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*Woman Attorney Florence Loeber:  
The Trend of Admitting Agency in the New Orleans Legal Community*

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Florence Loeber was a member of the first generation of women attorneys in the United States. Though women have been practicing law in North America since the 1600s, they did not enter the field in significant numbers until the so-called “era of professionalization,” from 1870 to 1920, when a group of white, upper class men attorneys sought to increase the prestige of the field through higher standards of legal education and bar admission. While the increased standards were meant to be exclusionary, some women took advantage of the reforms.<sup>1</sup> Florence Loeber was one of these women. Until now, however, scholars have tragically overlooked her trailblazing career and have neglected to credit Loeber with the ways in which she challenged gender conventions of the early twentieth century.

When she began her legal career, Florence Loeber was one of four women practicing in New Orleans in the early 1900s.<sup>2</sup> The first woman to practice law in Louisiana was Bettie Runnels, who matriculated at Tulane University’s law department in 1897, then left New Orleans to take a position in Chicago. The second woman to enter the New Orleans legal community was Falls Bres, who began practicing the law in 1897. In 1904, Falls Bres welcomed Loeber into the profession. Two other women who practiced law in New Orleans at the same time as Loeber were Helen McGloin Wood and Louis Louque Barton. Wood and Barton both graduated from the law department at Tulane two years after Loeber, in 1906.<sup>3</sup> Due to a lack of sources, however, I am unable to provide an analysis of Loeber’s career in comparison to Wood’s and Barton’s. Loeber provides such a stimulating case study because she differed from her predecessors, who offered more conciliatory approaches to working in a male-dominated profession. Instead, Loeber posed a more direct threat to the legal profession than Runnels and

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<sup>1</sup> This article is a selection from the third chapter of my thesis titled “Admitting Agency: The First Generation of Women Attorneys in New Orleans.” The thesis profiles Bettie Runnels, Rose Falls Bres, and Florence Loeber, three women attorneys from New Orleans whose careers signal the increasing trend of early women professionals utilizing their agency to challenge gender inequalities at the turn of the twentieth century.

<sup>2</sup> For a photo of Florence Loeber see “Figure 1. Photo of Florence Loeber,” 19. Found in “Florence Loeber, Attorney, Dies at Her Home in City,” *Times-Picayune*, Sept. 28, 1933, 3. For examples of secondary sources claiming that Loeber was one of four women practicing see Glenn R. Conrad, ed., “Loeber, Florence,” in *A Dictionary of Louisiana Biography*, vol. 1, (Louisiana History Association, 1988); Carmen Lindig, *The Path From the Parlor: Louisiana Women 1879-1920*, (Lafayette, LA: Center for Louisiana Studies, University of Southwestern Louisiana, 1986), 85.

<sup>3</sup> In the one article I found on Helen McGloin Wood and Louis Louque Barton, their maiden names, presumably, are spelled differently throughout the piece. Wood’s maiden name in the piece is spelled both as “McGloin,” the spelling I chose to use because it is more frequently spelled this way in the article, and as “McGlone.” Barton’s maiden name in the piece is spelled both as “Louque,” the spelling I subjectively chose to use in my work, and as “Louique.” Found in “Ladies of the Law in the Crescent City,” *Times-Picayune*, published as *The New Orleans Item*, May 22, 1907, 18.

Bres by challenging publicly gender inequalities. In the process, Loeber signaled a new trend of women attorneys who were more likely to exert agency within the public sphere.

Florence Loeber was born into a white, upper-class family on October 2, 1878. She was the daughter of Frederick Loeber, who had emigrated from Germany to the United States in the nineteenth century. Upon his arrival to the United States, he met Caroline Catherine Humbrecht. Caroline and Frederick married and had six children; Florence Loeber was the second oldest daughter. Florence was raised with her siblings in New Orleans, where she attended St. Simeon's School for lower school. In 1894, Loeber enrolled at Sophie Newcomb College, where she proved to be a dedicated student who focused her studies on modern language and earned respectable grades. On June 29, 1898, Loeber graduated from Newcomb College. Two years later, she left New Orleans to enroll in Cornell University's law program in New York, matriculating less than one decade after Mary Kennedy Brown became the first woman to graduate from the law department in 1893.<sup>4</sup> After two years at Cornell, Loeber returned to New Orleans due to her mother's illness, and at the age of twenty-four, she enrolled in the law department at Tulane University. At Tulane, Loeber continued to achieve academically while serving as the law editor of *Olive and Blue*, the school's legal journal.<sup>5</sup> In 1904, Loeber graduated from the law department, ensuring her place within the first generation of women attorneys in Louisiana and in the United States.

