

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

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**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC Burton K. Wheeler House
AND/OR COMMON Burton K. Wheeler House

2 LOCATION

STREET & NUMBER 1232 East Second Street NOT FOR PUBLICATION
CITY, TOWN Butte VICINITY OF 1 CONGRESSIONAL DISTRICT
STATE Montana CODE 30 COUNTY Silver Bow CODE 093

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE	
<input type="checkbox"/> DISTRICT	<input type="checkbox"/> PUBLIC	<input checked="" type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> MUSEUM
<input checked="" type="checkbox"/> BUILDING(S)	<input checked="" type="checkbox"/> PRIVATE	<input type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> COMMERCIAL	<input type="checkbox"/> PARK
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input type="checkbox"/> EDUCATIONAL	<input checked="" type="checkbox"/> PRIVATE RESIDENCE
<input type="checkbox"/> SITE	PUBLIC ACQUISITION	ACCESSIBLE	<input type="checkbox"/> ENTERTAINMENT	<input type="checkbox"/> RELIGIOUS
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input type="checkbox"/> YES RESTRICTED	<input type="checkbox"/> GOVERNMENT	<input type="checkbox"/> SCIENTIFIC
	<input type="checkbox"/> BEING CONSIDERED	<input checked="" type="checkbox"/> YES UNRESTRICTED	<input type="checkbox"/> INDUSTRIAL	<input type="checkbox"/> TRANSPORTATION
		<input type="checkbox"/> NO	<input type="checkbox"/> MILITARY	<input type="checkbox"/> OTHER

4 OWNER OF PROPERTY

NAME Mr. and Mrs. Ernest Richards
STREET & NUMBER 1232 East Second Street
CITY, TOWN Butte VICINITY OF Montana STATE

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC Clerk and Recorder's Office
STREET & NUMBER Silver Bow County Courthouse
CITY, TOWN Butte STATE Montana

6 REPRESENTATION IN EXISTING SURVEYS

TITLE None
DATE _____
 FEDERAL STATE COUNTY LOCAL
DEPOSITORY FOR SURVEY RECORDS _____
CITY, TOWN _____ STATE _____

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input checked="" type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

This 1½-story, gable-roofed, brick and wood-shingle house was Wheeler's home from 1908 until he went to Washington to take his seat in the U.S. Senate in 1923. Wheeler bought this dwelling, which was situated in a miners' neighborhood, soon after opening his first law practice, and although he eventually earned sufficient money to move to a more expensive residential section, he preferred to remain here. "My choice . . . was worth extra votes every time I ran for office," he recalled later. "But in truth this was not my motive in refusing to move. I simply enjoyed associating with these hard-working, fun-loving Irish, Welsh, and Cornish families. There was no pretension and there was plenty of merriment."¹⁰

The architect, builder, and date of construction of the house are unknown even to the architectural historian conducting the Montana State Historic Sites Survey, but the structure appears to have been erected not long before Wheeler's occupancy. There have been several subsequent owners, but the house has undergone no significant alterations, except for recent application of a coat of blue paint to the exterior. Red- and white-painted trim carry out the owner's somewhat overdone desire to pay tribute to the Bicentennial. The residential area in which the dwelling is situated retains the appearance of an early 20th-century workingmen's neighborhood. Of varying style and construction, the houses are built just a few feet from the street and close together. Only a 3-foot-wide concrete walk separates the Wheeler House from the two frame residences that flank it.

