

Maureen and Mike

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**Oral History Number: 396-001**  
**Interviewee: James B. Patten**  
**Interviewer: Bob Brown**  
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Bob Brown: We're in business, we're recording.

James Patten: Okay.

BB: Talking to Jim Patten, and Jim's an attorney who worked in the Babcock administration and worked for the Public Service Commission back in the 1950s. So Jim, you went to work in the 1950s when the Anaconda Company still owned the newspapers in the state and was still an important player in state politics and so was the Montana Power Company.

JP: Yes, sir.

BB: And of course, in your work with the Public Service Commission you probably had frequent contact with Montana Power Company people.

JP: I did.

BB: Did you ever know, firstly, Bob Corette?

JP: Oh yes, Bob became a very good friend of mine, in later years was a good friend. I was appointed as an assistant United States attorney in 1969, and when I went to Butte I lived with Bob for two weeks before I found a place to live. Bob was a—I admire Bob Corette very much.

BB: Now part of the folklore of Montana, you know, is that the Montana Power Company and the Anaconda Company were the terrible twins, the controlling corporate influences in the state, and you would have had some prospective on that. Could you maybe share your thoughts on—

[Dog Barks]

JP: [Laughs]. See she came in to see you.

BB: [Laughs]

JP: Come on, Chloe. When I went to the law school I was amazed at what they blamed on the Anaconda Company. I swear to gosh if we had a cold snap and it snowed a lot they'd blame that on something the company did. It was silly. The—she'll [the dog] bother you until you're sick of her. Hey come on now. Come on, go lay down, Chloe, please.

[A woman comes in and takes the dog]

BB: Well, I miss my dog.

Woman's voice: Well, she'll be here.

JP: When I worked for the railroad commission, when I quit, the fellow that replaced me was a fellow by the name of Hansen. He's now dead, but he was Alex [Alec] Hansen's younger brother. And you know Alex [Alec] with the county organization.

BB: Yes.

JP: He went to law school. I think he was a freshman the year I was a senior, but he was one of the editors of the *Missoulian*. [He was a reporter, never an editor.] That's the way he worked his way through school. I'm not sure just how long after he got out of law school, but he worked for the Anaconda Company a good many years after that, after he retired from his job at the railroad commission. You know it wasn't a big paying job, but it was a lot of fun. I tell you, if you've never toured Montana with Austin Middleton you don't realize what a great, different experience that might be.

BB: Well I'm trying to remember. Austin Middleton had some connection to Jimmy Carter.

JP: His son, Blue Middleton, was Jimmy Carter's roommate at the Naval Academy.

BB: Okay. And I have heard Austin Middleton's kind of a memorable name. It's a slightly unusual name so it's one that sticks with you. And I've heard that name, and it's popped up at different times of my life. And he was a Public Service Commissioner—what, in the '40s and '50s?

JP: Austin was an old rancher from the Miles City area, a cowboy. He ran away—he was born in Minnesota, and he ran away from home. His parents died. He was left without parents, and he lived with a sister in Minnesota, I think in the suburbs of Minneapolis. And his brother drove a stagecoach from Miles City to Deadwood, South Dakota. (Laughs.) And he ran away from home because this sounded like very romantic stuff, and they agreed that he could stay in Miles City if he'd finish high school. And he did.

BB: This would have been back around the turn of the century?

JP: Back around the turn of the century. I think Austin was born—I believe he was born in like '87, '89, something like that. And he was not very old when he ran away from home, ran away from his sister's home, found his brother, lived in Miles City. He was very well thought of in Miles City. He'd been a good baseball player, and they had a baseball team at that time. He—

and I don't know what year it was, but they had a sheriff that nobody liked, and a bunch of the local people got Austin to run for sheriff.

BB: Oh, okay.

JP: And he won an election. He ran as a Democrat. Now Austin was about as far from—he was not a liberal in any sense of the word. (Laughs.) A very conservative man. And he really was kind of apolitical. A story about him always was he—when Paul Smith first ran for the Commission, somebody, and probably some of the people from Butte, asked Austin if he would take him with him when they went campaigning. And I tell you, you go campaigning on a big long trip with Austin, he's likely to kill you.

BB: [Laughs]

JP: He could drink more whiskey than anybody I ever saw in my life, and I never saw him drunk. He just—did you know Newell Gough here in Helena?

BB: Actually, I'm not sure if I ever met him.

JP: Well, Newell was a big man, very big, and Newell liked to tip a few at times. And he was always taking on Austin, he was going to drink him under the table and he never won those. Anyways Austin took Paul Smith campaigning, and they get down east of Billings there or around Billings. And he told Paul, he said "I see you cleaning your fingernails every now and then."

And Paul said, "Yeah, why?"

And he said, "Well here, when we're down in this country, do it with this." He—Austin was a Mason—he handed him a Masonic—a knife, a little pen knife that had a Masonic emblem on it. Well, Paul was Catholic. So as they campaigned down through Mile City and so forth, he'd clean his fingernails with this Masonic emblem on the knife. Everybody down there thought he must be a Mason.

Both: [Laughs]

BB: Which would have been good for him politically?

JP: Oh yes, down in that country. That was pretty solid Republicans and conservatives, and it wasn't, you know the Catholic was Butte. Butte if you were Catholic. Paul was an awfully nice fellow too. I thought a lot of Paul Smith.

BB: Now you told me some things about the whiskey drinking exploits of Austin Middleton, and he sounds like a colorful character—

JP: Oh yeah.

BB: —but I think I have had his name brought up to me, I don't know, at least a half a dozen times in my life. And he's probably been dead for thirty years. So what is it about him that's fixed in your memory? How would you describe him?

JP: Well, I'll tell you what a guy said one time that always impressed me. Charlie Scofield was a long-term Republican politician from Powder River County.

BB: State senator for a fair amount of time.

JP: Senator for a long time, and [unintelligible] lead to a bunch of strange events. He was the Speaker of the House of Representatives, I think in 1935, 1937. You think, right in the middle of the Depression, where did these Republicans come from? Well, the Democrats—there were a lot of counties around here where the socialist would run for Legislature and get elected. The Democrats would have to vote for a Republican to keep them from sending this guy to Helena. They almost—or I think maybe they did elect a Communist, a guy that ran on the Communist ticket, up in northeast Montana.