Upon her graduation, Loeber became an accomplished member of the New Orleans legal community. She quickly earned a reputation as a talented civil rights attorney with her first job in the office of Henry Denis, an able civil litigator in the South. Shortly thereafter, Loeber became a member of the Era Club, formed in New Orleans in 1896 to promote the advancement of women in society, specifically women's suffrage.<sup>6</sup> As early as 1906, Loeber served as the club's counsel, and by 1913, she was president. In 1907, Loeber represented the Women's Building Association and played a vital role in electing the organization's board of directors. That same

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<sup>4</sup> Admittance to law school was one challenge women were forced to overcome. The first law school to open its doors to women was Washington University in St. Louis, when Lemma Barkaloo became the first woman admitted to study law in the United States in 1869. In 1872, Charlotte E. Ray graduated from Howard with a law degree, becoming the first black woman in the US to graduate from law school. For more information on the history of women's admittance to law schools see Virginia G. Drachman, *Sisters in Law: Women Lawyers in Modern American History*, (Cambridge: Harvard University Press, 1998), 39-51. For more information on the history of Cornell Law School see "Cornell Law School: Historical Timeline," *Cornell University*, last modified 2013, <http://www.lawschool.cornell.edu/about/timeline/>.

<sup>5</sup> "Records of Students, H. Sophie Newcomb Memorial College: 1888-1900," Newcomb Archives, Special Collections, New Orleans, LA; Susan Tucker, archivist, conversation with author, December 17, 2012; John Smith Kendall, *History of New Orleans*, vol. 3, (Chicago: The Lewis Published Company, 1992). Student records from Sophie Newcomb College's Archival Records show that during Florence Loeber's senior year, her studies focused on Modern Language. For a complete listing of the courses and grades earned for Loeber's freshman through senior years while at Newcomb College see "Records of Students," Newcomb Archives; "Tulane Law School: Miss Florence Loeber Named Law Editor by a Standing and Unanimous Vote," *Times-Picayune*, Dec. 8, 1903, 4; "Ladies of the Law," *Times-Picayune*; "University of Louisiana: Law Department Matriculation Book: 1854-1910," Tulane University Law School, Special Collections, New Orleans, LA.

<sup>6</sup> "Ladies of the Law in the Crescent City," *Times-Picayune*. The Era Club was established by the women from the Portia Club in New Orleans, specifically Evelyn Ordway, a member of the Sophie H. Newcomb faculty, and Kate Gordon, leading activist in New Orleans, who also formed the Southern States Woman Suffrage Conference. "Era" stood for the Equal Rights Association, and though women's suffrage was its ultimate goal, the group advocated for complete civic reform. Found in Walter Parker, "Clubs and Kindred Organizations," *Standard History of New Orleans, Louisiana*, ed. Henry Rightor, (Chicago: The Lewis Publishing Company, 1900). See also Kristina Gupta, "Kate M. Gordon (1861-1932)," *Rights for Women*, Cyber Exhibit, National Women's Historical Museum, accessed April 26, 2013, <http://www.nwhm.org/education-resources/biography/biographies/kate-gordon/>.

year, Loeber was appointed counsel of the Woman's League and was elected to the board of directors for Destitute Orphan Girls. In 1915, Loeber opened a private office, where she began to cultivate a loyal and enviable clientele. The success of Loeber's practice was recognized in 1922, when she was mentioned as a potential candidate for a judgeship in Juvenile Court. Loeber's colleagues urged her to accept the nomination because she was the only woman candidate, but Loeber declined. Instead, she became the vice president of the new courthouse commission in 1923.<sup>7</sup> That same year, Loeber co-founded the Alexander Milne Home School for Girls, an organization dedicated to assisting girls with disabilities in the greater New Orleans area. In 1924, she was elected President of the National Council of Catholic Women at the fourth annual convention in St. Louis based on her past experience as president of the Catholic Woman's Club and as both a member and president of the national council of the Archdiocesan Council. Loeber's professional success continued throughout the final years of her life, as she was initiated to the Tulane chapter of Kappa Beta Pi, an international women's legal fraternity, in 1931.<sup>8</sup>

This list of women's organizations in which Loeber was a member is something that cannot be found within the career of Bettie Runnels or Rose Falls Bres. Although Rose Falls Bres did have a few clubs on her resume, Runnels, as far as my research has shown, participated in only one.

Loeber's long list of activities in the New Orleans community correlates with the availability of primary sources about her career. It is possible that Loeber's participation within these women's organizations presented her with opportunities to challenge gender inequalities in the public sphere. With increased networking and a strong backbone of support, Loeber proved she was a force to be reckoned with.

