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Bob Brown: I need to make sure we're running here. Okay, we're on. We're visiting with Ward Shanahan, a long time lobbyist and insider in Montana politics in the state capitol in Helena and on the legislature. Ward, it's great to have the opportunity to interview you. Maybe I could just ask you first, what was the legislature like? How would you describe the legislature when you first experienced it?

Ward Shanahan: Well, I'm just trying to think. The actual first session that I got into was the 1961 session. I was lobbying for the Railroad Association, Montana Railroad Association, which was made up, at that time, the Northern Pacific, Great Northern, and the Milwaukee, and the Union Pacific. Then we had the Butte, Anaconda & Pacific and some other little stub railroads like that.

BB: About what session did that happen?

WS: That was '61. Yes, I started with Ty Robinson and John Willard and that crew. I was a Great Northern person in that group. Our law firm represented the Great Northern for about 75 years prior to the merger with BN.

BB: Who did you replace?

WS: I replaced my partner who was eager to get out, Newell Gough.

BB: Okay.

WS: He was still on the board of the Railroad Association. Going up to the legislature made Newell nervous, so he immediately thrust me into the line.

BB: That, of course, was during the period under the 1889 constitution.

WS: Yes.

BB: And you'd lobbied the legislature prior to the 1972 constitution and since the 1972 constitution.

WS: Yes, that's right.

BB: So I'm interested in your impressions of the early years in the '60s when you lobbied and maybe your impressions of how what you did may have been affected by the '72 constitution.

WS: Well, I was a little more involved in that than you might think. The legislature back at that time was pretty much a cowboy boot affair, really. The Stockgrowers Association had an awful lot of input and "taw" as they used to call it.

BB: What does "taw" mean?

WS: "Taw" just means political influence. The main battles that I was involved in, of course, were usually between the railroads and the unions. It wasn't really the Great Northern's unions. It was the unions fighting with the Milwaukee. The Milwaukee was financially strapped at that time. They were not doing things that they should do to maintain health and safety for the workers. The unions were raising hell about that most of the time. There was an awful lot of old-boy network stuff going on, you know, groups of people who all knew each other, as they do in Montana, you know. Everybody was friends or related to everybody else in Montana.

BB: So a lot of networking took place?

WS: Yes, there was an awful lot of that. The waterholes were still going at that time, if you—

BB: I got there as a legislator just after the waterholes.

WS: John Lahr, if you remember John Lahr, who was with the Montana Power Company, John was lobbying with the Railroad Association at that time. John and I drew the short straws to run the waterhole for the Railroad Association up in the Placer Hotel. That was a real physical exertion because the drunks always stayed on and you were there until quitting time at two o'clock in the morning and you had to see that people got home and that nothing untoward happened. The Anaconda Company was up on the next—the sixth floor of the Placer. They were in the same end of the building. I think we were on the fourth, as I recall.

BB: Somebody told me once, I think, that there was sort of an unwritten rule that women legislators and women weren't welcome in perhaps the Anaconda Company watering hole?

WS: That might have been the case for the Anaconda Company. I have a specific recollection of women being in the railroad lobby waterhole. As I recall, there were several cosmetologists lobbyists up there a good deal of the time. Lahr and I were sick and tired of that job after a very short time.

BB: So what would happen, just so I understand? At the end of the day probably—at the end of the legislative day, late in the afternoon or early in the evening—you'd open up this large room or suite of rooms at the Placer Hotel? You'd have what, cold cuts and cocktails and that sort of thing?

WS: Sandwiches and cocktails and beer. That kind of stuff.

BB: You'd have comfortable furniture and the legislators—and other lobbyists presumably too?

WS: Oh, yes, they'd come in and sit down, talk.

BB: They'd just kind of drift in and sit down and talk?

WS: Yes.

BB: Was there lobbying that took place?

WS: Oh, yes. The railroads normally got—we didn't get the Butte crowd, which was usually in the Anaconda room. We had a lot of the agricultural crowd because they had an interest in rail rates and all that kind of stuff. They always wanted to press their opinion on that. That was the general run of the thing. There were a lot of gin mills down on the main street of Helena at that time. There was a group that would spend their time down there in and out of the bars. There were fistfights that took place in the middle of the main street of Helena between legislators.

BB: Do you remember a specific incident?

WS: Oh, yes.

BB: That would have been what, like in the '50s or '60s?

WS: That was in the '60 to '63 session, along in there, yes.

BB: Do you remember any of the specifics of who the legislators might have been?

WS: I remember their names. I'm not sure I want to memorialize them forever.

BB: It was probably in the newspaper, I imagine.

WS: Yes, it was. I think it was covered in the newspaper. An altercation took place outside the Bank Club, which was right below our window. So it was hard to avoid looking out and seeing it.

BB: That happened even during the day, then? It didn't happen at night?

WS: Well, it happened at night, yes. It was later at night. As I say, we were up there, though, at all hours.

BB: A Democrat and a Republican?

WS: Well, I think, yes, there were Democrats and Republicans in the argument, but I think the basic fight that I recall was between a couple of Republicans.

BB: You can say, can't you?

WS: I'm trying to remember. I think Ben Stein, who was a rancher from down in central Montana, was one of them, and then I think one of the Ringlings was in there in that deal. He was in the legislature.

BB: Paul Ringling?

WS: Paul Ringling. You were attracted to the window because of the loud voices coming from the street below.

BB: I remember Ben Stein. I didn't serve in the legislature with him, but I think he started out as a Democrat and then switched parties and became a Republican?

WS: Yes, that's right.

BB: He was a colorful individual. He was from back East some place.

WS: He was an author and a historian. He may have been writing some articles at that time that did not set well with Mr. Ringling's family history.

BB: I remember Paul Ringling. I think he might have been a Democratic legislator.

WS: I think so.

