

## Emily E. Sloan

Emily E. Sloan was a reluctant trailblazer, an attorney practicing law who really wanted to write. She managed to find a way to do both.



Emily Eva Mullenger Sloan was born in Wisconsin in 1878, and grew up in South Dakota. Before finishing high school in Belle Fourche, she married a cowboy when she was 17. They started a ranch, and their oldest daughter was born when Emily was 18. Another daughter and two sons soon followed, and Emily lived the hard-working life of a ranch wife. She had always had what she described as a “literary bee in her bonnet,” and published her first book of poetry, *Ballads of the Plains*, in 1908 while raising her children.

Her daughter also married young, making Emily Sloan a grandmother at the age of 35. Her other children were now mostly grown, and Emily wanted to further her education, and as she liked writing, she wanted to focus on that. Her

husband refused to spend any family money for educating her on anything but the law, seeing it as more practical. She took him up on that offer.

For two years Sloan studied law at home, then applied to law schools. Without a formal education, it was difficult, but the University of Montana accepted her as a “special student”. She would not be able to be officially enrolled without a high school diploma, but she could attend the classes. She headed to Missoula in the fall of 1917. After her first year, her husband refused to financially support her studies. Sloan doubled down by taking jobs in the law library and as assistant to the Dean to be able to continue going to classes. Although she could not officially graduate, she did take and pass the difficult Montana Bar examinations in June 1919. This was a point of pride for her, as most lawyers at that time were admitted to the bar with their law degrees.

Emily E. Sloan moved to Billings to set up a practice the following autumn. She said she chose Billings because she “wished to be in a hustling, growing place.” There she became the first female attorney to appear before the district court, representing the plaintiff in a lawsuit. She also wanted to build her practice and took fellow lawyers’ advice to get her name in front of potential clients by becoming politically active. She filed to run for office for the first time in August 1920, joining the race for the state House, though she was not elected. Over the course of her career, she ran in eight political races.

Sloan had not forgotten her desire to write. Her second book of poems, *Memoirs of the Law School of the U.of M.*, was released in 1921. She described it as “nonsense verses” of interest to university students. By then she had also written several stories for magazines. In 1922, the Billings Women’s Club sponsored a poetry contest, with entries

judged blindly. When the winning poem, "Anemones," was chosen, it turned out that Emily E. Sloan was its author.

Her husband had moved to Billings with her at first, leaving one of their sons running the ranch. But their marriage did not fare well, and the pair eventually divorced in 1924.

In 1922, Sloan moved to Carbon County, in order to run for the office of County Attorney. She won the election, becoming the first woman to be elected as a County Attorney in Montana. She served until 1927, before moving back to her private practice in Billings. Upon leaving, she wrote a humorous poem for the new County Attorney about the tribulations of serving in that office.

Sloan's political activity was not limited to Montana. In 1922, she was invited to serve on the lawyers' council of the National Woman's Party. Women had gained the vote nationally in 1920, and the party was reviewing the laws of each state that affected women. It also drafted equal rights legislation to be introduced into Congress. In the 1928 presidential election, the party was working on an Equal Rights Amendment to the Constitution, and Sloan was asked to address the Democratic candidate, Governor Al Smith of New York, to solicit his support of the Amendment while he campaigned in Montana.

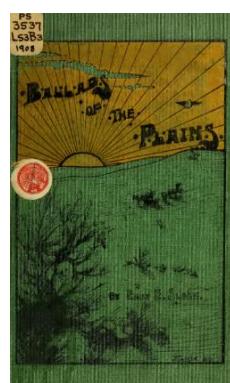
In 1929, Sloan was appointed as probation officer for Yellowstone, Carbon and Big Horn counties. This work required working with juvenile offenders, something she had experience with from her days as a County Attorney. Sloan remained in this position for two years before returning to private practice. In 1932, she was nominated to run for District Judge for a five-county region. She was running against two popular incumbents, and was not elected. She ran for the office of Police Judge in Billings in 1935, but again was not elected.

Sloan had an unfortunate adventure in November 1935. Six cattle being unloaded at the stockyards broke loose and ran away. A steer and a cow made for the downtown business district. Sloan was coming out of the courthouse door at the same time the steer was charging down the sidewalk. She tried to sidestep the animal, but it butted her forcefully and knocked her down. A judge managed to jump a railing into a window well to avoid the same fate. Sloan was badly bruised and shaken. She later filed a personal injury suit against the livestock commission for \$10,120.50. The suit was settled for an undisclosed amount.

After retiring from practice in 1939, Sloan moved to Washington, where her daughters were both living. There she wrote a novel called *Prairie Schoolma'am*, along with countless poems, articles, journals and an unpublished manuscript of an autobiography. Sloan died in 1973 at the age of 94.

Sources:

*Billings Gazette*, "Emily Sloan Files for Representative", August 6, 1920



*Billings Gazette*, “Emily Sloan, Montana’s First Woman Prosecutor, Wills Verse to Tell of Prosecutor’s Woes”, January 4, 1927

*Billings Gazette*, “Joliet Woman Lawyer named to High Place by Woman’s Party”, August 4, 1922

*Billings Gazette*, “Local Attorney Knocked Down and Judge Runs for Cover as Steer Runs Rampant in Streets”, November 14, 1935

*Billings Gazette*, “Mrs. Sloan is Named Probation Officer of 13<sup>th</sup> Judicial District”, January 4, 1929

*Billings Gazette*, “Mrs. Sloan Selected to Address Al Smith on Equal Rights Law”, September 12, 1928

*Billings Gazette*, “Review of the Town”, by Elizabeth Perkins, April 24, 1921

*Billings Gazette*, “Tales of the Town”, May 9, 1936

*Billings Gazette*, “Two More Seek Judge’s Office”, February 20, 1935

*Billings Gazette*, “Woman Attorney Conducts Case”, May 23, 1920

*Billings Gazette*, “Woman’s Club Poetry Contest Reveals Real Talent in City”, February 5, 1922

*Billings Gazette*, “Woman to Seek Place on Bench”, August 14, 1932

Burke, Bari R., “Foreword to When a Woman Campaigns: Emily Sloan’s Races to Become Montana’s First Female County Attorney,” *Montana Law Review*, Vol 74, 2013

Burke, Bari R. and Margaret Bentwood, “Honoring Emily E. Sloan: A Special Student,” *Montana Law Review*, Vol 52, Issue 2, Summer 1991

“Emily E. Sloan”, *Wikipedia* entry, retrieved 9/6/2019 from  
[https://en.wikipedia.org/wiki/Emily\\_E.\\_Sloan](https://en.wikipedia.org/wiki/Emily_E._Sloan)

Sloan, Emily E., “Emily E. Sloan, Lawyer”, Advertisement placed in *Billings Gazette*, October 2, 1921

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