Florence Loeber's professional accomplishments were comparable to her sisters' successes in the professions. Both Dr. Edith Loeber Ballard and Dr. Maud Loeber were pioneers in the New Orleans medical community as they were among the first women to be admitted into

**Club Woman, Civic Worker  
to Be Paid Final Tribute**



**MISS FLORENCE LOEBER**

Photo of Florence Loeber, ca. 1920  
*The Times-Picayune*

<sup>7</sup> *The Eleusis of Chi Omega* 11, no. 1, (The Chi Omega Fraternity, 1909), 215. See also "Riehl Tragic End Not Unexpected," *Times-Picayune*, published as *Times Daily Picayune*, July 26, 1913, 2, "Women's Building: Both Stocks and Bonds Will Be Issued," *Times-Picayune*, December 6, 1907, 4, "Ladies of the Law," *Times-Picayune*. "Moran is Candidate for Juvenile Bench," *Times-Picayune*, January 1, 1922, 12. See also "Woman Lawyer Says Men Extend Happy Greeting: Miss Florence Loeber, Attorney Pays Tribute to Politeness of Men," *Times-Picayune*, July 16, 1922, 3. "Courthouse Body Elects: Henry H. Chaffe Named President of Commission," *Times-Picayune*, March 18, 1923, 12.

<sup>8</sup> While Loeber was the attorney for the Era Club, she organized the Alexander Milne School for Girls with the club's president, Jean Gordon. As stated by Gordon, the school was, "devoted to the care, training, and happiness of those whose minds have not developed normally." The *Times-Picayune* presented its annual cup of service, filled "with love and esteem," to Gordon as a recognition of her service to the city of New Orleans with the foundation of the Milne School. See "Times-Picayune Cup is Presented," *Times-Picayune*, November 12, 1923, 9. See also "New Orleans Woman to Head Council," *Times-Picayune*, November 23, 1924, 3, "News of Tulane, Campus Activities," *Times-Picayune*, January 13, 1931, 5.

the New Orleans Parish Medical Society. In 1907, Edith, Florence's older sister, became one of the first women faculty members in the medical department at Tulane University.<sup>9</sup> Maud, Florence's youngest sister, was amongst the first generation of women who enrolled in the medical department at Tulane. Maud was admitted to the program in the early 1900s and from 1930 to 1948, served on the faculty as a tenured professor. On the family tombstone, Maud's medical achievements are recognized with the initials "M.D." after her name; she was the only family member to have their professional status engraved, which suggests the weight of her professional accomplishments.<sup>10</sup>

It seems likely that family background played a key role in advancing the sisters' careers. The fact that Edith, Florence, and Maud came from a white, upper-class family afforded them the opportunity to earn an education and to enter into the public sphere. Also, it is likely that their parents had progressive views on gender equality, as their mother and father provided them with the resources to enroll in higher education. Their father's experience in the medical field in New Orleans also granted the Loeber sisters access to the public sphere. Frederick Loeber was a renowned physician and was recognized throughout his career for his exceptional skills.<sup>11</sup> As Edith, the oldest sister, found success within the medical field, it is likely that her father offered her guidance, and possibly encouragement. Furthermore, Edith may have served as a role model for Florence and Maud; Edith's success likely signaled to her younger sisters that women were as capable as men in the professions.

Marital status also may have been a factor in the Loeber sisters' successes. On the family tombstone, Edith's full name is listed as "Edith Loeber Ballard," which suggests that she likely married, as both her maiden name and husband's family name are listed. This is similar to Florence's younger sister, Corinne, who is listed as "Corinne Loeber Dunbar." However, it appears that neither Maud nor Florence ever married. On the family tombstone, the name Loeber is the only one to follow Florence's and Maud's first names, signaling that they never acquired the family names of any men. It is possible that Florence's and Maud's choice to remain single may have enabled their continued success in the public sphere. In comparing Edith's career to Florence's and Maud's, it seems as though Edith was not as well-known. Florence's and Maud's activities were frequently mentioned in local newspapers, but Edith was rarely acknowledged.<sup>12</sup> A reason for this could have been because Edith was not as engaged in the field after she married. Significantly, one report claimed that Edith was "active in various medical and social activities, until marriage," and that upon marriage, she "gave up fulltime practice of medicine to raise a family."<sup>13</sup> It was not uncommon for women professionals at that time to choose to give up their careers in order to focus on starting a family.<sup>14</sup> Thus, as it may

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<sup>9</sup> Glenn R. Conrad, ed., "Ballard, Edith Loeber," in *A Dictionary of Louisiana Biography*, vol. 1, (Louisiana History Association, 1988); John Dyer, *Tulane: The Biography of a University 1834-1965*, (New York: Harper and Row, 1966), 136.

