 percent of the graduate lawyers in the United States who are women because of great discrimination in hiring practices. About 90 percent of the legal firms who advertise openings for law clerks will not even interview women; the few openings there are for women lawyers usually mandate stenographic skills as well.

Salary inequities are also discussed in this same article. James L. White made a study of the income of women law school graduates
between the years 1955 through 1965.

The survey showed that starting salaries of women were from $500 to $1500 less than men with approximately the same background and experience, and after nine years of practice, men earned from $9,000 to $16,000 per year more than women lawyers in comparable positions. (p. 3)

In the November, 1970 issue of The Student Lawyer Journal, Mary Jane Gillespie of the class of 1967 of the Harvard Law School tells about her experiences after completing sixteen interviews in an attempt to obtain legal employment in the Boston area.

When I had finished the interviews, I felt that if I took the vows of poverty (i.e., a salary of $2,000 below the going rate with no prospect of ever getting a raise), chastity (or very adequate birth control measures), and obedience (i.e., accept estate planning and whatever else you are assigned and crazy hours because, after all, you wanted that man's job didn't you?), then maybe I could get a job. (p. 24)

There's a lot more to this whole thing, of course, than just Harvard or Boston law firms. A lot of my own hurt comes because I'm a Wasp, and my own particular educational experience, or maybe my own stupidity, conspired so that when I entered my third year of law school, I really believed I would be judged, as I had been in the past, only on my ability. Finding discrimination at that age is like a white man waking up one morning to find his skin has turned black. I think it might hurt more than growing up knowing you'll be treated differently; but on the other hand, I've learned a lot from it. Isn't it sad though, that if anyone asked, I would have to say that the most important thing I learned at Harvard Law School was that discrimination hurts. (p. 25)

The federal government has committed itself to the removal of discriminatory practices on the federal and private levels. Enactment of the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964 is designed to fight these inequities. Also the National Association of Women Lawyers has passed a resolution designed to fight discrimination against women both in law schools and in private legal firms.
It is hoped that such laws and policies will eventually preclude sex discrimination in employment practices. But passage of legislation does not automatically insure appropriate implementation. The Volstead Act has shown us that unequivocal fact. Hopefully there will come the day when this country will see social, racial, religious, and sexual equality on all levels and in all segments of our society. But until that time individuals such as Mrs. Adams will continue to fight, not for an undeserved privilege, but for an inalienable right which has been denied to them.
ACKNOWLEDGEMENT

I wish to express thanks to my advisor, Dr. Howes, and my second reader, Mr. Shattuck for their assistance. I am also most grateful for the help given to me by the staffs of the California State Library, the Sacramento State College Library, and the Carmichael Library. And I also wish to express my appreciation to the kind people who took time out of a busy schedule to discuss Mrs. Adams and thus supply information that is not available elsewhere.
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CHAPTER ONE

A WARM WELCOME

A poised young woman made an auspicious legal debut in the San Francisco courts on Monday, August 4th, 1914, by successfully pleading her first case at the bar before Judge Troutt. She was rewarded not only with a victory, but with approbation from the bench itself.

The trial involved a divorce suit initiated by Naud C. Rodgers of 254 Hermann Street of San Francisco against her businessman husband, Frank H. Rodgers. Under the skillful questioning of her female attorney, "...Mrs. Rodgers testified that her husband struck her, threw coffee upon her, swore at her and compelled her to pay him $10 a month for her board."¹ Convinced that the story was factual, the court awarded the plaintiff an interlocutory degree of divorce.

After the woman attorney had presented her case, Judge Troutt smiled at her and said, "I am pleased to have you in this court... I must compliment you on the manner in which you have presented the case, the clearness with which you have presented the facts, and especially do I wish to thank you for saving the time of the court by no unnecessary procedure. I am sure that you will be a welcome and creditable addition to the legal profession of San Francisco."²

The recipient of this merited praise was Annette Abbott Adams who was representing the firm of Adams and Ogden. This was the beginning of a long and brilliant legal career which was to extend over forty years. Her thorough preparation and precise presentation of every future case was to become one of her trademarks.

And yet in one sense this case was an ending as well; a happy culmination to many years of studies, frustrations, and the overcoming
of prejudices to enter what was considered a "men's profession" in that post-victorian era.

In her later years she would advise potential women lawyers not to become discouraged. "You must work hard to prove your ability. Opportunity for progress must be earned." She would tell newspapermen that willingness to work hard was really the most important attribute of a good lawyer of average mentality. "It is a profession that calls for persistency, industry and determination. After starting a thing in the law, one's got to see it through." Annette Abbott Adams would earn the right to give such advice and encouragement. For she was to become a living symbol of what one determined woman could do to achieve personal professional success as well as become a shining example for other women to emulate.

Her brilliant legal career encompassing a time span of over forty years would bring many honors to her, as well as to California, her native state, and elevate the cause of women in general. Her many "firsts" included being "...the first woman to serve as a United States attorney, the first to be appointed assistant attorney general of the United States, the first woman appointed to the California appellate court, the first to serve as a presiding justice and the first to sit pro tempore on the supreme court of California." This work is an attempt to reconstruct the life of Annette Abbott Adams, California's first lady of law.
1 The Call, August 5, 1913, p. 10.
2 Ibid., p. 10.
3 The Sacramento Union, April 2, 1950, p. 3.
5 Ibid., October 26, 1956, p. 1.
CHAPTER TWO

THE EARLY YEARS

Annette Abbott was born on March 12, 1877 in Prattsville, Plumas County, California.¹ Neither of her parents were native Californians, but like so many others were Eastern transplants. Hiram Brown Abbott had come to California in 1849 from Ohio, a victim of "gold fever." Unsuccessful as a miner, he opened a mercantile establishment in Prattsville, a small summer resort town in the northern Sierra Nevada. The village now lies under the waters of Lake Almanor.

Annette's mother, Annette Frances Stubbs, was also from the East. In an interview in 1921, Annette said that her mother "...was a school teacher from Maine and when I was a child, her constant admonition to me was not to talk too much—good advice; which I fear I have not always followed."² Although Mrs. Abbott was a well educated woman and a schoolteacher, she was not allowed to serve on the school board "...because she was a woman, while the saloon keeper who lived nearby was a respected member of the board."³

Annette was reared in Prattsville during the summer months. However, during the winter season, the family lived in Chico, Butte County. Annette's father was interested in politics. His general store in Prattsville was an unofficial meeting place for the men of the community who would gather there to discuss "cracker barrel" politics. Annette was not allowed to listen to the political talk of the men and was relegated to her mother's care. Edward, her younger brother by two years, was welcomed in all discussions because he was a man.

Although there were several physicians in the family, Annette's interest definitely turned to law during her early adolescent period. Her father was also the local justice of the peace and had copies of the
legal codes and "...just for want of something to read, young Annette familiarized herself with the California codes in the library. It was about this time also that she determined to show the world[that] women are every bit as good as men."  

Her father died when she was twelve and Annette helped her mother carry on the family business by working in the store and taking care of the bookkeeping. Her sister, May, took charge of the household, and her brother Edward cared for the horses and had other outside responsibilities. Annette took everything in her stride even when she carefully handled dynamite for the local miners.  

But her courage extended beyond the fear of physical danger. She knew that as a woman she had a cause to advance herself and women in general. Somehow the law appeared to be her answer.

Her childhood and young womanhood may not have been completely happy but neither were they completely bleak. Annette had a best friend called Mary Emily Savercool Cadle, or "Mame" to close friends. Annette was known as "Nette". Mary and Annette grew up together in Fratville and belonged to a social group called the "Jolly Banqueters". They went to weekly dances and other social functions. "Nette" was a little younger than Mary Cadle and they were social rather than school chums.

The two girls loved to ride horseback without using saddles. "Nette" would ride like "a streak of lightning." The young women used to indulge in an exciting though somewhat dangerous pastime. They used to swing out around the curves of the mountain roads and over the dropout. They would follow their trotting horses while holding on to the horse's tails. The horses would reach a momentum and swing out over the dropout over the curves. The whole idea was to get the horses running while holding on to their tails over hairpin turns.
After grammar school, Annette went to Chico Normal School. There she made only a few good friends but she never lost them. She graduated in 1897 and then taught in the rural schools of Plumas County for three years while saving up money to attend law school.

An amusing story is told about one of her experiences as a rural school teacher. "Nette" was teaching in a one-room school house in Prattsville, with about ten students in the class. This was her first job after graduation from Chico Normal School. The event transpired on a sort of "open house" day. "Nette" wanted to make a good impression but was particularly worried about the performance of a slow learning boy, who may have been retarded. She wanted him, especially, to do well.

Therefore she asked him what she thought was a very simple question. "What are the main parts of a body?" The boy said "Head," and then was unable to continue. "Nette" thought that she would call attention to another part, the trunk, by making analogy with the trunk of a tree. She therefore pointed to a tree growing outside the window hoping the boy would understand the hint. "What is that?" she asked. The boy answered "butt," the acceptable local way of referring to the trunk of a tree and the ensuing laughter dashed the teacher's hopes for extracting wisdom from the youngster.

In 1900 Annette entered the University of California at Berkeley, with her sister May, and from 1903 to 1904 she studied law in Boalt Hall. "As an undergraduate, she was active in campus affairs, and together with her sister helped to form the local chapter of Delta Delta Delta. Her instructors speak of her as doing her work 'quietly, faithfully, and successfully,' and of her being 'clear and simple in her exposition.' And we hear of her as 'as a haven of comfort and advice for girls who were faced with problems.'"
She received her Bachelor of Law degree in 1904, one of the first women in California to graduate from Boalt Hall. Miss Abbott applied for legal work but "...could not find a legal firm in San Francisco which hired women. A law office was not a proper place for a woman, they told her." ¹¹

Annette Abbott again returned to the teaching profession and taught in Modoc County High in Alturas from 1905 until 1910, serving as principal for the latter three years. She was one of the first two women principals in California. She later said of her career as an educator, "Like some great and other near-great Americans, I taught school before I became a lawyer. I am constrained to make this admission here because my former efforts to conceal the fact have met with but indifferent success." ¹²

On August 13, 1906, she married a man named M. H. Adams who came from Illinois. Nothing is known about him although Miriam Cadle Lloyd says he was a "very pleasant, bright man." The marriage was short lived; specific information about its duration appears to be unavailable. Obviously Annette respected Mr. Adams enough to use his surname throughout the remaining period of her life. After the divorce, Mrs. Adams always referred to herself as a widow. This was a needed polite fiction for a woman who wanted to achieve professional success during a period when a divorced woman was socially "unacceptable." Mrs. Adams rarely ever mentioned her marriage even to her closest friends. It was a closed book; only the cover remained.

According to Miriam Cadle Lloyd, "Nette" later established a close friendship for many years with a private detective in San Francisco named Gene Kerrigan. Mr. Kerrigan was either separated or widowed. She may have met him through one of her law cases, or may have been introduced to him by her sister May's husband, an army officer. No mention of him
appears in any printed material connected with her career and therefore it is impossible to ascertain whether the relationship was more than casual. Because of Mrs. Adams' dedication to her career, it is probably safe to assume that she may have used him to accompany her to social functions and also sought his aid and advice as a detective in law cases.

Then again it is possible that the friendship was deeper than that, for according to Miriam Cadle Lloyd, "Nette" was able to secure the services of her brother, Edward, as her constant aid and companion after 1915 until his death. Edward had given up his job as an imported rope salesman because of digestive troubles. Fortunately, or conveniently, his sister needed his assistance and he served thereafter as her companion and chauffeur. Mrs. Adams never drove a car and her brother provided this necessary service. In return, she always took good care of him, especially in later years when his health deteriorated. 13

There have been differing opinions on the question of Mrs. Adams’s physical appearance. The historian Joan Jensen has called her "plain, but not masculine." Those who knew Annette say her face was oval and her eyes, a lovely bluish grey. She had a beautiful straight nose, with a thin look to the mouth with a sense of firmness and control.

Annette was thinner as a girl, but, although she became a little plumper as she matured, she never became fat. She was about five feet eight inches tall and was fair and ruddy. As a girl she had a freckled complexion. Her hair was almost golden red, and retained a golden caste even when she became grey in her later years. When she was younger she wore a pince-nez, perhaps to appear more dignified and "professional", but later wore regular glasses. In some of her early photographs, she appears to be almost beautiful. Nevertheless, she always remained an impressive, handsome woman.
When Annette was a young girl she had an ordinary, lady-like voice of average feminine pitch. She even sang soprano in a church choir, although her later life indicated neither any particular religious affiliations or regular church attendance.

Annette wanted to be as effective as a man in her court appearances. She went to a voice teacher in San Francisco and worked upon her voice. She purposely lowered her voice two or three levels. This startling baritone voice would be the first thing that people would remember about her.¹⁴

She also wore severe, slightly mannish clothing during her professional legal appearances. This is pointed out by Agnes Rogers in her book Women Are Here to Stay. A picture is shown of Annette Adams wearing a severe suit with long straight sleeves and a plain turtle neck blouse. Miss Rogers says that this photograph "...suggests how many women, before 1920, felt they must look as much as possible like men to succeed in a profession dominated by men; that idea pretty well dissolved in the nineteen-twenties."¹⁵

Many newspaper photographs of Mrs. Adams taken in non-professional poses, show her dressed in more elegant, feminine manner. The clothes of Mrs. Adams, the honored guest, at a tea given on June 24th, 1920, by the Woman's State Democratic Club of California, are described by a reporter who was present. "Dressed in a soft gray dress, with a corsage of lilies of the valley at her waist and a becoming hat of black lace and feathers, Mrs. Adams looked the feminine type of professional woman."¹⁶

In an interview in 1917, she mentioned her feminine interests. "On the personal side I have a certain interest in clubs and politics, a weakness for cats and a passion for horses. I sometimes powder my nose and curl my hair, and, last but not least, I can cook."¹⁷
Mrs. Adams might have resigned herself to a teaching career, except for the encouragement of John E. Raker, then Democratic judge of the Superior Court of Modoc County, another life-long friend who aided and supported her in many crucial ways. \(^{18}\) He encouraged her to return to Bosalt Hall to work for her Juris Doctor for he believed that "...there might be a future in politics for a woman with her keen wit and determination." \(^{19}\)

She therefore returned to Berkeley in 1910 and achieved her Juris Doctor and was admitted to the California State Bar in 1913. \(^{20}\) She practiced law from June 1912 until January 1913 in the office of L. W. Peter in Quincy, Plumas county. She was now an orphan, her mother having died when she was a student in Berkeley.

After six months in Quincy Mrs. Adams felt restrained by the lack of opportunities offered by a small rural practice. Her friend, John Raker, now Democratic Congressman for the second district in Northern California was again to guide her career. Because of the Progressive-Old Guard split in the Republican Party, the Democratic Party felt that they had a real chance for the Presidency in 1912. Also, women in California had been stirred by the recent campaign for women's rights, which produced a woman's suffrage amendment in the Reform Legislature and referendum of 1911.

Accordingly, Raker asked Mrs. Adams to actively campaign for Wilson, as a pro-women's rights candidate. She acquiesced and actively campaigned for Wilson during the latter part of 1912, while serving as president of the Women's State Democratic Club of San Francisco. After Wilson's victory she returned to Plumas County for three months. "In January of 1913 she left with Raker for Washington to attend Wilson's inauguration where Raker introduced her to his colleagues as a promising young California attorney and a political asset to the party." \(^{31}\) From that time
on, Mrs. Adams' political future was to rise and fall with the fortunes of the Democratic Party.

Her Washington visit was followed by a five-month vacation trip through Canada and the United States which lasted from February, 1913, until June, 1913. She returned to San Francisco and entered a partnership with another woman lawyer named Marguerite Ogden, the daughter of Superior Judge Ogden of Alameda County. Mrs. Adams's long awaited legal career was now to begin in earnest.
FOOTNOTES FOR CHAPTER TWO

1 Biographical information culled primarily from The Sacramento Bee, May 30, 1942, p. 4; January 19, 1952, p. 18; November 15, 1952, p. 1; October 26, 1956, p. 1; The Sacramento Union, April 2, 1950, p. 3; Arthur Dunn, "A Portia in the Federal Court," Sunset, XXXIV (February 1915), 334-337; Joan M. Jensen, "Annette Abbott Adams, Politician," Pacific Historical Review, XXXV No. 2 (May, 1966), 185-201; interview with Albert Bradovich, Deputy Clerk Supreme Court of California who worked with Mrs. Adams for five years; interview with Jo Jean Lloyd Haws and Miriam Cadle Lloyd, granddaughter and daughter of Mary Emily Savercool Cadle who was Mrs. Adams' "closest friend," interview with Gladys Morgan, court reporter who worked with Mrs. Adams for many years; interview with Judge Paul Peek, who served with Mrs. Adams on the Court of Appeals in Sacramento for nine years; all interviews in Sacramento in 1970 and 1971.


3 The Sacramento Bee, January 19, 1952, p. 18.

4 Ibid., p. 18.

5 Interview with Miss Gladys Morgan on February 8, 1971 in Sacramento. She was a court reporter who worked with Mrs. Adams from 1942 to 1952 in the Third District Court of Appeals in Sacramento, hereafter cited as Morgan.

6 Interview with Mrs. Miriam Cadle Lloyd, daughter of Mary Emily Savercool Cadle, who was Mrs. Adams' "closest friend," and interview with Mrs. Jo Jean Lloyd Haws, granddaughter of Mary Emily Savercool Cadle; both ladies were friends of Mrs. Adams for many years; interviews on June 15, 1971 in Sacramento, hereafter cited as Lloyd for Miriam Cadle Lloyd and Haws for Jo Jean Lloyd Haws.

