

Interviewee: John Dimond
Interviewor: Pamela Cravez
Date: 4/19/82

Session 1, 45 minutes

- 000 Born in Valdez, 1918. In 1932 my father ran for Congress against Judge Wickersham and beat him. Description of duties of delegate.
- 011 Judge Wickersham.
- 018 Talk of Judge Wickersham which abused Anthony Dimond, "That's politics."
- 024 Schooling; war years; chemical engineer education; Corps of Engineers.
- 042 1946 back to Anchorage; Dad was on the bench; after war didn't know what to do.
- 052 I sat in the courtroom almost every day for a month and decided to become a lawyer. 1948 took the Bar and passed it; D.C. bar too.
- 065 Lawyers in Valdez: Donohoe and Donohoe, Warren Cuddy.
- 077 Description of Warren Cuddy; hunting; Dan Cuddy took over bank after Warren Cuddy died.
- 080 Anthony Dimond's courtroom - old federal building in Anchorage.
- 100 Ed Davis, Bill Renfrew, Paul Roberson, Jerry Williams were in Anchorage when
- 105 Valdez - Harry Morton, Joe Murray - he was my father's mining partner - father couldn't afford to go to college; Joe had college degree; Irish wit.

- 111 Oldtimers stories at dinner at the Dimond's.
- 116 Story about father in charge of team of horses - beating men to keep them awake.
- 126 Ed Woods - sleds instead of cars.
- 135 L.V. Ray from Seward practiced in Valdez.
- 145 Dorothy Awes Haaland was going to write a book on my dad but never got to it. Papers are in Fairbanks.
- 160 Dimond of Alaska - accurate - briefly goes on.
- 173 Most attorneys at that time did not have degrees - didn't make much difference.
- 182 Doug Gregg did a clerkship with Howard Stabler - very good lawyer.
- 199 No doctor or dentists in Valdez for a long time - went to Seward when asthma attacks.
- 210 John Hellenthal - Anchorage practice; John Manders description; not very active in later years - died suddenly; Renfrew and Davis; Harold Stringer; Hodge was from Cordova - he was federal district judge - Nome, Fairbanks, Juneau. Judge Folta, Alexander, Harry Pratt Judge in Fairbanks.
- 245 1948 started practice in Anchorage - Father told him to leave Anchorage. Spent the rest of the time since 1949 in Juneau.
- 256 Went to work for Jerry Williams - Attorney General, solo practice after 4 years; Banfield offered him a job.
- 263 Being alone is a tough job - don't know how John Hellenthal handles it. 1949-1950's things were tough here. There were two big firms -

Robertson, Monagle Eastaugh and Annis, and Faulkner, Banfield and Boochever and they had all the corporate work divided between them, all the retainers. All the young lawyers got were wills - off the street work.

- 277 Bert Faulkner was very kind to me. Cases his firm couldn't handle because of any conflict of interest he'd bring over to me. I got to know some of the people - Ketchikan Pulp Co.
- 283 I was also lobbyist - insurance companies, big corporations, fishing interests were clients.
- 291 Softsell approach; no entertainment account; sometimes I had to repay favors.
- 302 A lot of lawyers shun lobbying. Oil boom - oil co's hired lawyers as lobbyists. Joe McLean, Norm Banfield.
- 319 Lobbied for canned salmon; coordinated with Pete Gilmore - employee of Bill Arnold, who operated out of Seattle.
- 339 Bill Arnold Coordin.
- 351 Bert Faulkner. Never got excited about anything even in the courtroom.
- 361 Faulkner kept busy in San Francisco - good friends with Dimond.
- 372 Lawyers are liars - image formed by old ladies in Valdez. Image of lawyers.
- 383 Easy going practice in Juneau. Too many lawyers for too little work in Anchorage.
- 398 J.L. McCarrey offered John Dimond a job in Anchorage. Bigness of Anchorage dissuaded Dimond.

- 416 Juneau - small town atmosphere when Dimond first arrived.
- 428 Oil boom - people come up with nothing and look for jobs.
- 436 Working for Jerry Williams. He paid \$300/month. Worked for 4 years then opened private practice.
- 452 Pay with Faulkner, Banfield much better.
- 460 Jerry Williams to work for. He's a character.
- 477 Donohue and Donohue; Took Jerry in; very able man.
- 495 Jerry Williams helping others with their billing.
- 506 Minimum fee schedule of lawyers helped setting of fees; Dimond talks about fee setting; advertisements.
- 541 Organization of bar in Juneau - Baranoff Hotel - small side room - now it's a large room.
- 562 I used to know every lawyer in Alaska - now I only know 1/3, less.
- 580 Chuck Closky, Ed Arnell, Suntrana Mining Co. case in Fairbanks. Faulkner, Banfield got a part of this.