<sup>10</sup> "Woman Lawyer Says," *Times-Picayune*; Fred Hatfield, photographer, "Didier Humbrecht and Frederick Loeber Family Tombstone," *Lafayette Cemetery*, 2.) 132, 2008, [http://www.lafayettcemetary1.com/2\\_100/2\\_132.htm](http://www.lafayettcemetary1.com/2_100/2_132.htm).

<sup>11</sup> John Fredrick Nau, *The German People of New Orleans, 1850-1900*, (Netherlands: E. J. Brill, 1954), 134-5.

<sup>12</sup> For information on the family tombstone see Hatfield, photographer, "Didier Humbrecht." Florence's and Maud's popular success compared to Edith's and Corinne's can be seen through a *Times Picayune*'s archival search. To list just a few of the primary documents on Florence and Maud Loeber, see "Miss Loeber's Will Filed for Probate." *Times-Picayune*, Oct. 3, 1933, 9; "Tulane Law School," *Times-Picayune*, 4.

<sup>13</sup> Conrad, "Ballard, Edith Loeber," *A Dictionary of Louisiana Biography*.

<sup>14</sup> Found in Trina Robbins, *Nell Brinkley and the New Woman in the Early 20<sup>th</sup> Century*, (Chicago: McFarland and Co., 2001). Cynthia Fuchs Epstein refutes Robbins' theory and argues that married women were more likely to achieve success than unmarried women in the 1950s to 1960s. Though she offers a few explanations, Epstein

have been Edith's decision to drop out of the paid workforce after marriage, it reveals that marriage often thwarted women's ability to attain professional success in the twentieth century. To further support this theory, Corinne Loeber Dunbar, the second youngest sister, appears to have not received any recognition within the public sphere. She likely did marry, which may have been a factor in her being the only Loeber sister that perhaps did not pursue a professional career. However, as Florence and Maud likely remained single, it appears as if they were less constrained by the expectations placed on wives and mothers and, as a result, had more opportunities to become successful professionals.

The fact that Florence and Maud likely never married may have led to their close friendship. In her will, Florence Loeber bequeathed most of her assets to Maud. As Florence was the first of her siblings to die and did so as a result of a two-month illness, Florence's will suggests the tight bond the two sisters shared.<sup>15</sup> By reflecting on marital status, we may better understand these sisters' relationships and their successes in the public sphere.

As a member of the first generation of women attorneys in Louisiana, Florence Loeber sought ways to appeal to and be accepted by the male dominated field. Similar to her predecessors Bettie Runnels and Rose Falls Bres, Loeber emphasized ways in which her male colleagues had contributed to her success. In interviews with local media, Loeber assured the public that all men attorneys welcomed women into the field. One article read, "far from resenting the entrance of women into the leading professions formerly held exclusively by men, male members of these callings gladly welcome them when they study and prove themselves worthy of recognition. This is the opinion of Miss Florence Loeber."<sup>16</sup> By detailing men attorneys' acceptance of qualified women in the field, Loeber was perhaps attempting to show male colleagues that she regarded them as allies and not foes. Loeber further highlighted the role of men in her professional achievements by stating that she "received a welcome to the New Orleans bar she had never anticipated."<sup>17</sup> By focusing on men's support, Loeber presented herself as someone who would not challenge male authority, and in the process, perhaps smoothed her entrance into the city's legal community.

When asked to comment on her own experiences as a female trailblazer in New Orleans's legal community, Florence Loeber often drew parallels between her experiences with male peers and those of her sister Maud's in the medical field. In noting the history of women in the New Orleans medical community, Florence's statements that highlighted men physicians' acceptance of women physicians obscured the degree to which the medical profession sought to prevent women from joining its ranks. Although the State of Louisiana passed a law that permitted universities to admit women to study medicine in 1894, the medical department at Tulane did not admit its first woman student until 1915.<sup>18</sup> It seems unlikely then that when Florence's sister

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references one study that suggested that married academic women were more integrated into predominately male networks, which allowed for greater success by networking. For more information see Cynthia Fuchs Epstein, *Women in Law*, (New York: Basic Books, 1981), 342.

<sup>15</sup> "Miss Loeber's Will Filed," *Times-Picayune*; "Florence Loeber, Attorney," *Times-Picayune*.

<sup>16</sup> "Woman Lawyer Says," *Times-Picayune*.