First-story exterior walls of the generally square-shaped structure are brick, and upper-level walls are frame and covered by wood shingles. The house faces north, has an east-west roof ridge, and rests on a stone foundation. A brick watertable consisting of three rows of stretchers passes around the front and both sides. Plank faciae grace the east and west eaves of the main roof, but rafters are exposed at the front and rear. A large, gabled dormer adorns each roof slope, and a single, brick exterior chimney stands at the rear of the house and pierces both the main roof and the dormer roof. Two recessed, one-bay-square porches--one at the north-east corner (front) and one at the southeast corner (rear)--are sheltered by roof overhangs. The concrete front porch, which is open, is accessible from the north end via three concrete steps. A concrete balustrade crosses the east side, and a shingled post on a brick pier supports the corner of the roof. The rear porch is frame-enclosed and

(continued)

¹⁰ Wheeler and Healy, Yankee from the West, 68.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input checked="" type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1908-1923 (1908-1947) BUILDER/ARCHITECT Unknown

STATEMENT OF SIGNIFICANCE

During the 1920's and 1930's, Burton K. Wheeler, according to distinguished historian Arthur M. Schlesinger, Jr., became recognized nationally as the "most formidable of the Senate radicals."¹ In 1924, disgusted at the Democratic party's nomination of Wall Street attorney John W. Davis, Wheeler bolted his party and ran for Vice President on the Progressive Party ticket with Robert M. LaFollette. **They lost, but no third-party ticket drew more popular votes until 1968.**

Wheeler first attracted nationwide attention in February 1924 when he launched an investigation of Attorney General Harry M. Daugherty's failure to prosecute those individuals implicated in the Teapot Dome and other scandals. After the Montanan produced a number of sensational witnesses like the ex-wife of Daugherty crony Jess Smith, President Coolidge asked for the Attorney General's resignation.

One of the first nationally prominent Democrats to announce his support for Franklin D. Roosevelt for the Presidency, Wheeler gradually came to believe him too conservative. In 1935 Wheeler led the fight in the Senate for the Holding Company Act and was the foremost proponent of the controversial "death sentence" provision which required the breaking up of large utility companies within a specified period of time.

In 1937 Wheeler's "departure from the New Deal fold," according to historian James T. Patterson, "was the hardest blow of all" to Franklin D. Roosevelt's attempt to pack the U.S. Supreme Court.² Wheeler's skillful marshaling of the measure's opponents, combined

(continued)

¹ Arthur M. Schlesinger, Jr., The Politics of Upheaval, 1935-1936 (Boston, 1960), 142.

² James T. Patterson, Congressional Conservatism and the New Deal (Lexington, 1967), 117.

9 MAJOR BIBLIOGRAPHICAL REFERENCES

National Cyclopedia of American Biography, Vol. F, 1939-42 (New York: James T. White and Co., 1942).

Obituary, New York Times, January 8, 1975, 40.

(continued)

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than 1 acre

UTM REFERENCES

A	1, 2	3, 82, 30, 0	5, 09, 55, 8, 0	B			
	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING
C				D			

VERBAL BOUNDARY DESCRIPTION

The boundary of the nominated property coincides with the boundary of the legal lot known as 1232 East Second Street, Butte, Montana, and includes the garage-carriage house.

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE **George R. Adams, Managing Editor;**
and Ralph Christian, Assistant Editor

ORGANIZATION

DATE

American Association for State and Local History

February 1976

STREET & NUMBER

TELEPHONE

1400 Eighth Avenue South

(615) 242-5583

CITY OR TOWN

STATE

Nashville

Tennessee 37203

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL

STATE

LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

FEDERAL REPRESENTATIVE SIGNATURE

TITLE

DATE

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE

DIRECTOR, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION

ATTEST:

DATE

KEEPER OF THE NATIONAL REGISTER

UNITED STATES DEPARTMENT OF THE INTERIOR
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Wheeler House-

CONTINUATION SHEET Butte

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accessible from the south via five wooden steps and a single, transomed and sidelighted door.