Date: 4/21/82

Session 2, 45 minutes, Side B

- 000 Function of local bars before the integrated Bar Act - they didn't do much of anything.
- 006 Judge Kalamarides prime mover to get the integrated bar passed.
- 008 Discipline of members wasn't handled by local bar - handled by D.A. and Judge instead. Regular court trial took place. After integrated bar

came into effect it made its own rules, recommendations to the Supreme Court.

- 033 Neil MacKay case - we disbarred Neil MacKay Court Bar Fight.
- 040 Supreme Court versus Bar; mediation by three member bar.
- 052 Supreme Court has consented to every rule change.
- 055 Justice Arend defeated that year - bar took up the cudgel. "I thought it was unfair how they went about defeating him because they didn't tell the whole truth."
- 070 Bill Stump, in Ketchikan, was prosecuted by D.A. at insistance of Judge Folta. He was supposed to have threatened a legislature.
- 083 Stump case - he would've been disciplined today too.
- 090 Court/Bar Fight - "I was very upset by it".
- 103 Good think because it brought to the attention of the bar that the Supreme Court didn't think they were disciplining their membership enough.
- 115 Nesbitt, motivating force, strong, tough man; did a good job setting up court system.
- 130 There have been so many new members that I don't know them all.
- 135 MacKay case - difference in opinion between Court and Bar. I think we made a mistake going so quickly - but Buell had all the papers ready.
- 145 Attack on Arend implied he wasn't an honest man, but it was all false. Michigan system discussed.

- 174 Mildred Hermann, Henry Roden - government service, Attorney general, then later treasurer; spoke with an accent. He had been in Alaska many years. Norman Banfield, R.E. Robertson - good attorney; Mike Monagle - only difference is one is a democrat and one is a republican - Frank Duggan - 12 children in family - be in Juneau, went to Gonzaga.
- 214 Faulkner, Banfield - Rep., Boochever, Dimond, Duggan, Democrats - Howard Stabler and wife, Bill Paul and father.
- 226 William Paul - disbarred and then readmitted - full blooded Thlingit - main source was trying to get reimbursement for natives for land. Norman Banfield didn't like him. Fred Paul is in Seattle.
- 256 Bob Annis, was assistant to Attorney General Gerald Williams; in charge of aviation.
- 268 Grover Winn - I didn't know him.
- 276 George Grigsby - I knew him best in Anchorage; active in 1946; he and my dad use to get together and tell stories. Took him home once from a bar meeting when he was drunk - his wife was very rude to me. Stanley McCutcheon, Buell Nesbitt, McCarrey.
- 305 Reputation of Anchorage lawyers in Juneau - no discussion - no associations before pipeline.
- 324 During war Anchorage started to boom. More business - construction; government began to spend money there. Some lawyers had fishing business in SE.
- 340 Private, solo practice isn't lucrative unless you have retainers.
- 346 I don't know what keeps Juneau going besides the capital. When I came down to Juneau there were 10,000 people, now there are 20,000.

- 355 Lawyers in politics - Henry Roden, Tony Dimond, Joe Murray from Valdez, Paul Robison, Ralph Rivers, L.V. Ray. Donohoe's kept the home fires burning while my father was in Juneau.
- 379 Donohoes - were sort of a well to do family, from California, elder Donohoe was national democratic chairman for Alaska at one time.
- 396 They took a greater interest in the last 15-20 years than the last couple.
- 400 I have never been involved in politics - except for this job.
- 414 Lawyers were not thought well of today or before. My father was respected; fellow named Reed, who committed suicide;
- 434 They weren't making too much money in law in Valdez. Father didn't make any money so delegate either - he had to borrow from me to get back to Anchorage.
- 455 Lawyers weren't making big \$ that some of those firms are now making in Anchorage.
- 464 The two firms here (Juneau) and Ziegler, Ziegler and Cloudy made \$, had corp. clients (Ketchikan).
- 484 I can't recall judges who have gone into practice.
- 492 Lawyers acquired property as fees - become independently well off.
- 503 Payment of lawyers fees with a portion of property.
- 517 Lawyers had first crack at that - lawyer would be delighted to take some land.
- 525 Buell Nesbett involved with coal mine.