BB: Yeah up in the Plentywood country.

JP: Yeah, and—

BB: “Red Flag” Taylor as I recall.

JP: I think that's right.

Both: [Laughs]

JP: But a wonderful old fellow. But you know, a “dyed in the wool” Republican, and he had been a friend of Austin's. And he said one time, “You know, if I really got in trouble where I was in deep trouble over something,” he said, “the first guy I'd go to would be Austin Middleton.” And I think that's right. If you needed a friend, Austin would be your friend. If you were his friend—

BB: He was a loyal friend.

JP: He was very loyal. Now he might do awful things to you, you know [laughs].

BB: Practical jokes?

JP: Yes, and he—you'd be walking down the street and somebody'd say, "Hey, Austin, how are you?" and they'd come over. And he'd introduce me to them, and they know my name but I haven't got the slightest idea what his name was. And when they'd greet each other like brothers, and when you'd walk away from him, he didn't know what the guy's name was. Had no idea. [They were] prisoners. He'd been warden at the penitentiary.

BB: Middleton was a one time the state prison warden?

JP: Yes. He was appointed by Elmer Holt.

BB: Also from Miles City?

JP: Also from Miles City.

BB: Been a state senator from there and ended up governor. [Holt become governor on the death of Frank Cooney in December 1935. He was defeated for election in 1936.]

JP: Yeah. And he knew Austin, and they got—they had driven Frank Connelly out from the east around the prison on a business basis.

BB: Yeah, he had a big ranch in that area and was also the prison warden.

JP: That's right. And you know he kept the prisoners for so much a day. And that wasn't an unusual arrangement in the West. Well, they finally ended that, which really probably isn't a good idea. They had ended that, and then they had all kinds of trouble at the prison. They had a riot a month over there. They went through—well, I don't remember what the number was, but there were three or four wardens in a very short period of time, after they got rid of Connelly because all of these guys that worked in the prison were all Connelly's men. And they'd stir it up if nobody else did.

And when—they'd had another event of some sort, not very long after Elmer Holt became governor. And he appointed Austin the warden, and Austin went over there to be warden and he—when he kind of got to know the help over there, it was getting in the fall, and there were a lot of laid-off cowboys down around Miles City. And he knew, course, everybody down there. He just got a whole bunch of them to come over, and they signed on as prison guards. And of course they were tougher than the prisoners in there by far.

BB: [Laughs].

JP: There's a lot of stories about the prison. Middleton had broken his leg. A horse got up against him in a corral, and he limped the rest of his life, he had a bad leg. He was just getting over that when he went over there to be the warden, and he was on crutches. And he walked in, and a prisoner came walking up to him and said "Hiya warden," he said. "I'm the con boss around here."

And Middleton said, "There isn't any con boss anymore in this prison." And the guy said something kind of rough to him, and Middleton just crowned him with his crutch.

Both: [Laughs].

JP: Hit him right over the head with a crutch. And it kind of went that way. He had all those cowboys working, and they got control of the prison in a hurry. He was a very successful administrator at the prison.

BB: About when would that have been, '40s?

JP: Well, that was in the '30s.

BB: The '30s?

JP: Yes. Actually he could—

BB: Because Elmer Holt was governor, I think, in the late '30s.

JP: Well, was it late '30s or early '30s?

BB: Could be. Well let's see, Erickson was elected in '32, and his lieutenant governor was Cooney. And Cooney died in office, and Elmer Holt finished out the term. So it was probably '35, '36, right in there.

JP: That's when Erickson appointed himself Senator.

BB: Yes, that's when Erickson appointed himself Senator.

JP: And nobody liked that very well.

BB: Right.

JP: But then Elmer Holt was the president pro tempore in the senate, and through this funny thing, he then succeeded.

BB: Did you know Elmer Holt?

JP: No. Bob Colette was married to Elmer Holt's daughter, Laurie. But no, I think Elmer Holt probably was dead before I was—I started in the law school in 1950, so that dated me and my experience in Montana.

BB: You probably went to law school at roughly the same time Jim Lucas did?

JP: Jim was a year ahead of me, and we had a class together. Jim would get to playing baseball in the spring, and he would kind of lose track of—and of course Dean Leaphart loved Jim Lucas. Lucas could get away with stuff that nobody else could. Dean Leaphart loved him, and I think they all recognized the talent that Jim had. Jim is an extraordinary lawyer, and I've had—well, starting back with Wes Castles—

BB: Wes Castles was a justice in the Supreme Court.

JP: Yes.

BB: Also served on Governor Aronson's staff.

JP: Yes.

BB: And of course Jim Lucas later became Speaker of the House.

JP: Right. Lucas, he's a terrific guy. I guess it would have been—judge, long retired, still lives in Helena—was a Democrat—

BB: Gordon Bennett?

JP: No, not Gordon—oh hell, I can't say his name. I see him at the Carroll football games all the time.

BB: Oh yes, was it Supreme Court Justice?

JP: Yes.

BB: John C. Harrison.

JP: John Harrison, yes. And when I was working for the Railroad Commission I used to love to go up and I'd sit down and get a lot of information from John Harrison. He liked to talk. Anyway, I'm sure it was John and Wes D'Ewart, both of them said to me that the best appellate practitioner—the guy who spoke in the court, who argued cases in the Supreme Court—that Lucas was the best by far.

BB: Really?

JP: In the state.

BB: Now Wes D'Ewart was a congressman at one time in the '50s.

JP: Yes.

BB: Was he a lawyer?

JP: Did I say—I meant Wes Castles.

BB: Wes Castles, okay.

JP: Wes D'Ewart was—I think when I came in 1950, I think Wes D'Ewart was a congressman.

BB: Yes, he was a congressman. Well, I knew Wes Castles a little bit too, but Jim Lucas was a wonderfully gifted state legislator also. And I think we all thought he'd be governor and became a cropper (?) of that sales tax issue.

JP: Which is a shame. Starting about the time I that got into being interested in state government in Montana, which might have been while I was in law school. You always wonder why they haven't got a sales tax here, and I'm still wondering that.