Fenestration is irregular, but the majority of the windows are 16-over-1, double-hung sash. The lower front facade is broken only by a rectangular triple window with a flat arch of radiating brick voussoirs and wood lugsill. The center window is stationary and consists of two horizontal rows of eight lights set above a large single pane; flanking windows are 16-over-1 double-hung sash. Above, in the gabled dormer, is another triple window, which features three 16-over-1 double-hung sashes. The rear dormer has a similar double window east of the chimney and a nine-light single window west of it. Window style and placement vary in the gable ends. Along the east wall of the lower level are two segmentally arched single windows, and on the west wall is a rectangular-shaped bay window. The single front door, which is placed in a segmentally arched opening in the east wall under the front porch, consists of two horizontal rows of four glass panes above a single wood panel. Above is a rectangular-shaped transom. The rear door is single and situated in the east wall under the rear porch. Also at the rear, a groundlevel, double, plank, bulk-head door gives access to a half-basement.

The front door opens into a sitting room that passes fully across the front of the residence. Behind the sitting room is a dining room that also extends the full width of the house. Each end of the dining room serves as a sitting area, with the western one focusing on the bay window. Both rooms display original, exposed, dark wood ceiling beams, and the dining room exhibits matching paneling along three-fourths the height of the walls. Rear of the dining room is the modernized kitchen, west of which is a small breakfast room, and east of which is an enclosed pantry and the back porch. Because the owners of the house feared that any publicity about it would result in their being bothered by tourists, the AASLH representative was allowed only to stroll quickly through the downstairs area. The owners indicated, however, that the upper half-floor--which is reached by a single, open, balustrated stairway at the west end of the sitting room--contains three bedrooms and a bath. Downstairs floors are oak and appear original. Most walls and ceilings throughout the house have been papered since Wheeler lived here.

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In the small yard rear of the house is a one-story, gable-roofed, frame garage-carriage house of unknown construction date. It is wood-**shingle**-roofed and could date from late in the Wheeler occupancy. In any case, the structure is part of the nominated property.

There are two other extant Wheeler residences. One, in Washington, D.C., was Wheeler's home from 1950 until his death in 1975. The other, in Glacier National Park, is a summer house that remains in the Wheeler family but eventually is to become National Park Service property.

Continuation Sheet Wheeler House-Butte Item Number 9 Page one

Patterson, James T., Congressional Conservatism and the New Deal (Lexington: University of Kentucky Press, 1967).

Ruetten, Richard T., "Senator Burton K. Wheeler," Paper read at Montana History Conference, October 24, 1973.

Schlesinger, Arthur M., Jr., The Politics of Upheaval, 1935-1936 (Boston: Houghton Mifflin Co., 1960).

Toole, K. Ross, Montana: An Uncommon Land (Norman: University of Oklahoma Press, 1959).

_____, Twentieth Century Montana: A State of Extremes (Norman: University of Oklahoma Press, 1972).

Wheeler, Burton K. with Paul F. Healy, Yankee from the West (Garden City: Doubleday & Company, Inc., 1962).

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Wheeler House-

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with the untimely death of its leading Congressional proponent Joseph T. Robinson and a sudden shift in the Court's viewpoint, forced Roosevelt to back down after suffering his first major legislative defeat.

In the late 1930's and early 1940's Wheeler became one of the bitterest critics of Franklin D. Roosevelt's foreign policies, which the Montanan believed were calculated to get the Nation into war. At the 1940 Democratic Convention he helped force the inclusion of a peace plank in the party platform. He particularly aroused the ire of Roosevelt in 1941 when he attacked the Lend Lease bill as the "New Deal's triple-A foreign policy," which, he said, would "plow under every fourth American boy."³ Largely because of these attitudes, Wheeler was defeated for reelection in 1946.

This 1½-story, gable-roofed, brick and wood-shingle residence was Wheeler's home from 1908 to 1923. It is little-altered and in sound condition.

Biography

Burton Kendall Wheeler was born February 27, 1882, in Hudson, Mass., to Asa L. and Mary T. Wheeler. Although his shoemaker father's income was small, the family lived fairly comfortably. Because he was an asthmatic child, Burton's parents encouraged his scholarly interests, and by the time he graduated from high school in 1900, he had decided to become a lawyer. Lacking the necessary funds, he worked as a stenographer in Boston for 2 years and saved his money. In 1902, he entered the University of Michigan Law School. Supporting himself by using his stenographic skills, waiting tables, and selling books door to door, Wheeler completed requirements for the LL.B in 1905.