<sup>17</sup> *Ibid.*

<sup>18</sup> "Act 118, 1894, 157," Revised Laws of Louisiana: Containing the Revised Statutes of the State as Amended by Acts of the Legislature from the Session of 1870 to that of 1896 Inclusive, compiled and annotated by Solomon Wolff (New Orleans: F.F. Hansell and Bro., 1897), 932. Largely at the command of the medical department's dean and faculty, Tulane did not permit women to study medicine until 1915. Two years later, Linda Coleman became the first woman to graduate from a Louisiana university with a degree in medicine. For more information on the history of Tulane University School of Medicine see Dyer, *Tulane*, 177. See also Lindig, *The Path From the Parlor*, 84.

Maud enrolled to study medicine at Tulane, just a short time after the medical department lifted its de facto ban on women students, the profession was entirely accepting of Maud or her female peers.<sup>19</sup> Perhaps Florence Loeber's romanticized accounts of her sister's experiences were clever ways in which she sought to present herself as a member of the male dominated professional world, instead of as an outsider.

The journalists who covered stories about the first generation of women professionals in New Orleans emphasized men's reactions to women trailblazers instead of the experiences of the women pioneers. Newspapers often depicted the event of Loeber's graduation as newsworthy because of her male colleagues' reactions. As narrated by *The Times-Picayune*, there was increased interest in Tulane's graduation ceremonies on May 16, 1904, because it was still considered an oddity to see a woman earn a legal degree. The local newspaper went on to highlight the men in the profession by emphasizing the speech of the President of Tulane University at the graduation ceremony. One journalist wrote, "When Dr. Alderman, President of Tulane University, conferring the degrees, called her name, the audience greeted her with enthusiastic applause, and the class also rose in body and applauded."<sup>20</sup> The press often used Loeber's achievements to emphasize the generosity of men in the profession. Perhaps taking their cue from Loeber, who stressed the support she received from her male colleagues, the media attributed Loeber's success to men attorneys' progressive attitudes. This tactic was similar to how the media utilized the success of Bettie Runnels and Rose Falls Bres in years prior. As women were entering the public sphere at the turn of the twentieth century, the media's use of women's successes as a medium through which to highlight men in the professions appears to have been unwavering.

Though she perhaps embellished the weight of men's roles in her success, Loeber often did so in order to hold men accountable for the advancement of women in society. In 1907, Loeber delivered one of her first lectures as an attorney to the Woman's Club of New Orleans. The speech was titled, "The Legal Status of Women in Louisiana," and emphasized the necessity of acknowledging women's rights as a fundamental issue within the legal field. After detailing how women were granted fewer liberties than men and observing that married women received even fewer privileges by law, Loeber pronounced that men in leadership positions held the authority to reverse such discriminatory legislation. She stated, "We may expect of those who hold the balance of power the generosity and intelligence which mark the progress of this twentieth century."<sup>21</sup> Not only did Loeber seek to appeal to men by commenting on their "intelligence" and "generosity," but she also situated men in the legal field as responsible for women's progress. Thus, by emphasizing the roles of men, Loeber exposed their critical influence on society's ability to attain gender equality. Loeber's strategies of holding men accountable for women's unequal status in the law signal the progression of women attorneys publicizing and utilizing their agency in the twentieth century.

Florence Loeber used her legal education to open doors for women in other professional fields. From 1906 to 1915, Loeber advocated for the acceptance of women into the medical

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<sup>19</sup> In 1922, Florence Loeber commented on how Maud was welcomed into the New Orleans legal community. Thus, it is inferred that Maud enrolled at Tulane no more than five years after the first woman earned a degree in medicine. This time frame shows the unlikely possibility that Maud was met with complete acceptance into the profession. See "Woman Lawyer Says," *Times-Picayune*.

<sup>20</sup> "Tulane's Law School: Including Miss Loeber, One of the Few Ladies to Seek Diplomas Here—Alumni and Bar Association Extend Greetings," *Times-Picayune*, May 17, 1904, 15.

