



“Why, when you’ve worked hard all your life you can’t just up and quit,” Elsie Parrish said of her fight to get paid Washington’s minimum wage. *Associated Press*

# ELSIE PARRISH

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## WORKING CLASS SHERO

Elsie Parrish had reached her limit. No stranger to perseverance, she was a toddler when her father died in a gruesome farm accident. She was married at 15 and bore seven children. As a chambermaid, she scrubbed toilets and changed bed sheets for a living. And in the spring of 1935, she just wanted what she was owed for working at Wenatchee's splendid Cascadian Hotel.

With the countryside pink in the fragrant blush of its signature apple orchards, Elsie walked to the handsome Doneen Building, a block from the Cascadian, and the law office of Charles Burnham Conner. Her question was simple: Why shouldn't the hotel owners pay her what state law required?

Washington was the fourth state in the union to adopt a minimum wage law for women. And Elsie knew she wasn't paid the prescribed minimum of \$14.50 for a 48-hour week.

Yes, she had cashed her deficient paychecks in the depths of the Great Depression, when Wenatchee's unemployment rate stood at a stubborn 24 percent. "I took what they gave me because I needed this work so badly," she said. Still, it gnawed at her that the hotel, over the course of a year, had shorted her \$216.

Her gumption appealed to Conner, a part-time justice of the peace known as "C.B." He agreed to take her case, even though she couldn't afford to pay him. He would soon learn the hoteliers didn't dispute Elsie's job performance. Or the chambermaid's math. And they were versed in state law. They just believed it was unconstitutional.

The U.S. Supreme Court had famously ruled several times against state regulation of wages and work conditions. The white male justices, seemingly frozen in a 19<sup>th</sup> century view of laissez-faire economics, had decreed in 1923 that a minimum wage violated a woman's right to make her own contract with an employer.\* That was a Constitutional liberty, they opined, no matter how callous an employer might be.

By a narrow majority, the high court once again reached that conclusion just six months before they took up Elsie's complaint, when they considered the case of Joe Tivaldo, a laundry manager. Tivaldo admitted he had only pretended to pay his

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\* In 1923's *Adkins v. Children's Hospital of D.C.*, the U.S. Supreme Court ruled a minimum wage violated the Fifth Amendment's due process clause.

women employees New York's minimum wage. In fact, Tipaldo forced the laundresses to kick back one-third of their wages to him.

Even then, the court once more invoked a woman's right to contract while invalidating New York's minimum wage. "The sacred right of liberty to contract again," scoffed Secretary of the Interior Harold Ickes. "The right of an immature child or a helpless woman to drive a bargain with a great corporation."

In its conservative interpretations, the court had also swatted down a dozen of President Franklin D. Roosevelt's New Deal proposals aimed at economic relief and recovery. "After slaughtering practically every New Deal measure that has been dragged before it," one national columnist wrote, the court's halls were "as in the last act of a Shakespearean tragedy, strewn with the gory dead."

This is what Elsie, a grandmother without a gray hair, was up against.

When all the lawyers were done deliberating, to the nation's surprise, the chambermaid's case would take a stunning turn. And she played a pivotal role in a profound change in the justices' thinking.

The victory won by this "ordinary Washington citizen benefited millions of other low-income Americans," says Gerry L. Alexander, former chief justice of the Washington Supreme Court.

"Not only did it give the green light to the states to pass minimum-wage laws, which are ubiquitous today," Alexander says. "But it quickly opened the floodgates to other New Deal legislation, such as the Social Security Act, which has had a huge effect on just about everyone in our nation."

As one historian put it, Elsie Parrish "detonated" a revolution in how American courts viewed the Constitution.

Surprisingly, history's gaze was never really trained on the 38-year old grandmother. Instead, attention dwelled on why Justice Owen Roberts reversed his position and shifted the court's teetering balance in a new direction.

The chambermaid's legacy is so overlooked and untold that many of Elsie's



Wenatchee's apple orchards blooming in a 1928 photo by Asahel Curtis. *Washington State Digital Archives*

descendants had no idea she was at the center of a landmark lawsuit. Among the clueless was Barbara Roberts, her grandniece and Oregon's first woman governor. Roberts only recently learned about Elsie's landmark victory from Helen Knowles, a professor in New York writing a book about Parrish.

