

Frances Elge

Attorney, judge, witness to history, tireless advocate for women, ready with a joke. These are just a few terms used to describe Frances Elge.

Born in Helena in 1906, she attended schools there before moving to Missoula, where she graduated from law school at the University of Montana in 1930. A female law student was a rarity, and Elge said she was considered an unthreatening novelty at the time, and that the men later knew better.

After graduation, she went back to Helena, where Wellington Rankin, a prominent attorney, turned over a number of cases to her so that she could start in private practice. Two years later, she was elected as Public Administrator for Lewis and Clark County. This was a minor office with responsibilities to oversee the administration of the estates of deceased persons who have no qualified persons willing or able to do so. She made national headlines when she went into a dead man's ramshackle tarpaper shack and found \$5,000 inside.

In 1934, she ran for County Attorney. Her opponent was Walter Nylan, who had let his law license lapse years before. Though women had had the right to vote in Montana since 1914, women weren't permitted on juries, to save them from the dreadful details of court cases. As there were a number of rape cases on the docket, Nylan claimed to want to spare a woman from having to prosecute such cases. Elge countered with her qualifications and the endorsements of leading attorneys, and carried the election. She was one of the first women to become a County Attorney in Montana. In her first two years as a prosecutor, she only lost one case.

Elge lobbied the state legislature in 1939 to pass the Women's Jury Service Act. Women accused of crimes could only face all-male juries at that time. She helped to organize proponents and helped to secure the support of several powerful unions to help carry the day.

When the nation's first Congresswoman, Jeannette Rankin, decided to run again in 1940, Elge signed onto the campaign, serving as its Secretary-Treasurer. When Rankin won, she accompanied her to Washington as her personal assistant. After that term was over, Elge stayed in Washington, serving with various federal agencies, and finding she needed to use her political connections to even the playing field. Elge resented being better qualified than her colleagues and still not getting treated similarly.

Elge moved back to Montana in 1954, coming to serve as an administrative law judge for the Department of the Interior in Billings. She was the only woman among the 12



judges serving nationally. She was active in the Billings Professional Women's Association, and served as its chair in 1969. The BPWA named her its "Woman of the Year" in 1970. She was honored by the Interior Department in 1975 during International Women's Year.

In 1971, she went to Helena to lobby for legislation affecting women. She fought against a law that prevented women from working more than eight hours a day, which gave employers an excuse not to hire women. She also fought to include discrimination on the basis of sex to a bill that banned discrimination based on race, color or creed. She testified at every legislative hearing regarding ratification of the proposed Equal Rights Amendment to the US Constitution. She continued that fight for the next four legislatures as well.

Fran Elge received a UM Alumni Distinguished Service Award in 1976, and the Montana Bar Association set up a scholarship fund in her honor in 1981. The scholarship goes to a student who shows commitment to human equality. Elge died in 1991 at the age 84, after battling leukemia. The Montana Supreme Court made a resolution in her honor, noting her legal service and advocacy for women.

Sources:

Billings Gazette, "Four UM Alumni Given Service Awards", October 10, 1976

Clawson, Roger, "For 50 Years, She's Fought for Women", *Billings Gazette*, November 3, 1980

Helena Independent-Record, "Fran Elge, First Woman County Attorney, Dies", September 29, 1991

Meyers, Christene C., "Attorney Remembered for Wit and Devotion to Causes", *Billings Gazette*, September 28, 1991

Meyers, Christene C., "Lawyer to Be Honored by Interior Department", *Billings Gazette*, November 18, 1975

Missoulian, "Women's Rights Advocate Fran Elge Dies at Age 84", October 1, 1991

Montana Historical Society, "Men Were My Friends, but Women Were My Cause": The Career and Feminism of Frances Elge", Women's History Matters website. Retrieved 3/2/19 from <http://montanawomenshistory.org/men-were-my-friends-but-women-were-my-cause-the-career-and-feminism-of-frances-elge/>

Saboe, Carol, "Miss Frances Elge Named BPWA 'Woman of Year'", *Billings Gazette*, October 20, 1970

Photo Credit:

Montana Historical Society