BB: (Laughs.) It's just really been a traditional thing to be opposed to it.

JP: I know it, I know it, and it's kind of silly. It runs in the same category, as far as I'm concerned, as people that don't want to have a seatbelt law. It may be a bad idea actually to pass a seatbelt law, because I'm convinced—you know if anybody reads the newspaper there was this accident last weekend, you know, where the women died and they had a baby strapped in the car was unhurt. And they look at the evidence of how you can save your life with a seatbelt, you got to think that we're improving the gene pool if we don't have a seatbelt law.

Both: [laughing]

BB: Did you know Governor Aronson?

JP: I wasn't a friend of his or anything but I was around when he was governor, yeah.

BB: Did you know—you mentioned, too, that someone that I just have a very vague memory of as a kid, was Ory Armstrong. Ory was a prominent member of the legislature from Flathead County and was Speaker of the House for a while. And I just, as I say, I was just a little kid, I was interested in politics though, and I remember vaguely who he was. But he then went on to be appointed to the Public Service Commission when you worked there.

JP: Yes.

BB: Do you have any impressions of him?

JP: Yeah, he was a—Ory was a really nice guy and a very intelligent man, but I don't—I kind of think that maybe somebody leaned on him to take that job. I don't think he wanted to do that. He was retired, you know, almost totally, I think, when he took that.

BB: Now he was a tribal member I think, because I remember he was a member of the Flathead tribe.

JP: He could have been.

BB: I think he was.

JP: I don't know that. Ory was easy to get along with, very intelligent guy, hardworking, stuck to business, but he didn't seem to be totally interested.

BB: Was Frank Hazelbaker on the Supreme—or on the Public Service Commission for a while?

JP: Yes, he was, yes he was.

BB: Also by appointment?

JP: Yes, I think he was appointed.

BB: So he probably wasn't there very long?

JP: He wasn't there very long and I don't—that was after I was—after I had left. It might not have been very long after I was there. I think maybe Hazelbaker—I'm pretty sure—I think Frank was appointed to replace Leonard Young. Leonard Young had died.

BB: Now Leonard Young is another name I remember, but I don't remember knowing him. Any thoughts or comments about Leonard Young?

JP: Yes, I'll tell you. I've been a Republican all my life, and that almost changed me. Leonard Young.

BB: [Laughs].

JP: I had absolutely no respect for him. He just—he was a bad guy.

BB: In terms of personal honesty?

JP: Well, I don't know that he was personally dishonest. He was just—he wasn't a team player. He was very underhanded how he picked on everybody else. And he picked on me, and he

picked on me because Middleton liked me. He and Middleton—well, I'll tell you. There was a big church service up on the west side here when Leonard Young died. Paul and Austin and I went to the services. And we were sitting there, and Austin had a stage whisper that you could hear across the highway.

BB: [Laughs].

JP: And we were sitting there, and I was in the middle and Austin was on one side of me and Paul was on the other. A guy got up and gave a eulogy of Leonard Young. Talked about what a great, God-fearing man he was, and a super human being, and just everything about him. He got about half way through this and Middleton leaned over and said to Paul Smith, "We're at the wrong service."

Both: [Laughs].

BB: And other people probably heard him.

JP: They'd do things to Leonard that were just uncanny. The two of them thought just alike. We'd been down in Billings for some hearings, and Leonard Young wasn't around as far as I know. I don't know whether he was coming later or something. We went down and Arthur Lamey—Paul Smith thought Art Lamey was a saint. He said, "Man ought to be sanctified."

BB: Why do I know that name?

JP: Well, that's Jim Haughey's old firm. When I went down to Billings out of law school it was Coleman, Lamey and Jameson [Coleman, Jameson and Lamey].

BB: So Arthur Lamey was a prominent attorney in Billings?

JP: Very prominent, yes.

BB: And why was Paul Smith so—

JP: Well, Art had been a friend of his. He just idolized him. He said, "That's the greatest man; should have been governor." And Art Lamey was an awful nice person. He wasn't an aggressive person at all. He was really nice, and of course he had lost a leg in World War I.

But we had been to Art Lamey's house for dinner, and we came back downtown, walked in the Northern Hotel. There was a County Commissioners convention going on, and of course Middleton and Smith—I think that's why Leonard wasn't there, they had come down a day or two early because they were campaigning all the time. Well, when you traveled with him you hit every bar, every tavern in the state. I mean, there are bars that I can still remember being in that I didn't want to be in. I couldn't keep up with him.

BB: They'd go into the bar—

JP: Campaigning. Buy a drink, you know, but they knew every bartender and every bar owner, especially in labor towns like Great Falls.

BB: Now, they were both Democrats.

JP: They were both Democrats.

BB: I think of Paul Smith maybe as being a little of a more liberal than regular Democrat.

JP: Yes, he would have been a more regular Democrat. He was a New Deal kind of guy, a Roosevelt guy.

BB: Did they vote alike on the Public Service Commission?

JP: Oh, just exactly alike. I don't ever remember—well no, no that's right. I don't ever remember them voting differently. Paul Smith had a thing—now, he wasn't a mean guy at all, nothing vindictive about Paul. He'd forgive and forget. But he wanted the ten-cent phone call. Public telephones ought to be a dime. Montana was a dime long after it was two bits every place in the United States. And Paul wouldn't let them raise the rates. He was always turning them down on the coin machine. "Ought to be a dime," he said, "Make a local call for ten cents." But—

BB: Now, there were three Public Service Commissioners.

JP: Yes.

BB: Now I don't know—this is just, I guess, kind of part of the folklore of Montana. You mentioned to me, in law school, they used to blame everything on the Anaconda Company. I think it was kind of popular to blame things on the Montana Power Company too. They were kind of a whipping boy company also. And so, on the Public Service Commission, could you maybe talk a little bit about your impressions of the—did the Montana Power Company exert a great deal of influence? If so, how, what was their strategy?

JP: Sure. They exerted a lot of influence on the Railroad Commission. But they did—

BB: The Public Service Commission used to be called the Railroad Commission.

JP: Yes.

BB: Railroad and Public Service Commission.