ELSIE DELIAH MURRAY was born in 1899 in Penalosa, Kansas, in the south-central part of the state, about 60 windswept miles west of Wichita. Elsie's family had come to America from Ireland in the early 1700s. They eventually made their way west to Illinois and then on to the sparsely populated Great Plains where bison and Indians roamed just several decades before.

Elsie's father, Ed Murray, was "one of the most highly respected citizens of the county." When Elsie was 15 months old he was killed in what the *Wichita Eagle* called "one of the more deplorable and horrible accidents which ever has occurred in Reno County." Murray was walking on top of a thresher that separated grain from stalk when he slipped and stepped into its rotating cylinder and blades. His leg was almost torn from his body. "With almost superhuman strength he struggled from the machine and had pulled himself free...before any help reached him." He died a few hours later.

Elsie's oldest brother drowned the next year. Her mother was left with a 160-acre farm and six children under 14 to care for. Emma Murray soldiered on as a single mother until she remarried in 1907.



Elsie married her first husband, Roy Lee, and had her first child when she was 15. *David Buck*

Family members, including Elsie, later migrated west to homestead in Montana. So did the Lee family, whom the Murrays knew, from a neighboring Kansas township. Both the Murrays and Lees ended up living near Coffee Creek, Montana. Elsie married Roy Lee, nine years her senior. She gave birth to their first child in 1915, five days shy of her 16<sup>th</sup> birthday.

Details are scant about their lives in Montana. In 1927, their 8-year old son died. It's not clear how, says Knowles, a political science professor at State University of New York at Oswego.

With the Depression gripping the country, the couple and their six remaining children trekked to Neppel, Washington. (With a population of just over 300, it became Moses Lake in 1938.) When Elsie and Roy arrived, Neppel's sizable lake supported some agriculture and fishing. Disputes over water rights kept the community from growing much until the 1940s when the Grand Coulee Dam provided



Elsie worked at the Cascadian Hotel on the day of her wedding to Ernest Parrish.

building in Wenatchee, with 184 rooms and amenities such as air conditioning. It remains the city's tallest building.\*

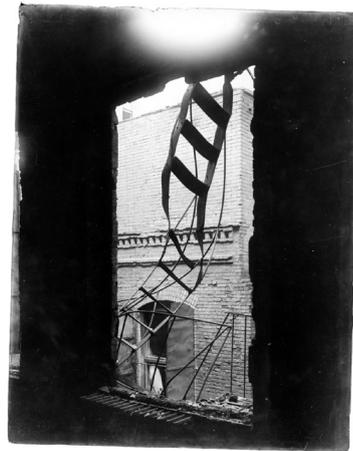
Two decades before the Cascadian welcomed its first guests, the 1911 Triangle Shirtwaist Factory fire had spurred reforms in work conditions. New Yorkers, including FDR's future Labor Secretary, Frances Perkins, watched in horror that Saturday afternoon while smoke billowed from a 10-story Greenwich Village building. Factory owners had locked some doors so they could check workers for stolen goods before they left the premises. The factory's single fire escape collapsed due to heat and overloading. Forty-seven workers, mostly young immigrant women, jumped from the 8<sup>th</sup> and 9<sup>th</sup> floors to their deaths. In all, 146 workers died

\* Financially troubled, the Cascadian was converted to subsidized apartments for the elderly in the 1970s.

irrigation to the arid landscape. It's not clear how the Lees survived in Neppel, but their marriage did not. Elsie divorced Roy, finally unable to tolerate his alcoholism.

By 1933, Elsie had moved about 70 miles west to Wenatchee, a crossroads city of river and rail transportation ambitious enough to proclaim itself "Apple Capital of the World." Elsie, a single mother, started working at the Cascadian Hotel for 22½ cents an hour. The next year, she wed Ernest Parrish, who listed "orchard work" as his occupation on their marriage license. She worked a full shift, court records show, on the day of her wedding.

The Cascadian was part of a growing chain that would become Seattle-based Westin Hotels. An imposing mix of Art Moderne and Beaux Arts styles, it was the tallest



The Triangle Shirtwaist Factory's only fire escape collapsed in a blaze that killed 146 workers and spurred labor reforms. *Kheel Center, Cornell University*



Alice Lord organized Seattle waitresses to lobby for minimum wages and an 8-hour day. *The Spokane Press*, June 4, 1910

in New York's most lethal workplace tragedy until the terrorist attack on the World Trade Center.

