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Marden, Robert oral history interview

Don Nicoll

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Interview with Robert Marden by Don Nicoll

Summary Sheet and Transcript

Interviewee

Marden, Robert

Interviewer

Nicoll, Don

Date

March 31, 1999

Place

Waterville, Maine

ID Number

MOH 080

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Biographical Note

Robert A. "Bob" Marden was born in Waterville, Maine on January 4, 1927. His parents were Harold Chesterfield Marden and Dorothy Harlow Marden. He attended Waterville high school and knew Dick Dubord, the Gray family and the Mitchell family. He went to Colby College for two years and then proceeded to Boston University law school. After he passed the bar, he returned to Waterville and became very close friends with the Dubord family, the Muskie family, and the Mitchell family. He was in the city council while Dubord was mayor and then became the county assistant attorney, the county attorney, state senate member and president of the senate. After his political career, he formed a law firm with Dick Dubord. He now works with his son in the same Mitchell and Dubord law firm.

Scope and Content Note

Interview includes discussions of: family history; Waterville history; personal accounts of Dick Dubord; personal memories of Edmund Muskie; personal account of the Gray family; personal account of the Jabar family; personal accounts of the Mitchell family, State legislative process, county attorney information; and Democratic vs. Republican debates with Muskie.

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Transcript

Don Nicoll: We're in the office of Robert Marden, Esq. in Waterville, Maine on Wednesday morning, the 31st of March, 1999 interviewing Bob Marden. Bob, would you introduce yourself and tell us your age and where you were born?

Robert Marden: I guess when you're in the office here you have to do what everybody else has to do and remember that I am Robert A. Marden, because my son is three offices away and he's Robert M. Marden. I tell my friends it's the old one and the young one, but the telephone, they use A and M, Robert M. and Robert A. I was born in Waterville, Maine at home January 4th, 1927, the oldest son of, Dad was Harold Chesterfield Marden, an East Vassalboro boy, and my mother was Dorothy Harlow Marden, a Boston Conservatory graduate and music teacher in the

Waterville area.

DN: Did your folks meet when she came to teach here?

RM: I'm not really sure of that. Dad went to Colby. I think probably their paths had to cross when he commuted to Colby from East Vassalboro. And then when he graduated from Colby and went to law school, he was in the Boston area at Harvard Law School, and she was at the Conservatory and they may have got together down in the city.

DN: Did, was your father from a farm family in East Vassalboro?

RM: Not really. His dad, he was an only child, his sister having died in childbirth, and he, his father was a, I think he sold ads for the *Waterville Sentinel*. He had the first automobile in the area and there certainly wasn't a farm, farming in his background but certainly farm country. To this day some of the Vassalboro people who remember him, the old timers, they're farm people so the connection is there.

DN: And your dad went to Colby and then decided to go to law school. He was the first lawyer in the family I take it.

RM: I think that's correct, there's no evidence of any lawyers before that, although his father was a notary public and he probably tried to act like a lawyer in the small town.

DN: Did your father set up practice in Waterville soon after graduating from law school?

RM: My sense is and from bits and pieces as a kid, things were tight, things were not booming for him as a young lawyer. He rented some space on the second floor of this building, it might have been Dunham's, downtown. I remember part time he'd go on the floor of the store and sell men's clothing. And for years that's the way, I remember that our basement had a big shelf, shelving which were filled with canned goods which were received as payment for legal services. Now this is of course back in the thirties so you can say the Depression might have had something to do with that. Years later in the later thirties he combined his office with Cyril Joly, Sr., who was handling the William T. Haines estate, and they got together at 165 Main Street and the two of them ran a firm called Joly and Marden into the fifties when Dad was appointed to the Superior Court.

DN: So the firm of Marden and Dubord came into being later?

RM: Yes it did. Later in the, in the, actually in the 1960s Dick Dubord, son of F., Judge F. Harold Dubord, Dick and I met as, working Christmas vacations at the post office and we had a lot in common, and we had a lot which wasn't in common. I was from a Republican family, he was from a distinguished Democratic family. He was Catholic, I was Protestant. But we had one thing in common, we both liked jazz music and he played clarinet and I played trombone in a Dixieland band. And one day talking about nothing we probed the idea of our joining our offices and forming a law firm, which we did in 1964, and then it became Marden-Dubord with

four lawyers, grew to ten, and now there are nine.

DN: Now were your dad and Harold Dubord friends?

RM: They were, they knew each other and they were not social friends at all, Dad wasn't very social anyway.

DN: When did he go on the bench?