JP: Railroad and Public Service Commission. I didn't spend much time on the Power Company. If they'd have a rate increase, then there would be big hearings. They only had one general rate increase if I'm—I might stand to be corrected; my memory isn't all that good. But I think we only had one rather large case during the time I was on. And that's—it wasn't a big thing at all. So I never really saw it when it was an important thing.

BB: Were there people, say from the Northern Pacific Railroad or the Great Northern or the Montana Power Company, maybe lobbyists or representatives from those companies, who paid close attention to Paul Smith and Austin Middleton and Leonard Young? Would they have taken them to lunch frequently, and that type of thing, and lobbied them?

JP: Yes, they could have, but normally it was when you were having a hearing someplace. And then it would be—the Northern Pacific was represented in Montana, principally by Corette, Smith, and Dean and—

BB: Bob Corette's law firm.

JP: Yes. Kendrick Smith.

BB: Yes, who was a wonderful lawyer.

JP: And Harold Dean. He'd been a lawyer, I think at Superior or over in the west end of the state some place. He was an older fellow, a nice gentleman. These were all old-time lawyers. It was a different breed of cat than you got now. You didn't have to worry about them quite as much as you should worry about them now. I say that even though my son is a lawyer and practicing in Billings, but then I've got a lot of family that are lawyers. The law's changed and the message has changed. I think it was very unfortunate.

You asked me about the papers. You know, the Anaconda Company owned all the papers in the state. Well, I think they were better papers than they are now. I don't know how you put out a worse paper than the *Independent Record*. You'd have to be trying to put out a worse newspaper than that. Even after Lee [Lee Enterprises] bought it, it was a good newspaper. But it is, boy, it is bad now. I mean that's an awful rag.

BB: You mean in terms of its editorial?

JP: Well, of course, I don't agree with the editorial policy, but then I didn't agree with the editorial policy of the *Missoulian*, but it's a good newspaper. I don't know why they all think they have to be liberal. I think that's just Lee newspapers. They were, so everyone else was, and that's just wrong. But the *Missoulian*, they do a good job, I think. And I love newspapers. I read every one.

BB: I enjoy newspapers, too.

JP: But the *Independent Record*, god, they can screw up a story and it's just awful.

BB: Now, Jim, you left the PFC, what, about 1960?

JP: No, I was only there three years. I worked for them from '54 to '57. I left just before the—well, I left in December of '56. Then I worked during the Legislature for the Montana Motor Transport Association.

BB: So you would have worked with Leonard Nichols?

JP: Yes, I worked with Leonard. Leonard was a very good friend.

BB: And he was an important fundraiser for Republican candidates and things, if I remember right?

JP: Yes, and Democrats. Leonard was kind of bi—he was AC/DC in that respect. He had risen from Democrats, of course. And he worked for the Railroad Commission in the '30s. I don't know what kind of title he had.

BB: Well, I know he raised money for Tim Babcock.

JP: Oh, yes.

BB: And Tim was a trucker so that—

JP: Yes, that's where the connection was. But you know Leonard, I think Leonard—if they were friendly to the truckers, then Leonard would help them. Leonard was a good friend of Forrest Anderson. He didn't pick any fight with anybody. Leonard was a good association executive.

BB: And he was also a lobbyist.

JP: Yes.

BB: And apparently a fairly shrewd one, would you say?

JP: You bet. You bet.

BB: What was the key to his effectiveness as a lobbyist?

JP: Well, I think he knew his business, and he knew people. And he didn't just know them during the Legislature, he knew them year-round. And he wined and dined people, but he—

think Leonard's effectiveness was that he was one-sided to the extent that he was interested in truckers' welfare. As long as somebody was decent to the Motor Transport Association, they were friends of Leonard's.

BB: Sure. And so you assisted him as a lobbyist in '59? No, '57.

JP: No, I read bills for him in '57. Idaho had passed the ten-mile tax which (Laughs)—I remember I got to be an awfully good friend of Charlie Bovey's during that session.

BB: Now Charlie Bovey was the state Senator from Great Falls.

JP: Great Falls, Democrat. Also a great guy. Charlie asked me one day, "Why do the truckers hate the ten-mile tax so much?"

And I said, "Well, I don't think they hate it any worse than they'd hate any other additional tax you were going to put on them." It was a thing then. And they were—they didn't like it at all. And it was kind of a thing with them.

There's a good story about that. There was a guy—he was the head of the Highway Patrol in Idaho, and he had been a big proponent in Idaho of the ten-mile tax. And what business it was. I think in Idaho they manned the weigh stations and so forth. I suppose he had something to do with it to that extent. But why in the world he would get so involved as he was? He was very political. After they had passed that tax, sometime during the year—this was probably '55. No, no it would've been later than that. That might have been '59. It might have been '57 too. It was '57. He had become a field man, a representative for, I guess it was Highway Safety foundation. He was down in the hotel, and Leonard was sitting up with somebody on the balcony. I don't know. You've probably spent a lot of time in the—what's the name of it?

BB: Oh, Placer Hotel.

JP: The Placer Hotel. That was—during the legislative session, in the old days—that was *the* place. But it had a balcony over the lobby. Leonard was up there and he was watching this guy and he was going around talking to a bunch of legislators. Leonard gets it in his head that this guy is promoting the ten-mile tax. This fellow was a representative from Butte, he was a realtor. I'd have to think a long time—

BB: Ray Wayrynen?

JP: Who?

BB: Ray Wayrynen?

JP: No.

BB: Earlier than that?

JP: Earlier than that, yes. Anyway, Leonard gets the idea he's promoting this ten-mile tax, so he hops on back in the office, calls the national guy that's the head of the Truckers Association, National Truckers Association. Leonard's raising hell and says, "You get over there and tell the Motor Transport people," who were probably the most influential thing there was in Highway Safety Program, at least they furnished a lot of money. He said, "You get that son of a bitch over here. He's promoting the ten-mile tax!"

He had asked this legislator what that guy was talking about, and he told him, "Oh, he's promoting the ten-mile tax, and I'm kind of leaning his way now." He was pulling Leonard's leg. Leonard fired right up and he calls his national chairman, raises hell with him. The guy gets a telegram that night, I guess, and delivered next morning. They told him, you need to get out of town; it's too hot there or something. They didn't know that he was doing this, but they didn't want to take a chance on him. (Laughs). The poor guy had to leave of town.