<sup>21</sup> "Women and Louisiana Law: Attorney Florence Loeber Sees Better Days Coming," *Times-Picayune*, published as *The Daily Picayune*, April 16, 1907.

department at Tulane University. Perhaps motivated by her sisters' desires to practice medicine, Loeber began to investigate the university's enrollment policy, which at the time denied all women admission to the medical department. She studied Tulane's charter and the letter of donation of Paul Tulane, who founded the university in 1884. Loeber argued that Paul Tulane's charter did not prohibit women from admission to the medical department. In her written opinion, she quoted Paul Tulane, who said that "young white persons" would populate the university.<sup>22</sup> Loeber argued that Tulane's founder identified race as a determining factor in admissions, not sex. She also invoked the words of Harry Hall, former dean of the law department, who declared upon the school's opening that the law program admitted women as well as men. This is notable because the law department opened in 1847, but continued to enroll only men until 1897, when it admitted Bettie Runnels. Loeber concluded that since the board of administrators was expected to follow the University's charter, it was illegal for the school to deny the admission of qualified white women to the medical department.<sup>23</sup>

Despite Loeber's efforts, Tulane's medical school did not permit white women to enroll until 1915. Its first woman graduate was Linda Hill Coleman in 1917, twenty-three years after the Louisiana Legislature had passed an act that permitted all schools of higher education in the state to grant women degrees in medicine, pharmacy, and law. Loeber's efforts did, however, directly result in the university hiring two women faculty in 1907, one of whom was Florence Loeber's older sister, Dr. Edith Loeber Ballard. Maud Loeber, Florence's youngest sister, also benefitted from Florence's fight when she was admitted to the medical program in the early 1900s.<sup>24</sup> Florence Loeber used her status as an attorney to fight for the advancement of women's professional and academic rights and in doing so, posed a direct threat to the public sphere.

Florence Loeber took advantage of her position as a leader in the New Orleans community by challenging gender inequalities of the early twentieth century. For example, in her first year as an attorney for the Era Club in 1906, a woman's organization in New Orleans that promoted women's suffrage and advancement in society, Loeber spoke against a proposed Louisiana bill that sought to lower the age of consent from sixteen to thirteen. As the bill was thought to be absurd by most, Loeber took the opportunity to speak on "Woman's Position Before the Law."<sup>25</sup> In her lecture, Loeber detailed the ways in which the law limited women's opportunities in their private and public lives. She identified the tangled legal terrain women encountered; for instance, women could serve as witnesses in court but were deemed too incompetent to serve as witnesses to a will. Loeber also used this opportunity to contest the differences between the legal rights of single and married women and in doing so, exposed the limited rights of married women.<sup>26</sup>

Loeber invoked the racist appeals that sometimes accompanied white women's feminism during this period, particularly when she lamented that black men had legal privileges that were not afforded to white women. As the *Times-Picayune* noted, "Miss Loeber said that an ignorant negro was competent to witness a will, just so long as the ignorant negro was of the masculine

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<sup>22</sup> Dyer, *Tulane*, 37; *The Eleusis of Chi Omega*, The Chi Omega Fraternity, 215.

<sup>23</sup> Dyer, *Tulane*, 25, 69; *The Eleusis of Chi Omega*, The Chi Omega Fraternity, 215.

<sup>24</sup> Dyer, *Tulane*, 136, 177; "Woman Lawyer Says," *Times-Picayune*.

<sup>25</sup> "The Eras Protest Changing Laws: Miss Loeber's Lecture," *Times-Picayune*, May 27, 1906, 7.

<sup>26</sup> The *Times-Picayune* article explained Loeber's lecture in detail. The article quoted Loeber stating, "A marriage under the law virtually means the entering into a partnership of a man and a woman, but the man is the master of the partnership, and while, he is empowered to sell whenever he likes, the woman has not the same privilege." The article further mentioned Loeber's knowledge of the development of the Code in Louisiana and its similarities to the old Roman law. *Ibid.*

gender, and the construction of the law credits the ignorant negro with a greater competency than it does the most intellectual white woman.”<sup>27</sup> At a time when women were entering higher education and professional fields, arguments about the rights of black men versus those of white women framed many social debates. In fact, history shows that white women often used claims of racial superiority countered with black and immigrant men’s enfranchisement in the political arena in order to demand equal rights, as seen with Elizabeth Cady Stanton’s advocacy for white women’s suffrage.<sup>28</sup> Unprecedented, however, was Loeber’s direct challenge to the professional community as a member within it. In comparison to her predecessors Runnels and Bres, Loeber’s arguments against gender inequalities signaled an increase in women attorneys’ abilities to assert their opinions. Loeber was not afraid to pose a direct threat to the legal field, and because of this, she was able to use her status as an attorney to fight against early twentieth century gender norms.

