

Comments on the interview:

Bold statements are spoken by Jason Nixon

Where inserted inside Mr Whelan's responses, it's additional information used for clarity/identity of places or to signify questionable spelling (?)

November 6th, 2006 approx. 1330 local time

There are certain things of course I, limited on in the capacity of a judge that I can comment on. you know? and I want you to understand that thats what I'm saying, I'm to be quoted and

You can not say. I realize that sir, and in fact I would prefer to focus on your experiences before you became a judge, then after.

If you wouldn't mind sir can I have you please state your name and date of birth and current occupation, just for the record?

I'm Jack Whelan, I'm a 76 years of age was born on may 23rd of 1930, and I'm a state district court judge.

um 1930's so you started out as a child during the depression era here in montana?

Yes.

And from what my family has told me about that era, from the family reunions. Do you have any interesting anecdotes of using the farm animals and so on and so forth and how was your childhood?

Well I was raised here in Butte so there was no farm animals in my background. I was one of nine children, I had an older brother that passed away in 1934, my seven siblings are still alive.

ok.

The oldest being 81 and the youngest being 65.

I have 3 older sisters my self. I got a a question, another question regarding your childhood so you're pretty much the oldest of your (siblings) did you ever get the younger ones into trouble?

Did I what?

Ever get the younger kids into trouble.... with their parents?

Did I ever what?

Did you ever get your younger siblings into trouble with your parents?

Oh, no more then any other big family. I was the 5th of 9 children and I was right in the middle there was 4 older then me and 4 younger. I don't, I can't recall where any of us caused any problems any more then you would in a family like that.

What would be your earliest memory of being a child in Butte and how would you say that Butte has changed over the years?

Well, Butte has changed considerably over the years from my youth, it was a mining town. ACM being the major employer in our community and it doesn't exist anymore. And we have Washington Corporation now that runs the open pit mine (**the Continental pit**) with about 400 people. And I've heard estimates of 20,000 underground miners and higher and up to 5000 white collar workers. You can see the tremendous financial impact that had on our community.

Sounds a lot like Libby where where the major employer for a number of years was the logging industry, and now that's gone.

Did you ever play any sports?

I played the usual as a young boy in school, I played football and baseball, some basketball

Played football.... is any of the schools still around?

Well St Ann's is no longer there, I went through catholic grade school and Butte Central High School(?). High school is still there.

Ok

Um, the Saint Ann's is not a school anymore. There is still the church out there.

So that would have been ran by the nuns?

Yes, the Sisters of the Blessed Virgin Mary, the BVM's as we called them. And, uh at that time Saint Ann's was a little 4 room school that had 2 grades in each room.

Sure different then my experience.

Um I see the Marine Corps sticker. (on the the corner of his desk) Did you ever serve in the military?

I put 3 years in the Marine Corps.

Do you mind telling me what era?

I went in January 1951 and I got out in January 1954.

Was there any other Montanians in your unit?

Oh yeah.

A few others.

It was during the Korean war and there were quite a few Butte people that were in the same time I was and served over in Korea the same time I did.

I was kinda lucky there was actually couple from Montana that came on and rotated through while I was on board my ship in the navy from Montana. One was from Cutbank and the other was from Wolf Point I do believe. And we made an impression on the ship.

And this is probably... do you remember your first job and how much did it pay?

Probably selling papers we used to buy them 2 for a nickel and sell them a nickel a piece.

So you made some profit off of it. That would have been a paper route here or just hawking them on the street?

No, these were ones we used to goto door to door. I didn't have a paper route initially, I had one later, but my first one was door to door with the Seattle PI (**Post-Intelligence?**) or Denver Post on Sunday selling them.

Ok

Like I say, you made a couple cents off each one you sold.

Enough to go buy a candy bar or go see the movie.

Then I had paper routes after that time. I spent a summer with the Forest Service when I was 14

Fighting fire?

No, it was what they called blister rust control

Ok

Trying to get rid of, I would assume it's the same thing they refer today as the pine worm or whatever it is.

The pine beetle.

1930's...what sort of music did you listen to?

In my time it was the big band music.

I'm trying to think here and I don't know any of them.

No, there where, you know, Glenn Miller, the Dorseies (**Tommy Dorsey or Jimmy Dorsey**), Harry James

I've heard of Glenn miller, listened to him.

A lot of them at that time

(Phone rings at this time)

Let me think here. How close would you say you are to your siblings? Do you still speak to them?

Oh yeah, we have family gathering at least 3 times a year.

How lucky!

All the time on the 4th of July and usually at Thanksgiving time we have most of them. I have one sister in Chicago, and a brother in Flagstaff, Arizona. Then I've got a sister in Deerlodge and one in Missoula. but uh, like I say we all get together. We have been very fortunate to together at least once a year. We were even back about 8-9 years ago we were all back in Boston for a wedding. One of my sister's boys. There where all 8 of us siblings were there, had a group picture taken at Boston harbor.