BB: He was—wasn't he related to the circus family?

WS: Oh, yes. My father used to work for Ringling Brothers as a wrangler when he was at Montana State [University] back in the '20s. So I was fairly familiar with, you know, discussing that whole situation with my dad. I got to know Paul pretty well.

BB: He had a son or a grandson who was here as a lobbyist and I knew him a little bit, Rock Ringling.

WS: Yes, he runs a bed and breakfast, I think, here in Helena.

BB: I know him a little bit. Is there—in your experience Ward—is there a lobbyist—maybe more than one lobbyist—but at least a lobbyist that kind of stands out in your mind for a pretty important reason? Maybe you've got more than one person.

WS: Well, there is probably more than one. Bill Kirkpatrick was the chief lobbyist for the Anaconda Company at that time. He was a Western General Counsel for the Anaconda Company. He was always on the scene. The Anaconda Company had about six or seven lobbyists circulating around the floor. They were omnipresent. We had about four of us, I guess, always on the floor.

BB: Did you work with the Anaconda Company lobbyists?

WS: We didn't necessarily work with them. We were kind of sitting in the same committees because they were usually committees that had to do with business and industry and that kind of stuff—taxation. I think we were definitely friendly with them.

BB: I knew Bill Kirkpatrick too. He was—it was pretty much after, when the Anaconda Company was in deep decline. I think he may have represented one of the mills, part of what would have been the old Anaconda Company timber holdings. Smurfit Stone or Horner Waldorf or whatever that was. I knew him a little bit that way. He knew I was interested in politics and history. I spent—I had a couple of interesting conversations with him and he told me that he was the Western General Counsel. Why does he stand out in your mind?

WS: Well, he was just a very genial, intelligent fellow. Nothing ever seemed to ruffle his feathers very much. He just kind of walked around the lobby as an older brother kind of personality. He was very friendly, and he was helpful to people like Lahr and I, who were just starting out in business and the lobby. I'm trying to think—well, Dan Regan's father was up there.

BB: Who is Dan Regan?

WS: He was a Vice President of the Montana Power Company.

BB: And his father was up there?

WS: Yes. And then you had—

BB: For the Anaconda Company or Montana Power?

WS: I'm just trying to think whether he was lobbying for Montana Power or for the Anaconda Company. It seems to me that he was lobbying for Anaconda, Len Regan.

BB: Leonard Regan.

WS: Yes, right. Then we had a fellow who was attached to the Historical Society for so many years.

BB: Boo McGillivray?

WS: Boo McGillivray was up there. Boo was a—I mean, there were some real characters around there. Boo McGillivray was a guy that just wallowed in the glow of his own personality. I can remember one incident when we were sitting in the balcony—you know, you didn't have the machines at that time.

BB: Voting machines.

WS: Yes, and we didn't have any—we had to sit. We didn't have all this rapid paper coming out that you do today. So we had to sit with a notebook up in the balcony and listen to what the clerks said about bills that were introduced and what committees they were assigned to and so forth. So Lahr and I would do that dutifully every day. One of us would take the House and the other would take the Senate. When they went in session, we wrote all that stuff down. Gave the sponsor and the subject matter of the bill and where it was assigned. Then they'd go off the record and out of the journal. That was the order of business number nine or ten or something like that.

I remember one day some guy got up to introduce the County Commissioners of Silver Bow County as guests of the Legislature. There was kind of a pause after the guy had said their names and these guys stood up in the balcony of the House. Boo McGillivray, who had a very deep, melodious voice, said in his usual barely concealed whisper, "Three more likely looking burglars never poured soup in a safe." It just tore the place up. He was a stand-up comedian. He just had that ability, he had that timing. The whole place just erupted in laughter.

BB: He was a Montana Power Company lobbyist.

WS: I think so. Well, actually he lobbied—he may have been lobbying for the power company. I don't know at the time he was lobbying for the Innkeeper's Association. He was famous for what was known as the "bed-bug bill," which was a bill he would put in to make sure he was employed for that session, to require that all inns have certified mattresses, you know, that were bed-bug free and so forth like that. Then he could come in and fight it, you see.

BB: That would justify—

WS: Justify his existence.

BB: (Laughs) Did he ever tell you the baking powder biscuit story?

WS: What was that? No.

BB: The baking powder biscuit story.

WS: I think I'm familiar with that. Go ahead and tell me.

BB: Well, Bill Kirkpatrick introduced me to Boo McGilivray. He said, "Ask Boo to tell you the baking powder biscuit story." I don't want to take too much of our time here, but it was a great story. Boo came to Montana from Baraboo, Wisconsin. That's how he got his nickname "Boo." In his late teens, I think, he went to work for a cattle company over in the Little Rockies near Havre. He said he was out—just a greenhorn, teenage cowboy finding strays in the spring or fall or something or other—and he got lost in the mountains.

He became frightened. He got cold. He got wet. It was raining and he had been lost for a couple of days. He came across some kind of this rude dugout shelter in the side of the hill. It was obviously inhabited and he went inside. There was a stove, so he built a fire. In the dim light of the dugout, he found some flour and he put some flour and some water in the skillet. There was this baking powder can on the shelf, one of those old Red Calumet, and he put some baking powder and he stirred it all up and heated it up.

It was something warm for him to eat. He said it was gritty and it didn't rise very well and that sort of thing, but it really tasted good to him. He was just getting warm and had a full tummy. This person came through the door, who owned this dugout. It was a very old Indian man. The old Indian man said, "That's okay. You obviously were in trouble. It's fine that you had a meal." They got to talking for a few minutes and the old man told him that he had been more or less a hermit in that area for several decades and that his family had died in the Wounded Knee Massacre over in South Dakota.