As a respected attorney in New Orleans, Loeber used her position to advocate for equal rights of married and single women. On May 29, 1909, Loeber took center stage at a meeting of the Louisiana Bar Association to give her opinion on the question: “Should married women be given all the powers of unmarried women? If not, should they be relieved of their marital disabilities to any extent –and, if so, to what extent?”<sup>29</sup> The chairman invited Loeber to give her response to a previous paper that had been delivered by another member of the association, Mr. Dupre, who advocated for the equal rights of unmarried and married women. Loeber spoke to the entire membership to explain her opinion that there should be no legal difference between a single and a married woman. She began by stating, “Mr. Chairman, Ladies and Gentlemen: I wish to endorse heartily the position taken by Mr. Dupre that married women should be relieved from all legal disability with regard to their separate property.”<sup>30</sup> Loeber argued that married women should have property rights, and that if women were to gain this right, it would benefit both sexes. She dissected her claim into two scenarios: how married women’s equal property rights would affect “congenial and happy” couples and how it would affect separated couples. Loeber claimed that for happy marriages, granting the wife equal property rights would not change any marital relations, as the wife would most likely still consult the husband with her contracts. As for marriages where the wife and husband were separated, Loeber argued that granting married women property rights would be most beneficial. At that time, a woman who was separated from her husband was still legally required to obtain her husband’s permission before disposing of any property, including property she had brought into the marriage, even though the husband did not need any approval from her to do the same. Loeber reasoned that granting women equal property rights would allow wives who were separated from their husbands to make their own decisions about their personal property and its disposal. Until this point in her argument, Loeber had only supported the claims made by Mr. Dupre; however, with mention of a potential case where a wife was separated from her husband, acquired property independently, and the husband still had the authority to dispose of that property, Loeber articulated her own ideas to the Louisiana Bar Association. She argued that in that specific scenario, “surely any property acquired by her [the wife’s] separate industry and labor should not

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<sup>27</sup> *Ibid.*

<sup>28</sup> Louise Michele Newman, *White Women’s Rights: The Racial Origins of Feminism in the United States*, (Oxford: Oxford University Press, 1999), 56-65.

<sup>29</sup> “Report of the Louisiana State Bar Association,” vol. 7-11, (New Orleans: Legal Printer, 1905), 59.

<sup>30</sup> *Ibid.*



be disposed of by the husband without her consent or concurrence.”<sup>31</sup> At this instance, Loeber not only agreed with Mr. Dupre but also voiced her own views to persuade the membership to grant married women the same rights as single women, a position that many would consider radical until the 1970s.

Loeber’s argument for equal property rights of married and unmarried women at the 1909 proceedings of the Louisiana Bar Association showcased her progressive ideas about gender. When she was making a case for equal property rights of a married woman and her husband, Loeber disregarded traditional gender roles to mention the possibility of a woman as the primary worker of a household. She explained, “I do think that where the wife is the wage earner and breadwinner, surely any property acquired by her separate industry and labor should not be disposed of by the husband without her consent or concurrence.”<sup>32</sup> Loeber not only sought to persuade her audience with her arguments, but also formulated new viewpoints on gender. In attempt to advance women’s status in society, Loeber dispelled traditional gender roles and publicly challenged the norm.

Loeber continued to defy gender norms by deploying rhetoric that challenged society’s fundamental views on women and protection. When arguing that married women should have the same rights as single women, Loeber proposed that the law should offer protections to both men and women. In a conversation with the Louisiana State Bar Membership, she declared, “I may say that we are not considering this law from the point of view of sentiment or prejudice, but are simply considering it from the point of view of justice – where an advantage is given the husband, the same advantage should be given to the wife, and where *protection is given the husband*, the same protection should be given to the wife.”<sup>33</sup> Loeber was clever in her use of the word protection. Traditionally, the word ‘protection’ had been used to justify women’s inferior status in society.<sup>34</sup> As political scientist Sally J. Kenney explains in her book *For Whose Protection*, from the late nineteenth to the early twentieth centuries, lawmakers enacted the concept of protection to legalize discriminatory policies against women in the work force.<sup>35</sup> Thus, in attempting to disband prejudicial language, Loeber expressed that the law served to protect both men and women and articulated a form of equality using the rhetoric of protection. She flipped the script to show that women were not being protected by the law, but were instead being constrained by it. This strategy not only served to justify the necessity of granting married women the same rights as single women, but also served to evoke progressive ideas about gendered language in the law.

After Loeber’s presentation at the Louisiana Bar meeting, other members spoke for and against her declaration. Ultimately, the chairman maintained that, despite Loeber’s persuasive argument, married women should not have the same rights as unmarried women.<sup>36</sup> Though the chairman’s decision went against the argument made by Loeber, it is significant to note Loeber’s ability to raise her own opinion and one that certainly was not held by the majority of the people

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<sup>31</sup> *Ibid.*, 60.

<sup>32</sup> *Ibid.*

<sup>33</sup> Italics, mine. *Ibid.*

<sup>34</sup> Albie Sachs and Joan Hoff Wilson, *Sexism and the Law: A Study of Male Beliefs and Legal Bias in Britain and the United States*, series *Law in Society Series*, edited by C.M. Campbell and P.N.P. Wiles, (Oxford: Martin Robertson, 1978).

