

First Woman Magistrate Judges Fallen Sisters

Quality of Mercy Is Not Strained in Jefferson Market Court at Mrs. Norris's First Session, but Eloquence of Mere Men Is Curtailed

A LONG stream of automobiles stood outside the dingy building of the Jefferson Market Court. In the halls and corridors there was an air of excitement and expectancy, mingled with amused indulgence. New York and his wife had come to see its first woman Judge administer the law. New York was amused and his wife was excited. But Magistrate Jean H. Norris, the woman who held the centre of the stage, was neither.

The first few rows of the courtroom were filled with women. A few of them had opened the morning session with congratulatory speeches, a thing as unheard of in the annals of the court as was the occasion which prompted it. A group of fashionable women sat beaming at the proceedings in the last few rows. Their attitude manifested complete satisfaction with the woman who represented them in this high capacity.

A gruff old Italian was there with a young woman who appeared to be his daughter. A soft hat lay clutched in his lap. His shoulders slumped dejectedly. His face bore an expression of bitter disappointment. Every now and then he shook his head involuntarily in candid disapproval. The look in his eyes, about his mouth, and around his shoulders was one "What's the use of all this! What's the idea of having this woman here! What does she know about this trouble of mine! What's the use! America and American methods! Bah!"

There was no mistaking the disgusted "Bah!" at the end of it. He was not comfortable; he was not pleased; he was not happy, and, what's more, he didn't care who saw it. The attitude of the girl beside him, whose large black hat and flaming cerise blouse made her conspicuous, clutched occasionally at his sleeve to quiet his expostulations. But it didn't work.

Near the front of the room sat a group of three young men. Their hands were pushed deep into their pockets; their bodies slouched down into the bench. A court attendant passed them and nodded in recognition. He strolled over to them during a lull in the proceedings and asked in a voice that reached further than it was intended, "Here on business or interested in the feminine sex?" The word feminine was pronounced to rhyme with wine. The men grinned sheepishly. One of them answered, "Just came to see the show. Nothin' doin', though." It was true. There was nothing doing until the afternoon session.

At about 12 o'clock the court was adjourned until 2 o'clock in the afternoon. The audience slowly sauntered out of the room. In a short while nobody was left but her Honor, a few reporters, and a group of photographers. A camera was pulled to the front. The Judge smiled in a manner entirely human; in a manner that takes possession of all of us during the business of having our pictures taken. A woman attendant came over to her with a mouthful of pins and fastened the white shawl draped beneath the black robe. From behind the wall that served as a screen to her desk appeared the grinning visage of one of the old court attendants. The grin grew



Magistrate Jean H. Norris.
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wider as the fussing about her Honor grew longer; there was a convulsive noise and the head disappeared.

The photographers posed her Honor, courteously, smilingly; and she responded in kind. Just once, however, the strain grew too great and the fixed smile on her face relaxed. In its stead came a natural one, and a very feminine voice implored: "Please, please, don't make me look as though I were getting my death sentence." The click of the camera followed; it was over and her Honor disappeared into her chambers.

Two o'clock found an even larger gathering in the room. Just before the hands of the clock came around to the hour there was a flash and a click and the smile of the Judge faded in smoke. Her picture was being taken once again. The smothered expostulation of a disgusted Italian was heard in the interim before the proceedings were started.

The first case called was that of two young girls charged with incorrigibility. The Judge bent over to ask the gray-haired Clerk a question. He answered her benignly, as a father might answer a favorite child. She smiled her thanks back at him and turned to the lawyers standing before her. There were two of them, and on the face of each there was a grin. Ingratiating, amused, indulgent. Entirely masculine.

Her Honor looked down upon them, in fact as well as in spirit; the lines of her mouth closed in a straight line and the smirking visages below her grew suddenly serious, as though a military order had been called out. A few words passed between her and the men. They were apologizing for being late. The dignity of the Judge again faded, and she inclined her head in gracious acceptance of the excuse.

