

Michigan Lawyers in History

Lizzie J. McSweeney

By Carrie Sharlow



The state of Michigan was built by the lumber and auto industries, agriculture, and the lawyers who lived, studied, and practiced here. The articles in this occasional series highlight some of those lawyers and judges and their continuing influence on this great state.

In 1906, *The Denver Post* introduced its readers to three Detroit female attorneys. The article began with the following description:

If someone offered to introduce you to a group of women lawyers you would no doubt prepare yourself to meet this picture: masculine costume consisting of severe short skirt and plain short coat, uncompromising little black hat set over cropped hair, or tightly drawn back into a wad the size of a fist; big, heavy shoes, thick eyeglasses set over long, pointed nose; peering eyes; deep, masculine voice and a manner whose businesslike brevity would frighten all pretty speeches out of your head.¹

Of course, the article went on to explain that *these* women lawyers profiled were not “masculine professional” women. They were “soft of voice, gentle of manner, as dainty and feminine in dress as the crustiest old bachelor could demand, loving all those things that the ideal woman is supposed to love...” Only farther down does the author mention the women’s intellectual capabilities.

At that time, a woman lawyer was still an oddity.

Elizabeth “Lizzie” Jane McSweeney, one of the women profiled in *The Denver Post* article, not only had the distinction of being known as far west as Denver but was also the first female graduate of the Detroit College of Law and the first woman lawyer in Wayne County.

Lizzie’s parents, Hannah Dryden and Owen McSweeney, were both born in Ireland and met after migrating to escape the great famine. They settled in Michigan and had six children in 10 years; one died as an infant and the last was born after Owen McSweeney’s untimely death in 1867. Only three McSweeney children survived to an old age, and only one had descendants.

Lizzie was Hannah and Owen’s fourth child and third daughter. She was born sometime in the 1860s. No one was quite sure of her exact age: a 1900 federal census shows her age as 34; 10 years later, she had aged only four years; by 1920, she was only 44. She never discussed her age.

Her life was one of breaking barriers and providing for her family. The McSweeney children worked to help the family continue the middle-class lifestyle their father had

established for them before his death. After having successfully run an accounting business since she was 16, Lizzie decided to go to law school in her mid-to-late twenties. A new law school, the Detroit College of Law (the University of Michigan law department was a little more than 30 years old at this time), opened in Detroit, and Lizzie joined the first class. She was the only woman among the 25 graduates in 1893. Her classmates included “two future circuit judges, a supreme court justice, [and] an ambassador...”² She would later recall: “[M]y fellow students never let me feel that I was in any way an intruder because of my sex.”³

She was admitted to practice law on December 27, 1893, and the *Muskegon Chronicle* noted she was “the only lady lawyer in Wayne [C]ounty.”⁴

Washington “Wash” Irving Robinson was in the same graduating class. Wash had been practicing as an attorney since 1888 and may have encouraged Lizzie to join him at law school. The two formed a legal practice with offices located on Buhl Block. Family lore tells of their intention to form another, more personal, partnership as well. Unfortunately, Lizzie was Irish Catholic and Washington was Scotch-English Protestant and their parents

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Photo courtesy of Kati McSweeney



Lizzie J. McSweeney

wouldn't consent to a marriage. Instead, the two remained affectionate friends for more than 40 years and practiced law together until Wash's death in the 1930s.

Despite graduating from law school and passing the bar, Lizzie had to deal with ongoing prejudice. In the same *Denver Post* article quoted previously, her office was described as “a pretty little room” with a “daintiness” about it. When Lizzie was in Baltimore to take a deposition in 1900, the local newspaper pointed out her professional confidence, as if it was completely unexpected; she even *walked by herself* from the train station. It further noted that “[w]hen she tries cases before a jury she always associates a male lawyer with her because of the prejudice against women lawyers.”⁵ Because her work was “the dearest thing in the world”⁶ to her, she persevered through the prejudice, practicing for nearly 50 years.

One hundred and four years after Lizzie's graduation, the Detroit College of Law moved to East Lansing and is now known as the Michigan State University College of Law. Its current student population has more women than men, and in 2008, Joan W. Howarth became the college's first female dean.

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If you are interested in State Bar history or have a suggestion for “Michigan Lawyers in History,” please e-mail her at csharlow@mail.michbar.org.

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FOOTNOTES

1. *Three Women of the Law*, *The Denver Post*, June 16, 1906, p 4.
2. King, *The Detroit College of Law*, 27 Mich St B J 5 (May 1948).
3. *Three Women of the Law*, n 1 *supra*.
4. *Michigan Gleanings*, *Muskegon Chronicle*, December 29, 1893, p 3.
5. *A Woman Lawyer*, *Baltimore Sun*, April 20, 1900, p 7.
6. *Three Women of the Law*, n 1 *supra*.
7. Michigan State University College of Law, *Amicus: A foundation of ethics* (Fall 2010), p 7, available at <http://www.law.msu.edu/amicus/Amicus_Fall_2010-FINAL.pdf> [accessed July 10, 2012].