He said, "I've lived here ever since. I've been pretty depressed and I've been kind of a hermit." He said that the Wounded Knee Massacre, as you may know, occurred in the winter and the ground was frozen and they weren't able to bury the people who were killed there. So he said he cremated a fair a number. He said, "In fact, that's the ashes of my mother and father in that baking powder can." (Laughter) Boo just ate them.

WS: Good lord. Oh, dear. That sounds like him. He had a lot of anecdotes connected with him. He was a very interesting character. There were a number of others. I'm just trying to think Crippen, who of course was—

BB: Lloyd Crippen, who lobbied for the Anaconda Company.

WS: Yes. I became quite a good friend of his, I think. He was a great guy.

BB: I'm going to be interviewing him later.

WS: Oh, are you? Yes, they were kind of like the older brothers in a fraternity house, you know, that's the way it was. Lahr and I just kind of figured that we'd stick around and keep our mouths

shut and our ears open. We would learn who these people were in the legislature and how to judge their reactions, what their true feelings were. That's what you do as a lobbyist. You try to look at the personalities of the people you're dealing with. You know the ones that you can trust and who trusts you. You know the ones you can't trust. There are some people who—of course, the idea of a lobbyist conjures up all kinds of bad dreams in their minds and they can't even have a civil conversation with them. But most of the people are pretty open and—

BB: Are there—now you have experience that spans, I think, anyway four decades of working with the legislature and legislators. Is there a legislator, two, or three that particularly stand out in your mind for whatever reason during that period of time?

WS: Lordy.

BB: There can be many of them.

WS: Yes. That's true. Well, I'm trying to think—a fellow, a rancher from up north who was a Democrat in the House for a while.

BB: Francis Bardanouve?

WS: Francis Bardanouve, who I found to be a real gentleman and an easy guy to talk to, even with his speech impediment. He was a pretty down to earth kind of guy. It was a pleasure to meet people like that because it gave you some anchors. Things kind of settled down and you knew where you could go when these “lighthouses” were around, that you could expect them to turn on the “light” every once in a while.

BB: Did you have a particular experience with Francis that is especially memorable?

WS: Yes, I do have one. This was back—because I was on the Historical Society Board for a number of years. I was a trustee for quite a long time, for about 12 years I guess. Then I became president of the Historical Society. Montana State had, of course, gotten itself involved with the Museum of the Rockies. They had come in and gotten themselves an appropriation of 300 grand to put the Museum of the Rockies on the Bozeman campus. It happened in the same session that they cut the budget of the Montana Historical Society. So I was up there lobbying with Mr. Cockhill, who was—

BB: Brian Cockhill?

WS: Brian Cockhill, who was the director of the Historical Society, trying to head off a second run at the Legislature on behalf of the Museum of the Rockies because—and I went to talk to Francis. He said—and I can't remember the name of the fellow that was president of Montana State University at that time, but he had been in Colorado and then came up.

BB: Bill Tietz, I think.

WS: Tietz, yes. And you know how Francis was with that speech impediment. When he got excited, he kind of blew air out of the side of his mouth. He said, "That damn Tietz, I told him not to come back here again!" When I got that indication of the way he felt about that, why, we were well on our way to heading off another run at the money that should have been given to the Montana Historical Society.

Of course, as agencies go, there are people that hate them and people that love them up there. The Historical Society takes quite a battering from the legislature. They use it as kind of a political football. It depends on whose side you're on. Montana is a place, as you know, where there isn't enough to go around. So people spend their time fighting over a little piece of the pie. Sometimes you get your slice and sometimes you don't. That's just the way it is.

BB: What's the old saying? "When the manger is empty the horses bite each other."

WS: Yes, that's right.

BB: We've been through a lot of that.

WS: You'll see that happening. There's always a conspiracy theorist around on one side or the other to characterize the situation as a result of the bad actions of some subterranean force. The fact is, we just happen to live in a place that doesn't produce a lot of money. And in the last few years—you're getting my personal stump speech at this time—we've done a lot to make sure that it doesn't get any better.

We've gotten rid of any increase in coal mining. We've gotten rid of any increase in oil and gas production. We've cut down the timber harvest on the National Forest about 80 percent. That all seems to be a happy thing from one point of view and then on the other hand, they don't seem to make the connection that if we don't have enough money for education, somehow—why did this happen? "Well, it's that subterranean force again that caused this bad thing to happen." Not the enlightened view of people who stopped all this. It's incredible. There's very little logic in politics.

BB: Any other legislator that pops into your mind?

WS: Oh god, I'm just trying—I have a funny incident. You might ask Willard about this when you talk to John.

BB: I talk to him tomorrow.

WS: There was an old fellow by the name of Oscar Balgord, who was a senator from down in Lavina. Oscar was in his 80s, I believe, at the time. He was in the Senate. He would sit in the

front row, and this was when the voting machines first came in. What was his name? There was a guy who was in charge of the voting machines. He wrote the book *I Knew Them All*.

BB: Walter Marshall.

WS: Walter Marshall.

BB: He was the Secretary of the Senate.

WS: He was the Secretary of the Senate and he was running the voting machine. We had a bill coming up in the Senate. We knew it was going to be close, so Lahr and I were sitting in the balcony of the Senate. Of course, John comes in, John Willard, to look over the situation, and here's Oscar Balgord, who has fallen asleep in the front row. He was one of our expected votes. Well, they call for the vote, the lights start coming on, and John leans out of the balcony of the Senate and says to Balgord down on the floor, "Oscar, for Christ's sake, wake up!" Balgord wakes up kind of startled and pushes the wrong button, and we lose the bill by one vote.

BB: Oh, no. (Laughter) Sleeping at the switch.

WS: It was really funny. But Oscar was a very genial fellow. I had gotten to know him pretty well. Undoubtedly, there will be a number of others come to mind. You work with them all and you're working with the one that's most important at the time you're working on a particular subject. It's not a good idea to get too familiar with certain people because it breeds contempt. So you have to give them their space. So I guess that's—I seem to be able to work with Democrats as well as Republicans most of the time, and had to because the Democrats were in control a good deal of the time, back at that time.