RM: He went on, Dad went on the bench in 19-, I think it was 1953, appointed by Governor Cross, and left me with all the business I could handle, but I, of practical knowledge I needed a lot of advice and help, I was kind of like a kid taught to swim by throwing him overboard.

DN: Now had you and Dick known each other when you were younger?

RM: We knew each other but only, he was two or three years, two or three or four years older than I so we traveled in different crowds but actually in the same neighborhood, Winter Street and Burleigh Street.

DN: And then you really got acquainted partially as a result of your jazz musicianship?

RM: And frankly we became social friends, as the wives did, and we couldn't help but get into political joking and discussions or kidding. And I found over a period of time that we were in agreement more often than we disagreed. Dick was elected mayor of Waterville at which time, as soon as I got out of law school my mother was an active ward politician and she persuaded me, I had to run for city council, so I ran for and got elected to the Waterville city council when Dick Dubord, my friend, was mayor and we got along well and worked well together.

DN: This was before you were in practice together?

RM: Yes, this is considerably. I'm talking now about 1952 maybe.

DN: Now you had gone to Colby.

RM: Yeah, I'd gone to Colby, I was in the class of 1950 at Colby, but right after the war the requirements for law school were changed so that if you had completed half your requirements for a B.A. degree, you could be admitted to law school, which I was. So I only went two years to Colby and got my degree later on.

DN: Where did you go to law school?

RM: Went to Boston University.

DN: And as I recall, Dick Dubord was also a B.U. graduate.

RM: I guess he was.

DN: But ahead of you.

RM: But ahead of me, yeah, a couple, two or three years ahead of me.

DN: What kind of a fellow was Dick Dubord?

RM: A really close friend. Very bright and a good way of, good art of persuasion, he was not a hard advocate for any cause, he was just a, I thought he was just a good legalistic mind. And we'd get in to long discussions about issues such as Supreme Court deciding whether or not tax money should help pay for bussing parochial students, and we, and by the time we got through discussing it I was convinced that from a pure fairness point of view, and the legalistic point of view it was the right thing to do. That ended that.

DN: Now as you developed your practice, did you both get involved in politics, or did you move away from the political arena?

RM: Well I got in to the local Waterville city council politics early which was pretty *pro forma* because my mother would have her checklist and make sure that every living person who was registered to vote got to the polls, so it wasn't, you didn't have to campaign very hard if you lived in the right ward, which in ward four in Waterville I happened to be in the right place at the right time, so it went from there. Dick was a good mayor, it was easy to support him ninety percent of the time. There were no, frankly I don't think, there still aren't, I can't find any Republican or Democratic issues in who should plow the streets, who should look after the unfortunate people, so there was not, no political battles there at all.

DN: Did you get involved in state legislative politics?

RM: Yeah, that, my interest to go further took place when the legislature passed a law creating for the first time the office of assistant county attorney in Kennebec County, and Lou Naiman was the county attorney. And my Dad had always told me that if you really want a crash course in trial practice, do some time as a prosecutor, so I let Lou know I was interested and I was fortunate enough to be appointed, so two years as an assistant county attorney and then I, Lou retired, I ran and got elected twice, so five years in the county attorney's office and then I decided to run for the state senate. That was in 1959 I guess.

DN: And how long did you serve in the state senate?

RM: Served two years in the 100th legislature in the state senate and then ran for the senate presidency, campaigning with the other senators and was elected, and two years as senate presidency. John Reed was governor and any conversation of going further was inhibited by the fact that we already had a governor in place, he was solidly elected and reelected and he was a Republican and so I decided I'd better come back and practice law.

DN: And I'm trying to remember, when was it that Dick became the attorney general? That was '67, or '65?

RM: I think that's right, I think Dick was attorney general about the time I was county attorney in the late '50s.

DN: Late fifties. Now, you were growing up in Waterville and you went to Colby after the war, and at that time Ed Muskie was coming here and establishing a practice and starting his legislative career. Were you aware of him in either the law practice or the legislature?

RM: Oh yes, you couldn't be living and breathing in Waterville without being aware of Ed Muskie. The familiarity and the closeness was because, going through the Waterville school system -- my wife and I did that -- and Jane Muskie was one of our classmates all the way through, junior high school and high school, good friend of my wife's. All the Gray family, Jane Gray, Howard, her older brother, and Jack a little older maybe, and so we knew the family and got to meet Ed that way.

DN: What was your first impression of Ed?

RM: Tall, lanky guy, reminded me of Abraham Lincoln.

DN: Did you ever get to talk politics with him in those early days?