7 Ibid.

8 Lloyd

9 Lloyd

10 Golden Bear, p. 11.


13 Lloyd; also interview with Judge Paul Peek, who served with Mrs. Adams in the Third District Court of Appeals in Sacramento from January 2, 1943 until November 30, 1952 as Associate Justice; interview on January 17, 1971 in Sacramento, hereafter cited as Peek; also interview with Albert Bradovich, Deputy Clerk Supreme Court of California who worked with Mrs. Adams from 1946-1951; interview on November 12, 1970 in Sacramento, hereafter cited as Bradovich.
FOOTNOTES FOR CHAPTER TWO (Continued)

14 Morgan, Lloyd, Haws


16 The San Francisco Examiner, June 25, 1930, p. 15.


19 Jensen, p. 186.


21 Jensen, p. 187.
CHAPTER THREE

PARTNERSHIP OF THE "PORTIAS"

A representative from the San Francisco Examiner duly noted the opening of the office of Annette Adams and Marguerite Ogden in the Monadnock building and visited the two young women on June 12, 1913. He later wrote a semi-sardonic coverage of the new enterprise. Appropriate cartoons accompanied the account. One of the cartoons showed a book of Blackstone encircled by a large polka dotted bow.

The story noted that "in his learned treatises on the common law Blackstone took no note of curtains or vases of flowers. Yet his disciples, newly launched on their careers of adjusting difficulties and showing the light to jurors and judges, devoted their time to making scrim curtains and the adjustment of brass rods." The article then discussed their first client, a rotund merchant who lost a button while asking for legal advice regarding his potential divorce.

One of the cartoons showed Miss Ogden and Mrs. Adams sewing curtains and discussing the button with great elation. "Our first client was very kind to leave it," says Annette. "Our little button, no one will disturb you dear," answers Marguerite, eying the button on the floor. The captions resulted from the fact that the young lawyers were contemplating permanent fastening of the button on the floor at the spot where their first client had stood.

When questioned about the type of work they would take, they said "we will take all kinds of cases which come...Mrs. Adams has done court work, said Miss Ogden proudly, so we won't back from that phase. I think probate work will be interesting and desirable." Mrs. Adams disagreed and said "...it is dealing with dead facts. Getting into
competition with other attorneys, matching wits in live cases is really more fascinating."^4

The law practice of the two "Portias" was successful but of limited duration. Several years later when Arthur Dunn interviewed Mrs. Adams, in her office in San Francisco, she told him that, "there are men who would not consult a woman lawyer about anything...but the majority of our clients have been men, and we had no difficulty obtaining a general practice. We did not attempt to specialize on divorces, and we were not sought out by women in such instances. We found that women with property interests like to transact their business through women lawyers, but the great bulk of our business was with men."^5

Mr. Dunn was also impressed with her "...idealistic conception of the human side of the legal profession," as well as her concern for the needs of poor people who needed legal services but could not afford them. Both Mrs. Adams and Miss Ogden contributed part of their time to charitable legal work but he added that they "...did not declare any 'bargain days' in legal matters; they are quite ethical in maintaining the usual fees."^6

Besides carrying on her legal practice, Mrs. Adams with the help of Congressman Baker, began to seek a political appointment. The office that they had in mind was one of the appointments as Assistant United States Attorney in the Federal District of Northern California, traditionally a man's position in this and all other federal judicial districts of the country. Although there was no established precedent, Baker believed that there was no reason why a woman of Mrs. Adams's abilities could not represent the federal government in a courtroom.

On July 14, 1913, three weeks before Mrs. Adams was to plead her first case, the divorce case of Mrs. Maude C. Rodgers, Congressman Baker wrote to her. "The only way to get results...is to have all the
petitions and endorsements so that they can be put up to the Attorney General and to the President for their action, without asking them what they would do if such an application were presented." Another letter followed the same day saying that "the question of your being a woman will be something in your favor under the present conditions." He was referring to the fact that the progressives were pressuring Wilson to take more positive action on behalf of women's rights, a cause growing in popularity and seeming to promise political opportunity in the favorable climate for reform of that "Progressive Era."

Mrs. Adams complied with Baker's request and obtained the necessary petitions. The next step was the Federal Court Admission of both Mrs. Adams and Miss Ogden by Judge Maurice T. Dooling on Nov. 7, 1913. This was the second time a California woman was admitted to practice in the Federal Courts, a precedent established by Dorothea Van Schunck in November 1912. The San Francisco Examiner noted the two attorneys were "...retained by residents of Alameda County who are to be prosecuted by the Government next Tuesday on the charge of having violated the Federal game laws."^9

The United States District Attorney for Northern California was a southern gentleman named John W. Preston who had been appointed to the position on December 23, 1913. One author has said that "...there was a captivating side to Preston whether it found expression in his semi-drawl; measured step and stride; disarming audacity while cross-examining; the effect of his presence on any group in which he sat though no words were uttered."^10

Yet according to Arthur Dunn, he was no match for Mrs. Adams when he opposed her in a trial involving a case of "white slavery." Whether or not Preston was aware of Baker's plans for Mrs. Adams is not apparent.
in this rather romanticized account of their first meeting.

At counsel's table sat a woman. She was tall and
fair. Mr. Preston started the fi—pardon, the trial.
In legal terms and polite courtroom language he
called that defendant very nearly everything in the
vocabulary, except an angel; and after he had 'spoke
his piece' up rose the woman. Instantly one remarks
'Isn't it just like a woman to want the last word?'
But I forgot to say that this particular woman,
who had been seated at counsel's table, and who
had risen at the psychological moment, was (Mrs.)
Annette Abbott Adams, attorney for the defense.
Mrs. Adams addressed the court in the frankest
fashion in behalf of her client. She did not
attempt to give him a lily-white reputation or
to exhibit his angel wings just sprouting where
such wings are expected to grow. She didn't
quibble or quiver over the question; there was
no evasion or evanescent—just facts. The
prosecutor listened attentively. The judge mani-
lessly was interested. Mrs. Adams' client
was sentenced to a term of six months' imprison-
ment, the judge declaring from the bench that
the statement of his counsel had won for the
client the court's clemency. It had been in
the mind of the court to make the sentence
a term of years.

Having been licked, United States Attorney
Preston, the chivalrous, not only congratulated
Mrs. Adams, but began a cross-examination of
her something like this:

'Where'd you get your law?'

'University of California.'

'Experience?'

'About two years.'

'Want to be Assistant United States Attorney?'

'Certainly.'

'Place is yours.'
FOOTNOTES FOR CHAPTER THREE

1 The San Francisco Examiner, June 13, 1913, p. 3.

2 Ibid., p. 3.

3 Ibid., p. 3. When the Adams and Ogden partnership dissolved, Miss Ogden practiced alone in rooms 632 to 644 Monadnock building. She enlarged her staff and did specialize in probate and land title practice. See San Francisco Chronicle, January 12, 1916, p. 41.

4 The San Francisco Examiner, June 13, 1913, p. 3.


6 Dunn, p. 337.

7 Jensen, p. 188.

8 Jensen, p. 188.

9 The San Francisco Examiner, November 8, 1913, p. 5.


11 Dunn, p. 335.
CHAPTER FOUR

BREAKING THE BARRIERS

In February of 1914, Preston fulfilled his promise to Mrs. Adams and endorsed her for appointment as his fourth assistant. The San Francisco Examiner jubilantly announced that "California will have the distinction of having the first woman Assistant United States District Attorney". The article indicated that "Mrs. Adams received the endorsement of nearly every Democratic State Central Committeeman in the district and also the endorsement of all Federal officials."

Mrs. Adams also received the wholehearted recommendations from her former professors at the University of California. "She is, one in a thousand, whether regarded from the point of view of a woman or of a lawyer. For industry, for thoroughness, for accuracy, for clearness and finish in presentation of her work, Mrs. Adams is distinguished." was the comment of one professor. "Mrs. Adams has an excellent legal mind and is a competent lawyer. She has always impressed me as having great practical sense, in addition to her legal ability," was the statement of another.

The salary for the position was listed as $2,000.00 per annum. The compensation was probably not an important inducement to Mrs. Adams. It was estimated that she and Miss Ogden received $2,000 each for their first case in the Alameda Court, a case involving the heirs of Thomas Anderson for a $110,000 estate.

It is probable that the real reason that Mrs. Adams wanted the position, was that she believed that the attainment of high political office would be beneficial to her life-long cause. By obtaining some political power, it would then be possible for her to effect some
tangible amelioration in the status and condition of the professional women, and the cause of women in general. This, rather than the hope of pecuniary gain, was probably the most important factor in her striving for political office.

In spite of enthusiastic support, the appointment was not immediately confirmed by Attorney-General McReynolds. "Wilson Shies at Woman for United States Attorney" indicated the headline in the San Francisco Bulletin on March 5, 1914. The article then goes on to relate that "United States District Attorney Preston is awaiting with mingled feelings, the arrival of a letter from Attorney-General McReynolds about the appointment of Mrs. Annette Abbott Adams as Preston's assistant. She was to have taken office March 1." The letter was to be in reply to Preston's repeated requests to put Mrs. Adams to work. "Preston today admitted that he was 'stumped'. 'Must be something wrong,' was the burden of his song."

Two days later the San Francisco Bulletin published an editorial discussing the awaited letter from McReynolds:

This delicate missive—too delicate, apparently, to be entrusted to the wires will very likely suggest that the federal courts are not within the confines of a woman's sphere.

Maybe Preston's views were unconsciously colored by opinions now current in California. Westerners have never quite recovered from the pioneer habit of measuring men and women by what they can do, and Mrs. Annette Abbott Adams, Preston's nominee, was all present and accounted for when it came to the question of doing. She is an able lawyer, and could handle the job as well as any man.

But being a woman, though not exactly a crime, is still a disability in Washington D.C. President Wilson has smiled and smiled when curious delegations called upon him to ask him what he thought of equal suffrage, but his smiles, alas! conveyed no more than a superficial amiability. The President's Democratic Congress has voted the stuffing out of resolutions to
consider suffrage. The party will not favor and dare not dismiss. Obviously, in this situation, it will not do to permeate the higher ranks of the federal service with femininity; since a party cannot very consistently let women administer but deny them the ballot.

It would be safe to bet that Mr. McReynolds put a lot of hard work composing that letter.

By the following week, the Democratic women of California began taking action supporting the candidacy of Mrs. Adams. When Preston was informed that his nominee might not obtain the appointment because of her sex, he said, "I recommended the appointment of Mrs. Adams to be my fourth assistant and I have not been notified that she would or would not be named. I hope that she will. She is the most capable woman for the place that I know of." ⁸

On March 25, 1914, the San Francisco Examiner indicated that Preston had received a final negation from Washington. According to that journal's story, "Preston again had taken up the matter of her confirmation with Washington and yesterday received a message from Assistant Attorney General Graham instructing him not to trouble the department further about the matter." ⁹

But the "matter" was not to be so easily forgotten, for the cry of "sex discrimination" became the rallying cry of the Women's Democratic Clubs and the Progressive San Francisco Bulletin. "Women in Arms over Rejection of Mrs. Adams" exclaimed the headline, and the accompanying story added:

Women claim that her failure to receive the appointment from headquarters at Washington is due to nothing else than the inconsequential fact that she is a woman—and they resent it. Various clubs have appointed committees to investigate the matter and determine if it is an affair of 'discrimination' as appears on the surface. ¹⁰

Julia George, President of the State Civic League saw McReynolds' refusal as "...splendid suffrage material. The suffragist newspaper
is going to take the matter up and let it be known all over the country. We are all very indignant at the treatment accorded women of the State by the Democratic authorities in Washington... We are not going to let the matter die."¹¹ Mrs. A. E. Graupner, President of the San Francisco Center of the Civic League, also indicated that the League would take action. "Such a thing cannot be allowed to pass unnoticed by an organization such as ours."¹²

Meanwhile, in Washington, D.C., several times during this period Congressman Raker approached the chief executive about the problem. Reporting these efforts, Raker wrote to Mrs. Adams indicating his faith in Wilson's integrity:

I have the greatest confidence and highest faith in the President and I believe that with his wide experience and personal knowledge of affairs, he has and does grasp the situation and will insist upon justice being meted out. This is a matter of principle with me and I believe in the right of things and that the matter will eventually end that way in this particular contest.¹³

Yet nothing was done until McReynolds attained Supreme Court appointment. His successor, Thomas Watt Gregory, "...was much more attentive to patronage requests when Raker visited him in September. Gregory understood the necessities of the coming election and the danger that California Progressives might capitalize on this failure in reform. He confirmed the appointment."¹⁴

After nearly six months' delay, on September 28, 1914, one San Francisco newspaper announced Annette's triumph:

The cause of women won a great victory today when Mrs. Annette Abbott Adams... was appointed assistant United States District Attorney in the office of United States District Attorney John W. Preston. Preston has worked assiduously for many months for her appointment.

Mrs. Adams is recognized as the foremost lawyer of
her sex in California. During her career of two years and a half at the bar she has realized phenomenal success and merited words of praise from prominent judges. Another newspaper credited the "direct solicitation of Congress-man Baker" for the appointment, and indicated that Mrs. Adams "...will handle many of the government land and equity suits."\(^{15}\)

The New York Times quoted Representative Baker as saying that "he considered the appointment a recognition of woman suffrage" and noted that Mrs. Adams was "...the first woman in the United States to occupy such a position." Mrs. Adams was quoted as saying that her plans were indefinite "...except to work hard to prove that women were not out of their element in positions of this kind."\(^{17}\)

On October 13, 1914, Mrs. Adams was duly sworn in at the Federal Court in San Francisco and "...immediately went about her duties as fourth assistant to John W. Preston, United States District Attorney for Northern California."\(^{18}\)

The precedential establishment of a woman in a judicial position formerly limited to male domination in California, resulted in the formation of a unique problem for Mrs. Adams, who later told the story to journalists of the San Francisco Examiner. Although she smiled when she discussed her early 'trials and tribulations', it is obvious that these difficulties probably caused her much chagrin, considering the vicissitudes that had almost precluded her from attaining the appointment.

In her first four cases, the opposing attorneys automatically assumed that the appearance of a woman prosecuting attorney would have a deleterious affect upon the conduct of the trial and selection of jurors. Therefore, the defense attorneys would ask each prospective juror whether a lady prosecuting attorney would prejudice his thinking against the defendant.
Mrs. Adams, with the determination endemic to her nature, decided to stop this type of questioning. Her opportunity came during her fifth case. The defense had engaged two rather youthful lawyers, barely past the puerile stage. The young tyros approached three possible jurors, whom Mrs. Adams had already approved for the case, and asked each one of them the same question: "Will it prejudice my client's case on account of the government prosecutor being a woman—if I am obliged to ask the witnesses some nasty questions?" 19

The case in question was one involving "white slavery," a type of judicial case not altogether unfamiliar to Mrs. Adams. Under these circumstances, the attitude of these attorneys were particularly irksome to her, but Mrs. Adams said nothing until it was her turn to examine the fifth juror being considered. Then Mrs. Adams asked a question, after an effective theatrical pause. "Mr. Smith, I want to know, from you and the other jurors I have previously examined, one very important thing. Will it prejudice the government's case considering the great youth of the counsel on the other side, during this prosecution if I am obliged to ask the witnesses some very 'nasty' questions?" 20

Mr. Smith returned her question with a hearty negation which was followed by infectious courtroom laughter. Even the two young defense attorneys found themselves obligated to join in the ensuing mirth. The case then continued on schedule. Mrs. Adams was never again bothered by opposing attorneys regarding questions referring to her sex.
FOOTNOTES FOR CHAPTER FOUR

1 *The San Francisco Examiner*, February 15, 1914, p. 56.

2 Ibid., p. 56.

3 Dunn, p. 335.

4 Dunn, p. 335.

5 *The San Francisco Examiner*, September 14, 1913, p. 37.


7 Ibid., March 7, 1914, p. 4.


9 *The San Francisco Examiner*, March 25, 1914, p. 3.

10 *The Bulletin San Francisco*, March 31, 1914, p. 3.

11 Ibid., p. 3.

12 Ibid., p. 3.

13 Jensen, p. 190.

14 Jensen, p. 190.

15 *The San Francisco Call and Post*, September 26, 1914, p. 2.

16 *The San Francisco Examiner*, September 29, 1914, p. 5.


18 Ibid., October 14, 1914, p. 6.

19 *The San Francisco Examiner*, January 8, 1917, p. 3.

20 Ibid., p. 3.
CHAPTER FIVE

THE BOPP CASE

Mrs. Adams conscientiously carried out her duties during her next fifteen cases and diligently followed self-imposed rules and guidelines which she found an effective practice during her total career. She discussed these procedures in an interview with a reporter from the San Francisco Examiner on January 8, 1917:

I found that the belief seemed to be that a woman's knowledge of the law must necessarily be superficial. For that reason I have made it an unbreakable rule that, even in the smallest case, I have a thorough grasp of my subject before I appear before the trial court. I study both sides—and I am practically sure that I will not be given a surprise by opposing counsel by the introduction of baffling authorities with whom I am not acquainted.

I do not understand why it is thought a woman cannot be a successful prosecutor. There is no reason why she should be peculiarly disqualified. Not every woman would make one, neither would every man.

The idea that one has to stifle all of his or her sympathies in a place of this kind is erroneous. We are here as prosecutors, not as persecutors. We take the facts as they are presented to us. If we conscientiously believe there is a case we prosecute, for the law provides that we should. We do not go into the highways and byways in an endeavor to wreak vengeance.

This comprehensive legal preparation was soon to lead to local and national approbation for Mrs. Adams. For the closing months of 1915 found Mrs. Adams involved in the most important case in her career up to that time. The so called "Bopp Case" involved enforcement of the neutrality laws by the United States Department of Justice. It was her 21st case in her position as Preston's fourth assistant, but the illness of Preston during the period of government preparation, caused the full burden to fall upon Mrs. Adams.
Although the United States Government began investigation of the case in August of 1914, the first complaint was not issued until November 24, 1914 and then only against the chief detective who worked for the German Consulate in San Francisco, Charles Carlos Crowley.