BB: Is this thing on?

WS: It's an automatic machine. It kicks itself on—

BB: You might want to just kind of speak up a little bit.

WS: Yes, I'll try to get a closer to the microphone.

BB: Let me just mention just two or three names: Frank Hazelbaker?

WS: Oh, yes, I knew Frank Hazelbaker. He was kind of the dean of the Senate, I think.

BB: He was a senator and representative from Beaverhead County, from Dillon for a fair number of years. Jim Felt?

WS: Yes, Jim Felt I knew also very well.

BB: He was Speaker of the House from Billings. Any stories, any thoughts, or anything come to mind about either of those men?

WS: Sometimes, you wanted to stay out of the way of the people that were leaving the most wake. In other words, there were those lobbyists who were always very close to the leadership and following them around, and expecting to get results from and so forth. We didn't do that as a general practice because you always got in the position where you were putting these people in an embarrassing situation. It was forcing them into—and a lot of lobbies did force people into a public spectacle of some kind. We realized that their political capital depended on them being able to get votes. We didn't want to embarrass them.

BB: Sure.

WS: There are other lobbyists that didn't feel that way. They used them to the full extent they could. We tried to move it around and mix it up all the time. We had a few people that we figured were not—I don't like the word "in-your-pocket," but we could count on them.

BB: That were generally going to be your allies.

WS: Yes, they were going to be on our side. We could count on them to bring us inside information from what was going on in the caucuses and that sort of thing. So we didn't have to use a heavy hand in doing that. A particularly good person at that was Ty Robinson, who was very soft spoken and got a lot done, I think.

BB: Ty was a very effective lobbyist for the railroads?

WS: Yes. He is probably as well known as anybody, as well as John Willard. They worked together.

BB: Did you ever—were you ever involved in helping legislators draft bills?

WS: Oh, yes.

BB: I've heard Ty Robinson assisted with that sometimes.

WS: Yes, we wrote a lot of bills here, right here in the office. The power company had a lobby—my wife was a stenographer for the power company lobby for a year or two. They would draw the legislation right in the office of the lobby and get the bill in. It would be introduced right in the form that the lobby wrote it, using the rulebook as it existed. When the legislative council came in, of course, that all changed. The lobbies were pretty well involved. They did have the bills pre-drafted and ready to be introduced, and just handed them to the sponsor and put them in.

BB: This was before the legislative services division?

WS: Yes, before the legislative council came along.

BB: Then legislators were responsible for getting their own bills drafted.

WS: That's right.

BB: They could have an attorney or some knowledgeable person in their community do it, but they were better off to have someone with some experience do it such as—

WS: Who knew what the rules were, so they could get it in the right form. It had to have certain introductory paragraphs. The heading had to be a certain way.

BB: You knew how to do that. Ty Robinson knew how to do that.

WS: Yes, right. So we did a lot of that stuff.

BB: A couple of more names I'm just going to mention and see if they trigger any story or any thought. John Hall, Representative John Hall from Great Falls.

WS: Yes, I knew John pretty well. He was a very serious fellow. In fact, I think he wound up in a state of depression because he was always worrying about things. He took things very seriously. I can't recall what happened to him, but he did have some serious thing happen because of that depression, whether he committed suicide or—

BB: Yes, I think he died young anyway. I remember that.

WS: He was a very decent chap.

BB: He seemed to be very ethical and highly intelligent, an attorney, very intellectual, but kind of distant. He was minority floor leader one session, I remember.

WS: Yes, and you know, if you got yourself—and I had a tendency to do the same thing, I guess, to a certain extent—if you got in a state of mind where you took this stuff too seriously, it would really get you down because you'd feel that the world would had come to an end. You were focused on this thing so much that it was a real disappointment when you lost. But you couldn't hold that view very long because the same guy that voted against you to kill your bill is going to turn around and vote for you to pass the next one.

BB: You probably had a fair amount of contact with Representative Joe Brand?

WS: Oh yes. That gives rise to a couple of—he was part of the union organization.

BB: He was a representative from Deer Lodge and a railroad labor union member.

WS: Oh yes. Of course, the railroad labor unions had about seven or eight lobbyists up there also. The Butte bunch got into an argument with them over something. I don't recall what it was in particular, one time. Quilici was in the—

BB: Representative Joe Quilici.

WS: Joe Quilici, yes. I was walking through the lobby and at that time you didn't have any of this restriction that you have today, where you can hardly move away from the Geedunk [Navy term for soda fountain and candy bar] stand out in front there. Now you can't get into the lobby of the House. They got into a personal beef with one of the union lobbyists. Quilici saw me through the door and came running out in the hall and says, "We're going to give you one Shan. Let me know which one you want." I went up and checked with my group, and we gave them the number of a bill. By god, we got—I think it was six or eight votes at that time—we got a straight vote in our favor on that bill the next time it came up. I was really amazed at that performance (Laughter).

BB: So the votes came primarily from the Butte/Anaconda legislators?

WS: Yes, yes.

BB: So apparently, Joe Brand didn't know they had done that?

WS: I think that's right. Joe was the main defender on the floor. Somebody had double crossed somebody on some deal, and so they were going to get back at them to let them know that they were giving it to them. There was this kind of game going on all of the time. There was a lot of fun sometimes about this sort of thing. You had to have it because otherwise you'd go nuts at that place.

BB: Do you remember the mock sessions?

WS: Yes.

BB: Now there was a couple I guess, that occurred after I got there. I think they were more common in the '50s and '60s.

WS: Yes.

BB: Can you describe any of those?

WS: Well, you know, Jerry Anderson seemed to be the major domo for those things. He really enjoyed those.