In Seattle, reformer Alice Lord had already organized the Waitresses Union, Local 240, to lobby for better conditions for women who tended to be single, worked nights, served strangers and were eyed with suspicions of immorality. Lord pushed for an eight-hour day, six-day work week, and a minimum wage. She was also a suffragist, helping women in Washington win the right to vote in 1910, a decade before the 19<sup>th</sup> Amendment extended suffrage to female citizens in all states. Soon, Washington lawmakers would pass a minimum wage for women—with a twist.

The 1913 Legislature featured the state's first two women representatives, Frances Axtell of Bellingham and Nena Jolidon Croake of Tacoma. Both women had campaigned for a minimum wage. But it was Croake, a physician, who sponsored a bill to that effect. Her version languished until the final days of the session, when it was voted down.

A minimum wage for women wasn't unpopular. Its supporters included Progressive movement reformers, women's clubs, the state labor federation, and others who worried that poverty was the "parentage of prostitution." Washington didn't have much in the way of sweatshops then, but many advocates saw a minimum wage as a preventive measure to protect women's virtue and health, while stabilizing society and lifting morals.

Business leaders in Washington were largely indifferent to the idea. Their apathy, in part, owed to the fact that women accounted for just 4 percent of all the state's employees in manufacturing. Business leaders also knew they faced a zealous coalition. Newly armed with the vote, "an unprecedented number of women flocked to the Capitol to lobby." One legislator said they made an opponent "look like a mangy kitten in a tiger fight."

Male lawmakers said they disagreed with Croake's proposal to set a specific floor of \$1.25 per day for women's pay. Instead they overwhelmingly supported a bill by state Senator George Piper of Seattle that created a state Industrial Welfare



State Rep. Nena Jolidon Croake proposed a daily minimum wage of \$1.25 for women in 1913. *Washington State Archives*

Commission to determine wages for women and children. Some said the commission's deliberations would be more legally defensible than Croake's flat wage for all.

Governor Ernest Lister quickly appointed three women commissioners to survey wages around the state.\* A newspaper editor in Everett called the trio "emissaries of His Satanic Majesty in the guise of halo-lighted angels of philanthropic regard." In early 1914 the commission set minimum weekly wages in different industries: \$8.90 for workers in manufacturing, \$9 for laundry and telephone operators, \$10 for mercantile and clerical employees.

In 1918, the commission increased the minimum to \$13.20 in all industries, and eventually to \$14.50 by the time Parrish filed her lawsuit.

Passed first in Massachusetts, then Oregon, Utah and Washington, minimum wage laws didn't sweep the heartland because of the "decidedly hostile treatment that the first round of laws received at the U.S. Supreme Court."

Starting with the *Lochner* case in 1905, a narrow majority of the justices ruled that state regulations of work conditions ran afoul of 14<sup>th</sup> Amendment protections against state deprivations of "life, liberty, or property, without due process of law." This logic was applied to wages in 1923's *Adkins v. Children's Hospital*, a decision against the District of Columbia's minimum wage law.\*\*

Despite the odds, Elsie Parrish was determined to take on one of Wenatchee's biggest employers even if it meant risking job prospects in her adopted hometown.

ON JUNE 10, 1935, Charles B. Conner tossed the rock that would start a judicial avalanche. He filed *Ernest Parrish and Elsie Parrish, his wife, vs. West Coast Hotel Company* at the Chelan County Courthouse. (Washington's community property law did not then allow married women to file lawsuits in their own names.)

Conner's motive for taking on such a long shot—at some expense—appears to come from a sense of social justice, Professor Knowles says. Conner believed charitable work was a lofty calling, Gerry Alexander points out.

"I would be false to myself did I think of compensation from this case as is measured by money," Elsie's attorney wrote. "Working women are receiving better wages, children have more food and better clothes. May I not have a reason to hope that I have served my country and in this thought receive a very handsome remuneration indeed?"

Back in Wenatchee, Parrish and Conner were quickly dismissed by Superior Court Judge William O. Parr, who relied on the *Adkins* precedent in his October 1935 ruling that the state minimum wage was unconstitutional.