RM: Not in the early days, but after he had become successful, become governor, we became close social friends at their home. They were neighbors of ours on Silvermount Street in Waterville, just a stone throw away, and later on when they summered at their cottage out at China Lake we visited there often and Jane and Ed visited us at our place at Ocean Point in Boothbay in the summer time. And they were social and relaxed and there were great, a great many occasions when you'd just sit down and look out at the ocean and just talk about things. And you could not avoid talking about government and things in the world. Ed was very well read. He liked nonfiction and he read, quoted from books on the lives of the presidents of the United States, he was fascinating, and he had a great perspective of what was important and what wasn't important. And we had discussions about, of course we were kidding all the time about what the Democrats were doing, what the Republicans were doing, it seemed always at odds. We had one great occasion when we talked about the difference between the parties and he gave me an answer that I'll never forget.

DN: What'd he say?

RM: He said, he said it wasn't a definition that you could look up in a book, a Republican is this or a Democrat is that. He said historically, if you look at the two parties and their labors over decades, you would see that the Republican Party was one of consolidation, of organization and order and perhaps conservative; the Democratic Party was more a party of innovation or ideas and opportunities for new people. And he thought that was a significant, and I thought that was a fair and accurate description.

DN: You must have been quite aware of Ed and Jane at the time that Ed fell and broke his back working at the house on Silvermount?

RM: Yeah, that's when we were neighbors and I remember the attic. He was going to fix that up, a little home carpentry, and I remember that sad day that he'd fallen and hurt himself, was in the hospital. For a brief time, when I thought he was really, could use some help, I went down to his office to see if I could just keep things going for him without intruding or violating any confidences. If I recall correctly he had a wonderful secretary by the name of Marge Hutchinson, and she had very good control of the situation and I think I didn't have to be there more than a day or two. Ed gradually recovered and of course always concerned about finances, but that too passed. I remember it well.

DN: Now as you worked in the legislature as a senator and as president of the senate, did you see major changes in the way state government functioned at the end of the 1950s and then at the end of the early '60s?

RM: No, I couldn't say that I noticed a major change in the way state government functioned. The entire legislative process is such a giant sifting machine of paper work and ideas and committee works and consideration of committee reports, it's a very complicated way to get something done, but anybody who, down there, it's no job at all to get a bill in and then go to work on it and stay on it and don't quit. I also learned that the way to get things done in the Maine legislature, and I sense it's true in Washington, is that you don't work hard and prepare a brilliant emotional speech, make a speech and then wait for all the people to applaud and vote for your bill. The way to get something done is to, once you've got the paper work done and the committee briefed on the issues is to talk to individual legislators one by one and tell them that you're interested in the point and then would they help you out and, by golly, it's amazing how it works. Of course they come to you later on when they've got one and you feel obligated, it's called *quid pro quo*.

DN: As you ran for the board of aldermen here in Waterville, or was it city council?

RM: It was city council. We had bicameral, the last one in the country I think. We had seven wards, though, seven aldermen and fourteen council men, two from each ward, and so just like the house and the senate, each order that went through had to pass both branches. They've modernized that blessingly since.

DN: Now as you ran for the city council and you ran for the legislature, did you have many discussions with your dad about what you were trying to do and what was happening in the political arena?

RM: Now that's interesting, because I kind of felt I was doing what I was expected to do and that was it. I had no agenda myself. The ward was well taken care of as far as city services are concerned. The hottest issue that ever emerged in the city [council type of] government was one of patronage where there were several jobs that were filled by action of the city government and

the custom was that each ward over a period of time got its share of appointments. And that's all the grumbling was about, it's my ward's turn for this job or that job. It worked out okay. Unnecessary, a lot of wasted time and energy.

DN: You remind me of an observation that Ed Muskie made during the time when we were working on postal appointments. He said, when you get through with the postmaster's appointment you have, and you had ten candidates, you have nine disgruntled people and one ingrate. But I take it that your mother was a substantial influence on you, both in terms of your interest in music and your involvement in politics.

RM: Well, she was. She was for, and there are, there's a huge reason for that in addition, because my dad was a National Guard officer who left, when they organized the Guard in 1939 and they sent him down south to Camp Landing, Florida, from there they went on to Tennessee and then to the west coast and they went to the Pacific after Pearl Harbor, and he was gone from our home for about six years, so she was, she kept the house together, she had four teenage kids. Massive job, but she did it very well and we'll never forget it.

DN: So your dad was away from the time you were twelve until you were fourteen or fifteen.

RM: That's right. He came back and having left the law, there wasn't much left of his law practice by that time, you can imagine, so he decided, he'd run for mayor of Waterville and he did and he got elected and got to be known again and he re--, and after that single term of two years his practice prospered, he did well. Back home again.