- 536 Nesbett - 1969 accident with airplane. He was stoic. Description of wounds.
- 553 Nesbett was a tough man - used to be a commander of a ship in the Navy.
- 573 Boyko came up very early. He walks the edge very carefully. He and John Hellenthal can be very _____ in court. Sarcastic remarks, interruptions constantly, they think it's a way to win.
- 600 Wendell Kay wasn't exactly like that - he had a good sense of humor. Kay was with Warren Cuddy and later Dan Cuddy.

INTERVIEWEE: Justice John Dimond
INTERVIEWER: Pamela Cravez
DATE: April 21, 1982
SESSION: #1 Tape #1, Side A

PC: I'd like to start out with where you were born and your early schooling.

JD: I was born in Valdez, Alaska, in 1918. I received my elementary schooling there. In 1932 my father ran for Congress against Judge Wickersham and beat him, and was elected as the delegate to Congress for Alaska. The delegate had no vote in congress; he got the same salary and everything, but he couldn't vote on anything. So, he had to be a good lobbyist to get things for his territory.

PC: Do you remember Judge Wickersham?

JD: I only met him once. I should know a lot more about him. Ruth Allman has a historical museum in her house on him. She's Judge Wickersham's niece, I think. Her husband was his nephew. I met him during the campaign when he was running against my father -- just briefly to say hello, and I never saw him after that.

PC: What was your impression of him?

JD: He seemed like a very fine person to me. He gave a talk I heard once where he spoke in a derogatory manner about my father, who was his opponent. I was quite hurt by that. I told my father about it and he laughed and said that's politics, you have to take that as it comes to you. Actually, the judge and I are good friends. So, I learned a little political lesson then.

PC: Where did you go to school?

JD: Part of my high school was at St. John's in Washington, D.C. It was a kind of Christian Brothers school. Then I went to the Catholic University of America for my undergraduate degree, which was a Bachelor of Applied Chemistry, right on the edge of a chemical engineering degree. But I didn't quite qualify for that at the time. I took a lot of engineering courses. Then the war came along and in 1941 I joined the Army and was shipped overseas to the South Pacific and spent two years over there, and saw a considerable amount of combat. I was with the Combat Engineers Battalion and was assigned to an infantry battalion for most of the time, to help them get the minefields out of the way and defuse high explosives the Japanese had left, and so on; build bridges and roads. We had to (unintelligible) a couple of bulldozers.

(Unintelligible) the First Sargeant of my platoon was a construction engineer so I didn't have to know anything about it at all. He took care of building the roads and the bridges. When I came back to this country in 1946, I went to Anchorage where my mother and father were living. Dad was on the bench at the time. I had gone two years in this hot climate, and all I had when I got on the airplane to Alaska was a light raincoat. I got into Anchorage it was 30 below zero. I just about died from the chill. It wasn't long before a friend took me out to Ft. Richardson's Warrant Officer Division and I got myself a heavy jacket. After the war, I spent four years in the Army. I didn't know what to do. I'd been an engineer, but I felt that I had forgotten everything I learned about that. But I had a month off in Anchorage before I had to go south again, so I sat in the courtroom almost every day watching my father preside over trials, watch the lawyers try cases, and I became fascinated with the whole thing and decided to become a lawyer. So, I went back to Catholic University in February -- it was hard to get into law school at that time -- and graduated in 1948. Came to Alaska, took the Bar and passed it. I'm also a member of the Washington D.C. Bar. I took that Bar and passed it before I graduated from school. It took a meeting of the faculty at the school to permit me to do that. I went to night school and summer school, and day school in the winter, and I had plenty of credits to graduate then. But they wanted me to stay on till June for graduation. I did take the D.C. Bar and pass it, so I felt rather comfortable knowing that I had passed one Bar. I thought I could pass the other one too, which happened.

PC: This is backtracking a bit. Who were the lawyers when you were growing up in Valdez? Do remember who was practicing there?

JD: I know my father was there. There were the two Tom Donoho@ Jr. and Sr. They maintained the Donoho@ & Dimond office in Cordova most of the time, but they would come to Juneau. Warren Cuddy, that's Dan Cuddy's father, was the District Attorney in Valdez at the time. We were very good friends. The two boys and I grew up together. Mrs. Cuddy, as you may have heard, died recently. I was very fond of her and called her the last time I was up there. I was glad I did. In fact, I was in the hospital and heard her voice. I asked the nurse if that was Mrs. Cuddy and she said, that's Lucy. So, I got out of bed and walked down and talked to her for a while.

PC: What was Warren Cuddy like?