<sup>35</sup> Sally J. Kenney, *For Whose Protection?: Reproductive Hazards and Exclusionary Policies in the United States and Britain*, (Ann Arbor: University of Michigan Press, 1992).

<sup>36</sup> “Report of the Louisiana State Bar Association,” 146.

in her field. Loeber utilized her status as a woman attorney to challenge sexist laws of her time and promote progressive ideas about gender.

Loeber was forthright about her desires for societal change. In her early years as an attorney for the Era Club, Loeber grappled with laws that concerned women and children specifically. In 1906, she was given the opportunity to speak in favor of the Dispensary for Women and Children, a medical clinic for poor women and children in New Orleans. Also, at an Era club meeting in 1908, Loeber submitted a report to the membership about the law on abduction.<sup>37</sup> Later that year, Loeber collaborated with club members to petition the legislature to pass a law that classified dead men in the same legal standing as women. The point of this request was to position dead men into the same legal category as women, children, mentally disabled, and incarcerated individuals, which would legally deprive them of the right to vote. The *Times-Picayune* entitled this piece, “Era Club has Its Little Joke on Men: Asks that Dead Males be Classed with Women.”<sup>38</sup> Though the request may have been unconventional, it hardly seems possible that Loeber and her colleagues would have gone out of their way to play a meaningless “joke.” Instead, it is more likely that they used their influence in the legislative system to make it clear how absurd it was to deny women the right to vote. By broadcasting her argument about the legal status of deceased men, Loeber signaled to the public that she would not tolerate gender injustices of the early twentieth century.

It appears that the public eventually appreciated Loeber’s direct challenges to the gender conventions that shaped her lifetime. After her death in 1933, she was widely recognized for her professional accomplishments. Loeber was listed in the *Times-Picayune* as one of the prominent and outstanding citizens who passed away in 1933. Engulfed within a sea of the names of deceased men was her salute, which read, “Miss Florence Loeber, attorney and clubwoman, September 27.”<sup>39</sup> Loeber was also remembered for her life’s accomplishments in an article from 1958 titled, “History in the Making.” In the section that briefly acknowledged three historic events that occurred twenty-five years prior to the article’s publication, Loeber’s name was listed after Henry Ford’s: “Henry Ford defied the NRA a second time, closing his Chesterfield, Pa., plant and refusing to receive a mediator. Miss Florence Loeber, New Orleans attorney and civic leader, died.”<sup>40</sup> Local media’s recognition of Loeber before and after her death shows that she was respected as an attorney and held much clout in the profession and in the community.

Florence Loeber challenged the laws that relegated women to second-class citizens throughout her career. Her work provides the first example of a woman attorney in New Orleans who publically posed a threat to the legal field. Though Florence Loeber’s narrative is tragically overlooked in historical accounts of the legal profession in the United States, her personal and professional accomplishments warrant recognition. As Loeber was one of the first women to practice law in Louisiana, her career signaled a trend in women attorneys’ ability to confront publically sexist laws. Bettie Runnels, as the first woman attorney in Louisiana, cautiously navigated the field in order to appear non-threatening to the public sphere. This narrative slightly changed with the admission of Rose Falls Bres into the law department at Tulane. Bres portrayed herself as a non-disruptive member of the field, but challenged gender inequalities in her private

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<sup>37</sup> “First Anniversary: Dispensary for Women and Children Celebrate Event,” *Times-Picayune*, June 2, 1906, 4;

“Earlier Closing: Movement Launched by Era Club in Saleswoman’s Behalf,” *Times-Picayune*, April 12, 1908, 5.

<sup>38</sup> “Era Club has Its Little Joke on Men: Asks that Dead Males be Classed with Women,” *Times-Picayune*, Mar. 15, 1908, 14.

<sup>39</sup> “Many Prominent New Orleanians Died During Year: List of Outstanding Citizens Who Succumbed in 1933,” *Times-Picayune*, Jan. 1, 1934, 6.

<sup>40</sup> “History in the Making,” *Times-Picayune*, Sept. 27, 1958, 10.

work as an author and playwright. Loeber was a pioneer in her own sense because she was the first woman in the New Orleans legal community to challenge gender inequalities directly. Loeber did not allow her gender to confine her professional aspirations and instead utilized her role as a woman attorney to argue for the advancement of women's rights. Loeber directly contested the mores of the legal field, therefore admitting her agency as a woman professional and now earning respect as a woman trailblazer.