

The First 50 Women in Idaho Law

HELEN LOUISE NICHOLS YOUNG

October 26, 1895

(1862 – 1951)

Helen Louise Nichols Young, sometimes called “Nellie Young,” was born in 1862 in Lansing, Michigan to Sarah A. Nichols. Three years later her brother, Ashel William Nichols, was born. Sometime thereafter her father either died or parents divorced. Her mother married Daniel E. Waldron on March 9, 1870, in Ingham County, Michigan. Waldron, an attorney and then resident of Elko, Nevada, decided to move the family west. According to the 1880 census, the Waldron family lived in San Francisco, California, where Waldron practiced law in an office on Bush Street. A short time later, the family moved again to north Idaho where the economy was booming from the mining industry. There, in the small town of Osburn, Waldron began practicing law. Young began studying law in her father’s office as early as 1885.

Young met Orville R. Young, a miner living in Osburn, and married him on June 29, 1887, in Blaine, Idaho. She began teaching in the public schools of Shoshone County the following year.

Young’s first reported brush with Idaho’s legal system began in 1892, when a collection action was brought against her husband. After the bank prevailed against Orville, it sought to collect on its judgment by attaching and ultimately selling Young’s separate property, two lode-mining claims known as the “Coeur d’Alene Nellie” and the “Emma” situated in the Evolution mining district in Shoshone County. Young hired prominent north Idaho attorney Weldon Brinton (“W.B.”) Heyburn, chair of the standing committee on the judiciary at Idaho’s Constitutional Convention in 1889 and later United States Senator, to represent her in a quiet title action challenging the sale. Heyburn argued that the bank’s attachment and sale were improper, as the claims had been deeded as a gift to Young and were, therefore, her separate property “free from the control of her husband.” Two and a half years after the sale, in February 1895, Young prevailed in her quiet title action before the Idaho Supreme Court. *See Young v. First Nat’l Bank of Hailey*, 4 Idaho 323 (1895).

Eight months later two of the most prominent north Idaho attorneys at the time – Heyburn and W. W. Woods (also a delegate to the Idaho State Constitutional Convention in 1889 and, later, one of Idaho’s first district court judges) – sponsored Young in her application for admission to the Idaho Supreme Court attesting that “the applicant possesses the requisite qualification to entitle her to be admitted to practice.” (Woods knew Young through his wife, an active suffragist and early officer in Idaho’s statewide woman’s suffrage movement.) Specifically, Heyburn and Woods explained that “the applicant has been engaged in the study of the law for a period of more than two years at Osburn . . . under the general direction of Daniel E. Waldron, Father of the applicant and an Attorney at Law of good standing.” Heyburn and Woods then recited a litany of legal sources that Young had purportedly studied, including Sharswood’s *Blackstone’s Commentaries* and *Stephen on Pleadings*.

At the time of Young’s application, Idaho statutes limited the admission of attorneys in Idaho to “white males.” Nonetheless, on October 26, 1895, the Idaho Supreme Court, comprised of Chief

Justice John T. Morgan, himself a member of the Constitutional Convention, Justice Isaac N. Sullivan and Justice Joseph W. Huston, convened in Lewiston “In the matter of the examination and admission of Helen L. Young as an Attorney and Counselor of this Court.”

The above named applicant having made application for an examination in due form to test her legal qualification as to learning and ability as a prerequisite to admission to practice as an attorney and counselor in the Courts of this State, and having passed such examination to the satisfaction of the Court, and produced satisfactory testimonials that she is a woman of good moral character,

Now, therefore it is ordered that Helen L. Young be and she is hereby admitted to practice as an Attorney and Counselor in all the Courts of this State.

Whereupon the Clerk, by direction of the Court, administered to said applicant the required attorney’s oath, and caused her to sign the Roll of Attorneys.

See Application of Kaufmann, 69 Idaho 297, 305, 206 P.2d 528, 532 (1949). Thus, Helen L. Young became the state’s first woman admitted to the Bar on October 26, 1895. Notably, Young was granted admission to the bar before she was given the right to vote in Idaho, although that would soon change.

