

University of Illinois at Springfield

Norris L Brookens Library

Archives/Special Collections

Robert W. McCarthy Memoir

M132. McCarthy, Robert W. b. 1924

Interview and memoir

19 tapes, 876 mins., 2 vols., 182 pp., plus index

ILLINOIS GENERAL ASSEMBLY ORAL HISTORY PROGRAM

Robert W. McCarthy, Democratic member of the Illinois House of Representatives 1954-61 and the Illinois State Senate 1961-1977, discusses his involvement in a variety of legislative issues: reapportionment, abolishment of the death penalty and anti-subversion issues, judicial, legislative, and fiscal reforms, financial institutions, civil rights, and labor legislation. Also discusses the years before election to the General Assembly: family, early life in Lincoln, education, WWII, early law practice, work as Public Administrator, personal attorney to Secretary of State Alan Dixon and current law practice.

Interview by Horace Q. Waggoner, 1980-81

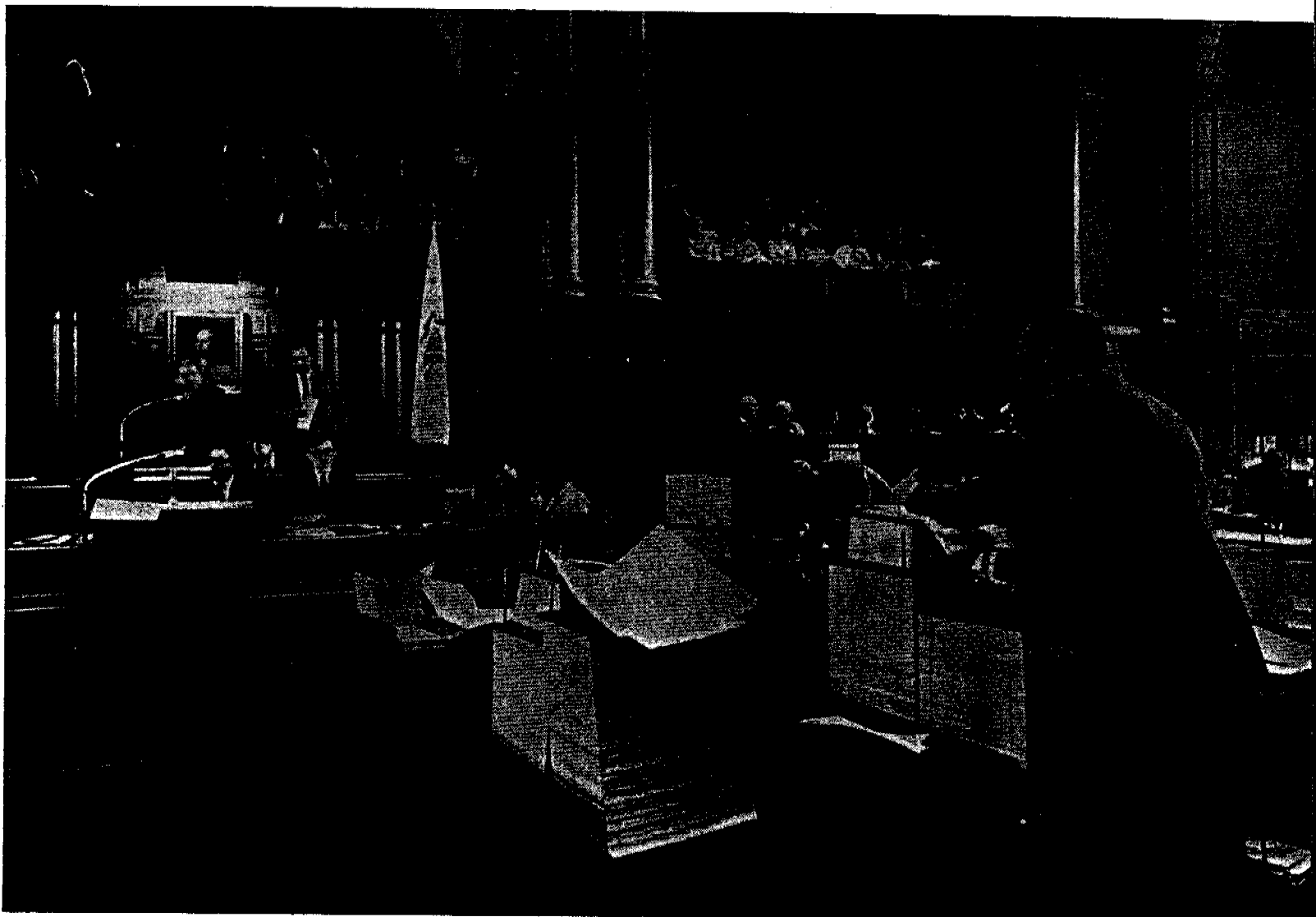
OPEN

See collateral file

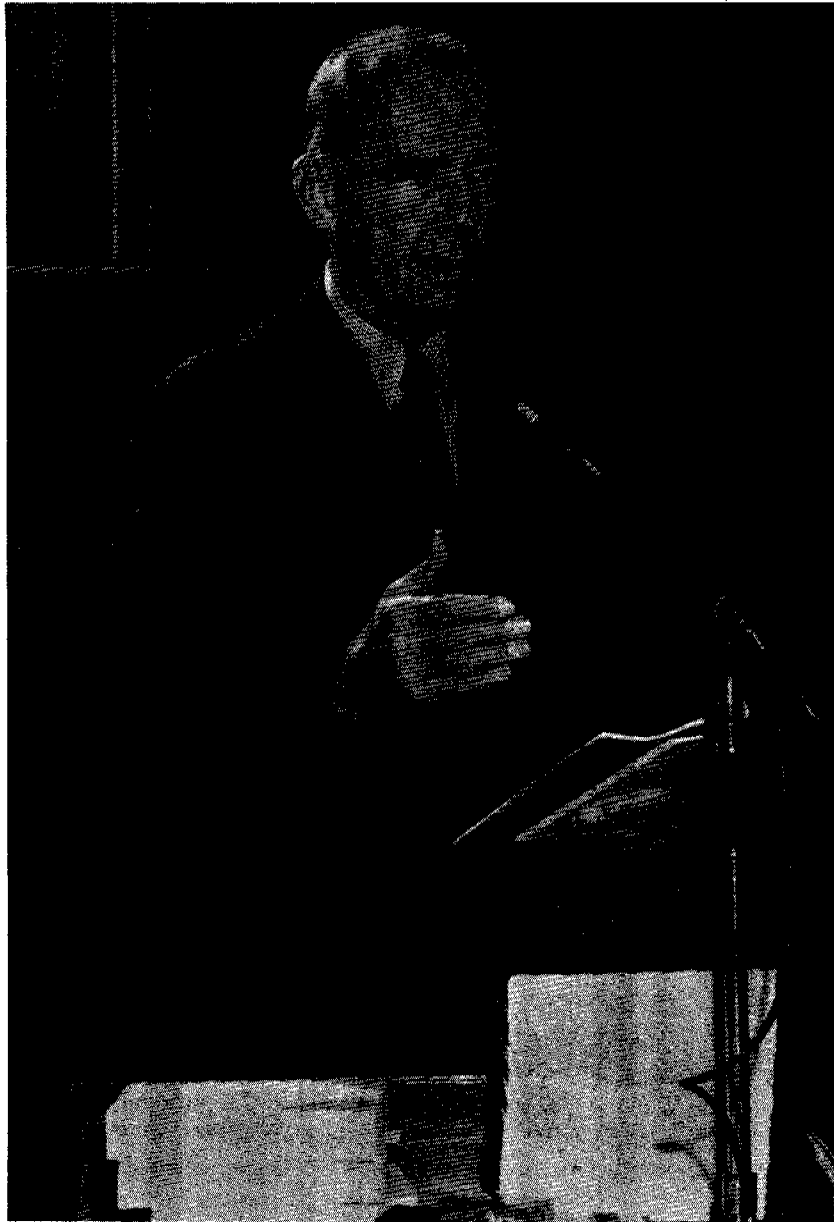
Archives/Special Collections LIB 144
University of Illinois at Springfield
One University Plaza, MS BRK 140
Springfield IL 62703-5407

ILLINOIS GENERAL ASSEMBLY ORAL HISTORY PROGRAM

ROBERT W. McCARTHY MEMOIR VOLUME I



PREPARED FOR THE ILLINOIS LEGISLATIVE COUNCIL
BY THE ORAL HISTORY OFFICE, LEGISLATIVE STUDIES CENTER OF SANGAMON STATE UNIVERSITY
SPRINGFIELD, ILLINOIS
1983



ROBERT W. McCARTHY
ILLINOIS HOUSE OF REPRESENTATIVES, 1955-1961
ILLINOIS SENATE, 1961-1977

**ILLINOIS GENERAL ASSEMBLY
ORAL HISTORY PROGRAM**

PREVIOUS TITLES IN SERIES

Martin B. Lohmann Memoir, 1 Vol. (1980)

Bernice T. Van Der Vries Memoir, 3 Vols. (1980)

Walter J. Reum Memoir, 2 Vols. (1980)

Thomas A. McGloon Memoir, 2 Vols. (1981)

John W. Fribley Memoir, 2 Vols. (1981)

Charles W. Clabaugh Memoir, 2 Vols. (1982)

Cecil A. Partee Memoir, 2 Vols. (1982)

Elbert S. Smith, 2 Vols. (1982)

Preface

This oral history of Robert W. McCarthy's service in the Illinois General Assembly is a product of the Illinois Legislative Council's General Assembly Oral History Program. The oral history technique adds a distinctive new dimension to the council's statutory responsibility for performing research and collecting information concerning the government of the state.

Robert W. McCarthy was born in Lincoln, Illinois, on May 28, 1924. In the story of his youth, he recounts experiences typical of life in a small Illinois city during the 1920's and 1930's. After graduation from Lincoln High School in 1941, he went on to Lincoln College but his studies were interrupted by World War II. After duty with the U. S. Army he enrolled in the University of Illinois where he attained his law degree. Returning to Lincoln, he started his law practice and continued there until, with the redistricting of 1965, he moved to Decatur in order to be located in a "safe" Democratic district for continued election to the General Assembly.

In his law practice, he soon found that a good many valid points before the courts could not be won without "legislative remedy" and decided he had best "go down to where you change the law." On the Democratic ticket in 1954, he ran successfully for a seat in the Illinois house of representatives. Moving from the house to the senate in 1961, he continued to serve until 1977.

Mr. McCarthy's major legislative achievements were in the field of industry and labor relations, judicial reform, financial institutions and insurance. His memoir, while focusing on such legislation, also includes many other personal and political experiences. Of particular interest is his characterization of his role as an independent, serving with such other independents as Alan Dixon and Paul Simon in a faction separate to a degree from both the "Chicago Bloc" and Paul Powell's "downstate bloc."

Readers of this oral history should bear in mind that it is a transcript of the spoken word. Its informal, conversational style represents a deliberate attempt to encourage candor and to tap the narrator's memory. However, persons interested in listening to the tapes should understand that editorial considerations produced a text that differs somewhat from the original recordings. Both the recordings and this transcript should be regarded as a primary historical source, as no effort was made to correct or challenge the narrator. Neither the Illinois Legislative Council nor Sangamon State University is responsible for the factual accuracy of the memoir, nor for views expressed therein; these are for the reader to judge.

The tape recorded interviews were conducted by Horace Waggoner during the summer of 1980 and June of 1981. Mr. Waggoner was born in 1924 in Waggoner, a small farm-service community in central Illinois. At age 18, he enlisted for military service in World War II

and, as a U. S. Air Force commissioned officer, continued to serve until 1973. Upon leaving service, he resumed his formal education, achieving a masters degree in history at Sangamon State University in 1975. Specializing in the field of oral history, his association with the Sangamon State University Oral History Office dates from 1976.

Jean Curtin transcribed the tapes. After the transcriptions were edited by Mr. Waggoner and reviewed by Mr. McCarthy, Betty Lewis prepared the typescript. The use of computerized word processing was made possible by programs developed or modified for the purpose by Bernadette Emery and James Skufca. Florence Hardin compiled the index. The Chicago Tribune provided valuable assistance in the research effort.

This oral history may be read, quoted and cited freely. It may not be reproduced in whole or in part by any means, electronic or mechanical, without written permission from the Illinois Legislative Council, Room 107, Stratton Building, Springfield, Illinois, 62706.

Table of Contents

Note on page location:
Volume I: pages 1 - 88
Volume II: pages 89 - 183

Preface	v
The Years Before	1
Family background - Grade and high school - Home life - Job experiences - Life in Lincoln, Illinois - Lincoln College - World War II duty - Univer- sity of Illinois - Business ventures - Law practice - Public Administrator - Marriage	
The General Assembly Years	48
Campaigning - Election - 1953 reapportionment - Getting started - Paul Powell - 1963 reapportionment - Death penalty abolishment issue - Antisubversive issues - Constituency legislation - Council of State Governments service - Judicial reform - Legislative reform - People's ini- tiative issue - Almost assistant majority leader - Financial institutions legislation - Fiscal reform - Civil rights legislation - Lobbying - Patron- age - Elections issues - Agricultural legislation - Conservation legislation - Transportation legislation - Labor legislation - Education legislation - Revenue legislation	
The Years After	173
Personal attorney to Secretary of State Alan Dixon - Current law prac- tice - Prerequisites for legislative career	

Photographs following page 44

Robert W. McCarthy

SESSION 1, TAPE 1, SIDE 1

Q: I'd like to get on record first the years that you were in the General Assembly. What was the first year when you went to the General Assembly?

A: Well it was January 1955, following election in November of 1954. And then that was in the House of Representatives. And I stayed there until I was elected to the Senate in November of 1960. And I actually went to the Senate in January of 1961 or 6 years later. Then I stayed in the Senate from January of 1961 until January of 1977, 16 years. So within a couple of days, because of the way in which you go in on the Wednesday following the first Tuesday, I spent 6 years in the House and 16 years in the Senate.

Q: And what district did you represent?

A: Well the districts had various numbers because we had the initial reapportionment following the amendment to the constitution in 1954 and then some redistricting. But during all of the period of time Macon County was always in the district that I represented. When I first started out in the House, it was the 28th District. And there was only one district at that time because the House and Senate members were elected from the same district. And that was the 28th. And it was composed of the counties of Macon, which is — has a county seat of Decatur; De Witt, Clinton being the county seat; and Logan, where Lincoln was the county seat and where I resided at the time of my initial entry. That 28th District of Macon, De Witt, and Logan was the district from which I was elected as a representative in 1954.

With reapportionment they changed the districts the first year I was in the House and formed what was known as the 47th District, which was pretty much the same, but it was Menard County of which Petersburg is the county seat. Logan was retained. Clinton — De Witt and Clinton were dropped and Macon was retained. So it's kind of a half-moon district from Decatur stretching over to a point north of Springfield. And that was called the 47th House District as opposed to senatorial district. I was elected from that district in 1956 and 1958.

Then in 1960 when I ran for the Senate, the 28th District was still the senatorial district, that being the original one of Macon, De Witt, and Logan. So then I campaigned for the Senate seat in that district, was elected, and then in . . . 1964, I was reelected from the same Senate district because the senatorial districts hadn't been changed. And they weren't changed until the follow of a United States Supreme Court decision by the name of Baker

vs. Carr in 1964 which declared that all legislative districts had to be apportioned, roughly, on the basis of population. That brought about a change in the senatorial districts in 1965, the first since 1903 or 1904.

Q: In 1901, I believe it was.

A: In 1901. All right. Then there was a change there. The change was that De Witt and Logan were connected in some way with McLean County, divorced and separated from Macon, which . . . And there were some political overtones because De Witt and Logan were basically Republican and Macon was basically Democratic. So they placed Macon in a district with Shelby and Christian Counties, both of which were Democratic, and you ended up with a new district . . . that was numbered 50, of the counties of Macon, Christian and Shelby, which had strong Democratic history. And then, as I say, Logan and De Witt were connected either with McLean or Tazewell in the Senate. I think perhaps Tazewell in the Senate and with McLean in the House. There was a period when the House districts were different than the Senate districts because there was a different number.

Q: Did that change have anything to do with your move to Decatur?

A: Yes, it was the reason that I did move to Decatur. Because at that time, in 1965, when the effects of Baker vs. Carr were being felt in the Senate, and reapportionment was mandated on the basis of, generally, population. I could see two things happening. I could see the Democrats getting more seats, which would possibly put me in a position of majority rather than minority, which made it worthwhile to stay around the legislature, since I liked it anyway. I liked it as a minority member and thought I could be more useful as a majority member. And so . . . when the maps were floating around, I saw that the people on the committee were going to make a safe Democratic district rather than have two swing districts. I decided then and there that since I wanted to stay in the legislature the thing for me to do would be to move my residence across the county line, which I did.

(taping stopped for discussion with law partner, then resumed)

Q: All right, sir. Well prior to your move, then, you were living in Lincoln, Illinois.

A: That's correct.

Q: Were you born in Lincoln?

A: Yes.

Q: What was your birth date there?

A: May 28, 1924.

Q: Could you give some indication of your family background, say starting with your father. What was his name?

A: His name was James McCarthy. He was born in this country, 1883, following his parents immigrating to Illinois from Ireland. I believe all of his brothers and sisters were born in the country. They — and his parent, his father, came to Logan County principally for economic opportunity and pursued the occupation of a coal miner. My father, following his father's rather early death — I don't remember how old he was — he and his brother and two sisters lived with their widowed mother and worked as a family unit. He went in the coal mines as a miner himself when he was, like 12 or 13 or 14 years of age. I think he had told me that he had 6 years of formal education or 6 years of grade school. Then he went to the coal mines and that was the end of his education. That would be . . . close to the turn of the century, be like 1897.

Q: Did he stay with the coal mines then?

A: No. (pause) I believe about, oh, I would say 1911 or 1912, which would make him about . . . I don't know, in his middle twenties or late twenties, he finally settled upon becoming a saloon-keeper. Bought a place in Lincoln at the site of the old Commercial Hotel which . . . was next to where the interurban railroad loaded and unloaded between Springfield and Lincoln and Peoria, wherever the old interurban ran. He ran this saloon. I think they called it a saloon at that time, served food, drinks. Females weren't allowed in. He ran that up until the time that prohibition put him out of business which would be like 1919 or 1920.

By that time he had bought himself an 80-acre farm and went out and farmed for a year or two. And didn't seem to like farming as an endeavor and came back into Lincoln and started selling real estate and started selling some insurance in connection with the real estate, started to loan a little money. And as all three of those businesses became regulated and licensed, he became licensed along in those activities; that is, in the lending of money, the small-loan company or consumer finance as they're called today; as an insurance broker; and as a real estate broker. Those three licenses he carried with him then until his death in 1952 when he was about 69 years old.

Q: What type person was he?

A: Well he was a — if you'd ever want to call a person self-educated, that would describe him. Because with about 6 years of formal education, he was able to provide for his wife and 4 children who were 5 years spread between the top and the bottom. All of the children went to college. He owned his home. He built one building in downtown Lincoln called the Arcade Building which still today is on the square and is rented for retail purposes to more than 10 different tenants. Bought some other commercial real estate, developed and spun off into corporate form the small-loan company which had now been disposed of. But in all those ways, he was able to be considered fairly well-off, and never had any brushes with the law, to my knowledge.

So . . . he did those things, and I observed, watched him attempting to analyze people and seek, if he could by concentration, what their motivation was. He used to brag that he could look a person over when they came up to ask for a loan of money and that he would form an opinion. The opinion would be accurate as to whether or not the person would pay the money back. Of course that's, you know, that's good training, particularly when you're loaning your own money. You develop your concentration, you analyze a person pretty pretty correctly, as well as you can. It's not a game. It's a big decision.

Well he was in the lending business from 19 — early 1920's until 1950. Let's just take during the Depression when the banks were closed. During both periods of the time, all of the Depression and particularly when the banks were closed, he continued lending the money. If you know the borrower is going to pay the money back, then you've made a profit on the interest that I've earned. If they don't pay it back, then I'm short on money to feed four relatively small children and maintain a household, pay for a car or two — a car, one car at that time. So . . . he studied individuals.

Got up early in the morning, liked to work in his particular field. He had more fun doing that than any other thing. I don't remember him taking vacations as such until real late in his lifetime. He was interested in politics. Was a Democrat, identified as a Democrat. Although to my knowledge he never held a party office. But he would contribute money to the Democratic party and also contribute some time.

Q: What type things would he do with that time?

A: With the party you mean?

Q: Yes.

A: Well, he would — he would always help in organizing elections in the county, and in the city . . . maybe serve on a committee, pick up the names of some foot soldiers to work. Once he did run for alderman from a ward in the city of Lincoln. I remember that. He was unsuccessful.

Q: Do you remember anything about his campaign?

A: Yes, I helped him in his campaign. It was a very low budget campaign. He ran as a Democrat in what was basically a Republican ward against an incumbent, a man by the name of Herman Henry or Heman Henry, either one of the two. And Mr. Henry defeated him. And it was, I think, incumbency and basic party alignment that did that. I think that, now that I think of it, that did sour my father a little bit on — so far as attempting to make a contribution in time and a contribution in service through the elective process. When I say sour, he said to me, he said he would not run for public office again, but he was willing to offer his services and willing to spend a little money. I know I went throughout the ward and distributed his cards. But when he was on the short end of the count, he said he wouldn't do it anymore. He made one offer and that was it, he had other things to do. I think that's, perhaps typical of — of a wise decision that he made, that he saw once that it would require just a great deal of effort to secure election for — to be one of 14 alderman in the city of Lincoln, and it appeared to him that the effort necessary outweighed the contribution that he might be able to make.

Q: How old were you at that time?

A: Well, that would be about 1938 or about . . . I was about 14, I guess.

Q: Did you do anything other than distribute the cards?

A: (pause) I was around the polls that day, passing cards out as the voters were going into the polls. I remember that with specificity. And that had been a second election I had worked. I think I worked the election of 1936, which was a presidential election, Roosevelt against Landon, and had passed literature in a certain area in the city of Lincoln. And, the election of 1936 of course distorted my view of how people would vote. Roosevelt carried, I think, the city of Lincoln. And so it came somewhat as a surprise to me in 1938, two years later, that my father, a Democrat, wouldn't carry as well as Roosevelt. But there were, upon reflection, there were different issues.

I just passed the card and solicited the vote, in both instances, once for the Democratic ticket in 1936 and then for my father as a Democrat in 1938, if my years are correct from recollection.

Q: I guess this was the ward in which you lived there in Lincoln.

A: Yes, right.

Q: How did you come to get involved in that first one?

A: Oh. (pause) My earliest recollection of politics was in 1928 when I was 4 years old. I had a brother that was a year older than I, a little slighter and a little bit smaller. We acquired nicknames during the summer of 1928. I was called Hoover after Herbert Hoover and he was called Smith. I think probably my bone structure was more towards Hoover. As a matter of fact, that nickname persisted with me from 1928 until, oh, maybe 10 years after that amongst a very select group at the grade school that I attended.

Q: How did you come to get these nicknames?

A: Well, it was a presidential year and something to talk about. We just — we just happened to pick them up. And it was — it was nicknames that became popular and were widespread during the year. Of course that — at the age of 4, and my brother at 5 — that heightened our interest in the election. I was disappointed that Hoover won even though that was my nickname. We being not only for Smith because he was Democratic, we were hoping that his Catholicism would not be rejected by the voters. And whatever the results proved, I think it just proved that 1928 was a good Republican year. But that was our — in answer to your question of how we got involved, that's getting involved with rather vivid memories.

I can remember the results in November of 1928. I can remember them as I sit and talk to you now. And — and we were very much interested in the election of 1932, Roosevelt vs. Hoover and Horner vs. Small, I believe. Then by 1936, I was 12 years old. They had a local Democratic organization there and there was a little bit of money then, because the people had had the jobs under the WPA [Works Progress Administration]. The administration had a little money to — they even had a room at the Commercial Hotel where they had the literature stacked up. I would get my assignments along with other people to pass out certain flyers on certain streets, and they had a map on the wall. Got paid for it. So that was, I think . . .

Q: I don't understand quite why you would become so involved at the age of 4. Can you recall who it was that got you involved at that time? Was it your father?

A: Well, I don't know if it was that or if just the idea that I was identified as Herbert Hoover all that summer or all that fall, and my brother was identified as Al Smith. And it became popular around the neighborhood. (pause) Then of course the . . . next year or shortly — well . . . within two years, we were in school and . . . I don't know. Maybe my older sisters would say, "Well this is my brother — my little brother Jimmy and they call him Al Smith. And this is my baby brother Bob and they call him Hoover." Maybe something like that. At any rate the recollection is there. How I got into it I don't — I can't tell you that.

Q: Did you have a teacher that was perhaps interested in politics?

A: Weren't in school at that time. The only connection would be through the home, at that time.

Q: Getting back to your father, was he a stern person? Or what type person was he in that respect?

A: Well I think he was disciplined on himself. He'd get up in the morning and go to bed at night. And anyone that, I think, exercises discipline on themselves probably has a tendency to spill over a little bit where they would like a little discipline because they . . . Obviously if a person practices self-discipline successfully, they think that there is virtue in it. And they would naturally want to pass on the virtue of their habits to the ones they care for.

But he was no prude. None of his rules were unreasonable. His advice was very good in the overall. Some of the wisest observations that I've ever known in my life came from him. Such as parking a car, he said, "Don't worry about how you're going to park the car, worry about how you're going to get out." I thought, you know, that was just fine fine advice. Another advice he told — bit of advice he told me was with reference to fads. He says, "Don't follow the crowd." He said, "The crowd is always wrong." And he's correct. The crowd is always wrong, because wherever the crowd is going it gets too crowded and an alternate choice becomes important and a better decision.

And he taught me many many things, statements that I remember from him. One was he — although I don't regard this as profound as the two that I just mentioned about — think

about how you're going to get out rather than how you're going to get in on the parking and don't follow the crowd because the crowd is always wrong — he also said, you know, "Eat the best that you have and then the best is always left," meaning whatever is left is the best. That was more intended as a pun or a play on humor.

Generally he . . . taught me to try to penetrate in my thinking and observation the facade of whatever — whatever I saw. If it was an individual, the way they dressed or the way that they pretended to be, their pretense. Try to penetrate that and see what was the real motivation. If it was a cause that you'd see printed in the newspaper, question it. And I found those things helpful later in life, and still find them helpful. Like bring it right to the present time on the question of metrification in this country. There has been some money spent to convert from our traditional American units or British units, whatever you want to call them, United States units, into metric. And I've questioned the motivation as to why the money has been spent for metric. And I have some very definite opinions about it, which I doubt that I would have questioned were it not for his training coupled with natural curiosity.

Q: Was he an organization man? Did he belong to Elks and that sort of thing?

A: He belonged to some organizations. He wasn't a . . . he wasn't big on it. He was a dues-paying member of the Elks. He used the Elks Club as a place to play cards with his friends, used that as a leisure activity. And I think he belonged to the Knights of Columbus which is a Catholic organization, but more of a dues-paying member. Didn't belong to the luncheon groups, Rotary or Kiwanis or whatever. So I'd say that on a zero to 10 scale on organization, he was maybe about a 2 or a 3.

Q: Did he have any offices in any — either the Elks or the Knights of Columbus?

A: Not to my knowledge.

Q: Was he a leader in the community?

A: I think the answer to that is yes. He'd be called upon to assist in drives and as a matter of fact my memory now does refresh itself to where he was at one time, for one term, president of the Lincoln Chamber of Commerce. So, yes, he did. He was a member of the Chamber of Commerce and was president one year. I remember when they were building the Abraham Lincoln Memorial Hospital, which is the hospital that stands there today. He was called upon to assist in fund-raising activities and was in on the small group that started out. If it was a group of 10 or 15 that met to see how they would raise the money, he was in that first group of that size. So within those contexts, he was a leader, yes.

Q: Do you recall any other projects like the hospital that he was involved with?

A: Well, he was very much of a booster of Lincoln College. Gave a library out there, not a building but I think a room. I think it holds his name at the present time. As to what he gave in terms of money, I don't remember. But he was a . . . he was active in keeping the college as a institution there. So the hospital, the college, the Chamber of Commerce. Did some activity in the chamber on bringing in some commerce, kind of a hard job. But there were some successes on it. Those things do come to my mind.

Q: Was he successful with any — bringing any industry into Lincoln?

A: I don't think that his name would go on any plaque out there that, you know, that he brought the industry in. (pause) Lehn and Fink . . . a chemical industry, very pleased about that one. I think was, you know, felt like it would be great for the community when it came in. And then as a spin-off . . . Well there was a — about the same time, a glass bottle plant came in. And with the two industries coming in, a third one came in — I

remember with specificity that he showed some pleasure — and that was a cardboard-box factory. They needed containers to ship the products of the two industries.

Q: About what time was this, what time period?

A: Oh, it would be right after the war.

Q: So mid-1940's or late 1940's?

A: Yes, yes.

Q: Did you know your grandfather at all, your father's father?

A: No, he predeceased me.

Q: How about your mother's side of the family?

A: Well, they were similar. Her mother and father were married in Ireland, had some children. And the mother and father and the children came over to Logan County for coal mining purposes. And after they got over here, they continued to have more children, my mother being the first one born on this side of the ocean. She ended up being one of 11 children. I would say maybe about the 6th, right in the middle, 5 older and 5 younger. And, there were 11 brothers and sisters. And her father worked as a miner and retired. I remember when he came to our house to live his last days.

Q: This was to your home or . . .

A: Yes. Yes, his wife died, oh, in the 1920's sometime. We had the space and he moved in with us. Lived several years, to an old age, ninety — in his nineties. He died in 1936 as I remember.

Q: So you were able to become acquainted with him, then. What type person was he?

A: Oh, my recollection of him is that he was an older person. (pause) Around the house all the time he was just grandpa. Played cards with him.

Q: Did you ever talk to him much?

A: More on a fun aspect than philosophical line. He was more of an animated toy, play cards, jokes. You just didn't have the connection with your grandparent, at least I didn't, that I had with my parents.

Q: Your mother's name was Anna B. Hayes. What was she like?

A: Well. (pause) She was born in 1885, okay. She was graduated from high school in Lincoln, went to Illinois State Normal or Normal, whatever it was called, for higher education. How long she spent up there I don't know, whatever was necessary to enable her to become licensed as an elementary teacher, which she obtained and then she got teaching assignments throughout Logan County. She got some teaching assignments in New Holland, Elkhart. Did that as her profession until she married my father in 1918. Then she retired from teaching. She had 4 children, my 2 sisters being the first and second and my brother the third and myself the fourth.

Q: What are their names?

A: My oldest sister's name is Frances. Her married name is McCormick. My other sister's name is Mary. Her married name is Migielicz, which is spelled M-I-G-I-E-L-I-C-Z. My

brother is named James, the same name as my father. From the time she got married to my father in 1918 until I was born in 1924, she was pretty busy giving birth to four children.

And then she was very good on homework, on the academic studies, she having been a teacher herself. And she worked very religiously, 5 nights a week, on homework. And the 4 of us would sit around the table and do our homework 5 nights a week under her supervision. That continued from grade one up through the second year of college for all of us because we took all of — we took 8 grades of grade school and 4 years of high school and 2 years of college right at Lincoln.

Q: This was Lincoln College?

A: Yes. She was in charge of the homework department for all of us during all those years.

Q: How long a session would these be in the evening, an hour or two?

A: No, it would be longer than that. It would start maybe around 6:30 and finish up at 9.

Q: Five nights a week.

A: Five nights a week.

Q: Did you ever feel any resentment at that expenditure of time?

A: Well I think it, you know, was something less than pleasurable because it was work, just like, you know, work today. And no matter how you cut it and no matter how enjoyable work is, by its definition and nature it's different than fun. But no resentment. The feeling of being prepared after the homework sessions far outweighed any distastefulness about the work aspect of it. Of course that's like, you know, any work that you do. It's — once it's over you feel glad you did it. It paid off in excellent academic marks for all of us, depending upon our natural propensities, tendencies. And so it was a good investment of time. It was, I think, helpful to all of us and I know particularly to myself to know that being well-prepared — the advantages that came from it.

SESSION 1, TAPE 1, SIDE 2

Q: All right, sir. Did your mother belong to many organizations at that time?

A: No, no, no. I don't know that there were organizations for women. She did, I think, carry a card in a retired teachers association. Maybe belonged to a church group. And that would have been it. But nothing like business and professional women, no Greek letter sorority, no NOW [National Organization of Women]. I think that was the extent of her structured organizations would be a retired teachers association and a church group.

Q: Did she show any interest in politics?

A: Some. She of course was interested as a citizen in the country. She always voted, and she would vote the same ticket, probably the same candidates, as my father. I believe they probably even voted together. They would go to the polls together because she did not drive a vehicle. Her family generally were Republican primary voters. But once she married my father, she became a Democratic primary voter. And to my knowledge, they never voted — deviated in their vote. They believed in multiplying rather than dividing on the ballot

procedure, very faithful in their voting. She would go vote every time. Now that is not to say that she would vote on every election, city or minor political subdivision. But every primary and every general election both of them were there together, to my knowledge voting the same way.

Q: Do you remember them discussing any political matters?

A: Well I don't remember too much of the discussion except that I remember with specificity that my father on the night before the election would bring home one or more sample ballots, would mark a sample ballot, and show her that this is the way that she should vote tomorrow. She would then take possession of the sample ballot. And then when they would go to the polls the next day, they went together, they still had their marked sample ballots. If for some reason that they didn't go together, she still would have had the instruction. And certainly when she went in the poll, paper ballots, he couldn't go in with her because she was literate and didn't need physical assistance. They made certain that their vote was alike. And she'd carry the ballot in. So that's the ultimate political discussion. (laughter) Not much of a rhetoric on it, but, you know, they were voting together, no point in talking about it.

Q: Was she a strict person? Apparently she was if she held these sessions every night of homework.

A: (pause) Her — she again had conviction in her own habits and her own beliefs. Like anyone else, she thought that education had value or else she wouldn't have pursued it herself and taken it on as a profession. She . . . was a person that was — had religious convictions, and expressed those religious convictions and the value of religion without much prompting, didn't require much to turn her on to — to hear the virtues of religion.

Hers was the role of the homemaker, and she was good in that. She was good by way of cleanliness, you know, germ-free laundry, bedding, bathing, proper food, took care of the children, nursed them. Knew generally, you know, how to care for childhood illnesses that came along, ran the house well and was the religious and formal education leader. That was her department.

As far as strictness is concerned, I think the If there was some rule that was violated, she would report it to my father and he'd be the enforcer or the person that would enforce the penalty, whatever that penalty might be. Or he might even set down what the penalty was. If it was corporal, you know, he'd be the one that would administer it. If it was a withdrawal of privilege, he'd be the one that would pronounce what the privilege was that was withdrawn. But she'd report to him on nearly all occasions. If I were pushed into a corner and tried to think if she ever failed to report a violation, I would have to think that perhaps there were some borderline behavior activities that maybe she decided weren't worthwhile reporting.

Q: What were some of the privileges that were withheld?

A: (pause) Later on, the first would be the denial of time out away from the home, like Saturday afternoon or Saturday evening, Sunday, whatever the days were that had time off. Withholding going to movies would be a type of a withholding. Later on, use of a vehicle, car, pretty much the same, that would be administered. Whatever a person wanted, enjoyed the most, be the withdrawal of that.

Q: Were you born in the house that you were raised?

A: No, born in the hospital.

Q: Was this the Abraham Lincoln Hospital?

A: No, it was St. Clara's Hospital.

Q: St. Clara's. And that's in Lincoln also.

A: Well, it's torn down now, but it was at the time. They had two hospitals.

Q: What do you remember about the house that you were raised in?

A: Well I remember a great deal about it because . . . from the time I — it was built — I think it was built in 1926, maybe 1927 — until just this year, it was owned by either my father or my mother. And she died maybe a year and a half ago and we just sold the house a couple, three months ago. So, it was a home that was built in 1926, two story, brick construction, four bedrooms on the second story, a full basement, brick two-car garage, big yard. And in the four-bedroom structure of things, I had a room and my brother had a room, my two sisters shared a room, and my mother and father had a room. (pause) One thing I didn't like about the house was the fact that there was no shower in the bathtub. Other than that, it was a fine house.

Q: Did you have to shower in the basement or something?

A: Well later on we may have gotten — yes, later on we may have gotten a shower in the basement. But — like, you know, during the 1930's . . . the early 1940's when we learned about showers at high school, learned about showers, they were becoming popular in gymnasiums and so forth, and it was a nice way of bathing. We just didn't have that. Ultimately he did — my father did accommodate us and we worked out some sort of a shower arrangement in the basement.

Q: What do you remember about your room?

A: Well it was . . . It was a room about the size of this room.

Q: Fifteen by twenty, I guess.

A: Yes. And it faced the north and the west, so it was a cold room. Single bed in it, chest of drawers. Had a lamp, nightstand. Pretty much a place to sleep.

Q: You had no desk there?

A: No, no. Used only for sleeping.

Q: Was there a library in the house?

A: Yes . . . there were some shelves and bookcases where books were kept.

Q: Do you remember any of the books in particular from your younger years when you first were starting to read?

A: Well, yes, those books were, I think, kind of acquired up, the Bobbsey Twins. (pause) National Geographic magazine was a, you know, a book that was — or a magazine that was hung onto. Whatever books there were had come down through three children ahead of me, you know, from the very earliest in elementary into something as advanced as the Bobbsey Twins. That was a series and I became, you know, quite interested. By the time I got into the Bobbsey Twins I was into the library downtown and utilized the library. I learned to read, with my mother, the newspaper.

Q: Oh? Which paper did you read?

A: Well . . . of course I'm talking about, you know, before I was in school. I would read — she would have me on her lap or in a chair with her. I'd read the paper with her. Whatever paper it would be, it would be the local paper, Lincoln Daily Courier or Lincoln Evening Courier. That was — that was what I read first.

Q: So you were reading before you got into kindergarten, then?

A: Yes. Didn't have kindergarten. Reading before I went to school. Along those lines, I went to school, in the first grade, and I read so well they put me in the second grade within a day or two. The two grades were held in one room. There was a little conference between my mother and the nun, and I think based upon my reading skills she just moved me right over to the second grade.

Q: This was a parochial school, then?

A: Yes.

Q: What was the name of the school?

A: St. Patrick's School.

Q: And this was connected to the St. Patrick's Church then?

A: That's correct.

Q: I believe there was also a St. Mary's there? You went to the St. Patrick's Church rather than the St. Mary's Church?

A: That is correct. St. Mary's Church. And they also had a school. It was only a block away, but that church was primarily designed for the German-speaking Catholics in the community. St. Patrick's was for the ones that didn't speak German as their native tongue, which would include the Irish as well as anything left over. Like the Bohemians were in the St. Patrick Church, Czechoslovakians and so forth. St. Mary's was generally the German speaking. That is now one parish, but . . . that was the identification. The ones at St. Mary's were called—were the Germans and the ones at St. Patrick's were the Irish. And I think the German was rather pure, you know. Pretty nearly they were all German. But not so at St. Patrick's. It was just that St. Patrick was an Irish name, but as I say we had the — any other origin that didn't speak German.

Q: When you started to school, do you remember the first sister that you worked with?

A: Not — not with specificity. I wouldn't know her name, wouldn't know her name.

Q: Do you remember any experiences during that first year in school?

A: (pause) I just remember the first year, you know, as going to school. I remember the room. But I don't remember any experience. I remember the next year that I was in a different room, two grades in each room. And they didn't rotate the rooms, so when I went the next year I stayed there for 2 years and then moved upstairs for the fifth and sixth grade and then over to another one for the seventh and eighth. Nothing specific.

Q: Did — let's see now. When you advanced a year, had Jim also advanced a year or were you together in school?

A: We were not together. He had started — his birthday was in December, so he was in the third grade. My birthday was in May or 18 months behind him, but I was one grade

behind him. Let's figure it out. I think he was a half a year ahead and maybe then I would be a year and a half ahead or anyway you want to figure.

Q: Oh, you weren't in the same classes then, together, during grade school.

A: Well, we were, we were. Like he'd be in fourth and I'd be in third. We were together in the same room.

Q: In the same room, I see.

A: Same room.

Q: Would that be the same teacher?

A: Same teacher. And we'd be in fifth and sixth together and we'd be in seventh and eighth together. Half the time we were together and half the time we weren't.

Q: Did that help in anyway in — with your homework, for example. Did you work together on . . .

A: Our class assignments were different. I kind of think that it didn't particularly help, although my mother would be drilling him. If there was any help it would be towards me because I was at the bottom of the academic level, it spilled down from observing his courses. I don't think he learned anything from me. (chuckles)

Q: Do you recall any of the teachers during your grade school years?

A: I remember the principal who taught the seventh and eighth grade. Her name was Sister Mary Alexander and she had the nickname of "Battle-Ax."

Q: Oh? Was she really?

A: She was a tough principal, you know, running a school with . . . I don't know, maybe 200 students in it, you know. And she was a disciplinarian. I thought she was all right, you know. Retrospectively, she ran a hell of a job. Those nuns that, you know, can run a school, you have to give them some credit. And that's what they were. They were all black-robed females.

Q: There were no lay teachers involved?

A: No lay teachers, no. And the parish priest. He was figurehead only, you know, was only . . .

Q: Who was the parish priest at that — during your grade school years?

A: A priest by the name of Mulgrew with an assistant by the name of Garrahan. A little later on a priest by the name of White was the pastor. And . . . Garrahan's successor was a fellow by the name of Barnett. But the assistant to the pastor would be the athletic director. And Garrahan was an extremely popular man and, you know, took an active role as athletic director in both football and basketball.

Q: This was in grade school?

A: Grade school.

Q: Were you active in both those sports?

A: Yes. (pause) The — you got active and you got your uniform and you got to travel in the seventh grade at the earliest. I remember when I was in the seventh grade, my brother was in the eighth grade, and in basketball we went to St. Bede's College for a big parochial tournament at Peru, Illinois. And we won the tournament. My brother was, I think, captain of the team. I was on the second team but — you know, probably have a glossy photograph around someplace where we beat Streator and some Peoria team and I think Kewanee. I think we probably beat Kewanee for the championship. When I was in the seventh grade, we also had parochial football leagues where we would play parochial teams from Peoria and Bloomington, tackle football.

Q: This basketball organization was parochial also, was it?

A: Yes, with some variation. We'd play like Mt. Pulaski High School, I mean grade school; you know, play smaller schools.

Q: On the basketball team what position did you play?

A: I played guard. I wasn't all that good.

Q: And was Father Garrahan the coach for the . . .

A: Football and the basketball.

Q: Did you have a baseball team?

A: No.

Q: No baseball. What position did you play in football?

A: Fullback.

Q: Were you any good?

A: Pretty good.

Q: Do you remember any experiences in any of the football games that are outstanding?

A: Oh, yes. Oh, yes. Yes, I remember — I remember . . . lots of running plays where, you know, where you're — I was a ball carrier gaining yardage, making touchdowns, some defensive plays.

Q: When did you start? You say in the seventh and eighth grade you traveled. Did you start earlier in the two sports?

A: Well you were kind of scrubbing around a little bit. You were able to watch and see the seventh and eighth graders play. And then the next year you'd be able to get in. And really in seventh grade you didn't do all that much. In eighth grade is when you — when you got to do the — most of the competition.

Q: Wasn't it unusual not to have a baseball team at the school?

A: Perhaps. But the basketball season lasted pretty long. Oh, I know why we didn't have a baseball team. Well I don't know. I think maybe we didn't have enough players. At that particular time hardball was just not popular, baseball. The big rage at that time was softball. And they had a city league for softball and everybody played city league softball. It just — in grade school that's as far as we went. We had the two sports. We didn't have — did a little bit of track and field in the spring but it didn't amount to

much. But just no baseball. The baseball deficit was cured through softball which was a city type of league.

Q: What did you do in track and field, any particular . . .

A: Nothing of significance. Although . . . I didn't — I didn't practice or try to become skilled in anything in track and field. I don't remember any of my contemporaries that were. And none of us pursued it later on. It probably reflects, you know, the attitude of the coach.

Q: And you had the same coach all during your active period.

A: Yes, yes.

Q: What about music? Did you take any particular music training?

A: Not in grade school.

Q: Did you sing in the church choir?

A: No, I wasn't — I wasn't a singer. Told that . . . didn't know how to carry a tune. Believe it too. The quality of my voice is good, but I just never trained and no one ever suggested I be a singer. My daughter, who is here today, can tell you that my voice, my singing voice, is an unpleasant auditory response. (laughter) Some people have it, some people don't.

Q: Did you serve as altar boy during those years?

A: Yes. (pause) I think all of us did.

Q: Do you remember any particular experiences as an altar boy?

A: (pause) No, I don't have any significant incidents that I retain out of that. If it would be any it would be related maybe toward something pleasant like working a wedding where you got a tip, as opposed to working high holidays which were long and the period of sitting without moving a little longer than usual, that sort of thing.

Q: Do you recall any of the teachers that were interested in politics or discussed politics at school?

A: Grade school?

Q: Grade school, yes sir.

A: No. No, the four or five nuns or whatever it is . . . politics weren't — weren't taught. Roosevelt in 1936 among the students, though, was a favorite. I don't remember any politics in grade school.

Q: Did any of the fathers at that time give any guidance in politics or . . .

A: Not to my recollection. We assumed — well I just don't — I don't relate the school and the church with it at all.

Q: Did you belong to any organization such as the Boy Scouts in grade school years?

A: Yes, I joined the Boy Scouts . . . like in 1936 when I was 12, and I retained membership for about a year. Moved out of tenderfoot into, maybe, second class scouts. And that was

the end of that. The troop was one that was school-based and for one reason or another . . . the opportunity was there to keep on scouting in that we had a paid staffer in town. But . . . otherwise occupied. You know, like during the school year, I didn't — I got out of it. Didn't — just wasn't my thing.

Q: During your grade school years, what kind of recreation did you usually become involved in other than school activities?

A: Well, reading would be recreation. (pause) Roller skating, movies . . . or radio, records — musical records, swimming and water. And then of course organized sports through the basketball and football.

Q: Did you do much camping?

A: No.

Q: How about fishing?

A: Some. We had a cottage on the lake at Lincoln, about 1937. We'd do some line fishing with my father as opposed to pole fishing.

Q: You mean setting a trotline?

A: Yes.

Q: What do you remember about the cottage?

A: Well it was a — it was used quite a bit. It had been in the old Chautauqua grounds which is like any other old Chautauqua grounds. There had been a Chautauqua area where some entertainment would come in. In the early 1930's the entertainment in the Chautauqua grounds fell on hard times and the structured program was only, I don't know, a week or so. But at any rate my father moved our cabin from the Chautauqua grounds out to Lincoln Lakes which was a gravel pit. Spent a lot of time out there. Spent time in the water. Had a boat. Did some aquaplaning, not water skiing, aquaplaning.

Q: What's the difference?

A: Aquaplane is one piece of plywood. And skis just weren't — hadn't quite come in then. (pause) We continued to use that cottage for a long period of time. It was a place to play cards. Had music. I remember specifically we had an old nickelodeon, one of the earliest ones where the records would rotate on a wheel. Did a lot of dancing there to the nickelodeon. Talk about musical records, the jukeboxes were out by that time, out in the establishments. We'd be able to go to places, suppliers of the jukeboxes, and buy their old records for a dime a piece and we'd play them on our own nickelodeon. (pause) Family-based fun, classmates of my sisters, brother, would be there, more of the classmates of my sisters I guess. You know, we'd be kind of sitting in on the thing, participating somewhat.

Q: Did you do any traveling during your grade school years?

A: I only had one significant trip. Yes, it was in 1937. My father sent me to Washington, D. C., on the Boy Scout Jamboree. Why he did that I don't know, but that was the pinnacle of my boy scouting, and once I had been there I, you know, stopped. But it — by a jamboree. I don't know, it was the 25th year of scouting or something. They had this great big international jamboree of scouting in Washington, D. C. A group of us, anybody that could afford to go, went. Camped out on the Virginia side of Washington, D. C. Scouts

from all over the world engaged in barter, trading certain things. Saw Franklin Roosevelt one day, came by.

Q: What types of things did you barter?

A: Oh, I think our particular group — and it was a central Illinois group that got together; you know, certain people from Bloomington and Springfield, maybe from Decatur, enough to make up one railroad car or maybe two railroad cars — we had something that involved pouring plaster into a mold and out would come a cast of Lincoln. And I think that's what we bartered, basically was that.

Q: What types of things did you get?

A: Something just about as valuable. (laughs)

Q: I see. Do you remember any of the individuals that you met from other countries at that time?

A: Well, I remember — through my mind right now goes some Polish fellow, blond, husky, Polish scout. Otherwise I — I remember some people that were on a train like, you know, I can think of a name of a fellow from Bloomington that was in this train that we went there with. And I just happened to think of another one from Atlanta, Illinois, you know. But as far as people that I met out there, no, I don't remember any names.

Q: Did you get to see much of Washington during that trip?

A: Yes. Went to the top of the Washington Monument, the Lincoln Memorial.

Q: Did you walk up the Washington Monument?

A: Yes, yes.

Q: Did you get to the Capitol Building on that trip?

A: (pause) I don't remember going in the Capitol Building at that time. I remember seeing it. I remember seeing the White House. But the two — the three things I remember more vividly are walking up the Washington Monument, gazing upon the Lincoln Memorial, and being out at Arlington at the Tomb of the Unknown Soldier, those more significant.

Q: How about the train trip, was that Pullman or coach?

A: (pause) It was overnight. I don't know . . . I don't remember. I'm going to just say that I think it probably was coach. I never remember — I only remember once and I can trace that to many years later, I only remember sleeping in a train once, actually having a compartment or a bed.

Q: Who were your best friends in grade school days?

A: (pause) Well they'd be classmates that lived in the neighborhood of which there were two or three.

Q: Could you name any of the two or three?

A: Yes, I can name Jack Savage as an individual who lived a block or so from me that was maybe a year behind me in school . . . whose mother was a friend of my mother.

Q: Did he associate with you in later life?

A: Well, I think, you know, once the army came along I never saw anything more of him. I think he's dead now. I would see him from time to time.

Q: What type things did you do with Jack Savage?

A: Well he is the only name that, you know, really comes. I think we would perhaps do some studying together, and play with each other in his house or maybe in mine, pretty much as an adjunct to our mothers visiting.

SESSION 1, TAPE 2, SIDE 1

Q: What do you remember about your sisters' activities during your grade school years? Were they active in music particularly, or what were their main interests?

A: Well I don't think they had any structured activities for the girls. One of them, Mary, did take musical instruction by way of the piano. Frances was 4 years ahead of me and I don't remember that she had any structured activities in grade school.

Q: Could you kind of describe what Lincoln was like to you in grade school years?

A: (pause) I didn't know too much about Lincoln during my grade school. I knew where my home was. I knew where my father's office was and I knew where the school was. I knew my neighborhood. The only way I moved from one place to another was either by walking, possibly on a bicycle. I wouldn't hang around downtown, but I have — my recollection of downtown at that time was the movie theaters, the Lincoln Theater and the Vogue Theater and an S. S. Kresge's Company and a Woolworth Company. And those would be the only places that I would go, two theaters and two dime stores.

Q: Do you recall any activity at all in the courthouse during those years?

A: No, I don't even attach any significance to the courthouse. I knew that that was the building.

Q: What was the community like around your home?

A: Well it was a nice upper middle class residential area one block away from the highest priced — Park Place was one block away. And if you know anything about the game of Monopoly, Park Place is way up there. Named by the promoters after Park Place, you know.

Q: Oh, it was actually a park place or is actually a park place?

A: The name of it, Park Place, the name of it. Yes, it was put in in the 1920's, I would surmise when they — had a little boulevard with grass and lights in the middle and so forth, about three blocks long. We were a block away from Park Place. And probably, you know, I remember now that some of our classmates would refer to our place and location as being out next to Park Place where they may have lived someplace not as high priced. The place that we lived in was, I think, the last house built before the Depression hit. So we had a field from 1930 until 1945, 15 years, field of maybe 5 acres. So it was a great place for baseball games, football games for the neighborhood, just like having a park.

Q: Was this around your home, you say?

A: Yes, right next to it . . .

Q: Oh, I see, yes.

A: . . . on the west. And the neighborhood kids — and that would be from, you know, people 4 or 5 years older than me to 2 or 3 years younger — would congregate in this field. And we'd have 20 people playing baseball at one time. We'd have 22 people with football. Big big activities and kind of self-disciplined, you know, through the group.

Q: Did you have chores to do at home?

A: Some. Like cutting grass. Like shoveling snow. Some domestic chores, like peeling potatoes. Didn't have to make my bed. Some sweeping, some dusting. But it stopped pretty much at the boundaries of our lot line, cutting grass, shoveling snow. The worst was washing windows, particularly on a two-story house where you're working off a ladder.

Q: Did you have a garden at the home there?

A: Yes, used to have my share of work in the garden, weeding.

Q: Did your mother raise many flowers?

A: Not many, no. Some.

Q: Around the house?

A: Some around the borders of the — of the lot. Like I think, you know, we probably had an identifiable flower garden, but it was — it didn't mean as much to me as the vegetable garden. Now there were — she did have some plants that were transplanted into the house in the wintertime and brought out in the warmer weather, but not — not a real greenery where you had to hack your way through it.

Q: Did you start going to the public library during your grade school years?

A: Yes.

Q: About what grade were you in when you started using that library?

A: Well . . . I'm going to guess, just guess, just guess maybe fifth, sixth grade.

Q: And from then on you used the public library. Did you use it a lot?

A: Used it an awful lot fifth, sixth, seventh and eighth grade. Our library facilities at school were not all that big. When I got into high school, I think we had more library facilities. But I think for 4 years there — five, six, seven and eight, I spent — you know, I wore that library out.

Q: When did you usually go there, after school or weekends?

A: Well, Saturdays, and bring books home, you know.

Q: Did your mother help you with the selection of books or did you pretty much hunt it on your own?

A: Well I think I always brought them home. (pause) Had a real thing on Greek and Roman mythology, more Roman than Greek. I don't know, it just seemed to me like for a year I was reading Roman mythology, maybe not a year but an awful lot of it.

Q: Do you know why you got interested in that?

A: No, I don't. Never thought too much about it. I found it fascinating though.

Q: Do you remember any other particular subjects that you . . . For example, were you interested particularly in history?

A: Well, I think this mythology is some history, you know. And — and got into some biographies. Ultimately I got into history, American history as opposed to world history. Read an awful lot on American history and Roman mythology. Now that I try to refresh my recollection, I don't know that I ever — if I read Greek mythology or not. I know Zeus and Apollo and so forth. Read — and I'm sure I read both, but more Roman than Greek.

Q: Do you remember any particular biographies, any particular individuals that you became interested in?

A: Back at that time?

Q: Yes.

A: The only political one that kind of impressed me was Theodore Roosevelt.

Q: In what way was he influential?

A: Struck me that the way that he overcame his physical limitations and went on to perform aggressive service by overcoming physical limitations — that was the way the biographer treated him, that he was a sickly child and he made himself well and strong and went on and did these things.

Q: If you were following Theodore Roosevelt, you might have become conservative, but you didn't in the end.

A: I don't think I — I don't think I caught the nuance of what his particular philosophy was. I would disagree with you, however, as to the conservative aspect. I think that — it's my opinion that Franklin Roosevelt, in his New Deal, lifted all of the ideas of Theodore Roosevelt and the Bull Moose Party.

Q: Liberal conservatives, if you can call it that, progressives.

A: Yes. But that is a judgment we make today, more in the recent past as opposed to . . .

SESSION 2, TAPE 3, SIDE 1

Q: Yesterday there were a couple of areas that I didn't think to question about. We didn't get into your grandmothers. Were you acquainted with either of your grandmothers very much?

A: No, they both predeceased me, or else . . . Well, they didn't predecease — they may not have predeceased me, but they died when I was very small. I have no recollection of them other than an aged person.

Q: Okay. I guess we're ready to on to high school then unless you have thought of something else during your grade school years that might be of some significance.

A: No, I haven't thought about anything. When you left, that was the end of that. You did a good job and you're back.

Q: One thing, did you do any work of any sort, job experience sort of thing, during your grade school years?

A: (pause) Well see, I was a — I finished my grade school right at my 13th birthday, so that I was 12 during my grade school. I don't believe I worked until I was 13. When I was 12 I remember doing some work as a vendor at the Logan County Fair vending pop, beer, racing programs, only for a seasonal type of activity, but no work other than household chores. The year following grade school graduation, I started working in the summer for my father as an apprentice custodian. You know, sweeping the floors, mopping lobbies, whatever would go in connection with his buildings that were located in downtown Lincoln.

Q: Was this predominately the Arcade Building?

A: That one and what we — that was the one that he liked the best and required more work, so that would be primarily the Arcade Building.

Q: What were the other buildings that were involved then?

A: Well, a building called the Lincoln House which is located at the corner of Chicago and Broadway Street which has maybe a dozen fronts. Purchased later on down the line but managed by him in behalf of an absentee corporate owner. And then a third building which I'm just going to call the Clinton Street Building that had four or five storefronts as well as a gasoline station. But the one that had commonality of use, the Arcade Building, with an arcade where the owner had to keep the common ways in good shape and had some duties of maintenance. That was the one that he liked the best and the one that we did the most work on, the newest and the most expensive, it brought the most rents.

Q: How often did you have to do this, weekends or . . .

A: Well it was mostly during the summer. And I remember the rate of pay was 25 cents per hour, so that for an 8-hour day it would be 2 dollars. He had a maintenance man full-time who took care of that during the wintertime. And there really isn't that much for a maintenance man to do in the winter because he can't do the outside work, the roofs and so forth. In the summer there were roofs to patch and roofs to, you know, to make tight against the weather and . . . and painting time and so forth. More things to do in the summertime. So it was essentially a summer job.

Q: Where was your father's office?

A: His office was on Clinton Street in that one group of buildings that I'll call the Clinton Street Building which is a block and a half from the Arcade Building.

Q: Did you spend much time there at that office?

A: You talking about when I'm in high school?

Q: No, in grade school.

Q: Well I would — it would be a place that I would go for discipline. I remember that. That if I got in a fight in school during the day, I had to go down and walk to my father's office that evening and he would inflict the corporal discipline. And that was just the unwritten rule. So I remember that with specificity. You know, like there would be several times that I'd be making a walk to his office. So in grade school it would be only under unpleasant circumstances during the week. Normally, if I didn't get in a fight during the day, I could walk home. But if I got in a fight, I'd have to go to the office and take my punishment.

I would spend some time, I have recollection of some time around his office on Saturdays. He kept office hours Saturday. He even kept office hours Saturday evening until 8 or 8:30 or 9 o'clock. And I would — I have recollections of visiting with him on Saturday evenings as moments entirely different than were the punishment. But those would be the only two occasions that I recall during grade school.

Q: How would they be different from punishment sessions?

A: Well, because he'd be — be the end of the week and getting ready for Sunday. He was waiting for, generally, people who owed him money to come into town and get around to make their payments to him. He enjoyed my company as someone, you know, a little youngster there. And that's when he would tell me about people, how he'd measure them, you know, and analyze them as they were walking up to the building, and what time they got there and the circumstances surrounding either their repayment of a loan, excuse as to why they weren't making a repayment or an application for a new one. Entirely different than getting beat on the butt.

Q: (laughs) Yes. How often were you beat on the butt?

A: Every time I got in a fight.

Q: Which was very often, was it?

A: Well after awhile I stopped getting into fights because I think the punishment would increase. You know, first fight was a belt — it was a belt, leather belt, on the buttocks, and then an increase in severity. So I think it was a — it got the job done. My pugilistic career was abbreviated.

Q: Well. What year did you start in high school?

A: In 1937.

Q: What do you remember about your freshman year?

A: (pause) Just generally an orientation that the concept of classes in different rooms was all new; lay teachers were new; female teachers who were spinsters, not uniformed, were new; the fact that there were some male faculty around. Maybe I didn't have a male — oh, I did maybe. Maybe I did, maybe I didn't have a male instructor, but at least I knew they were around. There were some in commercial arts or, you know, teaching carpentry or cabinet making. There was a coach, there was a Latin teacher. That was all new. Big building, size of a class. So that I remember as being different. And of course there was extracurricular activities, pretty much of a continuation. I had been asked by the freshman football coach to come out for freshman football. But there had been a fatality in our league that I talked about yesterday.

Q: In the Catholic League.

A: Yes, where an eighth grader, the same class as mine from Peoria, had died as a result of injuries sustained in a football — one of our games. I don't think it was a game that I was in. I think it was a game between two other teams but in the same league. And my father's reaction to that was that I could not participate in tackle football. And he was firm and absolute and the coach came around, begged him, you know, did all this sort of thing. But he said no and stuck by it. I accepted his decision. You know, I accepted it. I figured he was — he was the father and it was, you know, it was his decision, that's all there was to it. He allowed me to go out for basketball. I didn't do all that well. Stayed out part of the season.

And we were looking around for some extracurricular activities and my oldest sister had been in speech and drama in high school. So that was suggested. And the man who was the head speech and drama instructor, Clarence Miller was his name, interviewed me and suggested that I get into that as an extracurricular activity, which I did. It was sort of a substitute for the contact sport football. As a result of his encouragement and seeing what my older sister had done . . . They had contests where — I think, perhaps your wife, later on, was in the same field. She's several years behind me, but perhaps I remember she — going to a speech contest with me.

Q: I think she's mentioned that, yes.

A: Yes, so that — you know, put that in the frame as to what I'm talking about. So I went into that as a heavy extracurricular activity and carried and maintained that from freshman year and it took up a lot of time all the way through. The other extracurricular activity as a freshman year that was offered was music. And I had had previously some basic piano instruction by one of the nuns, so I went into orchestra. Picked out the bass violin as a instrument to play and was instructed in it in a group type of instruction by the orchestra professor who also was the bandmaster, doubled. (laughs)

Q: Who was that?

A: A fellow by the name of Harold Merry, or Professor Merry. That was his job, was band and orchestra. So I mention the first year and the extracurricular activities because I kind of stuck with those.

Q: Do you remember your first speech contest?

A: I can't specifically, right now, remember it. It doesn't . . . if I reflected, I could probably figure out where it was.

Q: Do any of the speech contests stand out?

A: As we go through high school, yes. I think perhaps the most significant one was when I participated in a national tournament at Lexington, Kentucky, when I was a senior in high school. And you get there through an elimination process. You have to place first or second in the state tournament. I think I placed second in my category. And I went down to the nationals. I was moving right along in the elimination process there with great speed. When I got up to about the semi-finals I finally was eliminated. You remember that one because it's, you know, the end of the tournament process.

Q: Do you recall the speech that carried you along there?

A: Yes, I remember. It was a — it was in nature of a dramatic declaration. In other words, you — the — I, or whoever in that field, did a dramatic declaration where you would portray one or more characters in a drama without benefit of props or anything else, as opposed to oratorical declamation which would be giving a speech, or original oration which is giving a speech composed by the participant, or a debate which was a group sport where they're, you know . . . I think those were the categories as I remember, and comedy would be another one. I don't remember competing in comedy. I remember competing in the oratorical declamation with some success, dramatics, and . . . Then as an adjunct to that, there was also the Thespian organization which was in the same department of the school where dramas were staged, either comedies or whatever. Generally, the people that were in speech — the forensic league would be the speech and were also members of the Thespian Society. So the two had a tendency to overlap. The contests were fun.

Q: Do you remember any of the plays that you participated in?

A: Yes, I remember one right now, Death Takes a Holiday is a play. I remember . . .

Q: What part did you play?

A: Oh, I don't know the name of the character. It was maybe the — maybe the second male lead. It wasn't the first male lead, maybe the second.

Q: What year was that in your high school career?

A: That would be, say, a junior.

Q: Were you involved with the debate team very much?

A: No so much with the debate team. Matter of fact I don't remember being in the debate team. You were sort of limited. Like if we have the four categories of oratorical declamation, original oration, drama, and comedy and debate — five categories. Well, you just couldn't participate in all five because they were all held contemporaneously. Like if there was an event at Charleston, at Eastern Illinois University, all five events would be going on, you just couldn't be in five. So they usually spotted you in the two best. And it just seemed that those two, oratorical declamation and dramatic declamation, were the ones that the coaches thought that I did best at. You know, you can't have a fellow that is running the 100 yard and the 220, the 440, as well as putting the shot and pole-vaulting and so forth, because he's going to get tired. (chuckles) He can only do so much.

Q: Which teacher impressed you most in high school?

A: (pause) Well I can say for comedy, that there was a Latin instructor, a professor Koch, kind of a comedian. He was an older fellow that would tell dirty jokes, that sort of thing. Or had a reputation for that. He taught advanced Latin. Kind of, you know, a strange sort of character. He was — a nice smile on his face. He knew his Latin. But retrospectively, as we sit here now, what's a — what's a strange guy doing in a high school teaching Latin and telling — telling kids dirty stories. If that, you know, so — I mean that's an impression in a way.

Now aspirationally the most powerful figure was the principal. He was the one — the enforcer, the disciplinarian. I spent most of my time with a couple of fellows in the drama department, Bob Turner and Harold Roberts. Because I spent more — you know, there was more immediacy with those two fellows than say Miss Henneberry who happened to be the geometry teacher, algebra teacher, Miss Vanzee who taught some other specialty. I could, you know, maybe knock them out. But as far as I was concerned I think the things I remember the most were the extracurricular activities involving not only the speech and the drama but the music as well, but not to the same degree.

Q: What incidents with the music do you recall most strongly?

A: Well it gave me the basic skill to play the instrument. And I didn't enjoy the orchestra recitals so much, but a group of we men, or males, were able to form a dance band out of it. And we used our skills and their instruments — at least I used their instrument — to perform from place to place in a form of dance band. Not a great big deal, but I, you know — we — I remember getting paid on one or two occasions. (laughs)

Q: Where did you play?

A: In Lincoln.

Q: I mean what type of place?

A: Well like someone had a tea dance on New Year's Eve — or New Year's Day. The place of the tea dance, afternoon dance, was at the Knights of Columbus Hall which is a second-story walk-up. I remember that. I had a lot of fun walking up steps with a bass fiddle. (chuckles) And then we would play at other places. Ground floors were preferable to walk-ups. The problem of transporting the instrument was solved in that we had a car that was to be used by the four children. I was able to put the instrument in the back seat and have the top for the — the top of the instrument sticking out on the passenger side through a window. A little cold in the wintertime, but it was a way of transporting the instrument. Also an excuse to get the car. "I have to have the car, I can't get my instrument, you know, moved."

Q: How large an orchestra was this — or dance band?

A: The dance band? Oh, I would say perhaps 9 or 10 pieces.

Q: Who was the leader in the group?

A: Well, the most skillful musician was a clarinet and saxophone player by the name of Dick Clough. But we'd — yes, I guess — I think the band had a group name. And whoever was — I don't know if we picked our selections by committee. I'd say the strong — the strong man was this Dick Clough. Somebody had to decide what we were going to play, so I suppose it was Dick.

Q: Did you use the bow or did you, what do they call it, slap the bass?

A: Both. Both, depending upon, you know, what was called for.

Q: How did you enjoy your experience with the orchestra in school?

A: Well I think probably pretty minor. If we ever — if we ever put on much of a concert, it didn't amount to much. But if I participated in more than two formal concerts, I'd be surprised. That would be one at the end of each year, maybe of my sophomore and junior year, and maybe I had abandoned it by the time I was a senior. As distinguished from the band. Now the band would play at basketball games and the band would play at football games and so forth, you know. Well, the orchestra was — was different. There would be some recitals, those that, you know, use the smaller instruments — the violin, the viola, and so forth, perhaps smaller groups, string quartets, whatever, and so forth.

Q: You didn't get involved with any of those?

A: No, no, none of that. I just — I just got the basic skills from it and then transferred those skills to this swing band.

Q: Were you in the marching band at anytime with the . . .

A: No.

Q: Be kind of hard to carry a bass, I guess.

A: A little difficult.

Q: (laughs) Did you ever have any conflict between your time spent with the music and sports, for example?

A: No, no. No, because the fellows that I worked with on the swing band, we all pretty much had an identity of purpose. So there wasn't any conflict.

Q: What do you mean by identity of purpose?

A: Well, I think, you know, we both — we all had just about the same quota of time that we wanted to use in music. We were all about the same age and maybe wanted to spend so much time, 3 hours or 4 hours twice or 3 times a week, and that was enough. And then we also all were interested in our own sport activities and so forth. So that there was no conflict there. Where some strong person, you know, might want to spend 6 days a week on music. There wasn't any of that. I didn't see any conflict.

Q: Did you get into football then eventually?

A: Not in high school. I finally made a pass after I had gotten out of the army and went back to the University of Illinois. I finally got a chance to play on the University of Illinois football team in 1945.

Q: You were on the varsity team that year I understand.

A: Well, it was the third string but it was a varsity squad, yes.

Q: How did your father feel about that?

A: Well he — I'd gone to the war and come back, different thing, you know.

Q: Your decision by that time.

A: My decision.

Q: So you did play some basketball, though, in high school?

A: As a freshman, and then I just wasn't able to hack it. I had — I remember specifically an injury to my right knee. It was swelling, limitation of motion which knocked me out for awhile. I just — I just wasn't that skillful at it.

Q: Which subjects did you enjoy most in high school?

A: In high school?

Q: Yes.

A: Well I'll go from the other way and say that Latin was the most difficult. I enjoyed Latin, but it was difficult. Took 3 years of it. I disliked chemistry and physics. I enjoyed and was good at algebra and geometry. And I got fine marks in history and social science and civics. I don't know if I've answered your question. It's more of a negative there. Like the physical sciences were the least interesting to me and the most difficult to even grasp, because I didn't grasp them. Chemistry and physics eluded me. Matter of fact I don't believe I took chemistry. Physics I made a stab at but I didn't quite get it. Later on, twice during college, I again took physics and was never able to successfully conclude the course. But the mathematics, algebra and the social sciences as well as . . . high marks on those. The language — the Latin was difficult but I'm glad I did it. And at least I knew what I was doing. Whereas in the course in physics I was never quite able to grasp what an ohm was, a unit. So inversely I'm saying social sciences with mathematics as a secondary.

Q: Do you recall any courses that you took in — I guess it might be called civics or political science in high school?

A: Well, I grouped those into the social sciences. I'm sure they weren't called — I'm sure it wasn't called political science. I think there probably was a civics course. It wasn't

taught very — it wasn't considered to be an important course. I'm sure I took it, probably got a good grade.

Q: You're indicating it might not have been much value to you later, having taken the course?

A: I don't — well I don't remember any formal structured courses on civics or political science at any time in my formal education. Anything on civics, political science, I learned informally, which is an indication that you never know where you're going to end up. I never took political science. I never took civics. I never took the class in legislation in law school, the course in legislation. So, you know, it's funny how you end up someplace.

Q: Were there any experiences that you had during the high school years that were of benefit to you in political work?

A: Why, I would have to say that the training in verbal communication or speech was of real value in being able to communicate publicly in the campaigns and in the sessions. It got you to — gave you experience of thinking on your feet. Very valuable, the ability to communicate.

Q: Were you involved in any way with the class structures? Were you a class officer at anytime during the . . .

A: No, no. I think maybe I ran for class office as maybe a freshman, was defeated.

Q: Did you put on a campaign of any sort at that time?

A: No. But I mean it was my idea to run. I got somebody to make the nomination for me, you know. As I remember, I'm going to say it was the freshman year, a female from the same grade school, St. Patrick's, also got herself to be nominated. She against myself, both from St. Patrick's, and she got more votes than I did. Became class president. I don't think I — I don't think I ran for any class office after that time. Didn't hold any office until much much later. It would be more in the fraternity structure during college.

Q: Did you do any particular work in support of any candidates for high school office?

A: No. No, I didn't. (pause) I don't remember the campaigns as being big — big campaigns. If they were big, I was unaware of it.

Q: Do you remember any particular significant feelings regarding regular politics at that time?

A: Well this would be 1937 through 1941. I was — I was a member of the Democratic party even though I was unable to vote at that time. I felt that the WPA [Works Progress Administration] was worthwhile and I remember one of the instructors looking out the window where these people were working tearing up some interurban rail tracks and replacing it with — replacing the roadway with a brick surface. You know, "Look at those workers. See that fellow leaning on his shovel," you know. That was the doctrine that came from this particular teacher. Like those people were loafing out there. That didn't do much for me. I thought that they were working. They were at least getting paid. They were not at home. Didn't — the thought didn't hit me then but it does now, they were working just as hard as the instructor who was tearing them down. You know, taking the money from the same public dole. So that — but that's, you know — that thought didn't come to me. But so — so I was a Democrat and believed in the WPA. Found out that life was more comfortable at our home during those years. There was plenty — plenty of food, no arguments about money, a car that my father had plus a used car for the kids.

Q: Did you take any active part in support of the Democratic party at that time?

A: Well, let's see, the next election that — I wasn't sophisticated enough to be involved in the off-year elections at that time. The last general was in 1936 and I had previously indicated to you that as a grade school student I took some part in that. In the 1940 election, which was Roosevelt vs. Willkie, I guess I was kind of out of that one, meaning I was in high school. I didn't — I didn't show — I didn't go down to the party headquarters and get the literature and pass it. I collected literature and talked it up and probably just on a one and one basis say that Roosevelt should have been reelected, you know, brought us out of the Depression, whatever.

Q: Did you have any particular targets when you were talking to people?

A: Mostly my peers. They of course would reflect what they heard at home. By that time World War II had started, September 1 of 1939. "Roosevelt, if we reelect him, he'll take us into war." That was the Republican doctrine. And our doctrine was that he's gotten us better than the depths of the Depression. I'd pretty much parrot that line. Believe it.

Q: Where were you on December 7, 1941?

A: I was at home. I was a senior in high school. No. No, I was out of high school. Yes, I was a freshman at the junior college, Lincoln College. December 7th of 1941, yes. I was at home. It was a Sunday. I remember going down to a place called Alvey's Drugstore where they had a coke fountain, talking to a fellow and listening to the radio about Pearl Harbor. The fellow was a fellow a year behind me in school, Dan Handlin, who was the son of the principal of the high school who is now a lawyer in Lincoln. And it just so happened that he and I there, we heard the announcement come over, and my recollection was that he and I both agreed that we'd better be prepared to go into service.

SESSION 2, TAPE 3, SIDE 2

Q: And did you make a decision to go in at that time?

A: Well, that day? No. We were both young. We were both about the same age. We were both 17. So we knew we wouldn't have to go right away. Speculated as to what would happen when we became 18. You know, just kind of had a feeling that once we became 18 next summer, you know — it would be the next summer for me — have to figure on going, and he felt the same way. He was, I think, maybe a month younger or a month older than I, or something like that. We didn't have to make — or I didn't have to make any moves at that time. By September — by September of 1942, when I was 18 years and 3 months, the 18-year-old draft was in then and I made arrangements to and did join the army.

Q: So you had finished one year of college at Lincoln College, then, at that time?

A: Yes.

Q: What courses were you taking at Lincoln College that freshman year?

A: College algebra, a history course, whether it was — maybe two history courses, one United States, the other world, sociology, two accounting courses — accounting I and II — algebra — college algebra, if I haven't mentioned it, and then the second semester was college trigonometry.

Q: Did you have any particular idea of the direction you were going with your college education?

A: Yes, I thought that I would be a civil engineer.

Q: Why were you interested in that particular field?

A: Well, the algebra and that part came easy to me. Civil engineer looked to me like a much better job than the guy that was digging the ditch. You know, he just had to carry the . . .

Q: Surveying equipment.

A: Yes, and the chain and so forth. Looked, you know, less — less hard work.

Q: Had you had any experience at that type work at all during your high school years?

A: No, but I guess I had known people that were chain people and surveyors. That always looked to me like a better job than scrubbing the lobby of the Arcade Building. It looked — looked like a better job. And I had heard reports of how the pay was good, maybe the person I was talking about was employed by the county superintendent of highways. And instead of getting 25 cents an hour, maybe this fellow on the chain gang was getting 75 cents an hour or a dollar, you know. And I thought that would be a pretty good way to make a living. You would be outside and, you know, doing this and doing that.

Q: Do you recall talking that over with your father as a direction to go?

A: (pause) I remember him telling me that he thought I ought to be a lawyer. And I told him that I didn't know anything about the law but that I did know something about mathematics, algebra and engineering, you know, at least the concept. I didn't know what lawyers did. He backed off. There really wasn't all that much to argue about because they didn't have a law school at Lincoln College. But I remember him, starting — starting fairly early, like when I was a senior in high school and continuing on until I went to law school. He was always pushing for law school, extolling as its virtue longevity amongst the lawyers. They all live long which, you know, he translated into meaning they didn't have to work physically very hard or at too fast a pace.

Q: What was your mother's thought on the matter?

A: She let him try to provide leadership. All she did was make certain I got good grades on whatever course I took.

Q: You continued to live at home during this time.

A: Yes.

Q: How far was Lincoln College from your home, how many blocks?

A: Oh, a mile, a mile and a quarter — 12, 14 blocks, something like that.

Q: Were you involved with athletics at Lincoln College?

A: Well they only had one sport and that was a basketball team. I was on the second team. Much smaller enrollment. I was able to make the traveling squad. Got to play once in awhile.

Q: What kind of schools did you play, what other schools?

A: Springfield Junior College; Blackburn at Carlinville; Eureka College at Eureka, Illinois; Quincy College, the 4-year Catholic school. So we played the small 4-year schools as well

as other junior colleges such as Springfield. I don't think we played Danville. I remember the Quincy trip and Eureka, Springfield, Blackburn, that was a big one.

Q: Do you remember any particular incidents of the games?

A: Oh . . . nothing, nothing really to — I remember defeating Eureka at — at Lincoln which was a big thing that we as a junior college had defeated a 4-year school. That was about all, you know, no big deal.

Q: And that was the only sport they had there at . . .

A: Yes.

Q: Did they have a debate team at Lincoln College?

A: (pause) Yes. (pause) The details of it are fuzzy, but there was some sort of a structured debate thing where I participated. But it was, you know, it only had — it was only a couple of times, once was in Chicago and — maybe twice in Chicago. It wasn't — I don't even remember the circumstances surrounding it except the president of the university took another fellow and myself up there. And we were either the team or else we competed individually in something. I don't have vivid recollections like the high school activities, nor was it structured.

Q: Which teacher in college do you remember most vividly?

A: Well the basketball coach, a man by the name of Balof. He was the basketball coach as well as the college algebra, mathematics instructor. Like I took from him algebra, trigonometry, analytical geometry. He was very good, fine teacher. His wife was also on the faculty. She taught history and sociology. They were both very good. But he was a very good teacher and very fine in his logic and his way of getting things done. I would even contact him later on after I got out in the practice of law in case I wanted to prove something like the present value of some money. I'd — it kind of escaped me how to discount the value of \$10,000, 3 years from now, what the present value was, and then how to prove the present value of future loss of earnings. Take a person who was either killed or totally disabled to try to prove through a mathematical formula the present value of future earnings, and I would call up Coach Balof or write to him. If I wrote to him, I would pose the question and he'd send me back the answer.

Q: Do you think your accounting experience and mathematics experience were then of great value later on?

A: Yes, yes.

Q: What did you do during the summer of 1942?

A: Oh, I worked at Illiopolis at the construction of the ordinance plant.

Q: What did you do, what type of work?

A: Well I was a laborer.

Q: You hadn't quite gotten to the chain gang yet, then?

A: No, a laborer. I — hard work. Got paid a dollar an hour for the first 40 hours, a dollar and a half for anything over 40 hours, and I was able to get 70 hours a week, maybe it was 60 hours a week. The check came out to 85 dollars minus some

deductions. So . . . maybe it was 10 hours a day, 6 days a week. I think that's the way it came out. Had one day off, maybe Sunday. Hard work. Wheeled concrete.

Q: This was building the munitions plant there?

A: Yes, yes.

Q: Did many people from Lincoln work on that project?

A: Oh, yes.

Q: When did you leave that job?

A: Oh, I — I can't give you a precise date. It was sometime, I'd say, in August. Worked — I worked 8, 9 weeks.

Q: Why did you leave it then in August?

A: Getting — in anticipation for going back to college.

Q: Was the draft about to catch you at that time?

A: Yes.

Q: What did you do about that?

A: Well I signed up in what was known as an enlisted reserve corps with the army. And as a member of the enlisted reserve corp, you were a member of the army not subject to draft. But they let — said stay — and stay in college until we need you, which I did. Stayed in there during the second year for a semester. Then we got a call in the — January that we'd have to report for active duty, that would be January of 1943. So we went.

Q: Where did you go?

A: Fort Sheridan.

Q: What did you do when you got to Fort Sheridan?

A: Well you know got the uniforms and the shots and took the "A" test, the aptitude test and so forth. Stayed around there for awhile, ultimately sent to — I was sent down to Keesler Field, Mississippi, for basic training.

Q: Where were you at Keesler Field, in tent city or in the barracks by that time?

A: I was — lived in a hangar for awhile and then went to a hut, a hut meaning, maybe, 16 people.

Q: Was this a tent sort of thing?

A: No, no. It was a frame construction with tar paper . . .

Q: I see.

A: . . . as a siding. Lived in the hangar for awhile, you know, maybe several thousand of us. Then to the hut. And finished my basic training at the hut, and then when — was

shipped out to Salt Lake City to the air base out there and then went into — went into a barrack out there.

Q: That was Hill Air Force Base?

A: No, it was the Salt Lake City Airport — Army Air Force Base. Hill Field was around someplace. But we were right next to the — used the same landing strip as the commercial landing strip. But Hill was someplace, and then there was another place up at Provo, to the north. I never visited Hill.

Q: What did you do there at Salt Lake City?

A: I was assigned — I was assigned as a clerk, had an easy job. Was a clerk in the barracks, typed up a daily report, all that sort of good stuff. That was my job.

Q: This was in the Air Corps, then?

A: It was. I — whether or not I was assigned to the quartermasters, it kind of escapes me. I think they did. I think — I know when they said, "Well you can be our clerk here." You know, I think, "Anybody know how to type?" I raised my hand, you know. And so I got, you know, that job. But we were on hold. And then later on the provisions of this enlisted reserve corps came along. And they caught back up with us and sent us around to some college.

Q: Where did you go?

A: I went to Santa Rosa Junior College in Santa Rosa, California.

Q: What did you do there?

A: I went to college, played in the band.

Q: Did you resume your studies as at Lincoln College then?

A: Whatever they offered, you know. I was in a uniform, getting paid \$43.50 a month, you know, \$50. And took out the \$6.50 for the insurance and \$1.50 for the laundry, whatever it was, \$42, I guess. Went to — went to school at Santa Rosa Junior College, was a student. We formed our band. Later on, for one reason or another, I got transferred to the University of Kansas.

Q: Were you able to complete a semester there at Santa Rosa?

A: I don't remember if it was a semester or how it was. I don't know that I got grades. I'm inclined to think I didn't. I was there for awhile and then we got an order that some of us were to go to the University of Kansas. I guess what they were doing was spreading us around to what schools needed us, you know, to fill some seats.

Q: This was at Lawrence, Kansas?

A: Yes, right.

Q: Did you get credit for the work there?

A: Yes.

Q: How long were you there?

A: Not very long. (pause) I had a . . . aggravation of a preexisting condition involving — involving my left leg which was a vascular type of problem or a blood clot. Sometime in 1944, after I'd been at Kansas for awhile, the doctors picked that up and took me up to Fort Leavenworth and gave me a CDD, an honorable discharge, certificate of disability. They didn't — I — as I look at it now, they didn't want to fool around with that condition from a liability standpoint. I mean, that's the way in which I read them now. They — they didn't want to — what the leg would do, would be on extended use it would swell because of this condition. And they — I remember the doctor saying, "We" — he said, "Well we think we can get along without you," you know. So I got my honorable discharge.

Q: What were your feelings at that time?

A: I was glad to get out. Damn glad to get out. Happy to get out. Very very happy day. Extremely happy. From that — that day that I got my discharge was the happiest day up until . . . thirty years. It surpassed my feelings on getting married or the birth of my first or second child.

Q: You received your discharge, then, at Fort Leavenworth.

A: Yes.

Q: And you came on back to Lincoln at that time, did you?

A: Yes.

Q: Did you have any credits at all from the University of Kansas that were transferable back to school here?

A: Well, they had a system when I went the year earlier. It ended up they gave me full credit for 2 years from Lincoln College. You know, even though that maybe I hadn't completed the courses.

Q: Now they was who in this case?

A: The university — or the Lincoln College administration decision. Their decision was we'll either give you your tuition back or else give you credit — or half your tuition back. I took the credit. They kept the tuition. (laughs)

Q: See, now this was in the spring of 1944, was it?

A: When I got out?

Q: Yes.

A: Yes.

Q: And you came back to Lincoln College and received credit for 2 years.

A: No, I had that even before — when I was in the army I got a little — they sent me out at Salt Lake, I was out there, sent me a diploma. I was at Salt Lake and got a diploma from them.

Q: How many credit hours did you have at that time?

A: I think 60 or 62 or something like that, whatever 2 years would be, maybe 65, I don't know.

Q: So then when did you arrive home from Fort Leavenworth?

A: Sometime in the spring. I don't remember when.

Q: Did you have anything definite in mind as to what you would do at that time?

A: (pause) Well I went up to Chicago, which is a big city, and looked around and got a job with the United States Army Department of Engineers in the Merchandise Mart as a sort of an accountant, or as a clerk. Filled out the form and I had my veteran's preference and this and that and they put me to work. But after about a month or 6 weeks of that I could see that that wasn't what I wanted to do for the rest of my life. I made inquiry at the University of Illinois College of Law as to about getting in. The reply came back that if I wanted to come in the summer of 1944 they'd take me right in, which I did. Went down there in June of 1944.

Q: This was to Champaign-Urbana?

A: Champaign-Urbana. They were operating on three semesters a year and they were looking for students. My grade point was good enough and they made some waivers, you know. Took me right in. We'll call that June, 1944, and I went straight through until September of 1946, finished.

Q: What was the law school like?

A: Well it was in one building called Altgeld Hall. Had decreased enrollment. There were three classes, you know. We got there, a few early returnees like myself that — coming in. But a full faculty. We had, you know, like the year of 1944-1945, the instruction was more specialized than the next year, 1945-1946. In 1945-1946, classes got crowded. Had to move into — you know, they had more classes in larger rooms and so forth. A little community, you know. You knew everybody. Ate meals with them, played cards with them, studied together, whatever.

Q: Did you find the courses difficult?

A: First semester, summer of 1944, it seemed a little — seemed difficult. But after I took my first examinations I was encouraged by the faculty. And they continued to encourage me. So that at the end of three semesters, which is halfway through law school, pretty well decided by then that I was going to be successful. You get into it that far, you know, the last half is downhill. So it's like anything else when you first go into it, it's tough, you're into a brand new world. Then it gets easier as you go along.

Q: Which of the instructors do you remember most specifically?

A: (pause) Well . . . I guess Meryl Schneibley. I think I took more courses from him than anybody else and they were extremely difficult courses. I remember a lot of the instructors, you know. I remember — I could tick them off — Britton, Sullivan, Weisiger, Gobel, Holt, Schneibley that I mentioned, McCaskall. That's seven. That's — that's a pretty good load.

Q: Yes sir. (chuckles) What do you remember particularly about Professor Schneibley?

A: Marveled at how good he was, the way in which he ran a class. How fair he was and devoted, you know, to his course. Fairness, I suppose. And the way he ran it.

Q: Was he the type of professor we see on television in law school in New England or wherever it is, Harvard or Yale?

A: No, I think — this fellow was more like a — well he was dealing in an absolute. It's — his field was real property, which is an easy course for him to teach because he would

deal absolutely. You're either right or wrong. In many courses in law school there is no right or wrong. But his specialty of property, you either have the — you either own it or you don't. And you either have a future interest or you don't. And if you have a future interest, it's either a vested remainder or a contingent remainder or an executory limitation or something. So that, you know, for his temperament, he could deal in absolutes whereas some of the other fellows didn't quite have that luxury.

Professor Holt dealt in conflicts of law. Well, you know, that's real nebulous because, you know, what do you do when Ohio says the law is this and Nevada says the law is that and you've got no way or form deciding that. You know, it's never never land. And international law, comity, you know, well those — it's a different type of fellow, you know.

And Britton dealt in bills and notes or negotiable instruments, which was pretty well established, crisp stuff. You could dig into him because it was an absolute. You know, the check, it was either honored or dishonored. The endorsement was valid or invalid, you know. Not too much borderline. Whereas Weisiger was in negligence and torts and, you know, you'd balance things there. Negligence, contributory negligence.

And the professor in equity, who was McCaskall or maybe Holt, that's always a judgment call. There is nothing you can really read on it. You do what's right. Well that's a judgment call. So I mentioned that the professors impressed me differently because of the courses which they taught. And I'm sure they picked out the courses of their specialty because of the type of person they were.

Q: Did you feel it was a good school?

A: Yes.

Q: Did the study habits that your mother had been instilling in you continue on into law school?

A: Oh, I'm sure they, you know, had a lot to do with my successful passing of the examinations, yes. The habit specifically of not falling too far behind so that you wouldn't have to cram and crash, you know. Oh, you still would have to do something, but if you keep a regular habit . . . Yes, it helped.

Q: Where did you live while you were over there?

A: I lived at a social fraternity called Phi Delta Theta, nice place.

Q: How did you come to join that fraternity?

A: Well, there were 3 or 4 fellows that were trying to open the house up in the summer of 1944 and I got acquainted with them and they asked me to join them. I reached an understanding with them that I wouldn't have to go through the demeaning aspects of being a pledge, you know. I'd do what I'd want to, but I wasn't going in there . . . I mean, you know, it's a question of you needing me, and I want to pay my load and this would be a nice place to live, but I mean, you know, I don't want to be a freshman in college and go through a pledge, you know. And they agreed to that.

Q: How soon were you pledged with them?

A: Well I pledged right away. They — besides, it was in the summer. They were trying to get the house opened up. There was 4 or 5 of them. Had no meal service. They just pledged me, you know. After the summer was over, gave me a little initiation ceremony. (laughs)

Q: Was that a secret ceremony?

A: Yes, yes. I think they went through that.

Q: So you moved into the fraternity house, then, at the beginning of the fall semester?

A: Yes, yes.

Q: And you stayed there then all the rest of the time?

A: All the rest of the time I was in — at school.

Q: Did you become a leader in the chapter there?

A: Well I became the treasurer. As treasurer I got a separate room, I prepared the bills and sent them out, paid the bills of the providers once we got the meal service going, paid payroll. Did all that sort of business in return for which I didn't have to pay for my room or board. All I had to pay was dues, which would be like \$7.50 a month.

SESSION 2, TAPE 4, SIDE 1

A: I was reelected as treasurer, served as treasurer until I quit. Other people were presidents and so forth, but I was doing a good job as treasurer and they allowed me to stay.

Q: When did you get started with football over there?

A: In the — in the summer of 1945. The fellows that, you know, had asked me to come in, two of them were football players. In fact they wanted me to play in 1944, but I didn't feel — I didn't feel strong enough physically. I mean my leg, still had a little problem with it, you know. I just didn't feel I could — I didn't feel that secure with my class — with law school. I just finished one semester, you know.

But they had a good time. And in the summer football training would open the first of August and school actually wouldn't open until the first of October. Well there was a couple of months there where you could get in shape, you know, get in training, have good food. I saw all of that in the summer of 1944. And so in the summer of 1945 . . . Perkins was a — Clyde Perkins, he was second string quarterback, and he says, "Why don't you come out?" And I said, "Okay." So, he introduced me to Elliot, Ray Elliot. Ray gave me — suited me up. He was looking for anybody that had any size, you know. In fact Elliot had approached me a year before that. Saw me walking around the campus and asked me my name, wanted to know if I'd play. I was just — I had enough size. "Please come out." Got along with him all right there.

After a couple of weeks I got promoted to the training table, and that meant you got three free meals a day. That was what — what I wanted. Thirty-six people on the training table, and 36 people were on the traveling squad. And that was — that was my highest ambition; that's what I wanted. A lot of good experiences there, pleasant experiences. You know, work out every night, clean up, shower and go over to the training table which was in the ice rink, get fed well, go on about your merry way.

Q: Did it interfere in any way with your studies?

A: No, because, see, I was — I was in my second half of law school by then, starting to go downhill. It interfered a little bit, but not really, because I had had the hard part. I had the first half of law school out of the way. Matter of fact it was more than that. By

the time October came around I had 4 semesters out of the way, and I only had 2 semesters left to go. There was no problem there.

Q: Do you remember any particular games that you played in?

A: Well, I didn't get to play that much. The biggest game was, that year, was against Indiana who were national champions. They just beat us one touchdown. And . . .

Q: Did you play during that game?

A: I didn't get to play. It was too close. I was dressed, you know. Played before the game, during the half.

Q: Which games did you play in?

A: Well, I got to play in Pittsburgh, which we won, and Iowa. I believe those are the only two games I got in.

Q: What position were you playing?

A: Fullback.

Q: Do you remember any specific plays in either of those two games that were of particular value to the team?

A: Well Iowa was one way. I got to carry the ball twice, made 13 yards in 2 attempts. And the standard — the funny thing is that when the statistics were published at the end of that year for the Big Ten, maybe for the nation — I think it's the Big Ten, yes, it was the Big Ten, they started off at the top, and somebody showed it to me — I was the 7th leading rusher in the Big Ten that year. Had 2 attempts and gained 13 yards for an average of 6.5 yards per try. (laughter)

Q: Well. It's a good way to make a record.

A: Yes. And I — this guy Perkins, he says, "Hey, I want to show you what you did this year." (laughter) Seventh leading ground gainer in the Big Ten, you know. That's . . .

Q: Did you play again in 1946 . . .

A: No.

Q: . . . or had you graduated by that time?

A: Well, I had graduated but I wouldn't — had I not graduated I wouldn't have played anyway because the talent was all back and it was the 1946 team then that went to the Rose Bowl. Very few fellows from the 1945 team made it on to 1946.

Q: What do you think you gained from playing football while you were there?

A: Well . . . the immediate gain was physical conditioning, free meals, doing something that I had wanted to do for gratification, you know, for . . . A particular interest was observing how college football worked and listening to the pep talk of the coach the night before a game, and seeing the roar of the crowd, where the other players came from and how they got there, what their educational goals were, what sort of grant-in-aids they got, you know, scholarships and so forth, a little bit of teamwork.

I think really, retrospectively, you know, you — I played an awful lot of football. I played Monday, Tuesday, Wednesday, and Thursday every week. Play against the first team every

week, four days a week, you know. Played an awful lot of football. Didn't — not in front of people, but — you learn a little bit about teamwork. When we were defending against the first team, you know, I'd be — being — be — as a fullback I was a linebacker. I'd have to work carefully with the ends and the tackles. Learn a little bit about that, both defense and offense. I'd say those — that's what I learned and gained from it. I felt very fortunate now, retrospectively, that I wasn't injured seriously.

Q: What other activities did you have over there at the University of Illinois?

A: Well strangely enough, for want of something better to do — I think it was in the summer of 1944 or the fall of 1944 — they had a little theater group over there, so I was looking for something to do, went down and they put me on one of their plays which, you know, was a nice extracurricular activity. We prepared for it and had a run of two or three days, whatever the run was. So the — then we had intramural sports, both basketball, wrestling. General fraternity life which was great accommodations for sleeping and excellent food.

Q: What about social activities?

A: Oh sure, whatever — whatever was going on. That would be, you know, surrounding structured events at the school, dances and parties as well as the drinking the beer down at Bidwell's or wherever, you know.

Q: And you graduated from there in what year then?

A: I was graduated from — in — I think it was September of 1946. Yes, it was.

Q: So you finished in a summer term as you started, then, in a summer term.

A: Yes. It was actually seven semesters. Had a little overlap there.

Q: Were you involved in any type of debate team at the university?

A: No, no. The only thing would be that one dramatic performance.

SESSION 3, TAPE 5, SIDE 1

Q: Okay, we got you graduated from law school last time. I'd like to go into the period following law school then. Where did you prepare for the bar exam?

A: At the Champaign bar review course that a fellow by the name of Cap Gore put on.

Q: What kind of course was that?

A: It was a cram course where you reviewed your 3 years of legal education as well as some other areas that might be on a bar examination. And I think it took something like 6 weeks. And it was an intense type of study where you, during the 6-week period, completed a complete review of everything that you could anticipate for the bar examination. And within a week or so following the completion of the course you wrote the bar.

Q: What did you do during the course, study cases or questions that were expected to be on the exam or what?

A: I — my recollection was that they were long sessions, all day long, in the bar review course. And it was the — I think you just answered the questions that were asked all day

long for maybe 5 or 6 — at least 5 days a week. There wasn't really too much studying to do because you had done all that in your law school. This was a — the work was in the course itself.

Q: And he presented questions that you anticipated — or he anticipated would be on the . . .

A: Yes, yes. And it would be like from, oh, early in the morning, 8:30 or so until 5 at night. Real real tough work. So that when you finished a day like that there was no time for any homework or any study. You just continued on.

Q: What type person was Cap Gore?

A: He was — he had an assistant and he was white-haired. I think this was one of his areas of specialty and he probably made a substantial amount of his income off of it. And he was just a person that knew how to prepare you for the bar examination. He — he had a set plan and you could see it in operation. And when you finished with him, you were ready to take the course — ready to take the exam.

Q: Was he associated with the law school there at the University of Illinois?

A: No, no, no. I think he was just a lawyer. Maybe — I don't know that he did all that much practice. It may be that he had — that he preferred to work just a couple of times a year and socialize the rest of the year, if my recollection is there. He wasn't a court room lawyer. I think maybe he made all of his income off that course. Did it a couple of times a year and it took care of his needs for the whole year.

Q: I see, yes. Yes, he must have been at this for quite some time.

A: I think so. I think so.

Q: Do you think it was good preparation for the bar exam?

A: Yes, yes.

Q: Where did you take the bar exam?

A: At Northwestern University in downtown Chicago. That's on East Chicago Avenue. That's the law school. Right at the lake on East Chicago. I remember getting a seat assigned to me and writing the examination in that building. I think it took — I think it took 3 days, may have only taken 2 days. Be morning and afternoon segments. And you were only allowed so much time. Took no more than 3 days.

Q: Did you feel it was a difficult examination?

A: I felt that I was answering all questions in a good, passing manner, if not better. I felt confident as I wrote the examination. A good time to feel confident.

Q: Yes sir. How soon after you finished the exam did you find out whether you had passed or not?

A: About 6 weeks, 7 weeks. I remember the occasion of receiving notification. If you passed there was a thick envelope because it — there was some paperwork that had to be done. You had to take a form to a member of the character and fitness segment of the Bar Association who — and the lawyer on that committee would interview you and make a judgment as to whether or not you were of the character to be a member of the bar. And that would be in the thick envelope as well as maybe some other type of a form to fill out

as to how you wanted your name on the license, maybe — maybe a fee. (laughs) Whereas if you had failed, there would just be a thin card in there that you failed the examination. So the thick envelope meant you had passed and the thin one meant you had failed.

I was working on one of the buildings downtown, early in December, trying to catch up some last work and moving some bricks around. I worked — I don't know — 5 or 6 weeks for my father in the form of manual labor. I think I called my home that day to see if the mail had arrived. My mother said, "Yes." And she said, "An envelope from the bar exam just came." I said, "Good. Is it a thick one or a thin one?" She says, "A thick one." I put down my — took my gloves off and put my shovel down or whatever it was I was using, went out and looked it over. And told my father about it. And retired from the work — retired from manual labor.

Q: Well. At that moment. (laughter)

A: Yes. That was — that was my retirement.

Q: You evidently had gone home after the bar exam, then, to await the outcome?

A: Yes.

Q: I note that you became involved with two or three companies during the years there shortly after you had gotten home, the Arcade Loan Company, for example, and Lincoln Speedway. Do you recall any particular reason for getting involved with certain ventures there?

A: Well the Arcade Loan Company was a family ownership. It was a — my father had owned a loan license and we deemed it desirable to put it into a corporate form. And we called that the Arcade Loan Company. I was the attorney for it and we hired a first cousin of mine, Dick Hayes, to be the manager of the company. That way it divested my father of the responsibility.

Lincoln Speedway was just a little different. I was looking for a business opportunity and Lincoln Speedway was in place. There was maybe 10 people in the ownership but they — their business was running stock car races on Sunday night. I was the attorney for this group. Did some book work and did their income tax preparation. And the largest shareholder approached me because he was going to buy out some of the others. He stated that he thought, well, he was going to need a lawyer anyway, so why not have a lawyer financially interested in it. And I thought, well, why not, I — at least I've seen the performance, I know what it is. So he purchased $\frac{3}{4}$ of the shares and I purchased $\frac{1}{4}$ of the shares. And it worked — we had that for — oh, I don't know — 8 or 9 years. It was a profitable operation.

Q: You say it was stock car racing.

A: Yes.

Q: Where was the racecourse located in Lincoln?

A: It was located on the west side of Lincoln, close to the fairgrounds. The original organizers of the company — it was organized in 1948 — built the grandstand. Spent — I don't know — \$60,000 on the grandstand. The races would run once a week on Sunday night. It was — it was profitable. The thing that I kept feeling inside of me was what am I doing working Sunday as well as the other 6 days, you know. But . . .

Q: What type of work did you do with it on Sunday?

A: Well, I watched the back gate. There was two gates. The other partner, he and his family kind of watched the front gate, sold the tickets and so forth. I watched the back gate where the drivers came in. Then there would be, you know, a division of the purse. It was a — I think our arrangement generally was that half of the income went for the drivers' purse. That had to be done. And I'd usually bank the money, count it, get it all done. I think I held the title of secretary-treasurer and issued the payroll checks. It — it took some time.

Q: When you graduated from law school you had planned to go back to Lincoln I guess. Had you given any thought to going anyplace else to practice law?

A: (pause) Well I was wide open. I, you know, could have gone anyplace. I was — I thought I'd start in Lincoln just to see what it was like. My father wanted me there. Gave me, at a low rent, a good office space in a building, the Arcade Building, right across from the courthouse. I didn't know any other place that I wanted to go at that time.

I guess I thought a little bit about associating myself with some existing lawyer. But that didn't really go too far. The lawyers in Lincoln at that time — I think it still is the case — pretty much family operations. Miller and Miller is a firm where there is a fourth generation Miller in there. There's no — never been anybody else. Harris and Harris is a fourth generation Harris firm. There has never been anybody else. So . . . because my father had the building and I — there was nothing I could lose on it right across from the courthouse. The rent was reasonable. In fact I was on a retainer from him for as much as the rent was, so I couldn't lose anything on it. I just decided to try it.

Q: Did you approach any of these other law firms or did they approach you to . . .

A: Well I think I approached them for advice. And they knew that, you know, that I was coming in. And if any of them wanted me they would have asked me. Some of them did make a pass through my father. And I wasn't interested in the ones that made the pass. So I just — just decided to start out on my own, which I did.

Q: What did you do? What type of law did you start out with?

A: Well I started out with trying to do income tax returns for individuals, small businessmen, which would include farmers as well as being individuals. Got quite a bit of business. It was a fairly new field that some of the older lawyers didn't want to fool with. You have to remember that this was in 1940 — well, it was for the year of 1946. The income tax really affected only people 4 or 5 years from the war, from 1941 on. And there weren't any new lawyers around. So — and H&R Block hadn't seen this thing. So, a young lawyer, he let it be known that he would do income tax returns for . . . a farmer would be the prime example or a businessman who had some depreciation items. You know, they'd beat a path to your door because they — a lot of them didn't want to keep a depreciation schedule. And then when the sale of the farm implement would come up that you'd have a capital gain and items like that, that was just a little bit foreign to the farmer so . . . Able to attract quite a bit of business along those lines. That led to other business.

Q: What type of work did you do in the courthouse?

A: I was able to get some estates rather quickly from these families that would come to me with their income tax returns. And then I would get some divorce work. And I'd get some landlord and tenant problems. Some criminal work. People accused of a crime, they are always looking for lawyers. And I was a new one on the block and they'd find me. (pause) And get a little bit of injury work.

So up in the circuit court, there would be divorce and injury. And in the county court, there would be probate and what I'm just going to call small claims, smaller matters, and then

criminal would be in the circuit court as well as in the county court depending upon the degree of the charge.

Q: Let's see, how long did you maintain that law firm then in Lincoln?

A: Well I stayed in the same location there from 1947 until 1966, 19 years.

Q: Till you moved here, then.

A: Yes. But there was a big change in my method of operation when I decided in 1954 to run for the legislature. It meant I was no longer a full-time lawyer. I had had 7 years of practice there and I wanted something else.

Q: Did you ever think of taking in a partner during that period of time?

A: Well, I had — I had a couple of young fellows come in on what appeared to be a partnership basis. John McCullough came in the office. He's a circuit judge up there now. We operated under the style of McCarthy and McCullough. And then after he was elevated to the bench, won an election, I had a fellow by the name of Paul Knapp come in. And he stayed there after I left. He went someplace else. Yes, I — I had those two fellows come in. And I had explored office sharing with other people, but . . . a town the size of Lincoln and just because of the prevailing practice there, it was pretty much individual practitioners or family. There wasn't a legitimate multimember group that practiced all the time I was there. There is now one. That's been a recent development.

Q: When did you first start getting involved in politics there?

A: Well I was a Democrat, voted in the 1948 election, which was the election that Truman won. And Stevenson won as governor in Illinois. And the local Democrats were looking for somebody to bring along, you know, in the party. And they knew I was a Democrat. And when Stevenson was governor, he had to make some appointments for public administrators and public guardians in each of the counties in the state of Illinois. The office of public administrator at that time generally had the function that if a person died without a designated executor and a will, or without heirs located in the state of Illinois, that the public administrator had a right to administer the estate.

Similarly with a guardian on a minor. That if their — you know, you just ended up with a minor in the estate in the county, and there was an orphan's home there, who came across some unexpected money and needed someone to be a guardian, the public guardian stepped in after the natural heirs.

Also on a conservator. Although I don't believe I was a public conservator. That — they may have just forgotten to do that.

But Stevenson, at the request of the local Democrats, named me the public administrator and public guardian. It kind of unfolds later on there because I had quite a bit of legislative notoriety back in 1957 when I stripped the public administrator of his powers. Having a little experience as to what the job was gave me an insight as to the inequities that existed that the . . .

Q: What were some of the inequities that were involved?

A: Well, at that time if an ancestor died in Logan County or Cook County or any county, leaving some descendants at the state line over in Indiana or Missouri or Iowa or Wisconsin, they couldn't come in and administer the assets of their ancestor's estate. They were stopped at the state line. And the public administrator was the one that could make cozy arrangements with the funeral homes. And the funeral homes, I soon found out who they

were, you know. They — they always had their bill. And they'd tell me about who died because they wanted the estate probated so they could get their bill. The public administrator could make arrangements for an expensive funeral. He then, if the debts were more than the liquid cash was, he could file a petition to sell real estate and sell the real estate off on friendly or unfriendly terms. And if the out-of-state heir was stopped at the state line, he'd be powerless to object, you know, from a practical matter. Come in and object to the court, but that would be expensive and the judge, you know, maybe wouldn't listen to him.

So, the public administrator received a fee just like any administrator would receive a fee. And the only place where it was really worthwhile was in Cook County. It was estimated that that job was worth \$100,000 a year in Cook County because there were that many people that died in Cook leaving heirs over in foreign countries or someplace, you know. The amount that it was worth in Logan County wasn't anything close to that. I imagine I would make maybe \$1,000 a year off of fees. Never had a great big estate. If it was a great big estate, the person would take care of it by will and name somebody. Just never did have a big one.

Q: I've forgotten the name of an individual in Chicago about the time you introduced the bill that evidently there was some scandal involved with that . . . McCluskey was it or . . . Well I can't recall . . .

A: The fellow in Chicago who was a public administrator was Charles Fleck. And he had — he was a public administrator and there was some question as to whether or not he had sold real estate for its fair market value or whether he had sold it at a bargain to a crony. And if it wasn't Charlie it was his predecessor or someone else that the question was raised. I don't — my recollection isn't absolute. Except that this was . . . this was an area where there was really only one side to it and that was, you know, do you give the rights to the natural children to administer their parents' estate even though that natural child happens to be on the wrong side of the Indiana-Illinois borderline. Pretty simple question. That is, you do it. People were becoming more mobile in their standard of living and so forth.

I know that — oh, some people in Logan County that had money would come to me and try to work out some way by will that they could get their son who lived in Texas to handle their estate. And we'd have to, you know, connive and figure around and draw some complicated arrangement. Maybe pick out a resident executor who, you know, would be acceptable.

Once we started with our reform legislation that all became easier. And now the out-of-state heir, I think, even has the right to serve, so that the public administrator's job is pretty well gone.

Q: What brought about your introducing this legislation?

A: Oh, just a simple, you know, equity of the thing. That you look and you say, "Hey, how can I correct the situation." As I say, I had many of these people. I remember Charles Schmitz from Beason was one of them who came in. We had to convolute some sort of a will because his son and his daughter — his children lived outside of the state of Illinois. And we just thought, you know, why does he have to go through this charade or through this device in order to get the property handled the way he wants it? And there were others. So here was an opportunity to just pass a simple law.

And all it provided was the out-of-state heir had the right to nominate someone in Illinois to be the administrator of the estate. Like if your father died in Illinois and you lived in Indiana, and you knew Charlie Jones the local banker and you wanted him to do it, this would allow you to come in and nominate to the court that Charlie Jones, the local banker

who you trusted, wisely or unwisely, to be the administrator of your father's estate as opposed to the politically appointed public administrator.

Q: How did you go about drafting that bill? Did you do it yourself or . . .

A: No, I went to the Legislative Reference Bureau which was a — and still is — an adjunct of the General Assembly. It's a service that we fund for us. And I told the fellow that was in charge what I wanted. And he wrote up an order just like, you know, be an order for anything, and pretty soon they delivered the product to me. This was the bill. That's the system that still prevails today.

Q: On that bill did you have any decision to make as to when to introduce it?

A: (pause) Well just introduce it as quickly as possible. Get it off your desk so that it doesn't get lost. That was probably the decision.

Q: Did you have any problem with it?

A: I called it for a hearing as quickly as I could. And there was a little bit of problem in the hearing. The public administrator in Cook County caught it and one of the Cook County men made a little objection to the committee which was a tip-off that there would be a fight over it. But we cleared committee. And then on the floor, when I passed it the first time, there was just — I got it — I moved it as quickly as possible before there was too much work done against it. The opposition never really surfaced until Governor Stratton vetoed the bill. That meant that he had been contacted by the public administrator in opposition to the bill. And he vetoed it and then my decision then was whether or not to attempt to override his veto.

Decided we had plenty of time. It was early in May and I just moved that the bill pass the governor's veto to the contrary and notwithstanding. And had a vote in the House — incidentally, on my birthday in 1957 — and overrode his veto. Took two-thirds of those voting, no — two-thirds of those elected. We got that. I forget what that would be. Yes, it would be 118 votes. We got that. We got maybe 121.

Went over to the Senate with the same motion by the same . . . I think — I think David Davis from Bloomington was handling it for me. He was Republican. And he made the motion that the bill pass the governor veto to the contrary notwithstanding. It laid around for a couple of weeks and then . . . The newspapers were all on our side. Stratton didn't want to be embarrassed because no governor had had a veto overridden since early in the 1930's when Ben Adamowski had overridden a veto of Henry Horner. I think it had been 22 years or something like that since any governor had a bill overridden. So Stratton's pride was involved there. He was able to marshal enough support so that the veto override in the Senate failed. That meant that the proposed legislation was over.

Two years later I came right back in with the same bill, 1959, and didn't make any noise about it and said, "We all know what this bill is. We considered it 2 years ago." And it went through and the governor signed it. (laughter)

Q: In his veto now, would that have been a matter of Governor Stratton working with Mayor Daley at that time, making a decision to . . .

A: I don't think so. Although Mayor Daley probably would be interested in the office of public administrator. But because the governor makes the appointment, Charlie Fleck, a Republican, was Stratton's appointee in Cook. But the mayor could of course see that when and if a Democratic governor was elected, there's another plum he could give out.

So — but Daley, I watched what he did on the thing and he didn't do too much. He let it — he let it become law. He saw the basic equity of it. As much as he liked to handle

spoils, when it came to an issue like this, he thought that, well, that's one that shouldn't — maybe we ought to relinquish that one. Because I didn't see any — like Billy Clark, his majority leader, and Danny Rostenkowski who is in Washington now, they talked to me a little bit about the bill. I could tell that they were — you know, that the organization — they were organizational people, but Clark ended up voting for it and Rostenkowski was very quiet. So, you know.

Q: So it didn't become a burning issue then?

A: No, it wasn't, no. The mayor said — he decided that the proposed change in the law was worthwhile. And we finally got it and it's never been repealed.

Q: Do you think that had anything to do with Governor Stratton okaying it the second time around then?

A: Well I think he got such bad publicity from the newspapers because of his veto of a spoil system thing that he didn't want anymore to do with it. And that was the reason I was advised by Hugh Green, a former Speaker, Republican, as to how to handle it the second time around. He told me, "Be very quiet. Don't give any big speeches," you know. "If you want it passed, just say this is a bill we understand." He gave me good advice.

Q: Why would he give you good advice?

A: Well because he thought it was good legislation. I went to him and asked him for advice. So, you know, he gave me — I think you'll find most of those people over there, if you ask them for advice, they'll either not give you advice or give you best advice. They won't intentionally give you wrong advice. They're not that type of people.

SESSION 3, TAPE 5, SIDE 2

Q: Who were some of the county people that wanted you to get involved in politics there in Logan County?

A: Well Sam Keyes was interested. Sam was a grain dealer at that time and he had been a — he had been a Democratic candidate for state treasurer and got defeated in 1946, but active in the party. Jimmy Vaughn was a Coca Cola bottler and Budweiser distributor and he was a family friend, a Democrat. He encouraged — they were looking always for people to get new blood into a party.

Alois Feldman, who was the mayor of the city of Lincoln, he was interested in me. Wanted me to be corporation counsel, which I declined. City attorney, whatever, I declined that. I didn't want — I just didn't want it.

Dick Hayes, this cousin of mine that ran the Arcade Loan Company, was very much interested in politics. It was his . . . avocation. He was extremely interested all of his adult life in the Democratic party and of course I was his cousin and working together and so he helped me.

And there was a fellow by the name of Newt Snyder that was a lobbyist for the barbers and beauticians. And he was a Democrat. Part of his job as lobbyist for the barbers and beauticians was to negotiate contracts as to how much the barbers got paid at the Lincoln State School, which was an institution for the mentally retarded. And that was a reason why he was there. Because — I don't know how many barbers they had, but, you know, it was an organized craft.



ROBERT MCCARTHY (L IN REAR SEAT) WAVES TO THE LINCOLN, ILLINOIS, LABOR DAY CROWD DURING HIS FIRST CAMPAIGN FOR STATE REPRESENTATIVE IN 1954. OTHERS NOT IDENTIFIED.

"I finally decided I would have a feeling of more satisfaction being a lawmaker as opposed to practicing the law that was written by somebody else."



PAUL POWELL (C) PROVIDING HIS SUPPORT AT A WELDON, ILLINOIS, DEMOCRATIC GATHERING DURING THE 1962 CAMPAIGN. BEHIND HIM (L TO R) ARE DONALD PRINCE, CANDIDATE FOR SUPERINTENDENT OF PUBLIC INSTRUCTION; REPRESENTATIVE J. W. (BILL) SCOTT (D., BLOOMINGTON); SENATOR ROBERT MCCARTHY; AND RICHARD HAMICK, DE WITT COUNTY DEMOCRATIC COMMITTEE CHAIRMAN.

"Paul Powell, in my opinion, is just an authentic folk hero in Illinois."



MRS. ROBERT MCCARTHY SERVING TEA TO (L TO R) REPRESENTATIVE JOHN ALSUP (D., DECATUR) AND U.S. SENATOR PAUL DOUGLAS DURING A DEMOCRATIC FUNCTION HELD AT DECATUR'S HOTEL ORLANDO IN 1958.

Concerning Alsup: "You need some people that are quiet, listen to the argument and then use judgment on the vote. John was pretty much that way."

Concerning Douglas: "He voted his conviction and he resisted and fought the narrow selfish interests and was happy in doing it."



FAMILY SUPPORT IN THE 1964 CAMPAIGN

ABOVE: WITH DAUGHTER, DIANE; WIFE, MARY; AND SON, DOUGLAS.



WITH THE "M SQUAD" (L TO R) HIS WIFE, MARY; HIS TWO SISTERS, MAY MIGIELICZ AND FRANCES MCCORMICK.



SENATOR ROBERT MCCARTHY (L) AND ALAN DIXON WITH THEIR WIVES ON THE CAMPAIGN TRAIL IN 1970.

"I had met Dixon in Springfield in 1952, spent some time with him, bummed around with him . . . became a friend of his."



SENATOR ROBERT MCCARTHY (L) WITH MAYOR RICHARD DALEY (C) AND SENATOR CECIL PARTEE AT THE 1976 SENATE DINNER.

Concerning Daley: "In the 1970 election Daley changed his strategy and sent down articulate, smart, bright men. Before that, they were just merely almost a piece of the political machine."

Concerning ParTEE: "I knew Cecil ParTEE socially, personally, intimately, enjoyed his company from a personal standpoint as well as a legislative one. Cecil just--strong man, tough opponent."



ROBERT McCARTHY IN DECATUR, ILLINOIS, WITH ROSALYN CARTER (R) AND HIS DAUGHTER, DIANE, DURING HIS UNSUCCESSFUL 1976 CAMPAIGN.

"When I lost I was glad to take up my practice of law. It was the end of a--the end of a season."

And from there the list grew, but those would be some of the ones that — that evinced an interest that I met the profile of a new blood guy. So when I finally reached the decision myself to do something, I asked them to help.

Q: Was this a decision on your part or had they approached you?

A: To run for the legislature?

Q: No, to accept the Stevenson appointment for public administrator.

A: Well — well they — they wanted to give it to somebody. And so they asked me if I'd take it and I said, "Yes." So it was their decision, the Stevenson appointment, yes.

Q: Did you talk to Governor Stevenson at all about that appointment?

A: No, no.

Q: Did you know him at that time, had you met him?

A: No.

Q: When did you first meet Governor Stevenson?

A: Oh, 1952, when — when he was defeated for president, the night of the election in the Leland Hotel in Springfield. When — I maybe didn't even meet him, but he came into the room. I remember his little quote. He quoted Abraham Lincoln. He says — he says, "I'm too," you know, "much of a grown man to cry but it hurts too much to laugh," a quotation like that. Humphrey Bogart and Lauren Bacall were there that night.

Q: Oh, is that right?

A: Yes.

Q: Well. Did you get to know them at all?

A: Just met them at the party was all. And then later on I met Stevenson because he became a candidate for president the second time in 1956, and by that time I was in the legislative process. I'd say it was along about 1954 when I first — first met him.

Q: What did you think of Stevenson?

A: At that time he was — he looked glittering from an intelligentsia standpoint. Attractive from the concept of liberality. Keep in mind that I was only about 30 years old. And those attractions — what will attract a person at 30 may not be attractive later on.

Q: I see. In 1954, you say, you met him at that time?

A: I think so.

Q: You don't remember any specific occasions?

A: I remember one time talking to him on the train going from Chicago to Springfield. I'd say that was in 1955 though when he was trying to lay the groundwork for his renomination. That was — and he asked me if I had heard of any serious opposition to him in Illinois. I told him, "No." I had heard opposition to him but I didn't think it was serious. Met him on the train, talked to him there. And then later on in 1956, during the campaign, he came to Decatur for a rally at the Orlando Hotel and then we put on some

sort of a television production out at the station here which he played a role in it. And I never got to know him real well. Just in the — with reference to the campaign, his second campaign for the presidency.

Q: Now this same group that proposed you for the public administrator then proposed you for the legislature did they or did you . . .

A: Well, they came to me — funny how you get started. I've often said that, you know, there is no such thing as a draft; you know, that the draftee starts the draft movement. But with me there was some spontaneity. I think in the 1952 election I had several votes recorded — written in and recorded — for coroner. The Democrats didn't have a candidate and there was a vacancy. Later on some people told me they had written me in on a paper ballot to be the coroner of Logan County. And it — it made the newspaper. Like, you know, 8 or 9 votes, we'll say. And that caused some people to think, "Well, yes, that's all right. I don't know about coroner but, you know, he's a good Democrat, you know."

So they were looking for a candidate for county judge in 1954. This same group came to me. They said, "Now we want a candidate for county judge. How about you?" And by that time I had met Alan Dixon who had been elected in 1950 . . . maybe 1952. I forget what year. 1950, I think. I think he had been elected to the House of Representatives in 1950. And I had met him down in Springfield in 1952, spent some time with him, bummed around with him when he was up there as a state representative. Became a friend of his. And when they came around on the county judge thing I — he had mentioned to me something about conceivably running and joining him in the House. I told them, I said, "No, I wasn't interested in county judge but I would be interested in being a legislator." And so that was a return of their offer. I said, "Not that, but I'll run for state representative."

Q: When did you first meet Alan Dixon?

A: I'd say it was about — it was in the 1952 . . . Met him socially. I think he was born in 1927 so he would have been 25 at the time. Young state representative, the youngest one. He'd been in there for a couple of years at that time. We spent quite a bit of time together.

And I would see part of this decision-making process when I'd go over to the court. I remember on a will contest where there was a will that was missing. I made an argument to the judge as to why a carbon copy of the will should be admitted to probate, done quite a bit of research on it. The judge said, "Well you've made a fine argument but that's a legislative remedy. The law is that original will last traced to the testator. If it can't be produced, it's presumed to have been revoked by the testator and that's what the evidence is. And you would require a legislative change." And I'd get hit with that by judges several times, you know, when I'd make an argument. They'd say, "Well your remedy is a legislative remedy." And you put all that together when they say you got to change the law in order to win your point, it becomes pretty obvious where you want to go, go down to where you change the law.

And that fit — that's part of the background as to how I finally decided that I think I would have more — a feeling of more satisfaction being a lawmaker as opposed to practicing the law that was written by somebody else.

All these things confluenced together. I had gotten married along the way and told my wife of my desires and she went along with me.

Q: Was she all for it or did she just go along with you?

A: She — she was always supportive under the theory that, you know, if this is what I wanted that she wanted it for me. Always was supportive.

Q: When were you married?

A: Married in September 6, 1952.

Q: Where did you first meet your wife?

A: Met her on a blind date in Springfield. By a blind date, somebody fixed us up. Maybe like . . . a year preceding that time, fall of 1951. The exact location — I finally called for her at her home.

Q: Now she was originally from Lincoln was she not?

A: Well, no, she lived in Springfield.

Q: What was her family background? Could you go into that a little bit.

A: Well she's an only child. Her . . . Her father and mother ran a kind of a mom and pop store adjacent to their home. Sold eggs and meat and beer and cold cuts, just a small delicatessen type of operation. That would just, you know, that would be about the only way in which I could describe her background.

Q: Where had they come from? Had they been long residents in Springfield?

A: Yes. You know, yes, they'd been — well . . . they'd been residents in Illinois. I think they lived in St. Louis for a short period of time, but their ancestors lived around Illinois, or Missouri.

Q: So you had a courtship of about a year you say, then?

A: Yes.

Q: And then you were married and went to live in Lincoln then.

A: Yes.

Q: Did you buy a home at that time in Lincoln?

A: Built one. Built one the summer of 1952 before I got married. Bought the lot. One carpenter and my brother and my brother-in-law and I built the house. And we subbed certain things out, you know, like the plumbing and the heating. But I remember we broke ground, oh, the 1st of May in 1952 and we were in there by Armistice Day, November.

Q: Did you design the home yourself or . . .

A: Well my brother helped me with it but . . . It was a little one-story, three-bedroom, full-basement house.

Q: Was your wife in on the planning?

A: No. No. Started the house before we were married and she came in on the decorating aspect of it, but not — not on the structural aspect of the house.

Q: Where were you married?

A: In a Catholic church in Springfield, her parish priest — or her parish, St. Joseph's Church. St. Joseph's Church, yes.

Q: When you had made up your mind to run for the House, what steps did you take to get there?

A: (pause) Well it was a . . . In getting my petitions, I barely got those in on time. But there was a situation developing where there was — three people had already announced for the House on the Democratic ticket. They were all from Macon County. I announced from Logan hoping to get one of the two nominations. And so my job was to try to lock up the Logan County vote and the De Witt County vote in which there was no candidate and also to make as many friends as I possibly could in Macon County.

We had a little type of rally at the Elks Country Club in Lincoln which was generally Logan County and De Witt County. Asked them over, I don't know if we gave them something to eat, some coffee, something. But at any rate it was worthy of a news story.

Then I remember the advice and took it of attempting to personally call on every precinct committeeman in the three county area. And I would split off. My wife would help me. She would get the list and she'd — she'd go make the calls on the committeemen and the message was, you know, I'm for my husband and here is some literature. Will you help us? Or are you for somebody else? That's generally what we did in the primary was call on the precinct committeemen, leave literature with them, literature in the form of matches and maybe a card, something rather primitive, nothing exotic in the form of literature.

Bought a little television and radio time. Radio time, there's nothing new about that. