

JANUARY - MARCH 2026

ALABAMA BENCH AND BAR HISTORICAL SOCIETY

NEWSLETTER

"Bound in History...Open to the Future"



Women's History Month

March has been proclaimed Women's History Month, so we take this opportunity to celebrate women in the Alabama legal system. Today, Alabama celebrates 87 women in the circuit and district courts and five on the Alabama appellate courts.

The first woman to be admitted to the state bar in Alabama was Luella Lamar Allen in 1907. Two more women, Mamie Riddle and Maud McClure Kelly, were admitted in 1908. Ms. Kelly was the first woman in Alabama to maintain a law practice at a time when women rarely held jobs outside the home and certainly didn't practice law.

Alabama's first woman judge did not come until 1923, when Virginia Henry Mayfield was selected by Governor William "Plain Bill" Brandon for a term of six years as judge of the Court of Domestic Relations in Division No. 2 of the Circuit Court of Birmingham. She served until 1927 when she ran for the circuit bench and was defeated by the incumbent Roger Snyder.

Twenty-eight years later, Annie Lola Price of Cullman was appointed to the Court of Appeals by Governor James "Big Jim" Folsom on January 12, 1951, making her the first female appellate court judge in the state. She served from 1951 to 1962 and became the presiding judge in 1962. When the Court of Appeals was abolished in 1969, Judge Price became the presiding judge of the Court of Criminal Appeals as well. She served on the court until her death in 1978. Mary Windom serves today as the presiding judge of the Court of Criminal Appeals.

Our first female Supreme Court justice was Janie Ledlow Shores. Ms. Shores started out as a legal secretary and began law school, finishing in 1959. In between her graduation from law school and being hired at Cumberland Law School, she clerked for Justice Robert T. Simpson of the Supreme Court of Alabama. While she was teaching there, Justice Simpson was in an automobile accident from which he never fully recovered. She again became his law clerk and continued teaching at Cumberland. In 1972, Shores ran for a place as justice on the Supreme Court and was defeated in the Democratic Primary. She ran again in 1974 and was successful, serving with distinction until her retirement in 1999.

In 2007, Alabama elected its first female Chief Justice of the Supreme Court, Sue Bell Cobb. Cobb had previously served as a district judge and a judge on the Court of Criminal Appeals. A few years later, Lyn Stuart, former district and circuit judge and associate justice, was appointed chief justice. The current Chief Justice is Sarah Stewart, who was also a circuit judge and associate justice.

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Many women followed these early pioneers. Sharon Yates became the first female judge and a presiding judge on the Court of Civil Appeals. Along the way, Pam Baschab, Jean Brown, Kelli Wise, Patti Smith, Beth Kellum, Terri Thomas, and Christie Edwards all contributed or still contribute to Alabama's rich legal heritage. Also, Callie Dietz became the first female Administrative Director of Courts and the first woman in the US to serve two states (Alabama and Washington State) as their Director of Courts. Rebecca Oates became the first female Clerk of the Court of Civil Appeals and Julia Weller, the first female Clerk of the Supreme Court followed by current clerk Megan Rhodebeck. Terri Lovell is the first female Executive Director of the State Bar Association.

Preserving the History of Alabama

*Executive Director's
Corner*



Thank you to all our members for a wonderful welcome! I am enjoying this new role and hope to increase our visibility and activities in the coming months.

I hope you noticed our new motto at the top of our newsletter: “Bound in History, Open to the Future”. I think this captures the importance of why we, as an organization exist. Our members know and understand the importance of honoring our past while continuing to focus on the future. It is our mission to help support our judiciary and members of the legal profession as well as to help prepare the young men and women preparing to enter it. Look for more opportunities to help us with these efforts. Also, please send us your ideas or let us know how we can help with local Bar Association activities.

We greatly appreciate the increase in membership this quarter. If you have friends or colleagues who are not members of ABBHS, please use the application form on page 11 to recruit for us. We would love to see whole firms sign up. “Membership is not about belonging to a group, but about being a part of something greater than yourself.”- Unknown

Let us hear from you! Thank you!!

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Callie



ALABAMA

BENCHand**BAR**

HISTORICAL
SOCIETY

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DUELING AND THE LAW IN EARLY ALABAMA

by Hon. John G. Browning

For most Americans, the notion of dueling conjures images of the famed Alexander Hamilton – Aaron Burr duel in 1804. For others, the medieval custom of “trial by combat” may come to mind, either in the form of actual historical examples or the mano a mano matches in popular culture like “Game of Thrones” that were inspired by these historical antecedents. But the truth is that dueling in America is even older than the nation itself—the first recorded duel on what would become American soil was fought on June 18, 1621 between Edward Doty and Edward Leister in Plymouth, Massachusetts.¹ By the early 19th century, dueling had become firmly entrenched in American culture, particularly in the South, where a man’s honorability determined his social standing. As one legal scholar noted, “The concept of honor has little resonance for modern Americans, but to antebellum Southerners, it was a central feature of their civilization.”² Turning to the legal system to defend one’s honor (such as by filing a defamation lawsuit) was, according to this same law professor, “akin to a man admitting that he was unable to protect himself.”³

Yet despite the fact that dueling was widely practiced in the South, it was officially condemned as state after state passed laws punishing those who engaged in duels and barring duelists and their seconds from holding public office as well as banning them from practicing law or medicine.⁴ States like Tennessee and North Carolina enacted anti-dueling laws as early as 1802, and even Alabama as a territory had a ban as of 1804. Following earlier examples of states like South Carolina and Georgia, one of Alabama’s first laws upon achieving statehood in 1819 was an anti-dueling law.

However, in Southern states these laws were rarely enforced. They were ineffectual and mainly seen as “sops to vocal minorities opposed to dueling,” the passage of which “did not signal any change in the majority’s actual tolerance of the practice.”⁵ South Carolina’s act, for example, was signed into law by a governor who was himself a veteran duelist. States even attempted to end dueling by banning the practice through constitutional amendments⁶ and by requiring an anti-dueling oath by those taking public office or holding professional licenses like lawyers.

In 1826, the Alabama legislature mandated such an oath. It required Alabama elected and appointed officials, as well as licensed attorneys, to swear that they had never “directly nor indirectly given, accepted, or knowingly carried a challenge . . . to fight in single combat or otherwise, with any deadly weapon, either in or out of this State . . .” But this oath was challenged by an aspiring lawyer named John L. Dorsey in a case that reached the Alabama Supreme Court in 1838.⁷

1 ROBERT BALDICK, *THE DUEL: A HISTORY OF DUELING*, 113 (1970).

2 C.A. Harwell Wells, *The End of the Affair? Anti-Dueling Laws and Social Norms in Antebellum America*, 54 *VANDERBILT L. REV.* 1805 (2001).

3 *Id.*

4 JACK K. WILLIAMS, *DUELING IN THE OLD SOUTH: VIGNETTES OF SOCIAL HISTORY* (1980).

5 Wells, *supra* note 2, at 1826.

6 Sasha Jones, *The History of Dueling and State Constitutions*, *ST. CT.. REPORT* (Apr. 8, 2025)

7 *In the Matter of J.L. Dorsey*, 7 *Port.* 293 (1838)



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Dorsey wanted to be admitted to the Alabama Bar, but he objected to taking an oath where he didn't just pledge not to partake in a duel in the future, but that he hadn't in the past. Dorsey raised a number of constitutional challenges to the oath requirement, invoking legal authorities that included Lord Coke, the Magna Carta, and a number of provisions in the Alabama Constitution's bill of rights. The three-member Court found for Dorsey by a 2–1 majority.⁸ While all three written opinions are fascinating, the dissent essentially saw the oath as a kind of “character and fitness” qualification, with which it took no issue. The majority justices, on the other hand, were troubled by the extreme, retroactive effect of the oath—although they were fine with taking a lawyer's license away for committing an illegal act like engaging in a duel while practicing law.⁹ Perhaps they viewed dueling in the past as a kind of “youthful indiscretion” that should not be disqualifying for those seeking to enter the legal profession.

While anti-dueling laws had little effect on curtailing what one court described as this “barbaric practice,” the horrors of the Civil War truly accelerated the demise of dueling. Despite this, the vestiges of dueling lived on in the law. As late as 1980, the Alabama Court of Criminal Appeals reversed the conviction of a defendant while pronouncing the “extinction in Alabama of the evil commonly called a duel.”¹⁰ The court noted that every Constitution of Alabama from the first in 1819 to the (then) most recent in 1901 had contained a provision empowering the legislature to pass laws to “suppress the evil practice of dueling,” and that every prior edition of the Penal Code had contained an anti-dueling law.¹¹ The court also took note that Alabama law had required an anti-dueling oath by public officers before taking office from January 7, 1836 to May 23, 1951. It was a mistake, the court reasoned, to inject an issue as to dueling into the case as the trial court had done, and it ordered the case to be tried again.¹²

Believe it or not, two states—Texas and Washington—still have “mutual combat” laws, a grizzled artifact of the old custom of dueling. Yet another reason to be thankful for living in Alabama!

8 Id.

9 Id.

10 *Payne v. State*, 391 So. 2d 140, 144 (Ala. Crim. App. 1980).

11 Id.

12 Id.

STEP INTO THE STORY OF ALABAMA JUSTICE

Do you have a passion for history and a gift for storytelling? The Heflin-Torbert Judicial Building is looking for volunteer docents to bring our state's legal heritage to life.

As a docent, you will:

- Lead tours through the breathtaking rotunda and courtrooms
- Share the legacy of Alabama's judicial pioneers
- Engage with students, tourists, and legal professionals

Training is provided.

Help us preserve the dignity and history of our courts.

If interested, please contact Arnisha Johnson @ (334) 229-05787 or arnisha.johnson@alappeals.gov.



Alabama Supreme Court Law Library Celebrates 198 Years of Service

The Alabama Supreme Court and State Law Library celebrated its 198th birthday on January 19, 2026. Since that day was a state holiday, officials and staff of the Heflin-Torbert Judicial Building celebrated on Thursday, January 22, 2026.

The celebration began with several scavenger hunts on Tuesday, Wednesday, and Thursday to introduce law clerks and others to various parts of the State Law Library they don't often visit. Prizes were awarded to the three winners. On January 22nd, a luncheon reception was provided that included refreshments, lemonade, tea, and a beautiful cake.

The ceremony concluded with the presentation of a numbered sketch of the Heflin-Torbert Judicial Building being presented to State Law Librarian, Tim Lewis, by the Honorable Richard Anderson, Judge of the Court of Criminal Appeals, to thank the library for its outstanding service to the building and the public.



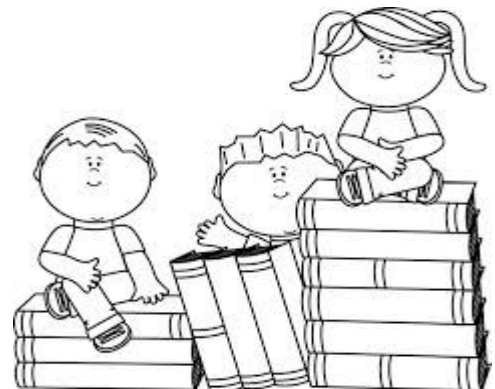
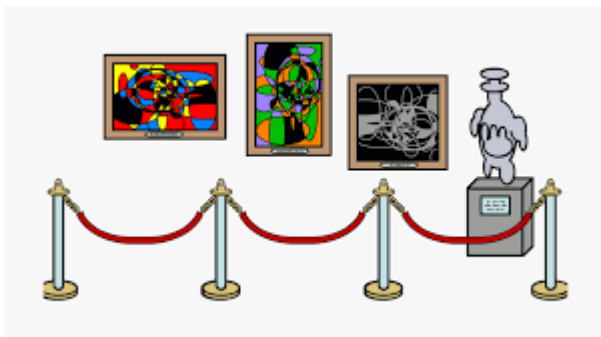
The Alabama Judicial Learning Center—A Dream or Reality?

By: Callie T. Dietz

This is a question I hope you will ponder for a few minutes and then decide to act. The answer is simple...a Judicial Learning Center in Alabama is a dream that can become a reality. Much of the realization of that dream is up to you. Plans have been developed. Committees of volunteers are waiting to develop the content and design the space. **The key component missing currently is *funding* to make the center possible.**

The mission of the Judicial Learning Center is to create a centralized location for visitors to observe, hear, read, and touch their way through the history and application of law in our state and country. We envision a space primarily targeting adults and another space designed for students (grades 4-8). In these spaces both adults and young people who visit the Heflin-Torbert Judicial Building can learn about the roles of government and obtain an understanding of the roles officials and employees serving in these branches. Use of interactive exhibits, displays, tours, our portrait and historical document collections, visitors can learn a great deal about the rule of law, the importance of order, and their own role in a democratic government. They can come to appreciate the various types of law and learn about famous and historic cases in Alabama. Students, using a mock courtroom can even participate in a trial and experience the work of judges, attorneys and others in a courtroom deciding a case based on the facts presented.

How can you help? As members of the Alabama Bench and Bar Historical Society, you already know and appreciate why this work is vital. Preserving the history of our state while supporting the judicial and legal systems is our highest priority. To do this, we must participate in and lead the way for efforts that enhance our goals, such as the judicial learning center. For the center to become a reality, we need to raise funds to renovate two spaces in the Heflin-Torbert Judicial Building as well as to purchase new equipment, displays and display cases, graphics, and exhibits.



Continued on Page 7

Will you help us raise funds to start this project? We would like to raise \$50,000.00 in 2026 to begin this project. All contributions to ABBHS for support of the Alabama Judicial Learning Center are tax deductible and you will receive acknowledgement of your contribution to use in filing your taxes.

Additionally, recognition will be given publicly in the following manner:

- Scales of Justice Level \$5,000 + Name on a plaque in the learning center
Free membership in ABBHS for 4 years
A brass Christmas ornament of the H-T-J-B
- Gavel Level \$2,500-\$4,999 Name on a plaque in the learning center
Free membership in ABBHS for 3 years
ABBHS coffee mug
- Sword Level \$1,500-\$2,499 Name on plaque in the learning center
Free membership in ABBHS for 2 years
A copy of Power to Service
- Robe Level \$500-\$1,499 Name on plaque in the learning center
Free membership in ABBHS for 1 year
- Quill & Inkwell Level \$50-\$499 Name on plaque in the learning center

ALABAMA JUDICIAL LEARNING CENTER FUNDING PROJECT

NAME: _____

or
FIRM: _____

ADDRESS: _____

TELEPHONE: _____

EMAIL: _____

Name as you would like it to appear on the plaque: _____

Mail to: ABBHS
P.O. Box 722,
Montgomery, AL 36101

Checks should be made payable to ABBHS and designated to the Alabama Judicial Learning Center.

WELCOME NEW MEMBERS

Cheryl Bullard
 Albert W. Copeland II
 Russell Cunningham
 Philip Lisenby
 David Sawyer
 Erin Dunagan
 Scott Hoyem
 C. Wayne Owen
 Kimberly H. Adams
 Calvin Milford
 A. Philip Reich II
 Scott Donaldson
 Nathan Wilson

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 Jamie S. Sledge
 Bob Bailey
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Stephanie Carl
 William H. Rhea
 Robert W. Barr
 Adrian Johnson
 Will Hill Tankersley
 Will Parker
 Arnisha Johnson
 Ken Seabury
 Chandra Sawyer
 Janice Schultz
 F. “Trippy” McGuire
 Kevin Hall
 J. W. Patton
 Caitlin Cobb



Mid-December–Mid March 2025/2026 RENEWALS

Your renewal in Alabama Bench and Bar Historical Society is much appreciated.
 Renewal letters are normally mailed the beginning of the month.
Please let us know if you have a change of address.



RENEWALS

Harlan I. Prater IV
 Tom Heflin
 Shawn Cole
 J. Flynn Mazingo
 James H. Anderson
 Gregory Cook
 J. Evans Bailey
 Michael D. Morgan
 John Rochester
 Bryan Morgan
 Keith Norman
 W. Stancil Starnes
 Courtney Hall
 Tracy Cary

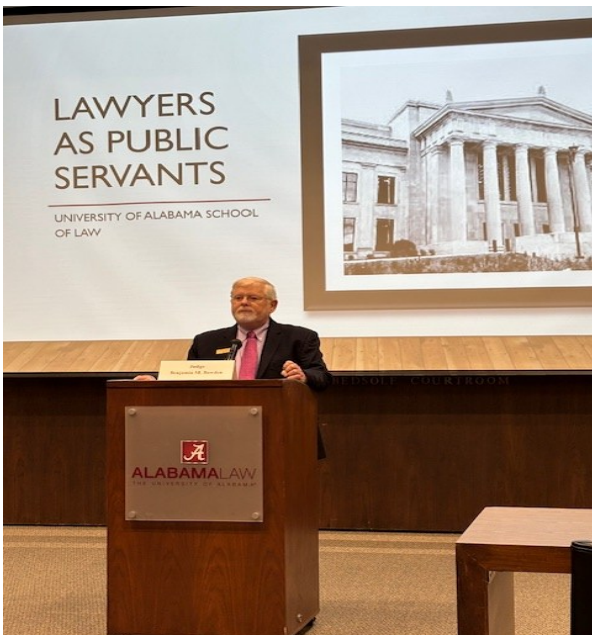
Dennis Bailey
 W. Keith Watkins
 Ernestine S. Sapp
 J. Scott Vowell
 J. Mark White
 Caryl Privett
 Robin Laurie
 Jimmy B. Pool
 Raleigh Capps
 Steven E. Haddock
 William Davis
 Rebekah McKinney
 Charles Campbell
 E. J. “Mac” McArthur

Tamara H. Johnson
 Harwell E. Coale
 Marilyn Floyd
 Holly Martin
 Suze Long
 Donna Richburg
 Hall Copeland
 Chris Sheppard
 Mandy Haddin
 Callie Dietz
 Beth Kellum
 Mary Windom
 Greg Reid
 Chris McCool

Lunch with the Judge, February 25, 2026 University of Alabama School of Law

Approximately fifty first year law students were in attendance at the ABBHS annual “Lunch with the Judge” event at the University of Alabama School of Law on Feb. 25, 2026. This project is sponsored jointly by ABBHS and the University of Alabama. This year, students met with the Honorable Ben Bowden, Judge, of the Alabama Court of Civil Appeals. Judge Bowden, who also has experience as a circuit judge, a probate judge and a JAG, provided excellent information about lawyers as public servants and our responsibilities to our community. He included information on the judicial process and the importance of the legal system.

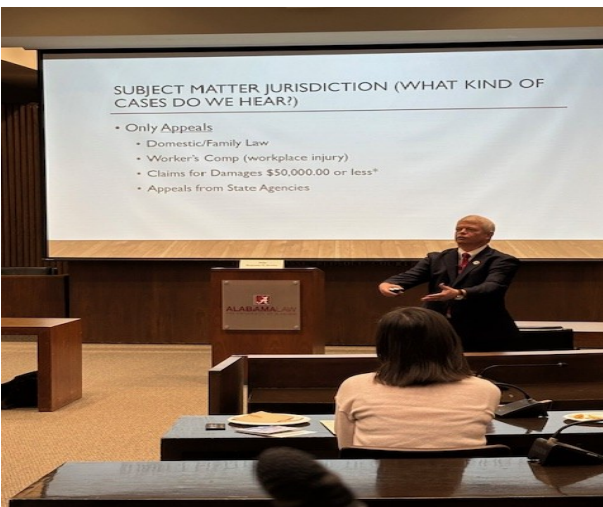
Many thanks Judge Bowden for your generosity in presenting such an outstanding program for these students. Your remarks will be long remembered.