BB: He, of course, was a legislator from Yellowstone County in the '50s and early '60s, and later became a lobbyist.

WS: That's right. In other words, he stage-managed the entire Legislature—in his view, I think—but he stage-managed the whole Legislature. He made sure that the pages got tips, and he made sure that the pages were taken out to lunch. He just was the social chairman of the whole deal. So he ran that mock session.

BB: What he'd do—the mock session was some of the lobbyists were actors, and they played the parts of different legislators and tried to re-enact...

WS: That's right, and made fun of them.

BB: Funny situations that occurred during the session.

WS: That's right.

BBP: Do you think that contributed maybe to a degree of camaraderie?

WS: Yes, I think it did. It kept the thing light. It got rid of some of the bitterness.

BB: Any thoughts on term limitations?

WS: At that time, well, I don't—

BB: Term limitations didn't exist then, when you started out.

WS: My personal view on term limits is—well, it's six of one half a dozen or the other. I figure it's a—you have to keep churning the population for new people and maybe the term limit, maybe it's too short. Maybe it should be 12 years instead of 8. I don't necessarily see it as a bad thing. The general objection is that term limits get rid of the race memory you have up there of the people that know what the rules are and know how to get things done. I think that's true to a certain extent, as you know. There's a lot of old hands that are needed to kind of calm things down.

BB: And you have long-term personal friendships that I think develop. I can just say, in any case, that I came to know Mike Halligan, Lorents Grosfield, Bruce Crippen, Joe Mazurek very well. So I think sometimes those old, long-time friendships can be important—

WS: People on both sides, who trust each other, that will grease the skids for stuff to get done. We've gotten a lot more ideological in the last few years.

BB: Why do you think that is?

WS: Oh, I don't know. I think it's probably mass media to a great extent. They tend to crystallize a lot of this stuff, and it's got to be an either/or proposition. Frankly, either/or is rarely what the legislature does. As you know, compromise is the rule that pushes things through. Sometimes you have to try a bill two or three times before you get it right. You put a piece of a bill in and the next legislative session, you put in another piece of it. Finally, in the next session, you get the whole thing done. Because people are very conservative, generally, regardless of whether they are Republican or Democrat. They don't want to try something unless they work it out first. I think that makes sense. That's what makes a jury a good thing. You get a cross-section on humanity there, taking a fresh look at something.

BB: How would you characterize the legislature in the 1960s and how would you compare it to the legislature that you knew, say in the 1990s?

WS: Well, I think the gradual workload for the people in later years has increased, as I'm sure you're aware. The amount of paper flowing through that place, it really gets burdensome for these people. I think they give it a really good, college try to get the work done right and are serious about it. But that takes a lot of the fun out of it. That takes a lot of the hijinks and games and things like that out of it. Time to mess around like getting drunk at night, and then having to show up the next day. I mean, you just can't afford, physically, to do that.

BB: Yes, whereas there was probably more hospitality kind of things and...

WS: Well, the waterholes and that sort of thing. Then, of course, the Puritans among us came on and attacked the waterhole system as the "work of the devil."

BB: Is that what happened?

WS: Oh, yes.

BB: I arrived in 1971, and I think the watering holes basically closed down in the '67, '69 sessions, right in there.

WS: See '71 is when political correctness was beginning to set in. The new constitution was about to pass. All of this sweetness and light was about to occur, and so you had to have a good foil. Of course, industry has always been the foil of Montana, so we got the blame for corrupting all these bucolic Puritans from out there, who came to town with a clean shave and a bath and they got "soiled."

BB: When we think about the industry and the jobs that were provided and the economy of Montana—you touched on this a little bit—is different now than it was. Of course, the Anaconda Company was kind of the keystone to the business and industry (unintelligible) in Montana.

WS: Yes, there are those, these days, that would own up to the fact that maybe the Anaconda Company wasn't such a bad thing.

BB: Can you comment a little bit about that, how you kind of see that?

WS: Well, the early days of the Anaconda Company never left it. It was the—some of the things that were done at that time tended to set the population's teeth on edge. There's a book called *Smoke Wars*, it's out, about the battle between the Anaconda Company and those ranchers and farmers down in the Deer Lodge valley. The first president of the Anaconda Company was in our law firm here.

BB: Who was that?

WS: William Scallon. He had been the law partner of Senator Walsh. When Walsh went to the Senate, Scallon came over here. We still have Scallon and Walsh's conference tables here in our office today. He had left the Anaconda Company with a bad taste in his mouth. He had done a lot to fight [Augustus] Heinze. He was really the person I think that should be given credit for winning the war of the Copper Kings because he got the legislature to pass those laws that allowed you to disqualify judges, which broke Heinze's control over the judiciary in Silver Bow County.

He had had some words with Con Kelly and I think he disagreed with the way the Anaconda Company was going. In those days, corporate control and corporate objectives were a lot more arbitrary than they are today. The decisions on that were being made back in New York. They weren't being made here. I still have the Standard Oil Company file in my basement. I've given a copy to the Historical Society.

It's Scallon's file of the case. It's just a different era. Of course, there was less regard for the safety of the worker and safety of the general population because "we had to get this thing going and we had to get her done," you know, "to get this stuff out of the ground." Of course, the forces at be in the East were requiring that that be done. The whole telecommunications and electric business of the United States was based upon copper wire. There was a hell of a demand for that. So the urgency of that whole situation just—and the wages that were being paid, actually, were pretty good compared to wages other places.

BB: So Montana had a high per capita income—

WS: Yes.

BB:—and a lot of good employment opportunities during the last session when the Anaconda Company was in its heyday.

WS: But it was pretty well, “safety be damned,” you know, for that sort of thing.

BB: Do you think the Anaconda Company fought efforts to try to get greater worker safety, better working conditions, and that sort of thing?