Two more defendants were added with the issuance of the first set of indictments on December 13, 1915, the attache Baron George Wilhelm von Brincken, and Margaret Cornell, another employee. The first count charged conspiracy to destroy commerce between the United States and foreign counties. The second count charged "...use of the mails to incite arson, assassination, and murder," and the New York Times credits the discovery of the statute, on which the second count was issued, to Mrs. Annette Abbott Adams.¹

These first indictments were eventually dismissed because of lack of clarification regarding the activities surrounding the conspiracy, and the government attorneys were obliged to start over again. The eventual success of the Government in prosecuting this case was attributed to Mrs. Adams by the San Francisco Examiner;

[She]...gave a year of work and study to the intricacies of the law and testimony in this case. She made the principal summing up of evidence for the government. She prepared the indictments and handled the case during the long period in which District Attorney Preston was ill. When the first indictments were thrown out of court she went to work on a fresh set and made them law proof. She directed the gathering of evidence to support these indictments.²

Because of the unique quality of her legal preparation in this and other cases, "her indictments won the reputation of being "demurrer-proof."³

The new indictments were presented on February 10, 1916. The defendants now included the German Consul-General at San Francisco, Franz Bopp, Vice Consul General Eckardt von Schack, Louis J. Smith, and Johannes Van Koolbergen. The accused conspirators, now numbering
seven, were named in 61 indictments, with Bopp accused as being "...the directing head of a system of bomb conspiracies that were designed to destroy all ships and trains carrying munitions of war from Canada to the allies."4

The local Call and Post reported on March 1, 1916: "Mrs. Annette Adams, assistant United States district attorney, began argument in Federal Judge Dooling's court...in the so-called bomb plot cases. Arguments were completed this forenoon by Attorney Theodore J. Roche on the defendant's demurrer."5 These preliminaries were quite prolonged and actual trial was to be delayed several months more.

In the following June, Mrs. Adams, who had taken over the handling of the case because of the illness of Preston, was herself suddenly stricken and underwent an emergency appendectomy. Doctors Moffit and Lynch operated on her in the Children's Hospital on June 2, 1916 and the San Francisco Examiner noted that "it will be three days, however, before the danger point is passed."6 The reporter noted the coincidence that Mrs. Adams's superior, John W. Preston was also recovering from an appendicitis operation.

A fully recovered Mrs. Adams was subsequently able to continue her work in the Bopp Case after much further delay. The actual trial before Judge William H. Hunt began on December 4, 1916, and lasted six weeks, occupying 26 actual court days. The defense called 25 witnesses and the Government called 83 witnesses. The approximate cost of the trial was $80,000 including $50,000 for the defense and the expense of $30,000 to the American taxpayers.7

On January 8, 1917, Mrs. Adams had a most impressive day in court. She pleaded eloquently before an audience that included many gaily dressed women who had come to lend their moral support to this charming
feminine lawyer and to hail what they hoped would be a prospective victory.

The San Francisco Examiner enthusiastically praised her work in the case:

The opening address for the government was delivered by a woman—the first time in the history of American jurisprudence that such a scene ever has been enacted, in a case of such transcending importance in a Federal tribunal.

For three hours Mrs. Annette A. Adams...spoke before the twelve men who will decide to-night or to-morrow the fate of the German consul-general, his aides and confidential assistants, in the indictments which charge them with conspiring to hamper international and inter-state trade and, thereby, to violate American neutrality in the European conflict.

So ably did she argue, to the edification of a tremendous audience which crowded its way into the small courtroom, that a glowing tribute was won from Attorney Samuel Platt of Nevada, who delivered the opening address for the defense...

Mrs. Adams closed her arguments with a plea to the patriotism of the jury. "Your duty to yourselves and your country, gentlemen of the jury, is clear...You must sustain the laws and the neutrality of the United States of America. We ask for a verdict of guilty against each and every one of these defendants."\(^9\)

The jury adhered to the admonitions of her pleadings and delivered a verdict of guilty for all defendants on January 10, 1917. Only two days before, the San Francisco Examiner had said that "by hard work, by brains, by her quickness in seizing the humor and human quality of every situation she has proved the right of women to take the law as a lifework."\(^10\) It was a victory not only for Mrs. Adams, but for the cause of women in the professions as well.

After the case was established as a definite victory for the United States Government, Mrs. Adams "...received congratulations from women and from representatives of the various government departments. She took
the news calmly and with the utmost modesty. All she would say on the result was this: "This is my twenty-first case and my first big case. So I guess you can say that I have become of age in the practice of law. I do not care to discuss the case in any manner."11

A final interesting note to this case is the observation made by the noted historian, the late Frederick L. Paxson:

The charge was jointly, a violation of neutrality and a conspiracy to violate the Sherman Anti-Trust Law. The duty to maintain neutrality was complete, but convictions could be obtained only when specific laws had been infringed. Many other neutrality prosecutions had to be tried as though they were only conspiracies in restraint of trade.12

From this spectacular beginning success in a major "headline trial," Annette Adams went on to subsequent assignments again involving her prominently in a dramatic prosecution role in cases involving "conspiracy" laws, for which her intensive preparation and successful conduct of the "Eopp Case" especially fitted her.
FOOTNOTES FOR CHAPTER FIVE


2 The San Francisco Examiner, January 11, 1917, p. 2.


4 The San Francisco Examiner, February 11, 1916, p. 3.

5 The San Francisco Call and Post, March 1, 1916, p. 2.


7 Ibid., January 11, 1917, p. 2.

8 Ibid., January 9, 1917, p. 3.

9 Ibid., January 9, 1917, p. 3. By this time Smith and his wife had been granted immunity for turning state's evidence. Van Koolbergen was detained in Canada on another charge.

10 Ibid., January 8, 1917, p. 3.

11 Ibid., January 11, 1917, p. 2.

CHAPTER SIX

THE HINDU CONSPIRACY

Not long after the conclusion of the Bopp case, Mrs. Adams became involved in another sensational case involving alleged violations of United States neutrality. Although the case was referred to as "the Hindu Conspiracy," or the "German-Hindoo Revolt Plot," the participants included not only Hindus, but Mohammedans and Buddhists as well as Sikhs, Pakistani, and other Indian factions. It is revealing of American naivete of the era that none of these religious or ethnic divisions were recognized or acknowledged, and all of the Indian participants were lumped together under the largely erroneous label of "Hindoo" or "Hind."

The conspiracy involved a group of revolutionary nationalist extremists who had migrated to the United States from India and attempted to use this neutral country as a base in which to organize an armed revolt against British domination in India. The original leader of this West Coast-based movement was an Oxford University graduate named Har Dayal, who published a revolutionary newspaper called Ghadr which means revolution.

Dayal was arrested in 1914 but left the United States rather than face trial, and forfeited the bail which his friends had provided. As historian Giles Brown noted, however, the plot was not ended by Dayal's defection:

Fortunately for the conspiracy, he had left as Editor of the Ghadr a young Indian named Ram Chandra, who assumed leadership of the association. But the conspiracy would have been nothing more than a haphazard intrigue had not the outbreak of war in 1914 provided a directing force. This was the German Empire.

Needed funds for the enterprise were obtained from the German
Diplomatic Corps as well as from certain sympathetic Americans, who believed in the Indian cause. The Indian rebels' basic plan was to utilize German help to purchase and ship modern arms to India. During the latter part of 1914 and the early part of 1915, the participants acted out an ill-fated charade.

Under the direction of a German embassy attache in the United States, Captain Franz von Pepen, sixteen carloads of arms were purchased and sent to San Diego, and a ruse was arranged for shipping them to India. J. Clyde Hizar, the city attorney for Coronado, agreed to place the cargo on board the schooner *Annie Larsen* for $14,000. As a "cover," Hizar pretended he was acting as a representative of the Carranza faction in the Mexican Civil war and, "So well did the ruse work that the Villa faction offered a fifteen-thousand-dollar bribe to divert the cargo from a Carranza to a Villa port."²

Once safely out of San Diego, the plotters planned to transfer the arms from the *Annie Larsen*, a chartered schooner, to the empty oil tanks of the tanker *Maverick* and cover them with oil while the ammunition was to be stored in a separate dry tank. The obvious hope was to evade British naval surveillance and get the arms to India by this subterfuge. The *Annie Larsen* left San Diego, loaded with weapons, and the empty *Maverick* left from San Pedro. The arms were supposed to be transferred at Socorro, a small Mexican island which lies three hundred miles south of Baja, California; but because of various delays and navigational problems the two ships were never able to make contact. The plot eventually failed because of mistakes by the participants and because of the alliance of Japan and Great Britain "...which caused natural rivalries in Asia to remain dormant while other aims were uppermost. Not until 1941 was there an opportunity for India to take advantage of an allied Germany.
and Japan."³

Chandra K. Chakravarty, a graduate of the University of Calcutta, was sent to the United States to reorganize the work of the militant Indians. His plans were hampered because the minute details of the ill-fated Annie Larsen-Maverick debacle, unnoticed by the United States Government heretofore, were brought to public attention on March 6, 1917, in New York.

A German agent, Wolf von Igel, had rented offices at 60 Wall Street which were used to direct an extensive sabotage network. These offices "...were known as the headquarters of the 'War Intelligence Center' or 'Bureau of the Military Attaches' in German official circles. The owner of the building was told...that von Igel was engaged in the 'advertising business.'"⁴ The real nature of the establishment was revealed when Government agents seized von Igel's files. Chakravarty was soon arrested and revealed the identity of the participants in the "Hindoo Plot." Because of his cooperation, he eventually received only a sixty-day sentence. Chakravarty's statements led to extensive investigations by Federal Agents on the West Coast, which were followed by scores of arrests and a prolonged and sensational trial, whose drama was described by one historian:

The trial of these men was one of the most picturesque ever conducted in an American court. The turbanned Hindus lent an Oriental atmosphere. Among the evidence were publications in six Indian dialects, also coded messages, all of which called for constant translation by interpreters and cryptographers. Witness after witness recited his amazing story of adventure.⁵

The trial began in San Francisco on November 19, 1917. About one hundred defendants were on trial. These included members of the German Consulate at San Francisco, the revolutionary Indian students and the shippers who had acted as liaisons. Indictments were for conspiracy
to violate the neutrality laws, rather than for an actual violation, as in the Bopp Case. Judge William Van Fleet sat on the bench and Annette Adams was to play the most important part in preparing and implementing the case for the Government, as assistant to John Preston, U.S. District Attorney for Northern California.

On March 7, 1918, Clyde Hizar, the clerk at Coronado who had supervised the loading of arms on the Annie Larsen, accused Annette Adams of influencing the testimony to his disadvantage. Hizar claimed that Mrs. Adams had manipulated the testimony given by M. Martinez, the San Diego customs broker, against whom the Government had dismissed charges. Hizar claimed that there was a mistake in the date of one of the letters used as evidence and said that "...Martinez had informed him that Assistant United States Attorney Adams had suggested a change in his original story of the Annie Larsen expedition, but admitted that the record failed to show that Martinez was questioned in this regard."6

Mrs. Adams was quickly exonerated when Martinez sent a telegram to Mrs. Adams which said:

Local paper publishes today an article containing Hizar's testimony that I personally stated to him that you had endeavored to induce me to change my testimony as to implicate him criminally in the Hindu case. I had never told him or anyone else at any time or anywhere that you have ever endeavored to do so.

The San Francisco Chronicle noted that Federal Judge William C. Van Fleet's courtroom was crowded with spectators on April 16, 1918 when Mrs. Adams began arguments for the United States Government and launched her review of testimony which subsequently consumed seventy-two court days, or 288 hours. "Miss Adams scarcely consulted more than 150 exhibits in the case during her argument," according to the reporter, "except to impress the jury with points she considered vital to the
Government's presentation of evidence analysis. 8

After outlining the beginnings of the conspiracy, Mrs. Adams told the Jury that Germany "...saw in the Hindoo revolutionary leaders a fertile field for spreading discontent," and incidentally striking a blow at the British Empire. "The Germans had the gold, the Hindoos the greed," she continued. "Hordes of German agents swarmed to America and found willing tools in the Hindoos." 9

On April 17, 1916, Dr. Chakravarty, acknowledged as a leader of the Hindu conspirators, did not deny his relations with the Germans but defended his actions. In a sixteen minute address to the jury, he admitted that he had no right to violate the neutrality of the United States, but said that he did not do so in his view. Continuing under questioning by Mrs. Adams, he stated:

Why did I accept German gold? Because internal organization without external aid is impossible in our predicament—and Germany offered the best way out. We in India are endeavoring to do just as America did in 1776. While Washington was struggling at home Benjamin Franklin was seeking aid in France. While my countrymen are struggling at home I sought aid in Berlin. 10

Chakravarty then told the jury that he deplored Ram Chandra's "violent publications" and disavowed Chandra's revolutionary methods:

I told Ram Chandra and his associates...that the Berlin Foreign Office were not pleased with their efforts. I endeavored to induce Chandra to discontinue publication of the Gadar. When he refused I parted company with him and his methods of aiding our countrymen. That is all I have to say. 11

A verbal clash subsequently occurred between former Consul-General Bopp (who also was a defendant in this case) and Chakravarty, after the court adjourned. "You say you were inspired by patriotism?" Bopp asked. "Yes," was the reply. "Patriotism and $60,000," commented Bopp as he turned away red of face. 12
And after arguing for seven hours, Mrs. Adams closed the Government's case. "Gentlemen, I am exhausted. Probably you are too. For four days you will be exposed to a barrage fire from the defense, with gas attacks thrown in. I appeal to you to hold the line for democracy."

On April 18, 1918, Hizar who had accused Mrs. Adams of influencing the testimony against him, wept openly in court while being defended by his attorney, A. P. Black. "Tears trickled down the defendant's cheeks, his head sank to the table at which he sat and he shook with suppressed sobs."  

On April 19th, Theodore J. Roche, chief counsel for the German defendants claimed that Captain Franz von Papen had deceived Bopp "...and his official family were used as blindly obedient tools by Captain Franz von Papen, former military attache of the German Embassy at Washington, D.C. in the promotion of a plot to incite rebellion among the Hindoos in British India."

A Los Angeles attorney, E. G. Denio, ably defended John F. Craig, Long Beach shipbuilder who had repaired the "mystery ship" Maverick without being aware of her destination. Denio claimed the innocence of his client with a statement that was obviously directed at Mrs. Adams. Denio said that, "if this case had been tried on the fateful day when the Ten commandments were assembled, I have no doubt that the District Attorney would have convinced Moses and the twelve disciples that there was something suspicious about them." This unsolicited and rather perverse accolade was, nevertheless, a tribute to Mrs. Adams' affective persuasive powers.

Craig was the only defendant who was exonerated "...upon his showing that he had taken a contract in good faith to repair the steamship Maverick in the shipyards in the belief that the vessel was the property
of Fred Jebsen, the vessel later figuring as one used in the shipping of munitions to German warships. #17

The other defendants were convicted on April 25, 1918. #Of the original 105 defendants, 29 were convicted, 3 had changed their pleas to guilty, 1 was found not guilty, 2 were dead, 1 had been adjudged insane, and the remainder either had fled the country or became government witnesses. #18 And when the 29 conspiracy defendants were sentenced on the following April 31st, only "J. Clyde Hizar, City Attorney of Coronado, alone of the defendants exhibited anger. After sentence was imposed, Hizar went to his chair muttering beneath his breath. #19

John W. Preston, Jr., the son of the prosecuting attorney, later gave some interesting insights into the trial.

Because an attempt had been made to get the operators of the Whitcomb Hotel to divulge the movements of the witnesses and because of other reasons, the defendants, over the protest of counsel, were taken to Alcatraz every night under guard. Because of the threats to Preston, he carried a Smith and Wesson 38. The courtroom was under armed guard at all times. #20

In spite of these precautions the final day of the San Francisco trial brought tragedy and real danger to John Preston, the Federal Prosecutor, and Mrs. Adams, his assistant, in a dramatic shoot-out which has some parallels to the shooting of President Kennedy's alleged assassin Oswald by Jack Ruby in the Dallas police station in 1963. As Mrs. Adams later recalled the incident, "There was shooting in the courtroom...one of the Hindu defendants killed another Hindu defendant and was himself shot and killed by the United States marshal." #21

The two Indians referred to were Ram Singh and Ram Chandra, feuding leaders of rival rebel factions. A contemporary news story stated that somehow a revolver had been smuggled to Ram Singh "...and pressing the weapon against his victim's side, [Singh] fired. Chandra shrunk
against the shock, then tried to rush away from the assassin, who continued to fire. Four bullets went home.\(^{22}\) Singh was immediately afterward killed by Marshall James B. Holohan.