The first witness was called. Here he it said that no gavel was used; that there was no occasion to use one. A plain clothes officer took the witness stand and began his recital. He went into details about all the aspects of the case. He

used neither delicacy of thought nor reticence of expression. He finally came to the climax of the story. At that point, crude and uncultured as he appeared to be, he stopped. A slow flush suffused his face and a sheepish grin spread over his features. He wet his lips with his tongue and then blurted out the statement that he couldn't explain fully just what he said or did after that point. He looked up at the face above him. Her Honor was sitting there, quiet, unflustered. She nodded her head for him to go ahead; he and the whole court were made conscious of an air of impersonal detachment and the proceedings went ahead.

During the examination of the witness the lawyer for the girls twice demanded angrily that the question be stricken from the books. Twice the Judge, with a kindly glance toward the two girls, sustained his motion. The lawyer grew bolder. A third time he made a motion that the question of the prosecuting attorney (who, by the way, is a woman) be ruled out. His attitude was cocksure. The Judge asked to have the question repeated. It was. She looked down at the man below her, held his eye for a moment, and then, in quiet tones, called out, "Motion overruled." The words took him by surprise. He stood gaping for a few seconds, then mumbled the set formula of acquiescence.

The witness was relieved. The lawyer for the defense began a speech. Once more the face of her Honor bent over the rail. She asked that he spend no time in making a speech, but that he place the girls on the witness stand instead; that she wanted to hear their story from them alone.

In a frightened, childlike voice one of the girls said she didn't want to testify, that there was nothing she could say. The Judge heard it. She half rose out of her chair so that the girl below her could see her, and in a low voice asked her to step up. The girl did as she was told. Few in the courtroom knew that the Magistrate was speaking. Only the movement of her lips and those of the girls indicated that questions and an-

swers were being passed. After a few minutes the girl stepped down and the second one advanced. The same apparently silent proceedings were gone through. The lawyers then summed up their cases.

With an air entirely businesslike and with no effort at playing to the gallery, her Honor quietly passed the sentence. The cases were discharged on probation. A few minutes of intermission were allowed before the next case was called.

The face of the expostulatory Italian showed a change. The slump in his attitude was gone. The concern in his expression was gone. He was interested and not a little impressed.

The second case was called. It was that of a keeper of a disorderly apartment and three young women who had been found with her. The case was serious against one of them. Again the "plain clothes" men gave their testimony and again they faltered in their description. The four women sat on chairs below the platform of the Judge facing them. The lawyers for the defense stood at the side of their clients, alert to the words that were being uttered by the detective. The situation was dramatic. Everybody in the court seemed anxious to miss nothing that was happening. And then, because her Honor was a woman, and because she was the first woman to sit on the bench in New York, came a break in the quiet of the room that was much in the nature of an anticlimax. An attendant came stalking up the aisle, importantly and officiously, carrying a box of flowers in his hand. He paused for a second in front of the desk, then veered off to the side and passed through the door leading into the Judge's chambers. A smile passed over a few faces and the tenacity of the situation was broken.

Her Honor motioned to one of the clerks to open a window. He did so with an air that was sprightly in spite of his sixty-odd years. He was rewarded by a smile and returned to his desk radiant. The case was continued. The other witnesses were called. Again the Judge took a personal interest in the examination by asking questions on her own account. A few times the lawyers for the defense tried to waive a question that the Judge herself asked, but each time she turned to them briefly and with a quiet but decisive nod gave them to understand that she knew what she was doing.

At the close of the testimony the lawyer for the defendants began what promised to be a long harangue. The Judge stopped him, courteously and with a smile. "We haven't very much time," she told him, looking at the clock. "What exactly do you want?" The man was taken aback for a moment, then stated his wishes briefly. The Judge listened to him, sat in contemplation for a moment, and then in a voice that very few could hear gave her decision.

Three of the women who had been arrested were dismissed. The one against whom the charges were plainly serious was found guilty and held for sentence, much to the disgust of the "plain clothes" men and much to the satisfaction of the audience.

The last case called was that of a negro girl of 16, who had been arrested for petty larceny. The Judge looked down at her, caught the half-vacant expression of the apparently subnormal mind, and asked a question pertinent to the case. "Has the girl any parents?" She had. The Judge instructed that they be summoned. Her closing words were: "Get a special delivery stamp upstairs."

The court was adjourned. The audience left the room. The last one to go was an Italian, who was anxious to get a final glimpse of her Honor.