I remember Leonard was saying, "By God, you saw, I took care of that problem in a hurry."

About that time this legislator from Billings [Butte] said, "That guy called me on the telephone and he said that he just wanted to say goodbye. He said he didn't know why he was leaving town exactly, but they had told him that he shouldn't be meddling in this truck tax stuff in Montana." And Leonard said—and of course he put two and two together—and he said, "You didn't believe what I had told you did you?"

Leonard said, "Well yeah, I believed you."

And he said, "He wasn't talking about that, he was talking about some highway safety program." (Laughs). Leonard had him run out of town! God, I wish I could remember his name. He was great. He played a lot of golf. He was a big man and I think you knew—

BB: The legislator from Butte?

JP: Yes, and a good guy. He was a lot of fun. In those days—when you think about the Placer Hotel, you always think about the fact that the Anaconda Company and the railroads had a watering hole there in the Hospitality Room. And these, in later years, those were condemned broadly and that kind of stuff. "That's what these lobbyists do, you know, they get legislators drunk and get them to go vote." Well, nobody got drunk in the day time. They did get—a lot of fun. In those days—when you talk about the Placer Hotel, you always think about the fact that the Anaconda Company and the railroads had a watering hole, the Hospitality Room. And these, in later years, those were condemned broadly. "That's what these lobbyists do. They get these legislators drunk and get them to go vote." Well, nobody got drunk in the daytime. They

did get a little tipsy at night maybe now and then. When I went over in '59 for one of the petroleum associations—

BB: As a lobbyist?

JP: As a lobbyist, yes. Basil Andrikopoulos, I don't know if you've ever ran into him—

BB: Yes, that's another name, kind of like Austin Middleton, that I've heard of. I've heard Jean Turnage mention him.

JP: Basil was an interesting guy. He'd worked with one of the petroleum organizations, and we worked together. We did everything together at the Legislature.

BB: And he was a lawyer?

JP: No, no.

BB: He was a lobbyist for—

JP: Basil was—he ran the Montana—what in the hell was the name of it? I guess that was the Rocky Mountain Petroleum Association, and they had a Montana section. That's where the independents—that was the organization that the independent petroleum people belonged to. I worked for the Montana Petroleum Association, which really represented the major companies because those were the people who were marketing and refining in the state. But our interests were very similar and it kind of gave us two obvious sessions.

BB: Jim, were there any—now you lobbied, what, in '59 and '61?

JP: '59, '61, '63, '65, and then—

BB: For petroleum primarily?

JP: Yes—

BB: And then you went to work in the Babcock administration?

JP: Yes, in '65 after the session—about the middle of the session, actually.

BB: So you were there when the watering holes were in existence?

JP: You bet. Well—

BB: You saw—

JP: Basil and I ran one.

BB: What was that?

JP: Jorgenson's, the Petroleum Room they used to call it.

BB: So tell me, how did you run that? What did you do? When did it open, when did it close, what—?

JP: It opened five o'clock in the afternoon, six o'clock, as soon as there would be people in there. Because while they were in session, we were in the Capitol building. And then we'd go down and get some ice. We had a big supply of booze. Tony Cullum—I don't know if you ever knew Tony, but Tony's Bar here in town. He ran the bar in Jorgenson's and he checked our room for us every day and stocked it.

BB: Did you serve any food?

JP: No. Oh, we might have something now and then, but we didn't serve food. I don't ever remember whether we had snacks there or not. I think people might bring stuff now and then, but it wasn't a big thing.

BB: It was mainly at the end of the day where a legislator or legislators could drop in and have a cocktail, sit down in a soft chair and unwind.

JP: Right, that's all it was for and we did our best. We worked harder at encouraging Democrats to come up there than we did Republicans because we had to get to know them. One way to get to know them is to have a drink with them, sit around, and talk.

BB: Did you lobby them then when they were there?

JP: No, no. That was kind of one of the rules was you didn't lobby somebody in a hospitality room. If they—a guy would ask you a question, you'd answer—

BB: Yes, that's what I was thinking. If a guy came in and said, "Hey, Jim," or "Hey, Basil, you know I don't really understand this new tertiary recovery legislation, and I'm not sure exactly how the severance tax applies, can you tell me about it?" Then you would.

JP: Yes, then you would tell him. The other thing about lobbying, people get, I think, such a distorted view of what it is and why. All you had to do is go up here and lie to a congressman or a legislator once, and you were all done. You couldn't work that way. The minute you did that you were all through. Nobody'd pay any attention to you. That's when I was (unintelligible) and I got well acquainted with Charlie Bovey. When he asked me that question, I told him, "Charlie,

it's money, and they don't like it any better or any worse than any other tax. But they have this kind of thing about it." He always appreciated that because I'd tell him the truth.

BB: Yes, they just want to pay more taxes.

JP: Yes.

BB: Do you think there was bribery or anything like that went on?

JP: If it did, I never saw it. I never knew it. In the first place, most people elected to the Legislature are unusual people to start with. They're kind of cream of the crop. It's gone downhill recently, I think, but when I was around it, these were community leaders.

BB: Pretty prominent citizens.

JP: Pretty prominent citizens and they didn't go in for that. And you sure as hell couldn't influence them to vote by buying them a drink or dinner or something. I remember—

BB: What did you think you had to gain then, or what do you think the Anaconda Company or the railroads felt they to gain by having these hospitality rooms?

JP: You could get to know a legislator, so you could talk to him, and be honest with him, and not worry about him double-crossing you.

BB: Just establish a relationship.

JP: Just establish a relationship. The best thing that did was that Republicans and Democrats didn't fight like they do now. There was a much more collegial atmosphere. One of my old friends that I see now and then down in Townsend is Pat Hooks. I don't know if you ever met Pat or not?

BB: Yes.

JP: Pat came over when there were a bunch of freshmen Republicans in the Legislature. Jerry Anderson from Billings, Henry Lobel, Gene Peacock. No, Henry Lobel wasn't there, but Gene Peacock was the guy. Pat Hooks—

BB: Pat was a young legislator, just one or two terms from Broadwater County, maybe back in the early '60s?