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\* The first three commissioners were Theresa McMahon, an economics professor at the University of Washington, Florence Swanson, a social worker, and Mrs. Jackson Stillbaugh, prominent in women's clubs.

\*\* Because *Adkins* concerned the District of Columbia—governed by Congress, not state officials—the court relied on the Fifth Amendment's "due process" guarantee. In cases of *state* law, the court cited the 14<sup>th</sup> Amendment.

Conner would not quit.

He appealed to the state Supreme Court. He argued Parrish's pay was a matter of statewide concern. He insisted her cause "reaches into every home where the woman does or may have to perform labor for the purpose of feeding herself and children."

The Cascadian's lawyer, Fred Crollard, a former Wenatchee Chamber of Commerce president, stuck to the U.S. Supreme Court's arguments against minimum wage laws.

The state Supreme Court issued a unanimous decision on April 2, 1936.

It was written by Chief Justice William J. Millard, a Republican. Millard had worked in railroad yards and was a proud member of the Brotherhood of Locomotive Engineers. During his 1936 election campaign, he gave his view of a jurist's role: "I don't consider cases as much as a judge as like a human being. The law should be used to further progress, not block it."

In upholding the minimum wage, Millard said low-paid employees, "are prone to accept pretty much anything that is offered" given their circumstances. "They are peculiarly subject to the overreaching of the harsh and greedy employer," he continued. "The evils of the sweating system and of the long hour and low wages which are characteristic of it are well known."

Good quotes for the newspapers, but the chief justice stood on shaky legal ground. Because the *Adkins* case involved the District of Columbia, Millard concluded that the high bench had not explicitly shot down a *state* minimum wage law. "The same Constitution applies" to states and the District of Columbia, former chief justice Gerry Alexander, notes.

Crollard later asked Millard how he could have reached such a decision in light of what the U.S. Supreme Court had said in *Adkins*.

"Well," the justice replied, "let's let the Supreme Court say it one more time."

THE HIGH COURT's rulings against minimum wages were largely the work of a group of conservatives known as the "four horsemen." Depending on your politics, their nickname referred to Notre Dame's fearsome football backfield of the era or the Biblical heralds of apocalypse, Alexander says. The four were Justices George Sutherland, Willis Van Devanter, Pierce Butler and James McReynolds, "the latter generally being considered the most curmudgeonly person ever to sit on that court." (McReynolds was so anti-Semitic that he refused to speak to fellow Justice Brandeis.)

The horsemen were old in age and old world in their thinking. Only Butler



A minimum wage would counter the "harsh and greedy employer," said Washington Supreme Court Chief Justice William J. Millard.  
*Washington State Digital Archives*



The U.S. Supreme Court in 1937. Front: Justices Brandeis, Van Devanter, Hughes, McReynolds and Sutherland. Back: Justices Roberts, Butler, Stone and Cardozo. *United States Supreme Court*

was born (1866) after the Civil War. Their average age was 74. “They were also, in a philosophical sense, 19th-century men who regarded laissez-faire—the principle opposing governmental interference in economic affairs—as enshrined in the Constitution,” Alexander says.

A trio of reliable liberals often stood against them. These “three musketeers” were Louis Brandeis, Benjamin Cardozo and Harlan Fiske Stone. This left Chief Justice Charles Evans Hughes and Justice Owen Roberts as the swing votes.

Roberts, the youngest member of the court at 61, was best known as a prosecutor in the Teapot Dome scandal that tainted the presidency of Warren G. Harding. Roberts often rode with the four horsemen, giving them the edge in many cases scrapping planks of the New Deal. The conservative majority rejected farm debt relief, coal industry regulations, municipal bankruptcy relief, industrial rules aimed at lifting wages, and more.

It was, some complained, “government by judiciary.”

Nevertheless, in June 1936, Justice Roberts stuck with the four horsemen again in the *Tipaldo* decision against New York’s minimum wage, while Chief Justice Hughes sided with the liberal minority. That 5-4 alignment seemed to spell doom for Parrish even though that notorious decision (known in legal circles as *Morehead v. N.Y.*) was “among the most unpopular ever rendered by the Supreme Court.”