Shortly after his graduation in 1905, Wheeler decided that his best opportunities were in the West, and he traveled to several Western States searching for an older attorney who wanted a junior

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3 Burton K. Wheeler with Paul F. Healy, Yankee from the West (Garden City, 1962), 27.

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two

partner. While in Butte, Mont., he lost most of his money to card sharks, and financial necessity forced him to remain and practice law here. Soon he prospered, primarily because of his ability to win damage suits against railroads and mining companies.

Wheeler first turned his attention to politics in 1908 when he tried to help his law partner Matt Canning win the Democratic nomination for Silver Bow County prosecutor. Although Canning lost, Wheeler made a favorable impression, and in 1910 he was elected to the Montana House of Representatives on a slate endorsed by the Anaconda Copper Company, the dominant force in the State's political life. Despite his freshman status, he became chairman of the judiciary committee. Refusing to bow to pressure from Anaconda, Wheeler tried to push a liberalized workmen's compensation law. Although he failed, he did get a loan shark bill passed which fixed the maximum interest rate, and a measure to ban the sale of prison-made goods as well. Wheeler most clearly showed his defiance of Anaconda in his leadership of the forces in the House that were trying to elect the company's enemy Thomas J. Walsh to the U.S. Senate. This fight, says historian Arthur M. Schlesinger, Jr., turned Wheeler into a "rough-and-ready alley fighter who had to learn to bite and kick and gouge in order to save his political life."⁴

In 1912, thanks in large part to Wheeler, Walsh was finally elected to the U.S. Senate. Wheeler himself tried to win the Democratic nomination for Montana Attorney General, but bitterly opposed by Anaconda, he lost in the State convention by 3 votes. In 1913 on Walsh's recommendation, Wheeler was appointed U.S. District Attorney for Montana. His tenure in this office was largely uneventful until the U.S. entered the European War in April 1917. Montana had one of the worse outbreaks of anti-German and anti-radical hysteria in the country partly due to the Anaconda Copper Company, who hoped to use it to break the power of the State's labor unions. Despite demands that he make wholesale arrests, Wheeler refused. "He was assiduous in handling what he considered genuine sedition cases," says New York Times reporter Alden Whitman, "but equally diligent in refusing to

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⁴ Schlesinger, Jr., The Politics of Upheaval, 136.

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Burton Kendall

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prosecute what he regarded as unworthy ones."⁵ By 1918 he had become so controversial that he resigned because he feared he would ruin Senator Walsh's chances for reelection.

Wheeler's experiences as U.S. Attorney made him determined to wrest control of the Democratic Party from Anaconda. In 1920 he won the party's gubernatorial nomination with the assistance of the Non-partisan League on a platform of State hail insurance, State grain inspection, State-owned grain elevators and flour mills, increased workmen's benefits, the end of labor blacklisting, and guaranteed freedom of speech. In the campaign which followed, Anaconda Copper used all its power to defeat him, accusing him of being a Communist and claiming that his election would ruin the State's economy. Despite heroic campaigning on Wheeler's part in the face of serious threats against his life, he was decisively defeated.

In 1922 depressed economic conditions enabled Wheeler to handily win election to the U.S. Senate on a platform of aid to agriculture, the right of labor to organize, and passage of the soldiers' bonus. Despite his freshman status, he wasted little time before making himself well known. Assigned to the Interstate and Foreign Commerce Committee, he challenged the reelection of Albert B. Cummins as chairman. With the aid of progressive Republicans, Democrat Ellison D. "Cotton Ed" Smith was selected to replace him--one of the few times in the history of Congress when an important chairmanship has been held by the minority party.