WS: Well, their argument, if you read that book *Smoke Wars*, their argument—and they’re quoting them right out of the newspaper in there—was, “Well, if they can figure a way to make it profitable.” For example, the Cottrell precipitators on the Anaconda smelter—that’s the thing that took the arsenic out of the smoke as it went up the stack. The electric precipitator. Well, they figured out that if they put those Cottrell precipitators in, they could sell the arsenic. According to my information, 90 percent of the Paris green they used for rat poison came out of the Anaconda smoke stack—in North America. It was almost the sole source. They refused to budge if they couldn’t find a way to make it profitable. The hell with the livestock and the crops in the Deer Lodge valley, otherwise.

BB: When you think about them—Bill Kirkpatrick and I were friends. As I mentioned to you, you and I have that in common, and we both had interesting conversations with him. He, in one of my conversations, characterized the Anaconda Company as kind of a benign sort of controlling, uncle figure in the state of Montana. I remember you said to me that the Anaconda Company took care of its own interests tenaciously in the legislature and otherwise in the state, and even before Congress. At the same time, he said that “We wanted a good state.” He said, “We tried to make sure that Montana was a well-managed and good state.”

WS: There wasn’t an awareness of what they were doing wrong, to a certain extent. They weren’t—these issues that later came up, as what we now know as political correctness and so forth, those weren’t in anybody’s mind. The average miner, who was out digging in the hillsides was doing the same things they were at a smaller scale.

BB: But what I hear you saying, too, though Ward, is that if creating better working conditions would cost the company money, then they probably would protect their money before they would—

WS: That’s correct, yes. I think history bears that out. I don’t think they’re alone in this. In fact, the historian over at the University of Montana—I’m trying to remember his name again—

BB: Harry Fritz?

WS: No, he came out of Denver.

BB: [David] Emmons?

WS: Emmons, yes. He writes a good piece on this. He says, "You know the Anaconda Company wasn't unique. Every mining company in Colorado, Wyoming, New Mexico, and Arizona was doing the same thing. It was just the way things were done." It was kind of a mortal sin to stop workmen from being employed. They kept using that argument, except that people were breathing all kinds of bad things.

BB: Silicosis?

WS: Yes, that kind of stuff. That was a real problem. There were injuries. Mining has a high rate of serious injury just because of the nature of the work.

BB: Any thought on the ownership of the newspapers?

WS: Well, you're asking—I can give you a recollection of it. This office was the home office of the company that owned the newspapers for the Anaconda Company, the Fairmont Corporation.

BB: The Fairmont Corporation was a subsidiary of the Anaconda Company?

WS: Yes, it was.

BB: And it owned the newspapers in Montana?

WS: Yes, and T.B Weir was the president of the Fairmont Corporation.

BB: T.B Weir was a partner of Scallon in this law firm?

WS: Yes. It definitely had a dampening effect on certain news articles, all right. They essentially ran the company papers out of here for quite a while.

BB: So, of course, that was somewhat before—they sold the papers in 1959. So that was a little before your involvement.

WS: I came in here in '58. That was happening right at the time. They were probating Scallon's estate when I came in here. That's how I wound up with Scallon's file on the Standard Oil case, was Dorothy O'Brien, his old secretary, came in and said, "Mr. Scallon would have liked you to have this." She gave me this title and it's got some neat hand bills in it about fights with Heinze and stuff like that. So it's quite a collection of stuff.

BB: I remember you shared with me the note from Theodore Roosevelt for George Goza(?) about (unintelligible).

WS: Yes, it's hanging on the wall right there.

BB: Oh yes. What a wonderful thing that was.

WS: Well, and of course, Wellington Rankin, he started out in this firm with Weir in 1907. Then he eloped with the boss's daughter, so that meant his departure from the firm.

BB: Rankin eloped with the boss's daughter, with Weir's daughter?

WS: Yes. In those days—with Will Wallace's [daughter]. He was the senior person in the firm at that time.

BB: So Wallace's daughter was Rankin's first wife?

WS: That's right. Of course, in those days, parents could get a daughter's marriage annulled if she was under the age of 18 years. They proceeded to do that. They annulled the marriage. You had to have your parent's consent—a woman did—at that time. Rankin left the firm, and of course, this was kind of a rock-ribbed Republican firm at the time. Why Rankin became the great backer of Theodore Roosevelt. So that's how that all really happened, I think, from what I know of talking to Weir about it. Weir told me the story about the elopement and the annulment and all that stuff.

BB: I think I knew that Rankin had been married once before when he was a young man, and then he was a bachelor for a long time—

WS: Yes, he was a Christian-Scientist, and he had stayed in the house he had bought for them, and prayed for 30 days. She didn't return and so he sold the house, and never married again until he met Louise later on. Louise impressed him because she convicted his client of murder, I think, over in Lewistown. She was one of Montana's first woman lawyers. I knew them quite well because he was, of course, our Republican Party National Committeeman for a long time.

BB: You did know Wellington Rankin?

WS: Yes, I tried a couple of cases against him.

BB: You know, Ward, I've always been fascinated by him because I was interested in politics. I have been since I was a kid. He was a very prominent figure. I think he died sometime in the middle 1960s. To my knowledge, even though I went to my first Republican convention in 1964, but I don't recall I've heard stories about him. How would you describe him?

WS: He was a big man. He was as tall or taller than I am. He outweighed me 100 pounds I think. He always wore a blue serge suit with a Homburg hat. He had been a professional wrestler. I

think he was Montana's first Rhodes Scholar. That's the information I have about him. He was quite an impressive-looking guy. So people were afraid of him.

BB: Big voice, big presence?

WS: Yes, big presence, you know, and "Behave yourself or I'm going to break your neck," that sort of thing. He had a lot of self-confidence (Laughter).