JD: Very jovial, able man. He was a good District Attorney in all

ways. He was no dummy, he had a good mind on him. He was awfully good to kids and a nice person to be with. He'd drag his kids and me with him, because Daddy had a stiff leg and couldn't get around too well. He taught me how to shoot guns and hunt for ptarmigan and spruce hens, mountain sheep, caribou and so on. I was very fond of Warren Cuddy. Dan took over the bank after his father died. His mother, I guess she had the bank for a while, and then Dan gradually took it over as he learned more ropes. He was a lawyer, practicing law at the time his father died. He wasn't in the bank then.

PC: What was your father's courtroom like?

JD: It was a big courtroom. You can see part of it, or the two parts of it in the old Federal Building in Anchorage. They partitioned it off. Judge von der Heydt, Judge Plummer, and Judge Hodge were there. There wasn't enough room in what they call the new Federal Building at that time, so they built another Federal Building somewhere out on the Great Road, I forget where it was, and had three courtrooms there. My father's courtroom was, I think, the best I've ever seen. It was all paneled. It was quite large and the accoustics for some reason, were very good. I sat there day after day, just watching cases being disposed of, and watching the audience. They had Ed Davis, who was a lawyer, there. Bill Renfrew, Ken Atkinson, Jerry Williams, no that was later on. I'm sorry, you want my early childhood. I can't remember the names of all of them. There weren't many lawyers there in Valdez at that time. I remember Henry Morton was a lawyer.

PC: Joe Murray?

JD: Joe Murray was a lawyer. He was my father's mining partner when Dad came up to prospect for gold. Joe had a degree from the school, which my father never had. Couldn't afford to go to college. Joe was a wonderful man, he had a keen Irish wit about him, and he was a wonderful person to be around. I used to enjoy so much having my father invite some of these old timers to dinner. They would come all dressed up and they might have boots on, a clean pair of pants, no tie, but a button-up shirt, with a beard probably. We had a wonderful time. I love the stories they told about early days in Alaska.

PC: Do you remember any of them?

JD: I remember one -- my father was in charge of a team of horses hauling freight over the Valdez Glacier into the Interior of Alaska. He said that the storms would get so bad sometimes the men would want to fall asleep. That's the effect of a bad windstorm, sand storm,

makes you sleepy. You just want to bury yourself in the snow and go to sleep, and never wake up. Dad told me how he used to have to fight with his men to keep them alive. He'd hit them, and yell at them in not too nice language, and punch them around a little bit. They'd get mad and get up and dig into work. What he was trying to do was save their lives. I remember as a boy, too, an old man named Ed Woods. He was a local transit man with horses and a wagon, and a sled in the winter. We didn't have any cars at that time when I was really young. He had ridden with Roosevelt in the Battle of San Juan Hill. A tough old man with a handlebar moustache. Everybody was nice to the kids there. He wasn't a lawyer, but for some reason or other I can't remember all the lawyers that were there. Must have been some because Valdez was the headquarters of the Third Judicial Division, which they called them at that time. Now they call them Districts. There was a man from Seward who practiced in Valdez quite a bit, a man named L.V. Ray, and he was a fine gentleman, very courtly manner. I don't know if I should tell you about his bad habits or not, because it might appear that (blank tape). Yes, I knew L.V. Ray quite well. He was a very fine, courtly gentleman. Kind to people, the children in particular. I liked him. He'd come to the house every time he came to Seward and have dinner with us, and my father and he would talk about the old times. Very fascinating stories they'd tell. I've forgotten them, wish I had them all in writing. My sister Ellen, who has been dead for 10 years now, wanted to write a book about Dad. She bought a tape recorder, but he never found the time to tell her anything so she never got started on it. Dorothy Awes Haaland was going to write a book, but she never finished it either, I guess. She had access to all the political material at the University of Alaska, have you seen that? Well, there's a section on Anthony J. Dimond. I gave all the papers to the University that I found after he died.

PC: In Anchorage?

JD: No, in Fairbanks. I can't recall the name of the curator of the library. If you need a letter from me, just let me know.

PC: Thank you. I read the book, Dimond of Alaska.

JD: Yes, that was sort of a book for children, I think, to read.

PC: I haven't read a biography like that in a long time.

JD: I'm sorry that that had to come out and nothing else did. Somebody's

writing a story about Bob Bartlett, I think.

PC: Is "Dimond of Alaska" accurate or inaccurate?