In reporting the incident the *San Francisco Examiner* noted:

> There was quite a group of the personages in the trial near by Chandra when the shooting began. Mrs. Annette Adams, Assistant United States Attorney in the case with Preston, was within range, as was [Defense] Attorney Theodore Roche, who was knocked down when Holohan tore his way to get at Singh. They got under cover, as did many others in the courtroom.\(^{23}\)

John Preston Jr. expressed his belief that "there was little doubt that had Marshall Holohan not killed Ram Singh, Singh would have turned his gun at Preston."\(^{24}\) Although young Preston did not mention Mrs. Adams, it seems quite probable that she might also have been an intended victim, because of her prominent part in the trial. Had not Marshall Holohan acted so quickly, a brilliant career might have been cut short that very moment.
FOOTNOTES FOR CHAPTER SIX


2 Ibid., p. 302.

3 Ibid., p. 310.


5 Landem, p. 33.

6 San Francisco Chronicle, March 8, 1918, p. 9.

7 The San Francisco Examiner, March 9, 1918, p. 3.

8 San Francisco Chronicle, April 17, 1918, p. 3.

9 Ibid., p. 3.

10 Ibid., April 18, 1918, p. 11.

11 Ibid., p. 11.

12 Ibid., p. 11.

13 Ibid., p. 11.

14 Ibid., April 19, 1918, p. 11.

15 Ibid., April 20, 1918, p. 6.

16 Ibid., p. 6.

17 The San Francisco Examiner, April 24, 1918, p. 5.

18 Brown, p. 310.

19 San Francisco Chronicle, May 1, 1918, p. 5.

20 Johnson, p. 130.


22 The San Francisco Examiner, April 24, 1918, p. 5.

23 Ibid., p. 5.

24 Johnson, p. 130.
CHAPTER SEVEN

A CHANCE FOR ADVANCEMENT

The outstanding legal talents demonstrated by both Preston and Adams in the neutrality cases were soon to bring them national recognition as well as material advantages. On July 24, 1918, Preston was appointed as assistant to the United States Attorney General. He recommended Mrs. Adams to replace him as United States District Attorney for Northern California "in recognition of the work she did when associated with him in the prosecution of neutrality and enemy alien cases, including the Hindu conspiracy and the Bopp bomb plot cases..."1

On July 25, 1918, the San Francisco Chronicle indicated that Preston would seek a temporary appointment for Mrs. Adams with the probability of congressional approbation in a future session. Preston was anxious to begin his new duties which were to involve "...a general shake-up in all investigating bureaus and a coordination of departments investigating and prosecuting cases involving war problems."2

That morning, Preston appeared before Judge Van Fleet of the United States District Court and pleaded for immediate appointment of a successor. He said that "after the most careful consideration of the matter from every standpoint, I desire most earnestly to commend to the court the consideration of the name of Mrs. Annette Abbott Adams, my assistant, for this position. In making this recommendation I have carefully considered many names and I sincerely believe that she possesses the experience, the poise and the judgement that the office demands. I not only say this but I say it without the slightest hesitation, that Mrs. Adams has all the legal qualifications that the position requires..."3

Judge Van Fleet readily agreed, after saying that "I have observed
Mrs. Adams' course here for the past four years and I can say unhesitatingly that all that has been stated by Mr. Preston with reference to the character and fitness of Mrs. Adams is entirely in accord with my own observations. Judge Van Fleet asked Mrs. Adams to take the oath. She then asked permission to address the court; the following dialogue was the result.

Mrs. Adams: Before I take the oath may I say to the court and to Mr. Preston that I feel very deeply the honor which is being conferred upon me here. I realize that in what I may say—

The Court: Well, Mrs. Adams, we certainly think you are worthy of it.

Mrs. Adams: That makes me more humble in the matter. I assure the court I shall give the best that I have to the office and shall endeavor to be worthy of your commendation and the honor and also to maintain the very high standard which has been set by my predecessor in office in maintaining the office of the United States Attorney.

The Court: I do not doubt but what you will do so.

Mrs. Adams then took the oath of office as United States District Attorney. She was the first woman in the United States ever to obtain such an important legal appointment.

On February 28, 1919, the San Francisco Examiner reported that Mrs. Adams was to retain her post as United States District Attorney. The headlines announced, "Clever Woman Attorney Nominated by President for Northern California Berth," and the accompanying story stated:

Annette Abbott Adams was nominated by President Wilson yesterday to be United States Attorney for the Northern District of California. Her name has been sent to Congress for approval. This is the first woman to be given a Presidential appointment as Federal prosecutor. Mrs. Adams has been occupying the office as a temporary appointee...Senator James D. Phelan recommended that Mrs. Adams be given the place permanently, and it was at his
request that the Attorney General presented her name to the President.⁶

Mrs. Adams retained office as United States District Attorney until May of 1920. During this two-year period, she handled prosecutions for sedition, food hoarders, and violations of the Volstead Amendment. While she did not handle any specific case of the magnitude of her previous neutrality cases, she did become involved in an exciting San Francisco grand jury investigation of the so-called "Preparedness Day" murder cases. Her role became one of a defensive nature as she successfully protected a reluctant government witness from harassment and a possible felony conviction.

On July 22, 1916, a bomb exploded on Market Street during a Flag Day parade. Death and destruction were the result. A conviction and death penalty were obtained for each of the two accused members of a radical labor organization, Thomas J. Mooney and Warren K. Billings. "There was dual clamor: that they were enemies of society caught red-handed, and that they were innocent victims of conspiracy, railroaded to death in order to make an example."⁷

Pressures were brought upon the Governor of California to commute their death sentences to life imprisonment. Many world-wide labor organizations were agitating for a new trial for Mooney and Billings. There was also a suspicion of perjury and accusations of illegal means of obtaining evidence in their original trial.

On November 1, 1918, a report was published by J. B. Densmore, Director General of Employment under the Department of Labor. The report attempted "...to show that Thomas J. Mooney and Warren K. Billings were convicted upon false testimony, manufactured mainly at the instance of open-shop employers for the purpose of discrediting and injuring union labor..."⁸ It also discredited District Attorney Charles M. Fickert
of San Francisco and indicated the presence of certain dictaphone records which were secretly installed in Fickert's office between September 5 and October 26, 1918.

"These dictaphone records, beyond giving a version of conversations between District Attorney Fickert and other persons respecting the Mooney case and the I.W.W. cases at Sacramento reveal what appears to be evidence tending to indicate that the District Attorney's office has at times responded to corrupt influences in the handling of criminal cases arising in the courts of San Francisco."9

A grand jury investigation was called to investigate these charges. But the first witness called, William J. Armstrong, refused to testify.

"Armstrong, who later admitted that he helped install a dictagraph in the District Attorney's office, refused to be sworn and declined to answer questions asked him by grand jurors. He said he took this course on the advice of United States Attorney Mrs. Annette A. Adams."10

Armstrong was a sailor stationed at Yerba Buena who was obeying orders of his superiors when he installed this equipment. When Mrs. Adams heard of Armstrong's recalcitrant attitude she said that "I did not advise Armstrong to refuse to testify unless he was given permission by his superior officer. I told him I knew nothing of the present case or the authority behind the investigation made by Densmore. Knowing nothing of the case, I told him that whether or not he testified was a matter he should decide."11

But two days later, on November 27, 1918, Mrs. Adams "...began an investigation...into the charges of Special War Attorney Casper A. Ornbaum that his telephone in the Federal building had been tapped by John R. Densmore, agent of the Department of Labor."12 When asked about the possibility of arresting Densmore, should he decide to return to
San Francisco, Mrs. Adams said, "I looked into the law today about wire tapping and see no way we can proceed against any of the Department of Labor men. The tapping of the telephone both in the Ornbaum case and in that of the county officials of San Francisco took place prior to October 29, when the Federal law went into effect. The new law provides a maximum punishment of $1,000 fine or one year's imprisonment. The State law undoubtedly could be invoked in the several cases of reported wire tapping, with the State officials conducting the prosecution. The punishment under the State law ranges from one year to five years."\(^\text{13}\)

Densmore refused to return to San Francisco to testify. He left his refuge in Seattle and headed towards Washington, D.C. Presiding Judge E. P. Mogan of the Superior Court and William H. McCarthy, foreman of the Grand Jury sent telegrams to Wilson asking him to order Densmore to return to San Francisco.

"Judge Mogan said that the alternative rested with him of appointing an outside attorney to act in drawing the necessary affidavits as to William Armstrong, the sailor operative, who was one of the men employed by Densmore in the dictaphone activities..."\(^\text{14}\)

Thus pressure was initiated to force Armstrong to testify. Armstrong told McCarthy that "...he was in a jam because if he testified it might get him in bad with his superior officers because he could disclose secrets learned while in Government service."\(^\text{15}\)

On December 9, 1918, Armstrong was questioned by Grand Jury Foreman William H. McCarthy:

"Where were you in June, July and August of this year?"
"Stationed at Goat Island, but working most of the time in this city." "What work were you doing here?" asked McCarthy. "I must refuse to testify on the grounds that I might incriminate myself." was the response.\(^\text{16}\)

By the end of December, the United States Government took steps
to protect the young sailor. The Department of Justice and the Department of Labor tried to prevent Densmore and his operators from being called back to San Francisco to testify. And when Assistant State Attorney General E. B. Power urged punishment for Armstrong for refusing to testify, he found himself opposed by Mrs. Adams who said "...that she had been instructed by the United States Attorney General to protect the interests of Armstrong. Mrs. Adams filed a demurrer to the contempt petition, and the matter was argued at length along strictly legal lines."17

On January 2, 1919, Mrs. Adams drew up an affidavit which was "...regarded by the Attorney General's office as an admission on the part of the Federal Government that the Densmore wiretapping was a felony, even though the wires were under Government control..."18 William Armstrong signed the affidavit "...in reply to an affidavit signed by Foreman W. H. McCarthy of the Grand Jury in support of the State's contention that Armstrong should be punished for contempt for refusing to answer interrogations concerning the Densmore report, which Armstrong helped to prepare."19

Mrs. Adams was later questioned about the affidavit. "The general supposition heretofore has been that the Government contended it had a right to tap telephone wires as long as these wires were under Government controls: would you say that the affidavit is an admission on the part of the Government that the State law was violated by the Densmore wiretapping?"20

Her reply was as follows: "In the McCarthy affidavit reference was made to the Densmore report. Armstrong says in his sworn statement that he has heard that District Attorney Fickert said he would ask the Grand Jury to indict those who tapped wires. Because of this statement, Armstrong sets up that he will not answer questions because they might tend
to incriminate himself.\textsuperscript{21}

Because of the efforts of Mrs. Adams, the case against Armstrong was dismissed on January 7, 1919. Judge Mogen accepted the reason that Armstrong's testimony might cause him to be convicted on a felony. However Judge Mogen refused to accept another reason regarding the wire tapping report as secret information. "Mrs. Adams said that Armstrong was only an insignificant figure in the Denmore matter. He had acted and was still acting under orders from his superiors, she explained, and had no desire to act in a contemptuous manner."\textsuperscript{22}

Mrs. Adams "...admitted there was no statute which would make the wiretapping report a confidential communication, but urged that in wartime there had been a certain comity of action between the Federal and State Government."\textsuperscript{23} Did Mrs. Adams imply that the end sometimes justified the means where a legal conviction was involved?

Thus Mrs. Adams successfully carried out orders from her superiors in obtaining a dismissal of charges against another Government employee, who was only obeying orders when he installed the wire tapping equipment. During the whole course of the investigation involving Mrs. Adams and Mr. Armstrong, there appears to have been a heavy emphasis on the legal aspects of the case. Whether there were any feeling of guilt or personal convictions of ethical or moral responsibilities regarding "a spying procedure" initiated by the United States Government, is not apparent from the words of the two participants.
FOOTNOTES FOR CHAPTER SEVEN

1 The San Francisco Examiner, July 20, 1918, p. 13.
2 San Francisco Chronicle, July 25, 1918, p. 3.
3 The San Francisco Examiner, July 26, 1918, p. 13.
4 The San Francisco Examiner, July 26, 1918, p. 13.
5 Ibid., p. 13.
6 The San Francisco Examiner, February 28, 1919, p. 10. The article also indicated that Marguerite Ogden had recently died.
7 Paxson, p. 301.
8 The San Francisco Examiner, November 23, 1918, p. 1.
9 Ibid., p. 1.
10 San Francisco Chronicle, November 26, 1918, p. 1.
11 Ibid., p. 1.
12 San Francisco Chronicle, November 28, 1918, p. 9.
13 Ibid., p. 9.
14 The San Francisco Examiner, December 2, 1918, p. 9.
15 San Francisco Chronicle, December 2, 1918, p. 1.
16 Ibid., December 10, 1918, p. 1.
17 The San Francisco Examiner, December 31, 1918, p. 8.
19 Ibid., p. 1.
21 Ibid., p. 2.
22 San Francisco Chronicle, January 8, 1919, p. 8.
23 Ibid., p. 8.
CHAPTER EIGHT

THE SUFFRAGIST

Shortly after the appointment of Mrs. Adams as United States District Attorney, an editorial in the San Francisco Examiner indicated that her appointment would have a beneficial effect on the cause of women's suffrage.

We find an able prosecutor like John W. Preston recommending a woman to succeed him in the place he leaves for one of wider importance in the national service. We find an able judge like Judge Willican C. Van Fleet welcoming to his court, as the chief local representative of the United States Attorney General, a woman. We find able lawyers in all sections of northern California honestly congratulating her on her rise because they recognize her attainments as a lawyer. And yet there are members of the United States Senate who would deny to women their rights to the ballot.

What exactly was Mrs. Adams' role as a suffragist? On December 22, 1917 she had said, "I am a suffragist, but not of the picketing variety, the cultivation of which is not encouraged in this part of the country, where women try to observe the rules of the game and win or lose according to their talents."

Yet the year before, on November 7th, she had spoken at a rally in California urging women to vote for Wilson who "...had a good record on the suffrage question." She informed the women that Hughes was "indifferent to the suffrage question and had not even registered when it was put up for a vote in New York. She read a statement purportedly made by Hughes to opponents of women suffrage immediately after his nomination in which he stated his opposition to equal suffrage."

On November 1, 1919, the San Francisco Examiner announced:

California has ratified the Woman's Suffrage Amendment to the United States Constitution. The State Senate this afternoon voted unanimously, 39 to 0,
in favor of the amendment, and no statesmen even said a word of praise, though the Senate gallery, lobby and floor were well packed with fair women.

The Assembly couldn't do anything so sensible as that and had to stage a debate. But the result was practically the same in the long run...⁴

On that same day "five hundred leaders from various suffrage camps and all parts of California entered the Capital City in three trainloads."⁵ The article then told of a luncheon given for Governor Stephens to show appreciation on the part of the "suffrage crusaders". Mrs. Annette Adams, United States District Attorney was seated at the speakers table, according to the story.

On November 9, 1919, a gathering of the San Francisco City and County Federation of Women's Clubs was held at the Fairmont Hotel. It was referred to as "...by far the largest and most important event in local life this season."⁶ Reference was made by the San Francisco Examiner to "Mrs. Annette Abbott Adams, United States District Attorney, who assisted in directing the suffrage pilgrimage to Sacramento last Saturday."⁷

It appears that Mrs. Adams was really a suffragist "of the picketing variety." However, she preferred to use a more subtle means to fight for the vote. Perhaps she did not carry a sign, but speeches on behalf of suffrage, leadership of marches, and her very symbolic role as a woman who had transcended sex barriers, indicated her great commitment to a cause which was an important part of the feminist movement.

Women in California had attained suffrage rights in 1911, in California's usual tradition of "non-violent warfare."

It was won by attrition and finally a campaign of vigorous ballyhoo in the Southern part of the State. It is a fact, however, that national suffrage was not achieved until after the White House was picketed and women jailed in 1917-1919. It is said President Wilson became so embarrassed by the situation that
he threw his weight behind the measure and it was passed at his insistence.
FOOTNOTES FOR CHAPTER EIGHT

1 The San Francisco Examiner, July 29, 1918, p. 16.


3 Jensen, p. 191.

4 The San Francisco Examiner, November 2, 1919, p. 1.

5 Ibid., p. 3.

6 Ibid., November 9, 1919, p. 33.

7 Ibid., p. 33.

8 Reda Davis, California Women-A Guide to Their Politics, 1885-1911 (San Francisco: California Scene, P.O. Box 27004, 1967) p. 127. Also see article on the role of California women in forcefully calling President Wilson's attention to the cause of woman suffrage by means of a barnstorming coast-to-coast automobile tour and presentation at the White House of a "30 mile-long" petition in favor of the suffrage amendment in 1915; Amelia Fry, "Along the Suffrage Trail: From West to East for Freedom Now!" The American West (Vol. VI, No. 1, January, 1969), pp. 16-25.
CHAPTER NINE

THE WAY TO WASHINGTON

On May 28, 1920, the San Francisco Examiner announced the appointment of Annette Abbott Adams as regular assistant United States Attorney General in Washington, D.C. Again Mrs. Adams was selected to replace Preston, who had received a different government appointment. Both Preston and Senator Phelan recommended her to Attorney General Palmer.

According to the press, Palmer was so impressed by the splendid record Mrs. Adams has made here, sent for her to go to Washington. She has but recently returned. He did not inform her of her promotion, and the announcement in the Washington Telegram will come as a surprise to her as well as to her host of friends. United States Attorney Adams refused to be interviewed on the subject last evening, stating that she has received no official communication upon the subject yet.

It is doubtful that this offer of high political office was really a "surprise" to her. For according to historian Joan Jensen, the new Attorney General A. Mitchell Palmer had presidential aspirations, and believed that Mrs. Adams would have strong influence with the Democratic women voters of San Francisco. He therefore was determined to seek her support. In the previous February, Palmer had asked Mrs. Adams to come to Washington, "to talk over matters in her district," as he said. "But friends Baker and Senator Phelan let her know that Palmer had a new job in mind."

During Annette's second Washington visit, Senator Phelan played the role of official host and Mrs. Adams met many of his associates and friends. On March 29, 1920, the San Francisco Examiner noted that "Senator Phelan entertained a large company of Californians at dinner in Washington last Monday evening in honor of Mrs. Annette Adams, United
States District Attorney for the northern district of California. Congressman and Mrs. John S. Baker were listed among the guests.

Joan Jensen summarizes the culmination of this series of preliminary maneuvers:

In April, she was admitted to practice before the Supreme Court. Not a word of business was said in Washington, but as soon as she returned to California, Palmer asked her to become an Assistant Attorney General. She accepted on May 26, and three days later Wilson presented her nomination to the Senate. Phelan had cleared the way for her appointment so effectively that it was immediately confirmed.

On June 4, 1920, The New York Times announced that Mrs. Adams, the first woman in the United States to hold this high office "...will have charge of the enforcement of tax and customs laws, the War Risk, Pure Food, Quarantine and Adamson Acts, and will have supervisory control over Federal prisons."