It came at a time when populist movements, led by the likes of Father Charles Coughlin and Huey Long, were barnstorming for social justice, labor rights

and redistributing wealth. Newspaper editorials pilloried the court's cold narrow vision. Even FDR foes said the court had stooped to extremism. Conservative Congressman Hamilton Fish said the justices handed down a "new Dred Scott decision" condemning three million women and children to economic slavery.\*

The negative publicity filtered down to Tipaldo. "After the court decision, business looked good for a while," the laundry manager told a reporter months later. "I was able to undercharge my competitors a little on what I saved in labor costs."

Then business started to fall off. "My customers wouldn't give my drivers their wash," he said.



The Parrishes adopted one of Elsie's grandchildren, Darald, who decades later told his daughter that Elsie fought for women's rights, all the way to the Supreme Court. *Debbie Stewart*

Before the summer was over, the Bright Light Laundry folded and Tipaldo was unemployed. "I'm broke now," he confessed. "I couldn't stand the gaff."

The public shellacking seemed to have bruised the court, as well. Just months after the New York decision, the justices agreed to revisit minimum wages by taking an appeal from the Cascadian's owners, which became *West Coast Hotel Co. v. Parrish*.

Shortly before the justices heard arguments, a newspaper reporter and photographer caught up with Elsie in her new job at a hotel in Omak, 90 miles north of Wenatchee. They said they wanted the story of her life. "My goodness," she said, thinking they were mistaken. They pumped her for details of her early marriage, her grandchildren, and her willingness to help her husband "keep the wolf from the door" while raising six children.

"Why, when you've worked hard all your life, you can't just up and quit," she said. In one of the few pictures ever published of her, Parrish smiles, making a bed in her crisp uniform and low heels.

With the time and cost of traveling to the nation's capital sinking in, her attorney sought help from state officials, pleading "the welfare of the whole state is at stake." Conner even wrote a letter to state Attorney General Garrison Hamilton saying that supporting Parrish would help Democratic candidates win elections in 1936. Arguments for Parrish's case were scheduled for mid-December. A state assistant attorney general, Wilbur Toner,

\* The 1857 Dred Scott decision "upheld a slave's status as a piece of property that could be carried from state to state, including free states."



Parrish's Supreme Court victory made headlines, although history's gaze didn't focus on the plucky chambermaid.

already had plans to be in Washington, D.C., at the time. Toner would argue Parrish's case before the high bench, sparing Conner the long trip. While Parrish awaited the justices' decision—which wouldn't be announced for three months—President Roosevelt stunned the country. Infuriated at the “horsemen” for trampling his ideas, and emboldened by his 523-to-8 electoral vote margin in 1936, FDR flexed his power like no other chief executive. He wanted to alter the very foundation of the

nation's judicial system. On February 5, 1937, Roosevelt proposed that the president could appoint a new federal judge for every judge over 70 who was not retired. Because the current Supreme Court was the most aged in history, Roosevelt would be able to add as many as six new justices to the bench. While many Americans might not grasp the labor rights detailed in FDR's Wagner Act, they could understand his mighty grab for judicial power.

MARCH 29th CAME during the Easter holidays, with the capital resplendent in cherry blossoms. On that Monday morning, tourists and children filled the steps of the Supreme Court building. They lined up in record numbers to enter the marble palace, opened two years earlier, with “Equal Justice Under Law” chiseled above its columns. It was to be the first day of rulings handed down since FDR had suggested packing the court. Newshounds would not be disappointed.

Chief Justice Hughes, who narrowly lost to Woodrow Wilson in the 1916 presidential election, was known for leading the court with the skill of a symphony conductor. The silver-bearded judge began his analysis by stating why Parrish's case called for “fresh consideration” of the court's *Adkins* decision.

There was the “importance of the question” to states with minimum wage laws like Washington's, Hughes said, and the narrowest of margins in the *Adkins* ruling.

But more important were the economic miseries of the Depression and the court's reliance, while striking down state wage laws, on the doctrine of freedom to contract.

"What is this freedom?" Hughes asked. "The Constitution does not speak of freedom of contract."

He turned to women's welfare. "What can be closer to the public interest than the health of women and their protection from unscrupulous and overreaching employers?" If protecting women was in a state's interest, he said, it only followed that a minimum wage was legitimate.