JD: It's mostly accurate. He embellishes a little bit here and there on things, but I'd say by far it's an accurate book. My father was a prospector and he did get shot in the leg. He was in the hospital for a year and when he came out, he went into Donohoe's office, Hillstrander & Donohoe. He studied law and passed the Bar exam and became a lawyer without benefit of any college education. Most of the attorneys at that time did not have degrees. They probably came from poor families that couldn't afford to send them to school.

PC: Just looking back, did it make a difference that they didn't have degrees?

JD: No, I don't think so. A fellow out from Harvard would probably tell you it makes all the difference in the world, but after you practice for quite a while and been around these people, I think they knew just about as much law as anybody else. They knew where to get it if they didn't know it in their mind. They could find books on it and study. There's one man in this town who has a practice who took a clerkship in a law office and didn't go to law school.

PC: Who's that?

JD: Doug Gregg. He's an excellent lawyer too.

PC: Who did he clerk for?

JD: Howard Stabler. He was very good to Doug. He taught him quite a bit and Doug passed the Bar and was admitted. I think they've done away with that now. You have to go to an accredited law school, one that's recognized by the Alaska Bar Assoc., and high school is included there.

PC: Can you compare Valdez and Anchorage as far as the Bar went? or as far as the practice? When they moved the Courthouse in 1930 from Valdez to Anchorage, was there a change in practice?

JD: I think gradually there was. I'd never been to Anchorage as a boy. I'd been to Seward to see the doctor, I forget his name. We had no doctor in Valdez for a long time, so my father took me to Seward. I had asthma very bad. We didn't know how to treat it, we had nothing to treat it with in Valdez. So, I had to suffer through the attacks, literally gasping for life. When you get a bad asthma attack, you can't get air out of your lungs. You had to breathe in and in. But the lawyers increased in numbers during the war, and after the war was over. John Hellenthal went to the University of Michigan and came back and

practiced law in Anchorage. John Manders was quite an old timer, he came from California. In his later years, when I was doing a lot of work in Anchorage for the Court, I had dinner with John. He had a beard, he carried a cane, and wore a homburg hat. He was quite the dandy. He had these great stories to tell me. He was a wonderful reader, he'd read almost every book you can think of. If I hadn't read a book he'd bring it over for me and say, don't bother if you want to mark it up, go ahead, I always mark my books up. So, I had a good education while I was associated with him. He wasn't very active in his later years. His practice was falling, I don't think he was too well. He never complained, but he died very suddenly. They found him, I guess he was sitting in a chair, and died of a heart attack. Renfrew and Davis came up. Jerry Williams, Herald Stringer, they had office space next to each other. Judge (unintelligible), the former judge in Nome was retired.

PC: Kehoe?

JD: Kehoe was a Federal District Judge, a United States Judge. I think he died before statehood. Before Judge Hodge went to Nome, there was somebody else and I can't remember his name. Judge Hodge was from Cordova and he was appointed to succeed somebody, can't remember who it was. But he was a Federal District Judge like my father was. They had four in Alaska, one at Nome, Anchorage, Fairbanks, and Juneau. Judge Hellenthal was in Anchorage at the time. When I came here, Judge Folta was the judge in Juneau, but before him I think there was a man named Alexander, and Harry Pratt was the judge in Fairbanks.

PC: When did you start practicing?

JD: In 1948.

PC: Where?

JD: In Anchorage. To tell you a story, I didn't discuss this with my father beforehand, and I tried a case and won it. He called me in the office and said, "Now look son, you can't practice law if I'm the judge, so either I have to get off the bench or you have to leave." He was very conscientious, I could see his point. It could be very embarrassing if I won too many cases. So that's when I moved to Juneau, and I've been here ever since. It was in 1949 when I moved down here.

PC: You just spent a year in Anchorage?

JD: Well, less than a year. In the fall of 1948 I got admitted, and in February of 1949 I came down here. I went to work for Jerry Williams, who was then Attorney General. I worked four years for him and then branched off and went into my own practice. I practiced law alone for

several years and then Norman Banfield asked me to have a cup of coffee one day. He said, "How would you like to work for us?" I said, "How much," and he told me the fee, and I said, "Okay." I like it. It really is a tough job. I don't know how John Hellenenthal manages it, he's always busy. But you can't get away from your office very well, and if your door is closed and locked, you might lose business. Things were tough here in those days, in 1948-50. There were two big firms, Faulkner, Banfield & Boochever, and Robertson, Monagle, Easthaugh & Annis, and they had all the corporate work divided between them, all the retainers. So what the young lawyers got in those days, and there were only two or three of us, was just off-the-street work, you know, making a will, contracting, divorce case here and there, the estate, something like that. Bert Faulkner was very kind to me. Cases that his firm couldn't handle because of any conflict of interest, he'd turn them over to me. I got to know some of these people that they dealt with over the years. When I went with that firm, I was an asset to the firm because I knew the people. In fact, the Ketchikan Pulp Co. wanted me to represent their affairs, which I did. I was also the lobbyist for the Banfield firm. We represented a lot of insurance companies, a lot of big corporations, the Air Carriers Assoc., fishing interests, and so on. I had to do all the lobbying during the session. I spent practically all my time up here in the capitol building learning the ins and outs of how to lobby, what to say, what not to say. I had a soft-sell approach. Things have changed since then. They spend a lot of money now on legislators. In those days I didn't have any entertainment account. I'd just present my case the way I thought it should be, and you (unintelligible) just by logic, and I guess that's about it. Just the fact that I was earnest. Sometimes I'd like to repay favors. Someone would say "I'll work for your bill if you help get my bill in the House." I'd have to go over there and work on his bill. There was a lot of give and take. I enjoyed it, it was interesting. A lot of lawyers shun it still, they think it's beneath their dignity as Attorneys at Law, but there are still lawyers who lobby, quite a few of them. When the oil boom started, that's when the oil companies started hiring lobbyists, mostly attorneys. I think you'd find Ely, Guess, + Rudd has lobbyists over there. Did you talk to Joe McLean when you were over there?

PC: I was going to talk to him this morning, but he was out and then he came in right as I was going.

JD: Well, Joe would know more about Juneau in the early days because he was born and raised here.

PC: I'll talk to him definitely.

JD: He'd know who the attorneys were, who the judges were, what they were like. He's a very nice person.

PC: I just briefly met him and I'd like to go back and talk to him.

JD: And talk to Norm Banfield if you can get time to. I'm sure he'd accommodate you.

PC: I've spoken to him over the phone, but I haven't met him. When you were lobbying, did you do lobbying for the canned salmon industry at all?

JD: Yes.

PC: Was it will Bill Arnold? Did you work in coordination with him at all?

JD: I never worked in coordination with Bill Arnold. I did with his employers, Pete Gilmore, who was in Juneau. Bill was in Seattle most of the time.

PC: Is Pete Gilmore any relation to a P.J. Gilmore out of Ketchikan?

JD: Patrick is his cousin, Patrick J. Peter is pretty rough. His parents came from Ireland. He had an office in the same building that we did down here. We were upstairs. He and I became good friends and he would tip me off on the strategies to employ. A very honest man, you know, outspoken. He had a vast knowledge of legislative actions, he knew how to handle himself.

PC: Was he a lawyer?

JD: No. He went to school in Santa Clara, he's a graduate of the University, has an AB in something, I forget what it was, or a BA. I see him everytime we go to Seattle. We're still good friends.

PC: Did Bill Arnold coordinate the lobbying movement of Pete Gilmore?

JD: Yes, I think that Pete was working for the canned salmon industry, which Bill Arnold was the boss, so Pete did deal with Bill. I never did. I just dealt with people from my firm and occasionally there would be a canning company, or fish cannery that had a problem and we would take over for the time being. But Pete did most of that.

PC: I remember Bill Arnold and I'd asked him which firms he'd worked with in Juneau, Faulkner, Banfield and Monagle, Robertson (unintelligible).

JD: That's before my time.

PC: What was Bert Faulkner like?

JD: Well, Bert was a real gentleman. He's a man who everybody likes. He never got excited about anything, even in the courtroom. He was calm

and quiet, and convincing. I tried a case against him and lost it. At no time did he raise his voice at a witness, or me, or anybody else. He was a wonderful old man. I say old because he was in his 70's. After I came over to the firm, Bert had just left, retired down to San Francisco. But he kept busy there. His son-in-law was a lawyer and he had an office in the same building. He was admitted in California so he did a little practice of law there. Sometimes he'd come up here to try a case. He liked Alaska. He and I are very dear friends. One of the real old timers that people had a genuine respect for. As you probably know, a lot of people think lawyers are all liars. That's what some old ladies had said in Valdez one time, lawyers are liars. She didn't have much use for them. I don't know where the lawyer fits into the public image now. I just haven't heard enough about it.

PC: I don't know about the public image of lawyers either, and I think in recent years it's gone down.

JD: I'm sure it's gone down in recent years. There were times when I practiced law when I'd call up Bert Faulkner and say, "Bert, I've got an answer due on your complaint. Today is Friday, and I don't have my secretary. Will you give me a few days?" And he'd say, "Sure, take all the time you want." In Anchorage you can't do that. You don't ask, and if you did ask they'd say no and they're ready to default as soon as the minute goes by. That leaves a lot to be desired in the practice of law. Your fellow lawyer is ready to take advantage of you.