But the pressures of pending political changes did not dissuade Mrs. Adams from participating in an exciting adventure, her first airplane ride. On June 10, 1920, the San Francisco Examiner carried a photograph of Mrs. Adams and Mrs. George F. Mara, wife of the assistant to the chairman of the Democratic National Committee, both dressed in flight jackets with sheepskin collars and flight goggles.

It seems that the two women had made a wager as to which of them would be first to take an aerial trip over San Francisco. According to the news item, both women approached the same pilot on the same day and hour:

Solomon had nothing on "End" Coffee, local aviator in the matter of decisions, when Mrs. Annette Adams... and Mrs. George F. Mara... applied simultaneously for a flight over San Francisco to get a "birdseye" view of the Convention City. Coffee did some quick figuring with the result that both young women took their initial flight together yesterday morning in a
Varney-Lincoln-Standard plane with Pilot Coffee at the helm...Mrs. Adams says that flying as a sport cannot be excelled, and that she would like to fly to Washington to her new position.6

The story is obviously a charming contrivance engineered for publicity purposes.

About this same time, Mrs. Adams was proposed as a Democratic candidate for vice-president in a sequence which ultimately saw her brought forward as the first woman put in nomination for such a high position by a major national party in the United States.

Mrs. Adams last night admitted that she knew her name was being advanced but said she had not determined whether she would actually enter the field...In some circles the candidacy of a woman for the vice presidency is being strenuously urged. This particularly among the Democratic women who believe that a woman with the second place on the ticket would add great strength to the Democratic cause at the November election in the states where women have already been given suffrage.

It appeared that Mrs. Adams was a willing pawn in a "Checker Game Being Played for President" according to the San Francisco Chronicle of June 22, 1920. According to the article Mrs. Adams was awaiting her new Washington appointment, as were Frank M. Silva and Orin M. Handley, who await their promised higher political appointments as United States Attorney and Federal prohibition director for California, respectively.

The moves, therefore, were supposed to have begun June 10 and to be Adams to Palmer, Silva to Adams, Handley to Silva. And now old Dame Rumor started to whisper yesterday and explained it all. The checkerboard, says the dame, is to remain undisturbed until after the Democratic convention is in full swing. Again, Dame Rumor says, Mrs. Adams is quietly and effectively pulling all the feminine strings for Palmer, while Silva and Handley, not worrying as to what date either take office, are busy on the side lines cheering for their leader and blowing gas into the Palmer boom.8
On the following day, The Los Angeles Times reported:

A boom is on for the selection of a woman for Vice-President, the backers of the scheme having picked Mrs. Annette Abbott Adams...for the place. The Democratic National Convention opens on June 28 and shortly thereafter it will be known what has happened. It is said that Mrs. Adams has gained much support because, as assistant United States Attorney-General, she holds the highest public office ever given to a woman in this country.  

But if there were a "boom" for Palmer and Mrs. Adams, it was a rather short-lived one. On the 37th ballot of the Democratic National Convention there was a scattering of votes. Both Palmer and Mrs. Adams, received one vote each.  

By the thirty-ninth ballot most of Palmer's support outside Pennsylvania was gone and so too were any hopes that Mrs. Adams may have had for staging a political revolution as a vice-presidential candidate...Mrs. Adams' political career was now tied to the Democratic hopes for victory. In 1920 she was "the ranking woman in American politics," but the future "did not look promising for any Democratic politicians--male or female."  

A few weeks later in early August, Mrs. Adams began her duties as Assistant Attorney General at the Department of Justice in Washington. "She will supervise the work of the Department in the regulation of taxes, revenues, prisons and matters pertaining to shipping," asserted The New York Times on August 5, 1920. Almost one year later, the same newspaper wrote that "Mrs. Annette Abbott Adams, the first woman to be an Assistant Attorney General will sever her connection with the Government and return to private practice in San Francisco on August 1... During her Government service Mrs. Adams wrote several important liquor opinions, including the in-transit liquor ruling, which holds that no ships may enter the three-mile limit with liquor aboard." What the article did not say was that Mrs. Adams' resignation was really a matter
of political expediency made necessary by Democratic defeats in the elections of 1920.

Four days later the San Francisco Chronicle jubilantly announced "San Francisco Woman Quits in Blaze of Glory." The accompanying article indicated that Attorney-General Daugherty was so pleased with Mrs. Adams' performance in office, that another woman would be announced to take her place.

Mrs. Adams will have served a year and a week when she locks her desk for the last time Monday night. During that time she has had ten cases before the Supreme Court, four of which have been argued and the others submitted by brief. She walked off victor in all but one. In addition Mrs. Adams has written thirty opinions for the Attorney-General, all of which were signed without alteration of consequence.

Her job has been a man's job. She has worked as a man, has been treated as a man would have been treated, and to her credit it may be said that her men associates say her work has been done with as much ability as a man, and that's pretty good, coming from a man...

It might have seemed strange to have a woman attorney pass on cases involving infractions of the Volstead Act, but that is what she did and is an illustration of the man's-sized job she had, not a bootlegging case was dismissed, nor an inquiry made concerning the prosecution of bootleggers that was not approved by Mrs. Adams.

Since January 1 of this year, when Assistant Attorney-General Spellacy resigned, Mrs. Adams has taken over his entire list of subject matter assignments, and it was a long one, too, involving such ases as admiralty, the Federal reserve and farm loan act, trading with the enemy act, alien property custodian, espionage act and State Department matters. All this was handled in addition to her other work.14

A month later, an editorial in the same newspaper extolled the accomplishments of California women and Mrs. Adams in particular.

Despite the criticism of an English observer that American women in public office gave the sex not so much to crow about since he could find no one of them the complete boss of her job, the fact remains that the woman he used as his chief example made good
in a high position never before filled by any but men.

This was Mrs. Annette Abbott Adams. The Englishman observed that she was only an assistant attorney-general. He was not quite ingenuous. In Mrs. Adams’ Women had taken an enormous step. That the next step, to the full headship of a government department has not yet been taken is no showing that it will not be, or cannot be with full success. He forgot, or did not know, that Mrs. Adams had been the boss of her job as a United States attorney.

She made good there...so thoroughly that she has established a tradition. The new attorney-general has appointed Mrs. Mabel Walker Willebrandt as an assistant, and has asked that another California woman attorney be named as an assistant in the district office where Mrs. Adams first proved her quality.

That all these appointments of women in the department of justice are from California alone in the Nation is a special cause of pride to the men, as well as the women, of California.\(^{15}\)

Four days later, Mrs. Adams arrived in San Francisco. There she was greeted by hundreds of friends and well-wishers at a reception in the Ferry building.

"I am so delighted to be back in glorious California I can scarcely entertain any other thoughts," said Mrs. Annette Abbott Adams...from the midst of a barrage of bouquets...tendered to her by representatives of all the women's clubs of San Francisco..."I have often dreamed of coming back across the bay on just such a day, but never did I dream that my good San Francisco friends would make my homecoming such a happy and memorable one...I am quite overcome by this glorious day and these are tears of joy that you see, tears of gratification for the sweet thoughts of all of you."\(^{16}\)

The following month she was appointed to serve as a Northern California chairman to collect funds for a foundation to issue awards in the name of Woodrow Wilson. These awards were to "...be made from time to time by a nationally constituted committee to the individual or groups that has rendered within a specified period meritorious service to democracy, public welfare, liberal thought or peace through justice."\(^{17}\)
Mrs. Adams was selected by Franklin D. Roosevelt. According to Joan Jensen, the California campaign was a failure and she was unable to fill her quota of $50,000 for northern California.

On November 5, 1921, The San Francisco Examiner notes a campaign to appoint Mrs. Adams to the State Appellate Court. Edward H. Hamilton indicated that the women were backing Mrs. Adams as a replacement for Justice Frank H. Kerrigan of the Appellate Court, should he be promoted to the Supreme Court. "Why not a woman on the bench?" Hamilton asked:

To be sure, Annette Adams is a Democrat and was an appointee of President Wilson. She lost her high place at Washington when the Republicans got in. But California's laws have taken judicial positions out of partisan politics. So why not have a woman bencher appointed by a Republican Governor even if she is a Democrat?18

The idea was a good one, but obviously Mr. Hamilton was naive when he thought that talent and ambition could transcend party politics. It would take twenty years more for Mrs. Adams to obtain a seat on the Appellate Court, and then she only succeeded with the ascendancy of the Democrats to power during the 1930's. She had achieved one pinnacle of her public career in Washington, and now, so soon thereafter, her career would reach its nadir. But a woman of her ambition and ability could not be defeated and Annette did not passively retire after stepping down from national political office.

On the previous September 15th, Mrs. Adams had been one among the vigilant women of San Francisco who had assembled at the California Club to condemn the murder of actress-party girl Virginia Rappe by the Hollywood comedy star, Fatty Arbuckle. She had said that "there is by far too great a tendency to flout the law, and its infractions are being regarded with entirely too much toleration and complacency by those not directly affected."19
She believed in the organizational commitment of women as a means to accomplish their goals. Mrs. Adams was a member of many clubs and associations, as well as a popular speaker and leader of causes. She was pleased because she felt that men were also beginning to show an interest in women's clubs and organizations. She called attention to this fact at a meeting of the ladies' auxiliary at Temple Israel on November 28, 1921:

Mrs. Adams made note of other meetings of club women when groups of men were in attendance. "It used to be said on occasions, that 'women graced an event by their attendance,' stated Mrs. Adams. "Now it may be said that 'men give of their time to attend women's club affairs.' "The present tendency of many men to attend women's clubs was regarded as something reflective of the co-operative work of men and women generally. If the women can make their meetings sufficiently interesting and purposeful to command the attention of men--so that they did attend, then had commendable strides been made."

No doubt Mrs. Adams was correct in her interpretation. However, one suspects that perhaps other factors may have been responsible. Possibly some of the men attended meetings of the women's clubs for more personal, or perhaps romantic reasons, or just to "keep an eye" on what the women were doing.


It would have been virtually impossible for Mrs. Adams to have been
an active working member in all of the above organizations. Probably she
was active in a few and lent her name and prestige to the others. Judge
Peek tells us that she was quite active in the American Association of
University Women, when she lived in Sacramento. The extent of her in-
volvelement with the other organizations can only be surmised. In any
event, it is clear that for the next several years, Annette's activities
centered on her law practice, local politics and women's organizations
in California.
FOOTNOTES FOR CHAPTER NINE

2 Jensen, p. 194.
3 The San Francisco Examiner, March 29, 1920, p. 11.
4 Jensen, p. 194.
6 The San Francisco Examiner, June 10, 1920, p. 7.
7 Ibid., June 16, 1920, p. 1.
8 San Francisco Chronicle, June 22, 1920, p. 4.
11 Jensen, p. 195.
13 Ibid., July 27, 1921, p. 15.
14 San Francisco Chronicle, July 31, 1921, Vol. CXIX, No. 15.
15 Ibid., September 2, 1921, p. 32.
16 Ibid., September 7, 1921, p. 3.
17 San Jose Mercury Herald, October 23, 1921, p. 13.
18 San Francisco Examiner, November 5, 1921, p. 4.
19 The San Francisco Examiner, September 15, 1921, p. 2.
20 Ibid., December 4, 1921, p. 511.
CHAPTER TEN

A LOCAL CAMPAIGN

The beginning of 1922 found Mrs. Adams again actively pursuing her legal career, and receiving some unsolicited publicity when she was reprimanded by Superior Court Judge Thomas F. Graham for not removing her hat when addressing the court.

I would like to inform you, Mrs. Adams, that a very distinguished woman counsel, probably the most distinguished in California, Clara Shortridge Foltz, eighteen years ago said that she believed it was the duty of women practitioners to remove their hats when addressing the courts. "I will do anything to uphold the dignity of the court," replied the woman lawyer, as she laid her headgear on a nearby table.¹

The "distinguished woman counsel" mentioned by Judge Graham, a well known suffragist and attorney, was a widow with five children who began her legal career in 1885; a successful one that inspired the emulation of many women who followed in her footsteps. Mrs. Foltz was "...said to be responsible for successful legislation in the first parole system of the State, use of chairs for working women, notary public as a right for women, police matrons in prisons...she introduced bills for Public Defenders in thirty-two states."²

Although she was still successful as an attorney, the next few years were to find Mrs. Adams involved in a series of frustrating political defeats, even within her own party. While she usually followed party guidelines, she did not always adhere strictly to the support of the selected Democratic candidate. An example of this was seen in the California gubernatorial campaign of 1922, when she chose not to support Thomas Lee Woolwine, the choice of her party.

On September 26th, the Democratic State Central Committee held an
organizational meeting at the Palace Hotel in San Francisco. It was noted that there was a good feminine representation and Mrs. Amnette Adams was listed among the women personages.³ Some time during that day, she learned that the committee seat would not be granted to her:

The reason given is that she is not a supporter of the Democratic candidate for Governor, Thomas Lee Woolwine. When Mrs. Adams said that she would like to serve on the committee, Gavin McNab is reported to have said that he would vacate his seat for a woman who had been so conspicuous in the counsels of the party. But yesterday McNab said that Mrs. Adams was not on the committee... The members of the committee... are all supporters of Woolwine.⁴

The following month, Mrs. Adams was appointed a member of the law enforcement committee of the American Bar Association. Upon notice of this singular honor, she stated that "the American Bar Association is recognizing women in the profession of the law and as an integral part of the American Bar Association. The appointment pleases me for that reason."⁵

In 1923, Mrs. Adams again tried for political office when she became a candidate for the San Francisco Board of Supervisors. She received the support of Senator Phelan who said that "a woman member of the Board of Supervisors would bring a refining leaven to that body of decorum and intuition."⁶

The campaign began auspiciously, with endorsements from the Negro Progressive Club of California, the Manufacturing and Wholesalers Association of San Francisco, and the Democratic County Central Committee.⁷ She was the only woman indorsed by the United Voters because of her enviable record.³ On September 25, 1923, it was noted that "women friends of Amnette Abbott Adams, candidate for Supervisor, who filed her declaration with Registrar Zemansky yesterday, have decided to wage an intensive campaign in all parts of the city."⁹
But trouble developed one week later. "Women Row over Mrs. Adams' Race" exclaimed the headline in the San Francisco Call. The accompanying story indicated that "Mrs. Annette Abbott Adams...may become the innocent cause of a hot squabble at the quarterly convention of the City and County Federation of Women's Clubs when it convenes at the Fairmont Hotel, October 27."¹⁰ The article stated that the objection to Mrs. Adams was not personal but only the result of a recent stand taken by the club members to endorse only measures and policies.

"If we endorse one candidate, we shall soon get into trouble and be asked to accord the same consideration to all," said one prominent member today.

"Furthermore," contended another, "I feel that we should follow our previous policy, which is also that of the state, and endorse only policies and measures. And while I am strongly in favor of women in political positions, I feel that we must get away from the question of sex and not hasten to endorse because a candidate is a woman."¹¹

On October 10, 1923, Mrs. Adams was guest of honor at a party given at the Palace Hotel where a reported four hundred San Francisco women voters sat down to a luncheon and pledged their support to one of their members just to let the voting public know that they meant to have a hand in politics from then on:

"We're all going to win," Mrs. Adams declared as she thanked the women for their interest in her candidacy. "I'm unpledged to any group or individual and I'll work for you unafraid, honestly and conscientiously,"...and right there in the meeting it cropped out that the women as individuals are going to indorse Mrs. Adams even if their organizations are not permitted to do so."¹²

Mrs. Adams won a significant campaign assist when she was given full organizational support on October 27, 1923 at a convention of the city and county Federation of Women's Clubs at the Fairmont Hotel. "A resolution of indorsement of Mrs. Adams' candidacy in the interests of good government was passed without a dissenting voice and the expected con-
troversy over the policy of indorsing candidates did not develop."\(^{13}\)

Prohibition became an issue in this local campaign, as it was in state and national politics of the era. Actually Mrs. Adams was on record as "straddling" the prohibition issue. She was probably a "wet," that is one opposed to prohibition, but believed that a law must be enforced regardless of its popularity. During the campaign she was silent on the subject and was thus classified as a "dry" by the local press, that is one in favor of prohibition. "Annette Abbott Adams is classed as a 'dry'" commended the Chronicle a few days before the election."\(^{14}\) So we'll watch the returns to see if the 'wet and dry' issue has much to do with the number of votes the first two names on the ballot receive next Tuesday."\(^{14}\)

The historian Joan Jensen indicates:

A fight consequently developed in the Labor-Union party when the nominating committee recommended her. Someone circulated a letter alleging she was a "dry" and when the list of labor candidates emerged from the convention, her name was not on it. Of the thirty-six candidates recommended by the nominating committee, she was the only one who failed to get the party's endorsement.\(^{15}\)

Another issue very much injected into the campaign was public ownership of the Hetch Hetchy power project, which was supported by liberals and workers. Under the provisions of the Baker Act, the distribution of water and power from the Hetch Hetchy to the City of San Francisco was to remain under municipal control. However, there was a possibility that control of the Hetch Hetchy power project could fall into private corporate hands. Thus a controversy developed regarding private versus public ownership of this power supply to the city of San Francisco from outlying environs.