JP: Right, right. Probably late '50s or early '60s. They were Democrats and Republicans, and they worked together. I mean they did things together. They didn't—

BB: When I came to the Legislature much later, but in 1971, there was a much more collegial environment than there is now. It started to deteriorate, I think, pretty rapidly in the late '80s, early '90s. Any thoughts on why that is?

JP: I don't know. I think part of it is this part that they don't get to know each other.

BB: The term limitations maybe cut down on the—

JP: Well, yes, that would have had some effect on it because you didn't build up a—you know, a guy here in Helena that you might perhaps talk to is—he was in the House from Ravalli County—

BB: Norris Nichols?

JP: Norris Nichols, yes. Norris Nichols was a Republican. Bill Groff was a Democrat. Norris Nichols ran financial matters in the House and Bill Groff ran financial matters in the Senate. Those two guys did more good things for the State of Montana than anybody'll ever give them credit for.

BB: They called them the Gold Dust Twins, I remember that. Bill Groff was chairman of the Senate Finance Committee

JP: That's right.

BB: Norris Nichols was chairman of the House Appropriations Committee, and it was a period of time there when the Republicans had the majority for several sessions in a row in the House and the Democrats in the Senate. So it turned out that Bill and Norris, who both represented the same people, the same area, were the—and of course they had a very good working relationship.

JP: Bill Groff was just as sound as the Rock of Gibraltar and didn't go for any of this goofy stuff. Norris knew what he was doing. But you don't have that anymore. I don't know of any—of course, I'm not around the Legislature. There may be some working up there that I don't know anything about, but in those days there were a lot of combinations of Democrat and Republican legislators, who had something to accomplish and they worked together to get it done. One of the reasons was, a lot of them, they got to know each other in those hospitality rooms. I don't think these people now know each other very well. There's no social basis for contact between Democrats and Republicans. To me—the world has passed me by long ago. I was more comfortable 40, 50 years ago than I am now. How would you go up there and get along with Miss Kaufmann? I mean, that's just so far out there that I don't—

BB: Representative Christine Kaufmann from Helena?

JP: Yes. That one—I don't know how I would do it. But I can remember when Bertha—

BB: Streeter?

JP: From Polson.

BB: Yes, I think Bertha Streeter.

JP: Bertha Streeter and she was in the senate.

BB: Senate, member of the Senate from Lake County.

JP: Yes. She'd come in and have a drink. She kind of talked like the men really. It was funny. But you could get to know her. It was a different—legislators were a lot friendlier with each other. They weren't afraid of each other. I think they're scared to death of each other now. "I go over there and tell that guy something, he'll cut my throat." It's a shame because I don't think it's good for the state.

BB: Well, I think there's a higher level of partisanship now and I think you're right. I think they don't know each other as well, and very possibly the passing by the wayside of the watering holes had something to do with it. I think the fact that nobody can be there for longer than eight years limits their opportunity to know each other too.

JP: Absolutely. That's got a lot to do with it.

BB: But I think that—there's been some discussion, too, that I've been involved in, and I believe to be true. That there used to be a virtue to be able to work with the other side. It used to be something that you took pride in if you were a Republican, you had many friends on the Democratic side of the aisle. That was honored around the legislative chambers. Now, you're not a true believer, you're sort of a Benedict Arnold.

JP: Suspect.

BB: Yes, you're sort of suspect. There's a much sharper division between the two parties now. And fraternizing between the two lines is looked down on where before it wasn't so much the case.

JP: That's right.

BB: As you mentioned, Norris Nichols and Bill Groff were held out as good examples of a couple of guys that worked well together, and there was mutual respect and friendship, and they made things happen in a positive way. And now I think that would be seen as some kind of—

JP: Odd couple.

BB: Dishonest collaboration.

JP: No, and I'm sure term limits have something to do with that because people got to know each other. A lot of those people that were very influential and did know a lot of people on the other side of the aisle were old-timers there. What was the old fellow's name from Prairie Town? I'm sure he was there after—

BB: Dave Manning?

JP: Dave Manning. Dave was kind of like your grandfather. (Laughs).

BB: I knew him very well. I knew him very well. He had thick glasses. He'd had some kind of an operation on his eyes and so he had those very thick glasses lenses. He was quite elderly. In fact, his first session in the Legislature, I think, was 1933. I remember Dave and I serving on the Taxation Committee together for a couple of sessions in the 1970s probably, 1980. You couldn't always tell if his eyes were open or closed because his glasses lenses were so thick. But there were certain things that Dave paid meticulous attention to: highways, water, coal, things that pertained to his part of the state. If anything like that'd come up, boy, Dave would be on top of it in an instant in the committee. But if the discussion was on things that didn't particularly pertain to him, you couldn't even tell if he was asleep or awake. But, boy, he was awake plenty when it pertained to him.

JP: That's probably a point. Maybe these people pay too much attention to things that don't actually affect their constituents quite like they should. There's more of a—

BB: Do you have any impressions of Governor Nutter?

JP: Yes, Don was a good friend of mine.

BB: Describe him.

JP: Don was a—well, you know that he had been a—I think the best description of Don was, he had been a high school athletic official for years. He didn't mind calling fouls on the popular players of the hometown team. Don was a tough guy. Nothing namby-pamby about Don. He was a very, very straight-up, straightforward, honest, decent person. He'd been a successful businessman in Sidney—he was in the implement business—and he sold it and came over to the university and went to law school. Don was a year behind me too in school. In 1953, he asked Dean Leaphart—and there was three or four of us—if we could come over to the Legislature for a couple weeks and help him out. He said sure and we got out of school for a couple weeks. (Laughs.) We came over and kind of worked as his clerk.

BB: What was Leaphart doing with the Legislature?

JP: No, he was at the law school, and he just—Don—we were still in school—

BB: Oh, so Don Nutter asked if a couple of you law students could come over and help, kind of assist him. I got you, okay.

JP: Don was an extraordinary guy and a real loss to the state when he got killed because he would have been—he'd a been governor for a couple of terms, and then he'd a been a senator, and still there. Don would have been a wonderful governor.

BB: What was it about him that was impressive?