PC: Is that a function of size?

JD: I think so. There are too many lawyers for too little work.

PC: Is it more competitive?

JD: It's more competitive than it was before. In the early days, it would be Paul Robison and Jerry Williams, Renfrew, Davis, John Manders, a fellow named Peterson, Warren Cuddy.

PC: Almer Peterson?

JD: I think so, yes. John Hellenthal, J.L. McCarrey - he became a judge later, he still practices. J.L. McCarrey must be in his 70's but he still practices law with his son. In fact, when I had to leave this job, I got so sick I had to take a lot of leave. Ten years ago J.L. offered me a job in Anchorage, and that was very thoughtful of him, but I didn't want to live in Anchorage. I preferred to stay here.

PC: Why?

JD: Small town. It's a big treadmill in Anchorage. Too much business. Too many people are competing. Juneau is getting that way now. It's

grown so much in the last 20 years, or the last 30 years I've been here now. It's not as nice a town as it was before, but it's still better than Anchorage.

PC: What was it like when you first got here?

JD: It was a small town atmosphere. All the businesses were located downtown, the attorneys were downtown. The Valley had not developed anywhere near like it is now. There were a few houses off the road, some down in Thane and Douglas had been in existence since Juneau had. It was a real old town with old houses and old people. Some of the people are still living there. I guess I'm old now, I'm 63. But then gradually, as the state seemed to grow of course after the oil boom, it was much worse than it was before, because more and more people came up here. People were coming with nothing more than their backpacks to look for jobs, and sometimes they'd find them, and sometimes they wouldn't, and the town was really bulging. You can't get a place to live anywhere. When you do get something, it will cost you \$600 a month just to rent an apartment.

PC: When you were working for Jerry Williams, what were the jobs?

JD: I was learning how to practice law. Alaska was not teaching how to practice law. You got a lot of theory, you could maybe write a good brief on constitutional law, but the actual grind of getting down to practicing law I had to learn from Jerry. He paid me \$300 a month and that was when my wife had to work too. Just something to get by on. We didn't have very much. Then I came down here and worked for Jerry for four years, and then opened my own office. That was tough. We had a difficult time making it. We lived right up here by the school. When I went and worked for Banfield and Boochever I did much better, I got a certain commission of the gross proceeds, plus my salary. If I had known he'd tell me after I'd been on this job for two years, he said, "John, you should never have left us, you'd be making twice as much money as you are now." I liked the work I was doing so I stuck it out.

PC: What was Jerry Williams like to work for?

JD: He was a nice man to work for. If you made a mistake he didn't bawl you out, he just explained to you how things are handled and so on. I didn't know how to get a summons served, or file a complaint, or anything else. Jerry taught me all he could and then left me on my own, and I just had to learn by trial and error. We've been friends all these years. I like him very much. He is a character, really.

I don't know if he drinks anymore, but when he used to drink he got loud and noisy and embarrassing to me when I was with him. I don't think he drinks that much anymore.

PC: Who else was in the office when you were there?

JD: Nobody.

PC: It was just the two of you?

JD: Yes. It had been Donohoe & Dimond, and Williams, Donohoe & Donohoe, that's it. It was after my father retired and they went down through the bids. They had to take his name off the sign. Instead of Dimond, Donohoe & Dimond, it was just Donohoe & Donohoe. Tom and his father. His father was dead by then, wasn't he? They took Jerry in and he practiced in that firm for quite a while. He was a very able man. He had a mind like a steel trap, but we were so busy watching him perform his antics, we didn't realize how intelligent he really was.

PC: I heard J.L. McCarrey say that Jerry Williams taught him everything he knows about billing.

JD: Yes, that's right.

PC: And then Jerry Williams said the same thing.

JD: I remember he told me that too. I didn't think I could charge for my services like they wanted me to, I was so new you know. When I came down here and opened my office, I didn't charge as high. Well, I wasn't trying to get business, I didn't think my abilities warranted charging big sums of money until I got more ability than the rest of them. Then my rates went up. Now in Anchorage you're paying almost \$100 an hour, I think. \$80-100 or somewhere. When I first started here it was \$15 an hour.

PC: \$15 an hour?

JD: Yes. So you can see why we didn't make a lot of money.

PC: How did you decide how much money to charge?

