
MORE FROM THE QUARRIES OF LAST CHANCE GULCH

'Ms. Liberty'

She holds sordid details of checkered beginning

She looks like she knows what she is doing up there, perched atop the Capitol dome, surveying the landscape, testifying to the weighty work that goes on in the building beneath her feet. She remains mute, however, as to who she is, who created her, how much she cost, and precisely why she was summoned to Helena.

"A Version of Liberty" is her current working title, named in the early 1980's after an investigation into her origins unearthed precious little. Only the members of the First Capitol Commission knew the events surrounding the acquisition of the statue on Montana's Capitol dome, and, given the questionable dealings of that group, we can only assume that "Ms. Liberty" may be holding within her bronze frame sordid details of an equally checkered past.

After Helena won the title of Montana State Capital in the well-known and bitter battle between copper moguls Marcus Daly and W.A. Clark, the Fourth Legislative Assembly in 1895 created the First Capitol Commission. Its charge was to oversee the design and construction of the statehouse. Shortly after the appointment of the Commission, voters in Flathead County elected and sent to Helena Fred Whiteside, who began his term in the state House of Representatives in January 1897. Whiteside's carefully kept journal of the events surrounding the design and erection of the state Capitol sheds a bright light on the dubious conduct of the Capitol Commission. The story has all the elements of a Harrison Ford movie (save, perhaps, a torrid love triangle, explosions, and Columbian drug lords), as it is fraught with bribery, deceit, a mysterious death and a creepy exhumation.

Shortly after the eager but naive Representative Whiteside arrived in Helena for his first term, he met John C. Paulsen, the state architect, with whom he had previously worked on a number of

Ms. Liberty appeared one day at the train depot. No one knew where she came from or what she cost.

construction projects. According to Whiteside, Paulsen shared with him details of a verbal agreement he had made with members of the Capitol Commission.

Paulsen was to design a capitol building bearing a \$5 million price tag, with the understanding that once the construction

contract was let, the plans could be changed and the cost reduced to \$2 million. Whiteside's journal recounts, "This was to be done without making any change in the general appearance of the building. The principal saving was to be made by using cement, terra cotta and other cheap materials in place of the cut stone, bronze and copper specified." Undoubtedly, then, the Capitol Commission and those with knowledge of the project would split the remaining \$3,000,000.

While this scheme with Paulsen was taking place behind closed doors, the Commission publicly held a nationwide architectural contest, with design of the statehouse awarded the winner. Out of the fifty-nine entries received, the contest judges chose the plans of St. Louis architect George R. Mann. Rumors of bribery and fraud permeated the contest. The second place winner, Cass Gilbert, claimed he did not win because he refused to pay the Commission \$20,000 in bribe money.

On September 9, 1896, the Commission met with Mann and entered into a contract with two specific clauses. The first read that Mann would closely supervise the excavation of the statehouse and ensure the stability of its foundation. The second clause stated that if flaws were found in the construction, Mann would be held fully responsible and would be liable to the Commission for the resulting costs. The secretary attending this meeting



conveniently failed to enter the proceedings in the minutes, nor was mention made of the contract.

In November, the Commission (minus W.K. Floweree, who, it was felt, would disapprove) held a secret meeting in the governor's office, signing a second contract that excluded the two special clauses, essentially relieving Mann of all accountability should the Capitol building not be completed in an entirely sound manner.

John Paulsen, it turned out, was the "Architect Who Knew Too Much." Whiteside had been chosen to serve on a five-member legislative committee to oversee the work of the Capitol Commission. Whiteside knew the Commission was corrupt, but had been persuaded to leave much of what he knew out of his final report.

The Commission did not escape scrutiny that easily, however. Shortly after the publication of the report, a Lewis and Clark County Grand Jury assembled to conduct its own investigation of the Capitol Commission. Paulsen had to have known he was in trouble.

Earlier in his career as state architect, Paulsen had accepted bribes to surreptitiously change plans for state buildings in order to reduce their cost, thereby allowing contractors to pocket the excess they had charged the state. Two of these payments had been by check, which Paulsen had clearly endorsed.

In his first appearance before the Grand Jury, Paulsen revealed no details about his knowledge of the Capitol Commission's wrongdoings. When Whiteside was called, he filled in some of the blanks. Paulsen appeared a few more times and spilled a few more beans, finally admitting to the Grand Jury all that he had told Whiteside.

Unfortunately for Paulsen, lawyers hired by the Commission had obtained copies of those incriminating endorsed checks. The night before Paulsen would again appear before the Grand Jury, he surfaced at Whiteside's door, sweating and out of breath. Whiteside recalled, "His hair was disheveled and perspiration streamed from his face, although it was bitter cold outside. He paced the floor, tearing at his hair and saying 'God, they've got me, they've got me.'" Whiteside tried to reassure him, but after about two hours, Paulsen "struck his clenched fist into the palm of the other hand

and exclaimed "By God, I'll not do it, but I know what I can do."

The next day, when Whiteside called Paulsen's home to check on him, Paulsen's wife told Whiteside her husband was dead. She said she had found his body in the bathroom about 3 a.m. that morning and that the doctor had ruled it heart failure. According to Whiteside, Paulsen's wife told him she knew her husband had "reached a crisis in his affairs and...might have done something to escape it all." She told nobody else her thoughts, but hastily arranged a funeral the day after Paulsen's death.

So much suspicion surrounded Paulsen's sudden death, that rumors soon began circulating that he had been spotted in Great Falls and even Denver. The local lodges to which he belonged refused to pay Mrs. Paulsen insurance claims until they had been satisfied that his was the corpse in the vault. A month after his death, representatives from the lodges and the undertaker who prepared the body opened the vault in Forestvale Cemetery and looked upon the lifeless visage of none other than John C. Paulsen.

Without the complete testimony of Paulsen, the Grand Jury could not indict any members of the Commission. Whiteside submitted another report to the Legislature and the Commission sued him for libel. Whiteside won his case in Lewis and Clark County District Court, and the next governor, Robert B. Smith, disbanded the First Capitol Commission. He appointed new members, who successfully steered the Capitol building to completion for a mere \$350,000. The statehouse was dedicated on July 4, 1902.

So the origins of Ms. Liberty went the way of John C. Paulsen and the First Capitol Commission. She appeared one day at the train depot and the Second Capitol Commission ordered her placed on the dome, where she remains today. Given the outrageous set of circumstances that plagued the design of Montana's statehouse, we should consider ourselves lucky we have a dome at all.

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