JP: He was intelligent, he was tough. What you see is what you got, and he told people what he was thinking. He wasn't devious in any respect. But he was a damn smart guy, very capable.

BB: Very conservative.

JP: Yes, he wasn't as conservative as they made him out to be. I remember I was always going to—sometime when the opportunity came about—I was going call [MSU President Mike] Malone up and tell him he ought to rewrite his two or three paragraphs on Nutter and the university system. That goofy president down there ran against him.

BB: Roland Renne.

JP: Roland Renne.

BB: He ran against Babcock, though, I think. In '64, didn't he? Nutter beat Paul Cannon in 1960. With Babcock as his running mate.

JP: Well, Babcock was lieutenant governor—this all happened in 1960. I thought that Nutter beat—

BB: No, Nutter beat Paul Cannon in 1960 and then Renne ran against Babcock in '64.

JP: I remember that. Anyway Renne—Renne must have done—he did some campaigning against Nutter.

BB: I'm sure.

JP: When Nutter, when Don ran—when Don was elected, Renne came over. He called and made an appointment to talk about things that affected MSU [Montana State University] and

the university system. He got through telling Nutter what he ought to do about all of this, and Don said, "One thing you ought to do is start looking for another job." (Laughter).

BB: He was pretty matter-of-fact, huh?

JP: Which I guess just offended the hell out of Renne, but that's the way Don was. He was upfront about things. Tough, but he was upfront. Again, nothing devious about Don.

BB: Good public speaker?

JP: Good public speaker. Good public speaker.

BB: Sense of humor?

JP: Great sense of humor.

BB: How did he and Babcock get teamed up?

JP: You know, I don't know except—of course, Tim, when he ran for lieutenant governor, he was from Miles City. I suppose just being from eastern Montana associated him. I don't think before Tim ran, I don't think he and Nutter were particularly friends. I think they became friends when they ran.

BB: How did you then happen to end up going to work for Babcock?

JP: My wife and I had been separated, my first wife and I did. I really kind of wanted to get out of Billings. It had become uncomfortable. In '68, of course Tim had—in '64 Tim had been reelected, or had been elected, governor. I can't remember exactly what—anyway he was putting a staff together, and Jack—

BB: Hallowell?

JP: Hallowell had agreed to come on—

BB: And Jack Hallowell was what, chief of staff?

JP: Jack was—well, they had two positions there. They had—what did they call Jack? I was the administrative assistant for Tim, I think it was, and Hallowell was (unintelligible). Jack, of course was—he did all the press stuff. He traveled with Tim more than I did. I don't know how business got divided up there, to tell you the truth.

BB: But you worked in that position in the Babcock administration for what, several years?

JP: I worked there all through Tim's—

BB: Term.

JP: —term. Not the two years that he was—

BB: Any stories, any experiences, anything that stands out in your mind in those years?

JP: I tell you I worked so hard—I can't really remember. We had a big dust-up with Ted James.

BB: What happened there? Ted James was the lieutenant governor.

JP: Ted James was the lieutenant governor, and Ted James—there's another guy that isn't a team player. He was always tooting on his own horn. If he wanted to kind of twist Tim's tail a little, of course, he'd get his brother, Scotty.

BB: Scotty [William James] was the editor at the Great Falls Tribune.

JP: I have always thought a lot of those people looked down on Tim because he was not well-educated. They thought he was—somehow he was low-brow. He wasn't smart enough to be governor. And I do, I think they looked down on him. Tim's English wasn't the greatest, and he really wasn't a good speaker because of that—limited resources for speaking. I think that's the way most of them felt.

BB: So Ted James, Tim's lieutenant governor, ran against him in the Republican primary for governor. I believe that occurred in 1968.

JP: I think that's right. Tim was out of town. He was out of the country. I can't remember—I can't remember exactly what those circumstances were, but he was either out of the country or out of the state. I think he was out of the country. A guy died that had been on the Public Service Commission. And the—I think we had somebody found and thought he was probably a good choice. And Ted James, he's lieutenant governor, Tim's out of the state, and he's going to appoint whoever the hell he wanted to, and he did. And that doesn't count. That really didn't go over very good.

BB: Did the appointment stick?

JP: Oh yes.

BB: I think I remember something about that. Because he is—he's the acting governor. He's got the power to do it.

BB: Would that have been Ernie Steele?

JP: I think it was Ernie Steele. (Pauses.) But Ernie Steele was from Great Falls. I think that's it, yes. Tim—one thing I'll always give Tim credit for, he was very good about appointing the judges. Politics didn't enter into it. There were several guys—I think maybe some of them had started when Arnold Olsen was attorney general, actually—but they had never worked for a Republican. Some of them had worked with Forrest Anderson, and actually were working for him when he appointed them to a judgeship, but they were people that got the backing of the local lawyers in the area. I think he did a good job. He was very cognizant of that, didn't think that politics should matter in that affair. One time it was really kind of uncomfortable. I'm trying to think of the guy's name, and I can't say it. He was in Forrest Anderson's—I think maybe he was Forrest Anderson's first assistant.

BB: Ron Richards?

JP: No. I hope he didn't appoint Ron Richards to anything.

Both: (Laughs.)

JP: Never thought much of him. This fellow was from—

BB: Oh, when Anderson was attorney general, this guy was an assistant to Anderson. An assistant attorney general, and then Tim appointed him judge.

JP: Tim appointed him judge at Forsythe. He was a Forsythe boy. And Lucas had a lot of influence on him. The guy who had been in the senate from that county—I've got to stop and think what county it is—Forsyth.

BB: Rosebud.

JP: Rosebud. He had been in the Legislature, he'd been a senator for years. He'd been chairman of the Judicial Committee in the senate. He, of course, wanted the job, and he was mean. He just wasn't a nice man. The lawyers down there didn't want him. A lot of them—he had a lot of old enmities over lawsuits and them things, and that didn't heal right. Most of the time, two lawyers had a hell of a battle in the court room and still remained personal friends. He didn't. You had a lawsuit with him, why, you had a vendetta for the rest of your life. Some people are like that. Frank Dunkle was like that. Frank couldn't have a disagreement with anybody without starting a vendetta. He was that way.

BB: He was Babcock's Fish and Game officer?