The San Francisco Call and Post questioned the thirty-three candidates in the Supervisors race regarding their stand on this issue
which would be decided by the Board of Supervisors. Twenty-seven candidates unequivocally declared themselves in favor of municipal distribution of the project. Mrs. Adams was numbered among the six candidates who evaded direct questioning. Mrs. Adams stated:

If the advisory committee's information and major premises are correct then the recommendations in its report are natural conclusions and should be carried out. I am, as a candidate, still gathering information on what is really a very large and complicated subject. My personal inclination is in favor of municipal power distribution as well as production. I merely want to satisfy myself independently of the financial practicability of the advisory committee's suggestions. Taking the recommendations in detail: To procure the State Railroad Commission's valuation of the existing private system is an obvious step. If the committee is correct in stating that funds are at present available, then the main substation should immediately be built in order to make the power available for municipal uses. I reserve the privilege, as a lawyer, of interpreting the Baker act for myself. I am not in favor of distributing Hetch Hetchy power through a private corporation as agent. If it is possible to do otherwise, but am not prepared to state that such an arrangement might not under certain circumstances, becomes desirable as a temporary measure. I wish to make it clear that I am not in any way pledged in this matter, and that I favor public distribution of Hetch Hetchy power as soon as it can successfully be brought about.16

When the ballots were counted, in spite of optimistic predictions of victory Mrs. Adams came in number 13, with 37,518 votes. "Philip C. Katz, Congressional Medal of Honor man, sprang the surprise of the election by making a runaway race for supervisor in the large field of candidates," with 62,653 votes. The supervisors selected were the nine with the highest number of votes. Ronconi, the ninth supervisor selected, had a total of 44,761 votes.17 Therefore, Mrs. Adams was about 7,000 votes short of a victory.
The headline in the *San Francisco Call and Post* announced that "Supervisors Who Back City's Hetchy Power Plan Winners." The article stated:

Through their votes for supervisors the electorate of San Francisco expressed in no uncertain terms the demand for municipal distribution of Hetch Hetchy power. With one exception every successful candidate had come out with a clean cut statement in support of the biggest issue that has come before the voters either directly or indirectly in recent years.  

It appears that Mrs. Adams' stand on Hetch Hetchy was probably the most important factor in her defeat for election although one cannot discount her equally ambivalent attitude regarding the Prohibition question. Another reason for her defeat, as pointed out by Joan Jensen, was that "registration statistics showed that the number of San Francisco women registered to vote had declined sharply since 1921. Political interest as well as unity was lagging." Also articles on the suffrage and general feminist movements indicate that women did not vote in a bloc as women after they had the vote. Rather they voted to a great extent on the basis of family, social class, community and regional political affiliations and on the basis of partisan stands on economic and political issues. Hence, while the Prohibition and Public Power Questions may well have hurt her, it is also obvious that the failure of women in San Francisco to substantially support her as the women's candidate was a distinctive factor in her failure at this time, as it was generally for women in politics for the next several decades.
FOOTNOTES FOR CHAPTER TEN

1 San Francisco Chronicle, February 11, 1922, p. 1.

2 Reda Davis, California Women-A Guide to Their Politics, 1885-1911 (San Francisco: California Scene, P.O. Box 27004, 1967) p. 151.

3 The San Francisco Examiner, September 27, 1922, p. 4.

4 Ibid., September 27, 1922, p. 17. The article also indicated that "Mrs. Adams relation to the State Central Committee will be determined today," implying that there may have been a change. However as the final list is not available and there does not appear to be any subsequent reference to the matter in later issues, we can assume that Mrs. Adams was not allowed to serve because of her opposition to Woolwine.

5 The San Francisco Examiner, October 3, 1922, p. 13.

6 Jensen, p. 198.

7 Jensen, p. 198.

8 The San Francisco Examiner, September 19, 1923, p. 8.

9 San Francisco Chronicle, September 25, 1923, p. 9.

10 The San Francisco Call and Post, October 1, 1923, p. 3.

11 Ibid., p. 3.

12 San Francisco Chronicle, October 11, 1923, p. 4.

13 Ibid., October 29, 1923, p. 9.

14 Ibid., November 3, 1923, p. 4.

15 Jensen, p. 198.

16 The San Francisco Call and Post, November 5, 1923, p. 5.


18 The San Francisco Call and Post, November 7, 1923, p. 2. The exception mentioned was William H. Harrelson, a construction engineer. Although non-committal regarding Hetch Hechy, the newspaper credited his victory to his personal popularity.

19 Jensen, p. 198.
CHAPTER ELEVEN

SPEECHES AND SENTIMENTS

About the time that Mrs. Adams began achieving a notable state-wide and national reputation as a barrister and prosecuting attorney, her reputation as a talented orator was also acknowledged. It was noted that "Mrs. Adams speaks clearly and slowly and with a manner that holds perfect silence in her large audiences. Her familiarity with all problems within the department of justice and her fluent way of recalling difficult acts of congress only adds an interesting note to her charm."

She also interlaced her speeches with humor and "...in fact, she never once lost sight of the fact that an orator who forgets the sense of humor is often forgotten with disconcerting promptitude."

Her popularity as a speaker was to continue in later years for she was often called upon to address various organizations. Her speeches were designed to appeal to the interests of the type of group she was addressing. A study of her speeches are interesting for they reveal some aspects of her personality and beliefs as well as her point of view on many subjects. Many of her speeches stressed adherence to law and order and the rights of women, although other subjects were covered as well.

One speech made to students of Hastings College of Law on October 4, 1919, involved the problem of the 5,000 or more drug users in San Francisco. "There is an alarming increase in the number of drug users...and a big problem, that of their care, has arisen. These diseased persons will commit any crime to secure the drug for which they crave. Something must be done about the situation and without delay. Of course, the strict enforcement of the Harrison anti-narcotic..."
law will in the end, it is believed, do away with drug users, but in the meantime those who have developed the drug habit will have to receive some attention. The speech shows Mrs. Adams' sympathetic feelings towards these "diseased persons" and reveals her compassionate nature; she was never a person to quickly condemn unfortunate.

In legal philosophy Mrs. Adams was a strict constructionist and adhered to the letter of the law. She believed that whether a law was good or bad, it should be obeyed and any changes should be effected only through due legal processes. The best example of this is her feeling regarding the Volstead Act.

Joan Jensen, in her excellent article stressing the political career of Mrs. Adams, recounts a ritual that Mrs. Adams performed whenever she returned to Plumas. "The ceremony involved a tin cup and a whiskey jug. The tender of the cup would ask, 'Will you have a smile 'Nette?'. 'Well, I don't care if I do, she would reply." Yet from her statements and speeches, it is obvious that she abstained during the prohibition period. For Mrs. Adams believed that "if we take the Volstead act with apathy we will soon develop the same attitude toward other laws."

On July 2, 1919, Mrs. Adams in her position as United States District Attorney said that "this office hopes for and confidently expects the cooperation of all Federal, State, and municipal authorities, and the general public in the enforcement of the war-time prohibition act. Violations reported to this office will be promptly prosecuted if the facts are sufficient to justify such action." On September 8, 1921, Mrs. Adams made a speech to the Commonwealth Club at the Palace Hotel in San Francisco which was described as "an eye opener" by the San Francisco Chronicle. The address was
made five weeks after her resignation as United States District Attorney, and was a well-coordinated and dramatic presentation designed to instill guilt in violators of the Volstead Act, and to appeal to their patriotic feelings.

I can't say whether the Volstead act is enforced or not today; I left Washington on August 1...But I, as well as every other thinking person, have not failed to note the effect of widespread violation of the Federal prohibition amendment.

Among prosecuting attorney, judges and other persons charged with enforcement of the Volstead act—and I refer to Federal as well as state officials and agents—there is an apathy which cannot be ignored. All over the Nation there are judges, prosecutors and other peace officers who look with apathy upon violations of the Volstead act. I am not concerned so much with this fact per se but its effect upon criminals and the criminally inclined, especially among those criminals who lean to murder and other crimes of violence, is too evident to be passed over lightly.

Even right here in this audience there are, I venture to say, those men who may not violate the Volstead act, but I am certain there are those who would not testify against a man they knew to be guilty of violating the Federal prohibition laws. It is that state of mind all over the Nation that has broken down the moral fibre of our people, and as a result there is a general tendency toward lawlessness in other directions. I hope I offend no one when I say that I am sure there are those here today who would not hesitate to take advantage of the men's efforts who sought to increase your private stocks. It is such a state of mind throughout the country that it is discouraging.

In so far as punishment of violators of the Volstead act is concerned, it cannot escape the notice of any thinking person that officers of the law cannot expect any help from the general public. This lack of co-operation is not confined to the general public by any means. As a whole, the bench and the bar fail to assist in the prosecution of those men and women who openly violate the Federal prohibition act.

I can give you no better example of the effect of benevolent blindness toward violations of the Volstead act than the experience of a Congressman
in the national capital. A young man came to him and earnestly sought a job as a Federal prohibition enforcement officer.

"Why do you want the job?" the Congressman demanded.

"Why," exclaimed the young man, "it's the best chance to make big money that I ever heard of."

It is a melancholy thing to observe...how many young men of clean life and habits have been corrupted and bribed by bootleggers. I know because we had to send a lot of them to jail. Violators of the Volstead act deal in big money. It is nothing for them to offer $10,000 and bigger sums to a prohibition agent...

And too, there is a nation-wide disposition to shift all the responsibility of prosecutions to the shoulders of our Federal officials.

The result is that our Federal courts are clogged with liquor cases and some of them with cases of liquor. One Federal Judge told me that he was forced to mete out severe punishment to a man who had stolen the private stock of another man. "For," the Judge said, "unless I took that course none of our private stocks would be safe."

That is the attitude all over the country. The general public will assume no responsibility for prosecutions of Volstead act violators.

I am not prepared to say whether or not the Volstead act is a good thing or a bad thing, but I do believe that if a man loves the constitution of the United States he must take the eighteen amendment with the rest of it. Draw your own conclusions from what I have told you."

Essentially the same speech was repeated about a month later at an address to the Oakland Advertising Club entitled, "Experiences of an Assistant Attorney General in Enforcing the Volstead Act."

Mrs. Adams said that "I am not lecturing you, but I do want to impress on you the seriousness of maintaining respect for our laws, whatever they may be. We are all responsible for the lack of seriousness with which the general public interprets the enforcement of the prohibition amendment."
This theme was again reiterated on the afternoon of October 20, 1921, when Mrs. Adams addressed a meeting of forum members of the San Jose Chamber of Commerce.

It appears to me...that your community gathering here, your community singing of the old familiar songs, is the answer to the title of my address, 'The Present Day Spirit of Lawlessness.' We are prone to forget community life in the United States. We have grown so large, with such giant strides, that we have become decentralized...

The spirit of individualism has grown out of all proportion in the last few centuries. Not that we deplore individualism in principle. But if carried to too great lengths if there is too much emphasis on the rights of the individual a spirit of selfishness is created...

It has always seemed an extraordinary circumstance to me...why, in a country based upon law, so many have so little respect for the law. Although I am confident few of you in this room would willingly disobey a law you thought important, still there are few who would 'speed up' if they thought the motor 'cop' was out of sight; or would get the better of the government around income tax season; or give a drink to a friend, if they had it.

We must not forget that we enjoy the greatest liberty under just laws justly enforced. We must punish violators in such a fashion that the next generation will entertain a wholesome respect for the spirit of the law.

The reaction upon the thousands of aliens coming to our shores of our spirit of lawlessness is obvious. The courts get the fruit of this reaction. It is time to call a halt to such laxity, before the very root of the nation is shaken.

Mrs. Adams again stated her position on the Volstead act that evening, when she addressed a large gathering at the San Jose High School. She discussed her problems in law enforcement in her former position as an assistant attorney general of the United States. In a dramatic speech, she made an analogy between the Prohibition act and an infant child and pleaded for "half a chance" for the law;
As I walked into the new office...I found an infant
sitting upon the doorstep—the infant Volstead act.
As a woman I could not refuse to offer it shelter
and neither did I want the men to think that it was
too big for me to undertake, so from the day of its
christening, I have mothered it.

You have a law which prevents capital punishment of
a minor. All that I ask of you is half a chance for
the infant Volstead act. Let it grow into flourishing
manhood and then if you find that it encourages
crime and is a menace, sentence it to capital pun-
ishment. Two years is not a fair trial for any act...

There cannot be any liberty unless law is enforced.
The question today is no longer one of prohibition,
that is settled; it is one of whether or not the
constitution shall be enforced. Shall good citizens
rule the country or shall the bootlegger be in charge?
Even though the Volstead act were repealed, the con-
stitution will still remain. 10

Mrs. Adams knew that passing laws was not enough; the problem was
obtaining the cooperation of people in obeying them. In a speech
regarding an international league for peace, she acknowledged that
"the trouble with laws is that they are not self-executing. They
never will be executed unless the majority have the will to execute
them. We can only eliminate war by the creation of an educated
public spirit to outlaw war." 11

Another series of speeches given by Mrs. Adams stressed the rights
and responsibilities of women. In spite of career pressures, she had
always maintained a personal interest in the culinary arts. She ob-
viously believed herself to be well qualified to discuss the role of
woman in the home and her economic emancipation in the professions.
Mrs. Adams thought that an integration of knowledge within and with-
out the home were vital, for "if a woman's place is in the home, it
is also her place in the field of outside activities. The success
of the home demands knowledge of things outside of the home which
will protect that home." 12
She also believed that women should be granted the same professional opportunities as men, as she asserted "...women equally efficient as men should not be eliminated from business. Equal pay for equal service should be woman’s slogan in demanding recognition."\textsuperscript{13} Again she urged her talented sisters, "As women in the professions, let us accept the same tests as the men. Let our success be reckoned on the same professional tests. Let the men ask of us no more severe tests than they ask of one another."\textsuperscript{14}

On April 23, 1920, Mrs. Adams addressed a meeting of the San Francisco Housewives’ League with suggested solutions to the old problem of how to combat the "high cost of living." "I think that a great part of the problem before the league...lies in teaching the individual responsibility to both men and women toward accomplishing a full day’s work with a corresponding production. I saw a door-opener today in uniform at a popular cafe and I thought 'Why is he not in the fields raising potatoes?' This sense of irresponsibility is found everywhere."\textsuperscript{15} The fact that the "door-opener" to whom she referred may have had neither the inclination nor the physical stamina to raise potatoes does not seem to have occurred to Mrs. Adams. At least this illustration of her concept of one’s "sense of irresponsibility" seems impractical, if not slightly irrational.

Mrs. Adams then discussed implementation of an economic campaign designed to lower prices of essential items. "Elimination of non-essentials is the crux of the problem to my mind, and the forcing of food and clothing merchants to feature inexpensive articles by consistent demand for them."\textsuperscript{16} Mrs. Adams then concluded with constructive and workable suggestions for arming housewives against this constant economic enemy. These included planning meals ahead, buying foods in
season, using leftovers, and watching the diet and the budget.

Another speech regarding this theme, was given at a meeting of the California Federation of Housewives' League at the Palace Hotel in San Francisco on June 15, 1920. "Give woman an ideal to work for, and she will succeed...When a woman fails men say women have failed; so, it is the part of each woman to succeed individually that women collectively may be called successful. There is one question which women can solve better than the men, and that is the high cost of living. As a housewife I urge you to keep at your noble part, pursue your purpose and the high costs of living will drop. They must, for it is the women who are the buyers and they have a weapon with which to wield a power."  

Although Mrs. Adams believed that housewives maintained an important and unique function in the home, she felt that this should not be their only sphere of influence. She stressed this point in an address to women of the National Civic Federation in the Cosmopolitan Club on February 28, 1921, and clearly indicated she thought that the doctrine of a woman's place solely in the home was an "outworn fallacy." She also decried against "tokenism" in apparent acceptance of a wider role for women in public life, and rejected anything less than full equality of opportunity for women.

There is a tendency for men to create new departments for us, such as the contemplated welfare department...

They would give that to us as a sort of toy to play with, so that we might not interfere in matters of which they think we know nothing. We want to get into the established divisions, and have a reasonable participation in their efforts.

Let us refuse to accept the idea of a different sphere for men and for women...Nowadays we must learn outside the home the functions that we exercise there. What wife can have proper meals for her
family without a knowledge of dietetics, or do her part in economizing without having studied bookkeeping? Furthermore, her duties at home fit a woman for work outside it.\textsuperscript{18}

At a meeting of Rotarian women at the Fairmont Hotel on March 16, 1922, she pleaded her case for cooperation among women and greater "sistership."

There is no reason why women cannot work and play together harmoniously and helpfully as men do... They are more logical and orderly in their processes of mind than the male sex, all opinions to the contrary notwithstanding. If any one does not think so, just visit the august United States Senate in session. Their ideas of the business-like precision with which men conduct the affairs of the Nation will be badly shattered.

Many of the currently accepted opinions about the two sexes have been overturned in my own mind in recent years... I do not think that women's minds are more coldly logical and unemotional than men's I know. As a prosecuting attorney I have seen attorneys and other influences play upon the emotions of a male juror many times. But let a reasoning woman take a firm stand upon a case and the men of the world will characterize her as stubborn.\textsuperscript{19}

In a speech to the Mothers Club of the Young Men's Christian Association, on January 5, 1923, Mrs. Adams urged women to take a more active role in political affairs because "the mother must know something of the world her children are to enter to properly prepare them for it... Children at a very early age are subject to outside influences and mothers must see to it that the outside influences into which their children are brought in contact are proper ones. The school, the moving picture, community conditions, all concern her, and no mother can remedy evil conditions by staying at home and praying. This brings women into politics."\textsuperscript{20}

And in a speech to the Berkeley Business and Professional Women's League made a few weeks later, Mrs. Adams asked for equal compensation for men and women doing equal work, because of new opportunities now
being open to women.

The old days when women only had one business—that of getting a husband—have passed...The men miss those old days. They liked to be fought over. But more power to this newer types of womanhood...

The woman who succeeds in the outside world cannot be sex conscious. That does not mean women can change and be men; whether or not we put on trousers, we are still women. We can determine, however, that whether we are women or men we can do the job right.

There should be no difference who performs a task well—a man, a woman, an angel or the devil—it’s all the same. Ability is not a question of sex. A woman’s success rests with herself. As a woman she has farther to go, so big is the handicap under which she has been working. As a child her brothers were taught to race ahead. She was always held back. 31

Mrs. Adams’ own personal experiences as a child were reflected in the above speech. The goal of equal opportunities and compensation was desirable. The speech was obviously made in a straight-forward, humorless manner. But how does one compensate "an angel or the devil" for performing a similar task?