Wheeler first attracted national attention in February 1924, when he introduced a resolution to investigate Attorney General Harry M. Daugherty for his failure to prosecute law violaters, particularly those in the Teapot Dome scandal being uncovered by his friend and colleague Senator Walsh. Wheeler produced a number of sensational witnesses like the ex-wife of Daugherty crony Jess Smith, and within 2 weeks, President Coolidge **asked for the** Attorney General's resignation. Before quitting, however, Daugherty started proceedings which eventually led to Wheeler's indictment

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5 Obituary, New York Times, January 8, 1975, 40.

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for improperly using his influence to get oil leases for a law client. At his trial, it soon became apparent that the charges were patently political, and the jury quickly returned a verdict of not guilty.

Wheeler refused to support Democratic Presidential candidate John W. Davis in 1924 because of his Wall Street connections. Bolting the party, the Montanan ran for Vice President on the Progressive Party ticket with Robert M. LaFollette. Wheeler made speeches all over the country, and although defeated, he and LaFollette made the best popular showing of any third-party ticket prior to the **election of 1968. Returning to the Democratic fold, he enthusiastically supported Alfred E. Smith in 1928.**

In 1932 Wheeler was one of the first nationally prominent Democrats to support Franklin D. Roosevelt for the party's nomination. After 1933, however, Wheeler, who was personally close to Huey Long, came to believe that Roosevelt was too conservative. In 1935 the Montanan led the fight in the Senate for the Holding Company Act and was the foremost proponent of the controversial "death sentence" provision which required the breaking up of large utility companies within a specified period of time.

In 1937 Wheeler led the successful fight against Roosevelt's "court packing" scheme. Although he had been critical of the Supreme Court himself, Wheeler opposed Roosevelt's plan, says his biographer Richard T. Ruetten, because of his "fear of centralized, concentrated power, whether it be public or private."⁶ At any rate, he organized the plan's opponents, kept reactionaries in the background, and tried to give his group, says historian James T. Patterson, "the air of unselfish crusaders waging a hold war against totalitarianism."⁷ Eventually Wheeler's skillful leadership-combined with the untimely death of Joseph T. Robinson, the leading Congressional proponent of F.D.R.'s Court plan, and a sudden shift to support of the New Deal on the part of the Court-forced Roosevelt to back down after suffering his first major legislative defeat.

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⁶ Richard T. Ruetten, "Senator Burton K. Wheeler," Paper read at Montana History Conference, October 24, 1975, 7.

⁷ Patterson, Congressional Conservatism and the New Deal, 118. 478

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Wheeler House-
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In the late 1930's and early 1940's Wheeler became one of the bitterest critics of Roosevelt's foreign policies, which the Senator believed were calculated to get the Nation into war. At the 1940 Democratic Convention he helped force the inclusion of a peace plank in the Party platform. He particularly aroused the ire of Roosevelt in 1941 when he attacked the Lend Lease bill as the "New Deal's triple-A foreign policy," which, he said, would "plow under every fourth American boy."⁸ According to his biographer Richard T. Ruetten, Wheeler was not an isolationist but a noninterventionist who believed the country should go to war only if its "interests seemed immediately threatened."⁹ Accordingly, he supported war after the Japanese attacked Pearl Harbor.

Although he became somewhat more conservative after the Court fight, Wheeler continued to support most New Deal domestic legislation and personally secured the enactment of a number of important measures. In 1938 he helped author the law which gave the Federal Trade Commission authority to regulate drug advertising, and in 1939 he was responsible for the Railroad Unemployment Insurance Act. In 1940 he played a significant role in the passage of the Wheeler-Lea Transportation Act which coordinated the regulation of all forms of transportation under the auspices of the Interstate Commerce Commission. In 1946, largely because of his opposition to Roosevelt and Truman's foreign policy, he was defeated for reelection in the Montana Democratic primary. After leaving the Senate in 1947, Wheeler remained in Washington and practiced law with one of his sons. Active until the day of his death, he suffered a fatal stroke in Washington, D.C., on January 6, 1975, at the age of 92.

8 Wheeler, Yankee from the West, 27.

9 Ruetten, "Senator Burton K. Wheeler," 5.