JD: The lawyers had a minimum fee schedule which the U.S. Supreme Court has since determined is a restraint of trade under the Sherman Act. But all states had that, all cities and lawyers, and we had one. Divorce \$200; contested \$1000; deeds, wills, contracts, so much an hour, and so on. I think the minimum was \$15 an hour or something like that. But we still sort of had an agreement, just by reason of competition, that we didn't want to go too high. Lawyers almost invariably charge within \$15-20 an hour, or \$30, somewhere in that neighborhood. In Anchorage, they have so many new young lawyers there, they don't charge as much as some of the old timers. They can't do it.

You can advertise now under the canons of ethics. I've seen ads in papers for the law firms specializing in a certain kind of work. If I needed a lawyer, I know enough of the good lawyers. In fact, I had Warren Matthews once. A wonderful lawyer. I needed some help and he helped me out.

PC: When you came to Juneau, was there an established Bar organization?

JD: It was very loose-knit. We had the Juneau Bar Association, and lunches every Friday. As you stopped by the hotel, there's a room with chairs in it. That's where the Bar Association met. There were only a dozen or 15 lawyers. Now, they meet in a big room past the lobby of the hotel, I forget the name of it. It's crowded too. They've got so many of these government lawyers working here now for the Attorney General, District Attorney, Legislative Affairs. One thing I thought about when you called me -- I wanted to tell you I used to know every lawyer in Alaska. Now, I don't know a third of them, maybe less than that. They all know me. They see me on the bench and they say, "Hi, Judge. How are you, how are you doing?" It's a little embarrassing, I don't know their names. I know Joe McLean, I know Bob Ely, and some of these other people in Anchorage. They're getting to be the old timers now. Some are retired, like Chuck Clasby in Fairbanks. He retired quite a few years ago. He was a very fine lawyer. I tried a case against him once for the Suntrana Mining Co. Their regular attorney was Ed Arnell. He died and they had another phase of the hearing to go through. So, they hired me to go to Fairbanks to settle the case for them. I stayed there about a week arguing the case and putting on evidence, and Chuck said, "Let's take a walk and have lunch together." I said, "Fine." So, we came back and told our clients, here's what Usibelli will settle for, and Suntrana will make this offer, and we finally got a settlement. Which is the best way to handle lawsuits anyway. Later Suntrana sold out to Usibelli, so he's the only one who (unintelligible). That is between Anchorage and Fairbanks. It was very cold in the winters and they took me up in January to show me the scene of the lawsuit. It was freezing, it was 50 below zero and I didn't have the clothes for it.

PC: Were you with Faulkner, Banfield then, or were you by yourself?

JD: I was by myself when I took it, and when I got paid, I was with Faulkner and Banfield.

PC: Did they take a part of it when you got paid?

JD: I was alone at first and then I went into Faulkner & Banfield. I was a couple of months, I guess, preparing for this case so naturally, when the fee came they took a sizeable part.

Tape #1, Side B

PC: What was the function of the local Bars before the Integrated Bar? What did they do?

JD: They didn't do much of anything. The Bar Act came in 1953 or 55. Judge Kalamarides was in the legislative session at the time, and he was the prime mover when the Integrated Bar got passed. He didn't go to (unintelligible). One difference was in the discipline of members of the Bar who had violated the canons of ethics in some way. The Bar didn't handle them, it was reported to the Judge, Judge Folta for example, and he would report it to the District Attorney, and the D.A. would talk to the Judge and they'd arrange a hearing in which the question is raised whether this man should be punished, disbarred, fined or reprimanded, or whatever was available for having done something contrary to the ethics of the profession. It was a regular trial in court. The D.A. representing the people of Alaska, and the lawyer sought to be disbarred would be represented by another attorney. That was the difference, really. After the Integrated Bar came into effect, the lawyers made their rules that were adopted by the Supreme Court, and the Bar conducts its own internal disciplinary proceedings. There are two ways it's set up. They have a regular hearing, a trial, and a recommendation is made to the Supreme Court as to whether this man should be reprimanded privately or publicly, or whether he should be suspended from the practice of law, or disbarred. That is final once the Supreme Court acts on that. That's the end of it. He can always petition later to be readmitted. That's up to the discretion of the Supreme Court.

PC: Was there a big difference in disciplinary proceedings? Not the proceedings themselves, but the number of people that were brought up for disciplinary proceedings before and after?

JD: I can't answer that question, I don't know. When I took office in 1959, I don't remember. I remember one case -- Neil Kay was disbarred by this Court, not by the, in fact the Board of Governors recommended he not be disbarred. The Supreme Court took the case