The sentiments regarding Mrs. Adams’ feminist views are best expressed in her own written statement. In 1932, she wrote the following article for a book which reviewed the activities of the women of California.

The publication of this book devoted to the women of California, demonstrates the growing confidence of women in women which is so necessary for her success in her struggle for an appropriate share in the world’s work and the rewards thereof.

Conviction, courage and cooperation should be our watchwords: conviction in the justice of our cause, courage born of that conviction and a growing consciousness of our power, and, above all, co-operation in order that our combined forces may constitute an influence worthy to be reckoned with. Do not misunderstand me to deprecate the idea that women should strive to work along with men; that is our ultimate aim; but until women have learned to work together
as men, through their age-long experience have learned to do, they cannot hope to be taken into the inner counsels. We cannot learn by working with men—we are still on the outside looking in; and we shall not be given the opportunity until we have demonstrated our power and our fitness, not alone as individuals but as a group.

Conviction must be something more than a blind faith; it must be founded on knowledge and on common sense; our courage must be of the quality that endures and that can withstand ridicule and defeat; and our co-operation must be not only apparent, but real.

Politicians have been wont to say, tossing off the remark lightly as if the contingency were amusing but impossible, that if women would stick together they could rule the world. The experience that women have gained in their long fight for suffrage has convinced them of the truth of this assertion, and they propose to show that the contingency is no longer remote.

Also women have found a new pleasure and interest in one another which increases as women come to share more and more in public affairs. In the past we have been prone to discount the value of women's opinions, assuming though not always correctly, that they were but pale and perhaps inaccurate reflections of the opinions of their men. But with the progress of women in education and matters of general public interest their opinions have become more valuable. Opponents of equal suffrage used to argue that granting the suffrage to women would but double the vote without changing the result as women would vote as their husbands did; but we find so many differences of political opinion between husbands and wives that one sometimes wonders, where they do agree, if it is not perchance the husband who is voting as his wife does.

Dear sister workers; our feet are set upon the path but until we shall have disabused the world of the presumption that still abides, that the work of the mind and the hand of woman is inferior because of the incident of sex alone, and have shifted the burden of proof from the sex to the individual, we shall not have arrived.22

Most of Mrs. Adams's speeches were of a professional and unromantic nature, emphasizing her favorite themes of adherence to law and assertion of women's rights. However, a speech made to the California
Development Association at the Palace Hotel on October 13, 1921, showed a rather unexpected romantic side to her nature. Although the speech was made in the interests of California stove manufacturers, it does not seem feasible that Mrs. Adams was manipulated on their behalf; she obviously believed in what she said. And one wonders where she obtained her research? A short lived marriage and a professional career somehow precludes the type of personal knowledge presented in the address. Yet the speech is charming and hints at hidden facets of the lady's character.

None of us who ever went to a country school will forget the big aright stove...it was the center of the life of the school. What would these school days have been without the big stove to gather around? And as it was in the little country school, the stove was the center of the home. I rather believe the advent of steamheat has had something to do with the loss of interest in home life. What sentiment is there in sitting around a steam radiator with one's beard.23

Another part of the speech deprecated the villainous role played by the steam radiator, in frustrating romance and marriage.

Who ever heard of a young man proposing to a girl about a steam radiator? There is no romance about a radiator, the family cannot draw up about it. It is not conducive to family reunions. It creates no feeling of warm-heartedness. Romantically speaking it is as cold as the north pole.

Now the fireplace or the comfortable family stove is a source of inspiration, and creates sentiment. Seated around a cozy fire, a young man is far more likely to propose than in any other place except a moonlit garden.

I believe in the family fireplace, the stove, the cook stove, the heating stove—all kinds of stoves as adjuncts to family peace and happiness.24

The reporter who recorded her speech noted in closing that "Mrs. Adams concluded her address with a request that the orchestra play 'Keep the Home Fires Burning,' and that the audience sing the song in unison."25
FOOTNOTES FOR CHAPTER ELEVEN

1 San Jose Mercury Herald, October 21, 1921, p. 16.

2 Ibid., p. 15.

3 San Francisco Chronicle, October 5, 1919, Vol. CXV, No. 82.

4 Jensen, p. 196.

5 The San Francisco Examiner, October 5, 1931, p. 7.


7 Ibid., September 9, 1921, p. 1. Also see The San Francisco Examiner, September 9, 1921, p. 5, for shorter and slightly different version of the same speech.

8 The San Francisco Examiner, October 5, 1921, p. 7.

9 San Jose Mercury Herald, October 21, 1921, p. 15.

10 San Jose Mercury Herald, October 21, 1921, p. 16.


12 The San Francisco Examiner, September 25, 1921, p. 85


14 The San Francisco Examiner, June 24, 1920, p. 8.

15 Ibid., April 24, 1920, p. 10.

16 Ibid., p. 10.

17 The San Francisco Examiner, June 20, 1920, p. 88


19 San Francisco Chronicle, March 17, 1922, p. 2.

20 Ibid., January 6, 1923, p. 10.

21 The San Francisco Examiner, January 24, 1923, p. 6.

FOOTNOTES FOR CHAPTER ELEVEN (Continued)

23 San Francisco Chronicle, October 14, 1931, p. 5.
24 The San Francisco Examiner, October 14, 1931, p. 13.
CHAPTER TWELVE

THE MIDDLE YEARS

Defeat ended her hopes for elective office. Shortly after the election, she moved to Los Angeles and formed a law firm with Preston, the former United States Attorney. She participated in a mock radio trial which one Burlingame attorney called a disgraceful misrepresentation of the legal process. She became chairman of the directors of the Women's Democratic Council in California. She was on the Committee of Democratic Women's Forum to meet Mrs. Wilson when she arrived in Los Angeles from a trip to the Far East. In other words, for ten years she did little more than practice law. 1

It would appear from the above quotation from Joan Jensen's periodical article that soon after her electoral defeat as a candidate for a post as a San Francisco Supervisor, Mrs. Adams moved to Southern California. There she practiced law with John Preston for about ten years, until rescued from political obscurity by Preston and President Roosevelt. But the evidence does not appear to support this assumption.

According to History of the Supreme Court Justices of California, John W. Preston served as the 69th Justice of the California Supreme Court from December 11, 1926 until October 1, 1935. After that time he resumed his general law practice in partnership with Mrs. Adams. He maintained offices in the Rowan Building in Los Angeles, which were his headquarters, and another office in the Balfour Building in San Francisco. 2 Therefore the long partnership which supposedly began "shortly after the election" was not possible under these circumstances.

We also note that the 1926 edition of Who's Who in Jurisprudence, the 1928 edition of Women of the West, and the 1928-29 edition of Who's Who in California all list Mrs. Adams' home address as 95 Fifth Avenue, San Francisco.
We also find an endorsement of Mrs. Adams for membership of the California State Committee on Criminal Law by the San Francisco district, State Federation of Women's Clubs on August 17, 1926, at the Bellevue Hotel. The women emphasized "...that women should be appointed because they are really competent, not merely because they are women." Mrs. Adams' record, they point out, is "one of the most unique in the nation."

As an attorney she was a member of a special committee for law enforcement of the American Bar Association in 1923. She was also a member of the council of the criminal law section of the American Bar Association in 1923; is now member of the American Law Institute, organized in 1933...

The 1930-31 edition of *Who's Who in America* still lists her home address as 141 Ninth Avenue, San Francisco, and the 1932-33 edition of this same publication notes another San Francisco residence at 3825 34th Avenue.

We also find that in 1931, Mrs. Adams attended the Fourth Annual Meeting of the State Bar of California at the Hotel Del Monte, which lasted from October 1st through the 3rd. She was appointed a member of "...a Statewide Committee of Fifteen Members to be charged with responsibility of carrying into effect the plan for informing the public of the functions of the legal profession." And the *State Bar Journal* noted that on Saturday, October 3, 1931, "Mrs. Annette Abbott Adams of San Francisco and Benjamin Harrison of San Bernardino gave short addresses in which they set forth some of the phases of the committee's work and the possibilities of that work in familiarizing the public with the services and functions of the lawyer."

Again in February of 1935 we find the *Chronicle* reporting that an "endorsement of Annette Abbott Adams for appointment as Federal Judge to fill the vacancy created by the death of Judge Frank Kerrigan will be the business of chief importance before the meeting of the
Housewives' League tomorrow afternoon at the Women's City Club." The following March it is again noted in the San Francisco press that Mrs. Adams, "...whose candidacy for appointment as Federal Judge is receiving enthusiastic support from leading women's groups, was guest of honor at the San Francisco branch, American Association of University Women, Saturday at the Western Women's Club." More than fifteen years from 1935 would pass before Mrs. Adams received an appointment as a judge, in spite of these enthusiastic endorsements from her supporters.

Meanwhile, however, the Democrats' return to national power did mean renewed opportunity for Annette as a prominent woman Democrat and attorney of established reputation. In November of 1935, President Roosevelt "...appointed Mrs. Annette Abbott Adams of San Francisco assistant special counsel to establish title for the Government to certain land in Naval Reserve Number 1 District in California." In September of 1936, as Franklin Roosevelt's first campaign for re-election was reaching its final weeks of effort, the New York Times reported that

...headquarters have been established in the Hotel Biltmore for the recently formed National Pro-Roosevelt Association of Women Lawyers, headed by Miss Annette Abbott Adams of San Francisco, who is ill at her home there. Until Miss Adam's arrival the offices will be in charge of Miss Adele I. Springer of New York. Miss Adams...will direct the organization of women attorneys throughout the country, in support of President Roosevelt's candidacy. A cruise to Havana will be awarded by the group as the prize in an essay contest on the subject 'Why President Roosevelt Must Be Re-Elected.'

On Page 42 of the 1937-38 edition of Bench and Bar of California, we find that "in 1921, she Mrs. Adams returned to San Francisco and practiced alone until 1935, when she became associated with Judge Preston and son." Her home residence is listed as 1271 Sherwood Road, San Marino California. Her offices are the same as Preston's; the Balfour
Building, San Francisco and the Rowan Building, Los Angeles. These same addresses are also listed in the 1942-43 edition of Who's Who in California.

The *Sacramento Bee* also confirms that "at the end of a year as assistant United States attorney general in Washington...Judge Adams returned to California and reentered the practice of law in San Francisco. She remained there until 1935 when she was appointed assistant special counsel for the United States in the Elk Hills oil litigation..." 10

The above evidence clearly indicates that Mrs. Adams actually practiced law alone in San Francisco from 1921 until some time between 1935 to 1937. It was then that she joined John Preston and his son in legal partnership and only then that she moved to Southern California. During the period between 1921 until 1935 to 1937, she maintained her law practice and was obviously involved in many extracurricular political and legal pursuits but it does not appear that she participated in any sensational court cases of the magnitude of the "Bopp Case" or the "German-Hindoo Revolt Plot." And even if there still may be some lingering doubts as to the actual whereabouts of Mrs. Adams from 1926 until 1935, surely there can be no disagreement with the established fact that John Preston served as a Supreme Court Justice during this period; it is not feasible to believe that Preston could have engaged in a Southern California private law partnership with Mrs. Adams while carrying out his official duties as the 69th Justice of California's highest court.
1 Jensen, p. 199.

2 Johnson, p. 126, p. 127.

3 San Francisco Chronicle, August 18, 1925, p. 10.


10 The Sacramento Bee, October 26, 1956, p. 1.
CHAPTER THIRTEEN

A PASSPORT TO POLITICAL PROMINENCE

Once again, after fifteen years of political oblivion and frustration of her ambitions and talents, Annette Adams returned to public office as a government lawyer in a major assignment. Mrs. Adams served as Assistant Special Counsel for United States oil litigation from 1935 to 1941 and was special assistant to the United States Attorney General in the condemnation proceedings from 1940 until 1941. The case involved the Federal Government's efforts to reclaim lands involved in the oil lands scandals of the Harding administration.

On January 21, 1937, the Los Angeles Evening Herald and Express indicated that "a 13-year-old battle over the Elk Hills naval oil reserve lands had been reopened today, with a suit by the U.S. government for recovery of lands worth $10,000,000, and oils, gasoline and gas already extracted worth $13,000,000...Among the defendants named in the suit are the Standard Oil Company of California, the Pan-American Petroleum Company, and executors of the estate of the late Edward L. Doheny...The action was brought by John W. Preston, former associate justice of the California supreme court, as special counsel for the United States and by Annette Abbott Adams, former assistant United States attorney general, as assistant special counsel."¹

The background for this historic and significant suit can be briefly recounted. The United States Government claimed that it never legally had given up title to the disputed land. Under a law passed by Congress in 1853, Sections 16 and 36 of every California township of a non-mineral nature were set aside for the use of public schools. In this case, Section 36 of the disputed land was known to have been of a mineral nature even
when approved by the general land office in 1903. Therefore the United States Government contended that legal title never had actually passed to the State of California but had always remained in federal hands.

In 1914, under the Wilson administration proceedings were begun to determine the actual mineral value of the land, but after delays and suspension of the proceedings during World War I, the suit was dismissed by Secretary of the Interior Albert B. Fall of the Harding Cabinet in 1921, before such determination had been completed. Since the Democratic party had made much of the Teapot Dome-Elk Hills leasing scandals during the Republican administrations of the 1920's, it is not surprising to find that the New Deal Democratic administration re instituted the proceedings in the 1930's and in May 1936, Secretary of the Interior Ickes decided in favor of the United States government. This administrative decision, which started a prolonged legal battle in the federal courts was upheld by Judge Yankwich in the Los Angeles Federal District Courts in 1937.

From the first district court trial in Los Angeles the oil companies appealed for reversal in higher courts. The majority decision of the United States Circuit Court of Appeals in San Francisco ruled that "sole right and title to the extensive field, now a naval reserve, is vested in the United States Government and the Government is entitled to an award of approximately $7,000,000 from the company." However the Circuit Court of Appeals denied the government's appeal for an additional $1,654,766. The sum of $6,214,102 plus interest brought the award to $7,000,000.

A contemporary news account of the Appellate Court's decision commented on the crux of the original decision in the Los Angeles Federal District Court:

Judge Yankwich held that Secretary of the Interior
Harold L. Ickes was correct in stating that the land never should have been deeded to the State, as it was in 1903, and never should have been acquired subsequently by the Standard Oil Company. The original deed was not legal, Secretary Ickes declared, because it was known at the time that the land was rich in mineral deposits.

The case went all the way to the United States Supreme Court. In 1940, the Supreme Court declined to review two portions of the Federal District court decision. "The first part of the decision denied review was a refusal to give the Government between $6,000,000 and $8,000,000 as interest claimed by the Government on oil and gas taken by the company from Elk Hills—a claim the District Court characterized as 'one that would delight the most soulless usurer.'" The Supreme Court also refused to review the decision that awarded the Government $6,214,102 for minerals extracted.

Mrs. Adams' success in her handling of this incomplete, but nevertheless brilliant victory, was to again bring her into political prominence. On November 24, 1941, the Chronicle reported that California's Governor Culbert Olson was considering her for appointment to a vacancy on the Third District Court of Appeal in Sacramento. "The Governor said it was difficult to make a choice from among the large field of qualified candidates for the post left vacant by the death of John F. Fullen several weeks ago." However, "it was understood in political circles that Caminetti, former Amador County Superior Judge, had been promised a judgeship by the Governor and that he would be named to fill the Appellate vacancy."

Mrs. Adams might not have obtained the office except for the influence of Preston. Legal historian J. Edward Johnson asserts that "while Preston's backing Olson had not made him one of the insiders in his administration, it nevertheless placed Preston in a position of
sufficient advantage to entitle him to some voice in matters political. It was understood that he had his heart set on appointment of Annette Abbott Adams to the District Court of Appeal in Sacramento."^7

On March 30, 1942, Mrs. Adams was named Presiding Justice of the Third District Court of Appeal, and as the press noted, thus became "the first woman appointed to the Appellate bench in this State. Although a resident of Southern California, she was named to the $10,000 Judgeship for the district comprising Northern California counties."^8

As she was sworn in on May 6, 1942, "the oath was administered by Associate Justice Jesse W. Carter of the state supreme court at the start of a program in the State Library and Courts Building during which several jurists and leaders of various groups paid tribute to Mrs. Adams."^9 The May 7th issue of the Sacramento Union shows a picture of Mrs. Adams taking the oath from Judge Carter as the "first woman appellate court presiding justice in history of California...nearly 100 women witnessed the ceremony."^10

On May 27, 1942, Herb Caen noted that "democrat Annette Abbott Adams, first woman to be named Judge of an Appellate Court in California, will be honored here June 5 at a luncheon thrown by the League of Women Voters. She was appointed by Governor Olson, but the League, in a spasm of non-partisan zeal, is considering inviting Earl Warren to preside at the affair."^11

In San Francisco, Annette's appointment was hailed as "one more rung on the ladder of women's achievement in the professions," at the luncheon held in the Hotel St. Francis, sponsored by the Soroptimist Club, Democratic Women, Women's Athletic Club and other organizations along with the League of Women Voters. And the affair was climaxed by a fitting tribute to Annette Adams from an old friend and long-time associate in
public life.