JP: Fish and Game, yes.

BB: He later served in the state senate. Ran for governor.

JP: He'd have been a terrible governor. I don't know who got elected governor, but it was a good thing. That may have been—

BB: Tom Judge, I think.

JP: Did Judge beat him or was it—?

BB: Well, he lost the primary. I think Ed Smith beat him in the primary.

JP: I think that's right.

BB: In 1972. Now Tim Babcock and Jim Lucas were friends, I think.

JP: Yes.

BB: And they both kind of got clipped with the sales tax. Did you remember anything about how they got involved with that sales tax issue and how it came to be? Republicans generally oppose taxes.

JP: Well—

BB: Why was—why were they—?

JP: I'll tell you. Back in the early '60s—I have to think very carefully about just when it occurred. We kind of got everybody in the association, the trade association, to get together. We had kind of a truth squad tour around the state. We put on a dog and pony show about taxes. The same problems then are the same problems we got now. People were being hurt with increasing property taxes, and every time something would slide, it'd get sloughed over on property. The feeling generally among the associations, and we managed to sell it to everybody, was sales tax would be a good thing.

BB: Okay.

JP: We went around that state promoting it, as a matter of fact, which wasn't popular.

BB: You did that when you were with the oil industry?

JP: Yes.

BB: Can you remember who some of the other players were?

JP: Oh sure. Basil Andrikopoulos. One of the real ringleaders was the fellow that ran Montana Taxpayers Association at that time, Keith Anderson.

BB: Keith Anderson?

JP: We had the Montana Liquor Dealers Association—or bar, it may have been. No, the Montana Liquor Dealers Association and Kurt Leach from Billings. We had a guy from the Automobile Association. He was limited by his constituency, the auto dealers. I don't think they were all in favor of all this. Who else?

BB: Was there a Montana Power Company guy or an Anaconda Company guy?

JP: No, I think they did things through the Taxpayers Association. We had railroads. I'm trying to think who the railroad association guy was then. I guess it was [John] Willard, but I'm not sure. I don't remember him being with us on this tour.

BB: I'm going interview him on Saturday, I think.

JP: I didn't realize that John was still alive. When I worked for the Railroad Commission over here, I spent a lot of time with him. He was then with the Independent Record.

BB: Yes.

JP: I went hunting with him quite a bit. John and I were good friends. Is his wife still alive?

BB: I don't think so. He had a stroke last November, and I talked to his son on the telephone and he said his dad was still sharp in mind, but he was laid up with some paralysis as a result of a stroke. He'll be 90 on his next birthday. They've got him in some kind of assisted living facility. And so I'm going to be in there on Saturday.

JP: Well, she was a marvelous person. I'm trying to think of her name now, but I can't say it. She was very active in Helena, kind of the early beginnings of a lot of the ladies' associations in Helena, especially relating to historic things. She really was a nice girl. I thought a lot of her.

BB: Well, I've heard good things about John Willard too. I look forward to meeting him. But what you say is that some of the business organizations in the state, you decided that we could improve our tax system and make it more business-friendly. So they kind of planted the seeds of tax reform, and that probably meant reducing property taxes with the sales tax, and Tim bought into that.

JP: Yes, and a lot of people bought into that. I don't think—I don't know that anybody in those days knew how politically explosive it was. They didn't realize how political explosive it was. But I don't know how anybody, even today, I don't know anybody can sit down and look at our

financial situation in Montana and think that it's perfectly reasonable for us to have a kind of, now a kind of a normal income tax—although the top-end is a little heavy—but you've got a normal state income tax, no sales tax and 67 percent or something of our public money is property taxes. What a load you've got on property taxes. The reason was, in the old days, they got the Anaconda Company with it, they got the power company, they got the railroads. These were just—it's the old saying, "Good taxes are somebody that—taxes that somebody else has to pay, not you." But, you know, it really is—

BB: Jim, we've got just four or five minutes left on the tape here. Is there anything—maybe with regard to the—I guess I really haven't talked to you a lot about Tim Babcock. You were probably closest to him, chief executive of the state, although you also probably knew Forrest Anderson or anything more that you'd like to share?

JP: The fellow who beat Tom Judge in the primary became governor for two terms—

BB: Ted Schwinden.

JP: Ted Schwinden. I always had a high regard for Ted. He came to the Legislature, and I'll tell you he—

BB: Well, yes, in fact he was a legislator when you were a lobbyist.

JP: Yes, and I mean to tell you, he was hard to lobby because he knew everything. He didn't like oil companies, and goddamn he'd beaten them. He never sold his—didn't sell any of his minerals, and he didn't lease anybody ground for a dollar an acre. I kept pointing out to him that if he hadn't done so—he said they'd never drill any wells around where he was—and I said, "If you'd made a dollar an acre of everything you had, you'd been way money ahead." Well, it took him about two sessions, and he became knowledgeable then about the real world. I think—I don't know that he'd ever been out of Wolf Point until he came down here. But I always had a lot of—I had a high regard for Ted. I thought he was a sensible man and a good governor.

Tim and I were close. I did a lot of—some legal work for Tim. I worked for him when I was practicing law. I don't know anybody in the world who is more a likeable person than Tim. I thought he made a lot of political mistakes. Tim got by on his personality to a great extent. He knew a lot of people and everybody liked him that he knew. He could make a supporter out of anybody he could talk to. But he got off in areas that would just drive me crazy.

BB: How do you mean?

JP: One time he had this big idea—now this was when he was running against somebody from the Bitterroot —

BB: When was running for the Senate against—

JP: Senate.

BB:—against Lee Metcalf?

JP: Against Lee Metcalf. He made this thing kind of as his catch-word or motto, “Return the farms back to the farmers.” I kept pointing out this was very poor English to start with. He talked about a lot of the grain programs, and he didn’t really understand what that meant to the grain farmers. He got off on that, and that took him out of the race right there, just that one thing alone.

BB: I think our tape’s about shot.

JP: Okay.

BB: Any closing comment or anything?

JP: No, no. I’ve enjoyed talking to you. What marvelous people in Montana.

BB: That’s for sure. Well thank you very much, Jim.

JP: You’re welcome.

BB: Thank you.

[End of Interview]