Nice! Do you your remember anything, if you don't mind me prying. Where did your dad work?

He worked for the, for the most of my youth, he worked for the (**Montana**) Highway Dept. He was the division master mechanic, in 1940, 41 it would have been, there was a change of administrations and they decided his job was political, I guess, and they let him go. And then he worked a short time for the Anaconda Company as a machinist, then he worked for Garret Freight Lines on the diesel engines. And then war broke out and he went to La Junta, Colorado where they where building a air base down there. He worked on that for better of a year. Then he came back to Butte, and worked just different governmental jobs till the end of the war. Then in 1948 he went back to work at the Highway Dept. at his old job, and he worked there about 4 years. And then he sold steel buildings and sold aluminum siding, roofing, doors, and windows and that's what he was doing at the time he passed away in 1956.

I don't remember either grandpa on my parents side that well. um so your mom was stay at home?

Yes, she had a full time job raising the kids at home.

What would you say was an average family dinner would consist of?

Well back then we all had a big breakfast, what I would call a big breakfast, bacon eggs toast, that type of breakfast. We had our big meal at lunch time, when I was a young boy, meat and potatoes. Then at supper time you would have either soup or sandwiches.

About the exact opposite of my family, light breakfast, medium lunch, big dinner.

Most people do that today. But back then if you were fortunate enough that your father could come home at noon time, that's when you would have the big meal, and he was always home at noon

I wasn't so lucky, I get along with my old man pretty good now. I have to think, you mentioned that you served during the Marines in the Korean War. Do you remember what unit and where you was stationed at in Korea?

Well in Korea I was with the 1st Marine Division, was with 11th Marines we went ashore on the east side of Korea. We were on the lines on the that side of the peninsula until march of 1952, we went over just north of Seoul. We were actually at Panmunjeom, was where the peace talks were taking place, we were right on that area right there on the line that we refer to as the DMZ. the Demilitarized Zone, I was there till I came home in December of 1952.

Cold?

Winters were cold, summers were hot.

Kinda like here.

Yeah, kinda like here.

If there was anything that you could redo in your life time what would it be and how would you change it?

I don't know if I would want to redo anything my life. I honestly...well life has been good to me and my family

That's good. My family has always been not well to do but strong middle class, and it kinda irks me to see the fats cats in Washington (DC)

Well when I was your age there weren't many people that had a lot. Coming out of the depression it was a very common denominator, people didn't have much of anything. We were always very lucky, my dad had a job all the time, and we had our meals every day, lot a families didn't have that. Till after World War 2, when you know things, great growth in this country after the war. And I guess we lived in the best of times as far as

going from very poor working class families to people whose, you know, in my family of the 9 of us or 8 us of us that were alive, 6 of us were college graduates, and of my children, I have 6 children. One is a Downs Syndrome. I have one child that is Downs Syndrome, the other 5 are all college graduates so that they have come a long ways. That's the mark of success of my generation is educating your children to were they can be on their own and be self sufficient.

Ok, this is going to go way back and I don't know if you know. Whelan I'm assuming is Irish. Do you know which county you came from?

My grandfather Whelan was from Waterford and my grandmother Hickey(?) was, she was a Hickey, and she was from County Clara. They met here in Butte, and this was a territory in 1888, and they were married in the Montana Territory and my dad was born in January of 1890, and we became a state in 1889. Well in our record books upstairs for the W's, for births, my father is the first name in the state of Montana for the W's. January of 1890. He was the oldest of 6 boys.

I'm glad I've got only got 3 siblings. My mom has become kinda the families historian via the internet so on and so forth. My family actually come over here to the U.S. in the mid 1600's 1700's. Right around the time the (American) Revolution went off and they basically shuffled freight between here and the U.K.. And successive generations kept moving west. So, but we are actually from not Ireland but Scotland. the Armstrong clan was who we were affiliated with. And now the younger sister is looking to see if she can dig back even further.

I never. I went back to Ireland but I couldn't, my family left there I'm sure during the potato famine back in the probably 1840's or earlier. My grandfather's family went to Prince Edward Island in Nova Scotia where he was born. My grandfather was born there. My grandmother Hickey was born outside of Chicago in a little community no longer there. But it was outskirts of Chicago back in the probably 1860's, like I say they came out here, and my grandmother and her sister ran a restaurant over in Gibbonsville in Idaho, at the same time Chief Joseph Battle of the Bighole went on. She knew most of those people I would have loved to have a tape recorder when I toured the gave sites of the battle field over there with my grandmother and she told me about this fellow and this fellow, this one here. And it would have been beautiful to have it recorded.

Same here, we goto the family reunions and the generation thats about your age, sit down and tell stories about so and so and such and such animal. And how things went.... and as soon as you bring out anything that looks like a recording device they all clam up.

Anyhow Sir, I will let you get back to work.

Thank you much for time.