The national movement for women to gain the right to vote was in full swing by the mid 1890s, and Idaho was no exception. In 1893, Idaho women organized their first suffrage group and secured support from Populists, Republicans, Democrats and the Boise newspaper, *The Idaho Daily Statesman*. In 1895, the National American Woman Suffrage Association (“NAWSA”) held its national convention and began work on securing a constitutional amendment for women’s suffrage by winning the vote in individual states. Given Idaho women’s early work in this area, Idaho was one of the earliest states targeted for NAWSA’s campaign.

In the spring of 1896, two of NAWSA’s national organizers, Laura M. Johns of Kansas and Emma Smith DeVoe of Illinois, came to Idaho to direct the state’s campaign. Given Young’s relative notoriety as a woman lawyer, Johns recruited her to “take charge of north Idaho.”

On July 1-3, 1896, a statewide convention of suffragists was held in Boise and officers were elected. Young and Kate E. N. Feltham (a future Idaho woman lawyer and no. 4 on this list) were elected as vice-presidents and, as noted in *The History of Woman Suffrage*, “Thus organized, the association conducted the final campaign.” A few months later, in November 1896, the Woman’s Suffrage amendment to the Idaho Constitution, Art. 6, § 2 was adopted, making Idaho only the fourth state to grant women the right to vote (interestingly, the vote was challenged and upheld by a unanimous Idaho Supreme Court made up of the same three men who previously admitted Young to the bar). It was another three years, however, before a law was passed to remove the statutory restriction for admissions to the Idaho bar with respect to color and sex, thereby opening the door to future women of the Idaho bar.

Having successfully ventured into the political arena advocating women’s suffrage, Young decided to run for political office herself. In 1900, Young ran for County Superintendent of

Public Instruction for Shoshone County as a Democrat. Apparently, Young's choice of political affiliation "aroused the antagonism of all [her] friends." (The mines of north Idaho in the late 1890s were the scene of great labor struggles between union and non-union workers, resulting in the destruction of several mines and the imposition of martial law. Democrats were associated with the "labor ticket.") One of Young's campaign stops in Mullan, Idaho, was reported in the November 3, 1900, edition of *The Mullan Mirror*:

[t]he chairman introduc[ed] Miss Helen L. Young, a trim little lady, who in a few well chosen phrases pleaded as only a woman can plead for suffrage of her sex and liberal support on the ticket for the office of superintendent of schools. With gentlemanly instinct she was well received and retired wreathed in smiles dawned from a new hope.

The election was remarkably close, with Young receiving 2,619 votes and her Republican opponent, Prof. Charles Vance, 2,610 votes. Given the closeness of the election, Young's election was contested although she ultimately prevailed. Two years later, in 1902, Young ran for County Superintendent of Public Instruction again. This time she faced two opponents, Republican Mary O. Nickersham, and "People's Party" candidate Johanna Grills, and lost to the Republican by a little more than 300 votes.

About this same time, Young was introduced to, and began studying, Christian Science. She first registered with The Mother Church, The First Church of Christ, Scientist in Boston, Massachusetts on June 10, 1902, while living in Wallace. In 1903, Helen and Orville appear to have separated without having had any children. Orville continued to work as a miner and lived as a "boarder" in Wallace. Helen moved to New York City to continue her study of Christian Science.

Based on her extensive study of religious texts, Young compiled of a book of scriptures entitled *Scriptural Healing: Arranged from the Bible*, which was published in 1907. Indeed, Young became a prolific writer for Christian Science, having several articles appear in the *Christian Science Journal*, a monthly publication, and the *Christian Science Sentinel*, a weekly publication, from the period 1908 through 1916.

By September 1906, Young had been engaged in the study of Christian Science long enough to qualify as a "practitioner." A practitioner is someone who has had systematic teaching in Christian Science (called Primary Class Instruction) and, for a modest fee, is employed to use that training to "practice purely spiritual healing." Young worked as a Christian Science practitioner in Manhattan from 1906 until October 1915. She then moved, in November 1915, to Butte, Montana, and continued her work as a practitioner with Christian Science, until her return to Manhattan in March 1918. Thereafter, Young stayed in Manhattan and worked as a practitioner.

Young died in New York City in April 1951.