BB: Did he have a sense of humor? Do you remember that?

WS: Yes, I thought he had a definite sense of humor. He always kind of chuckled about stuff and would pop a joke in the middle of some serious meeting to kind of lighten up things. We were involved in a lawsuit, trying to get it settled with about 11 lawyers. We had had about three or four meetings in a row and nothing was happening. He'd kind of say, "Well ho, ho, ho. I think we ought to keep having these meetings." He knew nothing was happening.

BB: That was good for him.

WS: Yes. He was a very intelligent man. He had a—as I remember, because George Bennett and I used to go up and sit in his office on election night. He had the exit poll thing figured out at that time, before the computer came along. He would have people taking exit polls in Kalispell, Missoula, and Bozeman.

BB: He'd have friends that would what, go to a polling place in Kalispell, Bozeman, or Missoula and ask people how they voted on the way out?

WS: Yes, that's right. They would then call in their counts—how many people they talked to and everything like that. Statistically, he knew what he was doing.

BB: This would have been clear back in the '50s?

WS: Oh yes. Well, when I started in '58, he had been doing this for some time. At that time, I became the western district congressional committeeman for the Republican Party. I was interested in what was going on.

BB: George Bennett was another young lawyer.

WS: Yes, he was the local chairman of the Republican Party.

BB: So you and George went to Wellington Rankin's office in 1958?

WS: We'd sit there and listen to him pontificate while the election returns are coming in.

BB: He'd get a telephone call from a guy up in Kalispell before the polls were even closed.

WS: Yes, so he'd sit there and do some figuring on his paper. He said, "Well we need so many votes to offset the solid Democratic vote in Butte. So we've got to come out of Missoula with a certain amount. We've got to come out of Bozeman with a certain amount. We've got to come out of Kalispell with a certain amount or we're not going to make it." He'd know by nine or nine-thirty at night whether we were going to make it or not. He was an amazing fellow. I enjoyed visiting with him.

BB: You know, I heard his office was kind of—even though he was very wealthy and owned a huge amount of land—his office was kind of a ramshackle kind of place.

WS: Yes, and I'm not exactly sure why. I did talk to Judge Gid [George] Boldt. I don't know if you know Judge Bolt, but Boldt was in the firm when Goza was in there.

BB: Goza was once in your law firm?

WS: No, Goza was in Rankin's office. Gid Boldt, who later became a federal district judge over in Washington and tried the case of the president of the teamster's union over there, as a matter of fact—[David] Beck. He came to town one time, and he went up to Rankin's office to visit him. What Rankin had done—they had had a fire in the back of the building and a part of the building had burned out. And Rankin just left it that way. He used to keep one floor where they stacked hay for the ranch and he had all these...

BB: This was an office building here in Helena?

WS: Oh yes, it was the Pittsburgh Block, right down where the big brick building in the center of Main Street is now down there.

BB: It was partially damaged by fire and he had haystacks in the back?

WS: Well, one of the floors had hay in it. He had all of these ranch hands that were paroled convicts that he got paroled to his custody. He had them working out on the ranch. That's where they slept when they came to town was up in that hay up there on the fourth floor, I guess, of the building. He had a Turkish guy, who ran the elevator. It was a cage elevator in front of this thing. I remember going in there the first time. You're supposed to have one of these safety certificates in the elevator, you know, saying that the state engineer had inspected this elevator. Then they'd put a new stamp with the date that that happened. Well, this particular one—the state engineer that had signed this one was no longer alive, and the year that was involved had been erased with a pencil eraser. A new date had been penciled in. It was real menagerie trying to get in there.

BB: Where did this Turkish guy come from?

WS: He was some guy that, I guess, had been in the pen. He did errand running for Rankin. Boldt said that he had taken some files out of a drawer to prop open a door that was blowing around in a storm back in 1939 or something. He went up in the place 25 years later and the files were still sitting on the floor still holding this door open (Laughs). So it was kind of an interesting exchange. There were a lot of lawyers that passed through that firm. A lot of fairly prominent lawyers were actually in Rankin's tutelage for quite a while.

BB: You know, Jean Turnage, when he was a young attorney—probably sometime in the early to middle '50s, described to me a visit, once, to Rankin's office. He said he feared for his life on that elevator. I think he mentioned some jumbly, oriental guy or something or other that operated the thing. He didn't make Jean feel any more secure. When they got up to Rankin's office and there was plaster falling out of the walls or ceiling or something.

WS: I was standing there one day. I went in there, and here was Jeannette Rankin trying to get up the elevator. There was a button, you know, one of these things that you buy in a hardware store that said, "Ring bell for service." You push this thing and you'd hear a bell ringing up three or four floors. She had pushed the bell a couple of times and she pushed it again. Finally, this voice yells down the elevator shaft, "Use the f-ing stairs!"

She looked at me and said, "Well, I suppose we'd better."

BB: That was the Turkish guy?

WS: Yes. She and I trudged on up all five flights of stairs to the top floor. He had one set of rooms that—he had bought all the cavalry harness, and saddles, and saddle bags from the army that had been out of Fort Harrison. He had one whole room full of that stuff. He had a room full of Jeannette's campaign literature. I've got some of it down here. I don't know what I'm going to do with that, I think I ought to give it to the Historical Society.

BB: I collected a fair amount of political memorabilia when I was Secretary of State and turned it over to the Historical Society. I know they'd like it.

WS: Yes, so that's just—

BB: So he realized the historical significance of things and saved things.

WS: Oh yes. That was kind of the free-wheeling attitude that I think that you had around here for awhile. Of course, then the college-trained professionals arrived. That's one of the shock factors that's happened in my lifetime. My class, I guess, we felt we were pretty well educated. The problem that the state had had with the Anaconda Company was that the Anaconda Company was a tough customer to deal with. So the state didn't have a lot of enforcement

authority under the old constitution. That brought on the need for the new constitution, or so the backers felt.