DN: On the musical front, I remember in 1968 on election night you and Dick and your cohorts played for Ed Muskie's election night celebration, or wake as you might call it, in that vice presidential campaign up at the, it was then the Howard Johnson's Hotel. How late did your musical group continue to play?

RM: You mean in terms of years?

DN: Yeah.

RM: We played, we continued to play, we played at two World's Fairs and Dick, incidentally, was not only the clarinet player but he was also the vocalist and he could sing in the same manner as Louis Armstrong and it was great because when we got up to the Expo '67 in Montreal and he, the songs he would, the Louis Armstrong songs he would sing, he felt appropriate to move the language to French and we even did Alouette in Dixieland form. The local people liked that.

DN: What, Dick was one of the more fascinating people in Maine politics for a number of years and was very important to Ed Muskie. I wonder if you could recall some of his qualities and how he related to Ed?

RM: Well, it's difficult to describe, it seemed so natural. Dick was in some ways quiet but his

humor, his mind always was churning and they really, I'd see them together often, there'd be a very quiet word, or, they might whisper to each or speak quietly, there wasn't any great loud discourse. They got along very well. They thought a bit alike I think. I think Muskie was more deeply philosophical about government and politics; Dick was a great sounding board and good legal mind. He knew the art of the possible.

DN: As you observed Ed Muskie from the time he was a young legislator to governor and then senator, what qualities, particular qualities did you think he brought to public office?

RM: Well he was a good listener, maybe George Mitchell got a little bit of that art from Ed Muskie. Ed could listen. Sometimes Ed was impulsive in his response, but when he quietly reflected on what's being said, he usually came up with either a recommendation or a conclusion that was full of wisdom. As long as he didn't react quickly, because he could be quick to anger if he were rubbed the wrong way.

DN: Did you see that early in his life as well as later?

RM: Oh I, I didn't see it on a high level professional basis ever, politically either. I saw it socially, over some issue that didn't amount to anything, some incident at home or with the kids or with the family budget, that's when all the fireworks occurred.

DN: So in really difficult political situations or government situations you didn't see him, quote, losing his temper?

RM: No, no, of course bear in mind I was not part of the inner circle when he was either governor or United States senator. But I enjoyed discussing the problems he dealt with and it was an enjoyable, I felt honored that he would share them with me. I thought his judgment was excellent.

DN: You mentioned George Mitchell. You knew the Mitchell family growing up in Waterville?

RM: Yeah, I went to school with his brother. Johnny Mitchell's still a friend of mine. We were classmates through high school. I was a substitute on athletic teams while they were great athletes, and I was a bench warmer. Georgie was the little brother of the gang then, in those days. Didn't hear much about him. If anybody knew where he was going.

DN: The, so you knew primarily the older brothers Paul and Johnny and Bob.

RM: Knew Bobby because Bobby became a bank examiner and I got involved with, on a bank board, so I'd see him once in a while. Nice family, great family.

DN: What was it about Waterville that fostered the development of families like the Mitchells, the Mardens, the Ed Muskies?

RM: That's an interesting observation, just asking that question. The, as a kid the French Canadian people all lived in the south end, they called it The Plains in those days. They called, the Lebanese people, they called them Syrians when I was a kid and they lived all at mostly Head of Falls, although a few on Front Street. And that, then you had real diversity in Waterville, Maine. A little mill town of two or three active factories, and the melting pot in the school system was just natural and healthy and I got to say the Lebanese people, both French people and the Lebanese people, the young people, they were very hard workers, very competitive, and I think today of the Jabar family, they were a huge family, and every one of them has a college degree and is successful all over the country. And Dad, George, Sr. was, I think he was an officer in the labor union, an organizer. At basketball practice he'd come into the gym and holler out, give instructions to his son and Wally Donovan the coach would shake his head and say, oh, okay, dad's here. Anyway, it was great. The diversity did a great thing for Waterville, and it was two way street all the way.

DN: Are there any other observations you'd make about Ed Muskie or about the family? As a matter of fact, I wanted to ask you about the Grays. You had a chance; you knew Jane very well and had a chance to observe them. Their political affiliations were quite different from Ed's.

RM: Yeah, Gray, they'd tend to do the comfortable thing. They, I can't think of any of the Grays who enjoyed controversy at all, whereas just being in a lawyer's family you know that you're required to be able to deal with adversity and that's what keeps the court system going of course is every two sides. And then you throw some competition in, you've got the, what, the fuel that makes the fire burn. Howard was the benevolent father, image of the old *Sentinel* family, and I always think of the people who worked at the local newspaper were a family, as are the Colby people. Jack worked there, easy going. Jane was the prettiest girl in her class in school and very, very popular.