Tim Lewis, President of the ABBHS Board of Directors, opens the program and introduces our speaker.



Judge Ben Bowden speaking to some of the law students in attendance.



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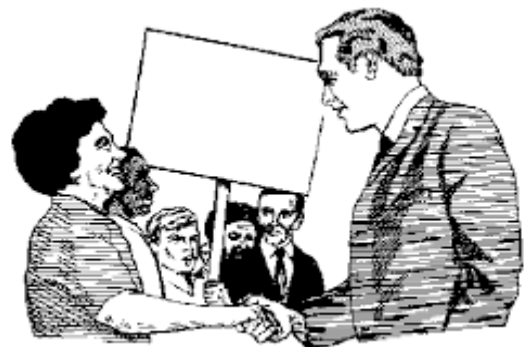
Judge Ben Bowden addressing law students at the University of Alabama, “Lunch with the Judge”.



The three gift card/backpack winners with Tiim Lewis and Judge Ben Bowden.



Do you have any items from past judicial campaigns that you would like to donate to the Alabama Judicial Learning Center in the Heflin-Torbert Judicial Building? We are collecting these for displays that visitors to the building will view. Posters, yard signs, buttons, pamphlets, etc. are welcome. Just let us know if you would like to be part of this historic display.





ALABAMA
BENCH and BAR
HISTORICAL
SOCIETY



Your Annual membership contribution enables the Society to fulfill its mission of preserving Alabama’s legal history, promoting better understanding of the legal system and judiciary, and recovering historical legal artifacts. Your participation provides for publications, programs, projects, and grants.

ABBHS is a 501(c)3 nonprofit organization. Contributions are tax deductible, within legal limits, and will be acknowledged by ABBHS. Operations are financed by memberships in the Society and by contributions from the public. All society board members and officers serve without compensation.

Membership Application

Name: _____ Phone _____
Affiliate: _____ Fax _____
Address: _____
City: _____ State: _____ ZIP: _____
Email: _____

Make check payable to ABBHS or include your credit card information below.

Check One - American Express _____ Visa _____ Master Card _____

Credit Card# _____ Expiration Date: _____ Security Code: _____

Please include your credit card address below, if different from your membership address.

Name: _____
Address: _____
City: _____ State: _____ ZIP: _____

Membership Fees:

- _____ **Individual:** **\$75.00/2-year**
- _____ Individual: \$40.00/year
- _____ Student: \$10.00/year
- _____ **Founders** **\$100/year**
- _____ Law Firm: \$1,000/year - *(Includes all attorneys of the firm in any one location)*
- _____ **Contributions:** **\$100 - \$5000**

You can also join on our web site—www.alabamabenchandbar.org

Mailing Address: P. O. Box 722, Montgomery, AL 36101-0722



ALABAMA BENCH AND
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SOCIETY

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We're on the Web!
www.alabamabenchandbar.org

Preserving the History of Alabama

The Alabama Bench and Bar Historical Society is devoted to preserving the history of the state's judicial and legal system and making the citizens of the state more knowledgeable about the state's courts and their place in Alabama and United States history. The Bench and Bar is interested in preserving documents, artifacts, and memorabilia of the courts, as well as of judges and members of the state bar, and wishes to encourage the publication of scholarly research on bench and bar topics. The Society especially wishes to preserve the biographical information and stories of attorneys and judges who played prominent roles in the history of the state's legal system. To pursue its goals, the Alabama Bench and Bar Historical Society may sponsor publications, exhibitions, displays, lectures, and public programs.

Alabama Bench and Bar Historical Society
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