To a certain extent, it was true. The Anaconda Company was—well, you know, in Governor [Joseph] Dixon's time, the Anaconda Company was not paying net proceeds tax because it was always able to file a return that said that there were no net proceeds because the costs of extraction exceeded the value of material extracted. So Dixon came in with an excise, the metal mines tax, which got the state of Montana some revenue out of that huge deposit of stuff over there. The Anaconda Company promptly went to work and defeated Governor Dixon, a Republican.

The Republican Party should be proud of him for having done that. In later years, when I was in practice, I did a lot of state and local taxation work. I was dealing with the Department of Revenue and director of the Corporation Tax Division. I was using the statute of limitations defense on behalf of client, i.e the state of Montana should do something within ten years or they don't get the right to collect that. The director said, "Well, if the Anaconda Company thought as much of your statute of limitations, they would have used it. I just settled with them for 13 million."

This is when they had been bought out by ARCO. They settled tax arrearages of \$13 million in back taxes. I asked the director, "Who handled that case?" He gave me the name of the lawyer in L.A. It was at O'Melveny and Meyers, which was a large law firm. So I called the guy and told him, "The Department of Revenue doesn't think much of my statute of limitations defense." There was a long pause and this fellow said, "You know that fraud vitiates the statute of limitations." So I gathered that's why they settled.

BB: I see.

WS: Because they didn't want all the dirty linen brought out again, which would have traipsed them through the newspapers for a long time, but undoubtedly it was true. They were filing tax returns, which didn't really bear up. The state had no power or no money to hire people to go and check this out. Of course, that's what the new constitution did. It brought in a new state government with a little bit more muscle to bring people to heel when they were not treating the state fairly. In my view, that's now gone a bit too far. Now there's a point where you practically can't do anything. So there are two sides to that question. The state was definitely at a disadvantage because we had this huge money power. I think that's the main thing. It isn't the corruption, necessarily of the Anaconda Company as an entity. It was the—it was just the huge size [of the company] in relation to the state.

BB: Then too I think William A. Clark, one of the original copper barons, was the president of the Constitutional Convention that was over in the 1889 session. So obviously—well, I shouldn't say obviously, but probably the constitution was hostile to the mining interests and—

WS: Well it had some very favorable provisions in there with respect to that. The net proceeds of mine tax was one of them. It almost required the state to do an audit of every return on net proceeds of mines. Then they played cat and mouse with the guys that were trying to do it. It gave rise to a lot of bad situations. You know people would go up and give the County Treasurer a bottle of gin in Butte at Christmas time and not pay their taxes. So there was this huge bunch of—

BB: Those county assessors under the 1972 constitution became employees of the state rather than elected under local government because of that problem you just mentioned.

WS: Yes, that was one of the principle reasons for that. I think it was just the sheer size that did it. Right now, we have the same thing. I've gotten so shell-shocked myself that we have the state agencies, or the government agencies—federal government agencies like the Forest Service and the Bureau of Land Management in Montana that I think inordinately wield power because they have such large tracts of land that they're responsible for. And they have so much power. They pretty well do as they please. I don't think that's necessarily an economic good for the people of Montana.

BB: Ward, we've got time for just a couple of more questions. I'd like to have you maybe as a continuing question just mention anything perhaps that I didn't ask or anything—a comment or observation that you'd like to make. Before then, you've been involved here in the legislative process learning the administrations of numerous governors, is there a governor or two, or an incident or two involving a governor that stands out in your mind?

WS: I'm not sure I want to tell you about incidents, but I liked Ted Schwinden a lot. I thought he was a straight shooter and told you what he thought and let the chips fall where they may pretty well. Then of course Tim Babcock has been a long time friend of mine. Of course he comes from my hometown.

BB: Miles City?

WS: Yes. I knew Hugo Aronson. I got a kick out of him.

BB: Why? What about Hugo Aronson?

WS: Oh, he just had that bluff country humor, you know, that kind of lightened up. You know he—that famous statement of his that they always quote him on, they'd say, "Well Hugo how many people work in Helena?" He'd say, "About half of them." I've known just about all the rest of them up until the present time. I think Ted Schwinden probably sticks out of my mind as probably as good of a governor as we've had, although Mark Racicot is right up there also with that.

BB: What was there about Schwinden and Racicot that set them apart?

WS: Oh, they were just bright men with a lot of experience. They said what they thought and they thought out what they were going to say. They stuck with it. That's the main thing. The big problem in politics, as you know this, is changing your mind and being seen as wishy-washy. That's the thing that everybody gets on your back for. It's a continuing saga.

BB: I don't want to put you on the spot, but you're welcome to answer this, but do the best you can: is there a governor that stands out in your mind or governors that you would rate well below the two that you rated highly?

WS: Yes, I guess would but I really don't want to say about that. It all depends on your point of view. There are some people that thinks the person walks on water. To me, integrity is the most important thing. The guy that knows you're an adversary and tells you exactly what he thinks and tells you what he's going to and then does it, that puts an aura of reliability in the government, as far as I'm concerned. You know what the governor thinks and you can go bounce something off of them to see how he reacts to it because you know you'll get a straight answer.

BB: Anything you'd like to say in conclusion?

WS: I've probably said too much already.

BB: It's been great, but if you've got any final observations—

WS: Oh, I've got lots of anecdotes but—

BB: Well give me one.

WS: I'm going to write them down. My daughter sent me a book on how to write your memoirs. I've got to get my garage cleaned out and I'm going to try to do that.

BB: Well, I look forward to reading it.

WS: My short-term memory is starting to lapse, so I'm going to have to go back and pick up this paper and go back through it and see what it really meant.

BB: That's great. Well thank you very much.

WS: Okay, Bob, thank you.

[End of Interview]