DN: And her sister Ginny was a nurse.

RM: Ginny was a nurse, right, and she married Jim Harvey.

DN: Were there any other major political figures in Waterville that were important in your time and influenced Ed or others?

RM: Well, F. Harold Dubord was the tiger of the old school Democrats. He was feisty, a small man in stature, a real fighter and it was a lesson for a young lawyer to watch him try a case in the court room.

DN: He was different from Dick?

RM: Oh, absolutely different. The mother was, as in my family, the mother was very influential. Mrs. Dubord used to play the piano for the silent movies, and if you were lucky enough to be a guest in their home she would sit at the piano and look up at the wall pretending there was a western going on, and as she played the music we could see the bad guy come and then the heroes would come, and then the love scene, she did it all through her hands, she was a

very fine musician. Letourneau, Gene Letourneau's sister I think.

DN: Yes. Did you get to know Gene?

RM: Yeah, I was, because of people like Ed Muskie and Dick Dubord and Howard Gray, I would be included occasionally on occasions where the whole gang got together, one of which was the, at the Guy Gannett retreat property up at Murray Bay in Moosehead. And I would be there and we'd have piano music and boat rides and they'd try to fish, Gene Letourneau would be there. And I remember once Dr. Comparetti went out fishing all day with Gene and as was my expression, my experience in sitting in a boat with Gene, you heard great conversation and wonderful, wonderful day but didn't catch many fish. Anyway, Doc Comparetti returned to the lodge and was so let down by the fact that the goal hadn't been reached, he didn't have a bite, he poured out his disappointment through his fingers on the piano there, it was pretty to hear. Gene Letourneau was quite a guy.

DN: Was Dick very close to his uncle?

RM: I think he felt a close kinship to his uncle. Dick did not spend a lot of time with him, like weekends or time off but he was always pr-, spoke of him proudly, that's for sure.

DN: And I know Dick enjoyed fishing.

RM: Yeah, Dick had a cottage on Great Pond, on both sides of North Bay. He wasn't as ardent a fisherman as Ed Muskie; Ed just loved to get out on the water and keep trying.

DN: As you look back on that period, the 1950s, '60s into the '70s, what strikes you about political changes in Maine?

RM: Well there's no question in my mind but what appeared when I was a kid was an automatic Republican state, you just, if you wanted to get involved in government the only sensible thing to do would be to enroll as a Republican and put your name in and if you were known well enough, if you got around and met a lot of people in your campaign, you wouldn't have any trouble getting elected. It was just kind of automatic, people voted Republican, that was the way it was. And Ed Muskie changed that. He had, not many people talk about this any more, but one of the big issues at the time whispered was the fact that he was a, my gosh, imagine, he's a Catholic and he's going to run for governor. We've never had a Catholic governor. Well after that whisper type small town talk, I never heard it mentioned again, and after he was elected I never heard it mentioned. It didn't mean a thing. Except I think Musk-, Ed and Jane were visiting us in Boothbay one summer and went over the beautiful Catholic church in Boothbay Harbor and you can't men-, I can't mention that without thinking of the day, the Sunday that President Kennedy was in the Boothbay region and on Sunday morning I looked out in front, looked out at the ocean in front of the cottage and there's this entourage of boats, two Coast Guard boats, blue lights flashing, some fishing boats, other boats behind them, a whole parade of boats going in to Boothbay Harbor and one of them pulled up to the greasy fishing dock by the Catholic church and out stepped this man and up the steps, went to church. And that was the president of the United States, and he was a Catholic so it didn't hurt him any either.

DN: Well, do you have any other observations, Bob?

RM: No, I feel lucky about a lot of things but particularly in knowing Ed, that was a wonderful. Later on when he became the secretary of state, through Buzzy Fitzgerald, president of Bath Iron Works, he had a sister who was Ed's top staff person at the secretary's office and through her efforts, by a phone call, we were given a tour of the state building and saw Ed's office, saw the, taken from the valuable collection of antique, historical antiques in Washington was the Thomas Jefferson desk which Ed used as a ceremonial desk, you could tell. Apparently Jefferson was a tall man and it was open in the middle so it made room for his legs. It was not the desk where he actually did his daily work but it was Ed's ceremonial desk, very impressive and I never forgot that visit, that was a real treat. I was glad I had got to know him.

DN: Thank you very much, Bob, this is very helpful.

RM: It's a pleasure to be visited by you Don because you had a great deal to do, as did George Mitchell, with Ed's success. Ed was not a detail guy. A lot of things he never could have done for himself because it wasn't his way. It's people like you who made it possible; we shouldn't forget that.

DN: Thank you very much.

End of Interview