Addressing himself to the 17 Judges of the various State courts who were in the audience, former Judge John W. Preston of the State Supreme Court said: "I've been telling you fellows Mrs. Adams was the best lawyer in the State for 25 years." Then turning to the large audience of women he said:

"You are here not only to honor a new Judge but to celebrate a new rung on the ladder up which women are climbing to eminence in the professions and in the assumption of full responsibility of citizenship."12
FOOTNOTES FOR CHAPTER THIRTEEN

2 The San Francisco Examiner, November 17, 1939, p. 4.
3 Ibid., p. 4.
4 The San Francisco Examiner, March 26, 1940, p. 1.
5 San Francisco Chronicle, November 25, 1941, p. 15.
6 San Francisco Chronicle, November 26, 1941, p. 12.
7 Johnson, p. 128.
8 San Francisco Chronicle, March 31, 1941, p. 7.
9 The Sacramento Bee, May 7, 1942, p. 11.
10 The Sacramento Union, May 7, 1942, p. 6.
11 San Francisco Chronicle, May 27, 1942, p. 11.
12 San Francisco Chronicle, June 6, 1942, p. 8.
CHAPTER FOURTEEN

A PRESTIGIOUS PRESIDING JUSTICE

Mrs. Adams took office on May 6, 1942 as Presiding Justice of the District Court of Appeals, Third District which served 35 counties including Sacramento. Raglan Tuttle and Rolfe L. Thompson served as Associate Justices. Justice Thompson served as acting Presiding Justice until June 16, 1942. We find Mrs. Adams first listed as an active Presiding Justice in the case of Scaletta v. Silva et al., on this date. Her first legal opinion is recorded on July 7, 1942 in the case of Woods v. Rechennacher.

Justice Tuttle died on July 6, 1943 and was eventually replaced by Associate Justice Paul Peek on January 2, 1945, with Justice Schottky serving on a pro tem basis in the meantime. Justice Peek and Justice Thompson then served as Associate Justices until the retirement of Justice Thompson on January 4, 1950. Thompson was replaced by Justice B. T. Van Dyke on February 23, 1950 and both Justice Van Dyke and Justice Peek served with Mrs. Adams until her retirement on November 30, 1952.

According to Justice Peek, the legal profession was very favorably impressed with Mrs. Adams' legal opinions during her term of office. As the judicial function of reviewing appeal cases was a highly technical matter with little in the way of courtroom drama, there was little coverage of most of them in the newspapers. To the layman they were not nearly as interesting as the more theatrical, criminal and civil trials in which the appeal cases originated. According to one newspaper, "...her favorite type of case is one in which the questions of law are close. Working out the legal problems is intriguing," she said. Most of her cases were confined to presentation of briefs, but some were argued ver-
bally. Justice Adams believed that even a judge is not prevented from holding private opinions. "However, a judge's legal decisions represent his legal views. A judge's job is to interpret and apply." 12

She still appeared to be a strict constructionist, always adhering to the letter of the law. Perhaps an example of this are the two writs of habeas corpus of Ex parte Sozzi and Ex parte Tipton, both presented on September 2, 1943. Both men had been convicted of illegal garbage collection in the Hagganwood Sanitary district. 13

The petition of Sozzi was denied because the Sanitary District was legally authorized "...to make and enforce all necessary rules and regulations for the removal of garbage... [and] may reserve to itself the exclusive right, through its own agents or employees, to collect garbage within its limits." 14 Thus, Sozzi was guilty as originally found and all legal procedures appeared to have been in order, and the original trial verdict was sustained.

However the petition of Tipton was granted because the petitioner alleged "...that he was 'tried in his absence in said Justice's Court and never waived his right to be present in court, nor authorized anyone to waive such right, nor knew when his said case was set for trial." 15 Both men appear to have been equally guilty of the crime of illegal collection of garbage. Yet, because there had been an irregularity in the original court's legal procedure in the case of Tipton, he obtained his release.

Judge Peek tells us that Justice Adams felt that punishment should not be overly cruel. Mrs. Adams was outspoken when she believed that a criminal had been too harshly punished. She was also outspoken against sham and attempts to "cover up." She had always placed great emphasis on the lawyer's duty to be thoroughly informed as to the substantial
facts (evidence) in his or her case, as well as having thoroughly re-
searched the statutes and legal precedents applicable to the case. She
could not tolerate a lawyer who came to court ill-prepared and who was
not exact in the use of words and opinions.

As Folsom Prison was in her district, it supplied "...a source of
cases not generally shared by other courts,"16 as she told a reporter of
the Sacramento Union in April, 1950. The prisoners "...keep abreast of
legal developments in the penitentiary library, and bombard the court with
petitions seeking their release. 'Even remote rulings which don't apply
at all are clutched at by the inmates'."17

Judge Peek tells us about one instance in which a real miscarriage
of justice occurred. This particular case involved an illiterate negro
who came to California from the South, sometime in the 1920's, and worked
as a woodcutter in the hills above Oroville. One Saturday night, he went
to that town to buy some "bootleg liquor" and became intoxicated. A fight
ensued and he fought with another man, who later died. The frightened
negro hid in the hills and was chased and shot at by a posse which fin-
ally brought him in as a prisoner. Somebody, probably a man from the
sheriff's office, told him it would go easier for him if he pleaded guilty.
He did so and was subsequently given a life term for first degree murder.

While in prison, this man learned to read and write, and eventually,
having studied law while in confinement, wrote a petition of habeas corpus
in longhand. When the petition reached her in the Court of Appeals,
Mrs. Adams insisted the man be brought before the court. The prisoner
then orally argued his own case. As soon as the facts had been presented
and reviewed, the court realized that the charge should have been man-
slaughter. After having served over 20 years, the prisoner-appellant was
issued his freedom by Judge Adam's order from the bench.18
Mrs. Adams later discussed the case with a reporter from *The Sacramento Union*. In 1950, one year after the man had been freed she said "...that the judge who sentenced him felt a jury trial would have brought acquittal...he had grounds for release immediately after the sentencing. However...most of the convict petitions are not based on good grounds and are denied." 19

In the course of the same interview she also told the reporter about "...one curious male who came to her chambers one day 'just to see what a lady judge looks like'."

He walked across the long carpet slowly, a sheepish look on his face. The slender judge listened good-naturedly as the caller explained his mission. "I was really amused," she said when he told me he had expected to find, "a heavy-set woman, dark and forbidding." 20

Describing Annette as a judicial colleague, Judge Peek depicts her as an indefatigable worker who spent long hours at her work. Outwardly she was blunt and gruff, but underneath it all, she was a sentimentalist of the first order, gentle, gracious, and really interested in people.

Albert Bradovich, who served as a court clerk and knew Justice Adams for many years, says she had a vibrant personality, with a low and commanding voice that spoke with great authority, but that she was quite feminine otherwise. She was never too busy to lend a hand on any important occasion but would not allow people to take advantage of her. They could not use her services indiscriminately, but she was always available for important matters and for individual causes she deemed deserving.

Pompous and officious attorneys would often start out as lions when they saw a woman Justice on the bench, but would end up like lambs. Conversely, according to court associates and friends, her austere exterior might frighten one upon first meeting, but when a person really got to know her it became apparent that she was a very pleasant individual. In
the view of those who knew her well, her rough exterior hid a heart of gold. And "not only did she excel in her judicial knowledge and experience, but she was a great humanitarian."²¹

Judge Peek, for example, recalls the occasion on which his wife gave birth to a child in Pasadena during the year 1945. As he left Sacramento and went to join Mrs. Peek, Mrs. Adams expressed to him her anxiety to obtain news about the baby. However, there was a wartime prohibition on the sending of personal telegrams. So they devised a harmless charade which involved sending "business" telegrams to each other discussing the status of "a 7 pound bundle of mail" which had arrived satisfactorily.

Another story is told about the time the rooms in the Court were being refurbished with new carpets and drapes. Mrs. Adams balked at this and refused the drapes, determined to retain her venetian blinds. She said that if someone came in one morning and said "Good Morning, Madame", she would just squirm; she did not want to give anyone the impression that her office could be anything but a Judge's chamber.²²

Mrs. Adams, herself, had a good sense of humor and a remarkable memory for little anecdotes. She often contributed a humorous story in informal conversations, and sometimes she herself was part of the story. Both Mrs. Adams and her secretary, Julia Allen, have told the story of the time that they were walking along "K" Street in Sacramento, preceded by a sailor and his companion. The sailor said to his friend, "I should have went to school." Apparently without thinking, Mrs. Adams corrected his grammar as she walked behind. "I should have gone to school", she said. The sailor turned, bristling as if ready to do battle. Yet when he faced this dignified ex-school teacher, he changed his mind and agreed. "You are right,", he said, "I should have gone to school," then he calmly walked on.²³
Mrs. Adams had her share of human weaknesses. Sometimes she formed a judgement too hastily. Judge Peek tells of a situation in which she bore some ill feelings against a co-worker. Subsequently she acquired some additional information which made her realize that she had been wrong in her judgment. Revealing her change of attitude, she commented to her friends, "I feel like the man who was standing watching the Roosevelt funeral procession go by saying, 'If he was not a good man, why am I crying?" She was ready to admit a mistake, even such a mistake in personal judgment. 24

According to her long-time friend, Mrs. Lloyd, Mrs. Adams sometimes tried to control and dominate those she cared about. During the early 1930's "Nette" asked "Mame" (Mary Cadle, her friend since childhood) to live with her as a companion. Mame was then a widow, but she refused the invitation. In obvious surprise, Mrs. Lloyd asked her mother, "Why not, when you are such wonderful friends and 'Nette' loves you so?"

"Mame" answered, "Nette would absorb me and tell me what to do, even how to wear my hair. And I want to wear my hair the way I want to wear it."

"Mame's" granddaughter, Jo Jean Haws, claims that the basic reason why "Nette" was so fond of "Mame" was because "Mame" was "as independent as an hog on ice."

Mrs. Adams resided with her brother Edward in a two-bedroom home at 1097 - 11th Avenue in Sacramento. There was also a wing at the side with a guest room. The home and flower gardens, once beautifully maintained, have long since deteriorated. 25 Both she and her brother loved gardening and both were partial to stray cats, several of which "graced" their home from time to time. She appears to have been a cat lover rather than a cat fancier. She once gave her court clerk, Mr. Bradovich, a vituperative tomcat called "Tramp." She would also bring in and give to friends some of the beautiful camellias which she had grown at home.
Mrs. Adams liked to cook and preserve foods, and often made special dishes for her friends. Once, when Mr. Bradovich introduced his wife to Mrs. Adams, both women were soon discussing household affairs and recipes. They were completely at ease with each other in this non-legal realm.26

Mrs. Adams was known as a perfectionist and it is said that she "never did anything half way." She had a lovely personal taste in her dress and in the furnishings for her home. Judge Peek, who probably knew her as well as any of her judicial colleagues, said of her, "She went first class in everything."27

She was very devoted and considerate of her brother, who drove an elegant Packard for her. She also was devoted to her few close friends but she was not the kind of person who enjoyed having unexpected guests. You had to let her know that you were coming. The only exception was "Mame" Cadle, who could "drop in" any time and was welcomed even "in the dead of night."28

Mrs. Adams loved to play "Solitaire" and had a special board for the game. She also played bridge. She often spent quiet evenings at home with her lifelong friend, Mary Cadle, in which "Mame" would work crossword puzzles while "Nette" played "Solitaire." The two women would chat back and forth over a cup of tea, and sometimes something stronger, and thus the lady Justice could release her tensions.29 Her work, her home, her friends; these were the things she cherished. "I haven't much time for hobbies...they're not necessary when you like your work,"30 was her reply when asked about her pastimes. And so the years passed by, as this remarkable woman filled her days with intensive dedication to her professional life, and spent relatively simple and quiet evenings and holidays with her immediate family and a few close personal friends, usually "at home."
FOOTNOTES FOR CHAPTER FOURTEEN


2 Ibid., 126 P.2d, p. 896 and 52 Cal. App.2d 730.


4 Ibid., 127 P.2d - 128 P.2d, p. V.

5 Ibid., 131 P.2d - 132 P.2d, p. V.

6 Ibid., 127 P.2d, p. 606.

7 Ibid., 211 P.2d - 212 P.2d, p. V.

8 Ibid., p. V.

9 Ibid., 247 P.2d - 248 P.2d, p. V.

10 The Sacramento Union, April 2, 1950, p. 3.

11 Ibid., p. 3.

12 Sacramento Bee, May 30, 1942, Magazine Section, p. 4.


14 Ibid., 54 Cal. App. 2d 304.

15 Ibid., 54 Cal. App. 2d 306.

16 The Sacramento Union, April 2, 1950, p. 3.

17 Ibid., p. 3.

18 Peek

19 The Sacramento Union, April 2, 1950, p. 3.

20 Ibid., p. 3.

21 Bradovich

22 Peek

23 Haws, Lloyd, Morgan, Peek

24 Peek

25 Lloyd
26 Bradovich
27 Peek
28 Peek, Lloyd
29 Lloyd
30 The Sacramento Union, April 2, 1950, p. 3.
CHAPTER FIFTEEN

THE TWILIGHT YEARS

In June of 1950, Mrs. Adams was the recipient of an honorary law doctorate from Mills College. Some time after that she told a reporter, "Politically, I don't think women have made as much progress as they should have. Both the League of Women Voters and the American Association of University Women have women well trained for political work and yet they seem timid about going out for elective positions."¹

Two years later, Secretary of State Frank M. Jordan received a letter from Justice Adams. "Having passed the age of 70 years and having served as presiding justice of the district court of appeal, third appellate district of California for more than 10 years...and being eligible for retirement under the Judges Retirement Act...I hereby notify you I have elected to retire November 30, 1952."²

Having formed no definite retirement plans involving extensive travel or permanent change of location, Mrs. Adams spent the remainder of her life in Sacramento. As her health had deteriorated, she was probably less active than formerly, but we do not know just how much time she devoted to her favorite pursuits of cooking and gardening. However, it appears that she still had a fondness for stray cats. Miss Gladys Morgan, a court reporter who worked with Mrs. Adams for ten years, says that Annette's last cat, the last of a long line of adopted strays, was a beautiful white animal named "Frosty."

On October 26, 1956, "death came to the nationally known attorney at 3:34 o'clock this morning in her home at 1897 11th Avenue following an illness of several years...She was the sister of the late Edward H. Abbott. The Andrews & Gelilich funeral home is in charge of arrangements."³
The New York Times spoke of "...her long and brilliant career." and the San Francisco Chronicle referred to her as "...one of the Nation's outstanding women." Both newspapers, along with The Sacramento Bee, listed her professional affiliations. They included the American Bar Association, the American Institute of Law, the American Association of University Women, Native Daughters of the Golden West, Delta Delta Delta Sorority, League of Women's Voters, and honorary membership in the California Club. 4

Her many firsts were also listed, along with biographical information. She was one of the first woman school principals in California, one of the first woman graduates of Boalt Hall of University of California, Berkeley, as well as one of the first women in California to be admitted to the Bar.

Mrs. Adams was the first woman in the United States to attain the position of both assistant United States Attorney and later United States Attorney and to serve as an assistant Attorney General of the United States.

She was the first woman to be appointed as Presiding Justice of the Appellate Court, as well as the first woman Justice to be appointed to that court. 5

"Mrs. Adams chalked up another of her 'firsts' in 1950 as an associate justice of The California Supreme Court. In April of that year she was assigned to sit for a single case in observance of the high court's 100th anniversary." 6

In spite of her many achievements, very little has been done to honor the memory of Annette Abbott Adams since her death. There has been only one historical journal article about her written by Joan Jensen, but only brief mention in other books and periodicals. Heretofore, no one appears to have attempted an in-depth study of her life and work.
and graduate students' theses are reputed to attain limited circulation.

Remembrances of her life now live in the hearts of her former fellow workers and friends, but time dims many details. The little things she did and said will be forgotten with their deaths. She leaves no progeny to carry on her work. Only dusty newspapers, microfilms of other newspapers, and a few other scattered bits of historical paraphernalia now tell her story.

In 1971, two vacancies occurred on the United States Supreme Court. Some pressure was brought upon President Nixon to appoint a woman. Mr. Nixon did not appoint a woman but said, "I know a great number... including my wife, felt very strongly that not only should a woman be considered but that a woman should be appointed. Let me say at least we have a beginning and there will be a woman on the Supreme Court."?

At some future date when a woman is finally selected for a United States Supreme Court appointment, she will owe a debt to Annette Abbott Adams. For it was Mrs. Adams who established the precedent of women achieving high political office in the United States Courts. She broke the long standing barriers in the legal profession at a time when they were almost insurmountable. She did it by utilizing her great talent and determination to the highest possible degree, and opened the drawbridge for other women to cross the moat. And when the first unknown woman some day takes her rightful seat on the highest judicial body in the United States, she will sit there in part because of the precedents established by Annette Abbott Adams, California's first lady of law, who showed her sisters—the women of America—and the doubting male population—that sex is no barrier to achievement in public life in those most conservative of professional categories—the bar and bench.
FOOTNOTES FOR CHAPTER FIFTEEN

1 Jensen, p. 200.


3 Ibid., October 26, 1956, p. 1.


5 Ibid.


SATIRIC CARTOONS

 Appearing in The San Francisco Examiner on June 13, 1913, page 3 upon the opening of the Adams-Ogden Office in the Monadnock Building, San Francisco
Shades of Blackstone, Gaze on Portia!
Pretty Lawyers Do Needlework in Office

WAITING FOR SOMETHING TO TURN UP

But That's Only to Kill Time While Waiting for Clients; Two Turn-Up, but First Day Is Devoted to Making Curtains.
APPENDAGE B

ANNETTE ABBOTT ADAMS-1915

When interviewed by Arthur Dunn
APPENDAGE B

ANNETTE ABBOTT ADAMS—1915

When interviewed by Arthur Dunn
APPENDAGE B

ANNEETTE ABBOTT ADAMS—1915

When interviewed by Arthur Dunn
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Lloyd, Miriam Cadle, who was a close friend of Mrs. Adams. According to Mrs. Lloyd, her mother Mary Emily Seavercool Cadle was Mrs. Adams' "closest friend." Interview on June 13, 1971 in Sacramento.

Morgan, Gladys, court reporter who worked with Mrs. Adams from 1942 to 1952 in the Third District Court of Appeals in Sacramento; interview on February 8, 1971 in Sacramento.

Peek, Paul, Supreme Court Justice (retired), who served with Mrs. Adams in the Third District Court of Appeals in Sacramento from 1943-1952; interview on January 17, 1971 in Sacramento.