Hughes then added an "additional and compelling" argument. The exploitation of "relatively defenseless" employees not only injured women, it burdened the larger community. What "these workers lose in wages," he reasoned, "the taxpayers are called upon to pay."

He called that burden "a subsidy for unconscionable employers."

The scales of justice were tilting left. With Roberts joining the liberals this time in a 5-4 majority, the Chief Justice confessed an earlier error by the court. Hughes concluded that *Adkins v. Children's Hospital* "should be, and it is, overruled," and the Washington state Supreme Court judgment on behalf of Elsie Parrish "is affirmed."

Some two years after Parrish last swept rugs in the Cascadian, the Wenatchee chambermaid was to receive her \$216.19 in back pay.

Some ardent feminists argued that women shouldn't enjoy any special privileges, including a minimum wage. But most reformers hailed the *Parrish* ruling as a proper response to grim times when it had become clear the "market and states had found the crisis beyond their competence."

The court's reversal in Parrish—really Justice Roberts' reversal—could be seen as reflecting changes in ideology across the legal profession in 1937, Bernard Schwartz wrote in *A History of the Supreme Court*. In this transformed thinking, unregulated markets were not meeting minimum needs of human welfare. If there ever was a need for the federal government to exert power, it was aroused during the Depression.

On the day *Parrish* was decided, the Court also upheld the rights of railroad workers to unionize and affirmed a revised version of a law that made it harder for banks to repossess farms. (Justices had struck down the original one in 1935.) The court's shift hinted at massive changes to come.

Two weeks later, the court again marched in a new direction. In another 5-4 vote, with Roberts joining the liberals, the court validated the Wagner Act. Called the "Magna Carta of the American labor movement," it guaranteed workers' rights to bargain collectively and strike, while barring paid goons from interfering.

In the following month the justices turned aside challenges to the Social Security Act. In doing so, they gave broad authority to Congress to tax and spend for

the public welfare, including on unemployment insurance created by the act. It marked a new role for government.

Thanks to the “constitutional revolution” Elsie Parrish helped spark, Secretary of Labor Frances Perkins, the nation’s first female presidential cabinet member, got most of her ambitious agenda, including a federal minimum wage, passed.\*

DID THE THREAT of FDR’s court-packing plan cause Justice Roberts’ critical conversion? Some had presumed so, giving life to a twist on the saying about thriftiness that a “stitch in time saves nine.” After Roberts’ reversal in *Parrish*, it became “the switch in time that saved nine”—referring to the nine justices being spared from FDR’s proposal.

On closer examination, though, many historians have discounted that theory. The Parrish case was argued on December 16 and 17, 1936. Justice Stone, a stalwart liberal, was in the hospital then. In their closed-door conference on December 19, justices were deadlocked four-to-four on Parrish, with Roberts deserting the conservatives. Hughes persuaded the justices to hold off announcing their decision until Stone returned. But the justices knew how he would vote. In effect, Parrish was already decided, some six weeks before FDR unveiled his court-packing scheme. The public didn’t know that.

“It is too facile to state that the 1937 change was merely a protective response to the Court-packing plan, to assert, as did so many contemporary wags, that a ‘switch in time saved Nine,’” Schwartz wrote. Evidence supports Chief Justice Hughes’ later statement that the “President’s proposal had not the slightest effect on our decision.”

It’s possible that Roberts’ heart and mind had finally been opened to *laissez-faire’s* inability to meet the Depression’s pressing problems.\*\*

History will never know for certain what motivated Roberts’ change of mind, says Gerry Alexander, who has written about the Parrish case for the State Historical Society and Washington Bar Association. Roberts was a private man and closemouthed about the matter for the rest of his life. “Judges are like everyone else,” Alexander says. “We aren’t the same all of our lives. I think he just changed his mind.”



Frances Perkins became a workplace-safety investigator after she witnessed the Triangle Shirtwaist Factory fire. It “was the day the New Deal was born,” said Perkins, who was President Roosevelt’s Secretary of Labor. *Frances Perkins Center*

\* Perkins would see all of her New Deal priorities become law except for one: universal access to health care.

\*\* Justice Cardozo, a virtuoso of persuasion, had been steering the court to new thinking that the law was not immutably Newtonian. “To him, the law was neither an *is* nor an *ought*; it was also an endless *becoming*.”

PARRISH's UNAPPRECIATED legacy still echoes around modern Washington. In 2018, Washington had the highest minimum wage of any state, \$11.50 per hour. California and Massachusetts joined Washington at the top in 2019, with hourly minimum wages of \$12.

Shortly after her Supreme Court victory, Elsie Parrish disappeared from the public eye. Later accounts and records had her toiling in Omak, where her husband worked at a lumber mill, then they moved to Snohomish County, and on to southern California. Although her case later “launched a thousand law review articles,” she was never the story. She was not prominent in feminist or labor-history literature—or even in family lore.

Elsie's grandnephew, Bill Murray, a Washingtonian, says he reached out to a number of relatives after learning of her lawsuit from the Wenatchee Valley Museum and Cultural Center in 2013. “Other than one distant cousin, who had a newspaper clipping about the trial in her grandmother's keepsake box that she always wondered about, no one was aware of Elsie's Supreme Court adventure,” Murray says.

He did recall meeting Elsie at a couple family gatherings when he was a boy. If his parents ever discussed her lawsuit with him he doesn't remember.

Barbara Roberts, the former Oregon governor, thinks Elsie's legacy took a back seat in the male-dominated clan. “Hers was a female and legal story in a family of mostly farmers and ranchers. You have to have the right people to get stories told.”

Debbie Stewart, a great granddaughter, says Elsie was a big part of her upbringing in Southern California and bought her a middle-school graduation dress. Stewart's father, Darald, was actually Elsie's grandson, the son of her oldest daughter Vera. But Ernie and Elsie adopted him as their son and Stewart knew Elsie as her grandma. Stewart recalls Elsie as sweet but stern, fond of crocheting and gardening, with a “you kids got it easy” toughness forged in the Depression. One afternoon in April 1980, after going to see her newly-born great grandson, Elsie came home, took a nap, and died in her sleep, Stewart says.

Stewart, also a Washingtonian, says her father told her about the legendary lawsuit, but she never talked about it with Elsie.

Elsie did finally get some recognition decades later when author Adela Rogers



Ernest and Elsie Parrish settled in California in the 1940s. *Wenatchee Valley Museum and Cultural Center*



Debbie Stewart, on hobby horse, recalls Elsie, her great grandmother, as sweet but stern. *Debbie Stewart*

St. Johns tracked her down in Anaheim, Calif. Then the plucky chambermaid was elevated to royalty in St. Johns' 1974 book, *Some Are Born Great*, a feminist version of John F. Kennedy's *Profiles in Courage*.

Parrish came to the door "looking much younger than I had expected, dressed in something pink and fresh-washed and ironed," St. Johns wrote of Parrish, then a septuagenarian like the author. Parrish said she was surprised that few women seemed to pay much attention to her historic triumph.

"I had to do it," she told St. Johns, herself a trailblazing female journalist. "What they did wasn't *right*."

The author was astonished at the possibility that "the women of Lib and let Lib do not know the name of the woman who won this early big victory for them, bigger than the Vote, which of course was inevitable?"

There are questions about the accuracy of St. Johns' tribute to Parrish. In a few pages, St. Johns says four times that Parrish stood before the Supreme Court justices in Washington, D.C., to plead her case.

Court rules did not then, and do not now allow litigants to address the justices. Only attorneys may. In her book about Parrish, Professor Knowles says the courageous chambermaid never journeyed east of Montana after she filed her lawsuit. "There is no evidence that she ever traveled to Washington, D.C., and she certainly never 'stood alone' before the justices of the Supreme Court," says Knowles, whose book is scheduled for publication in 2020 by the University of Oklahoma Press.

She also notes that St. Johns was a "celebrity 'sob sister' journalist" and fiction writer who worked primarily for the sensationalist Hearst publications. In language that would have suited one of her Hollywood screenplays, St. Johns rendered Parrish's case a clash of Biblical proportions, Knowles says.

"But that is beside the point, because even though St. Johns knew full well—as we do today—that she was writing with a heavy dose of dramatic license, her basic observation was still valid. The constitutional victory achieved by Elsie Parrish would have monumental socio-political and legal implications."

**Bob Young**  
**Legacy Washington**

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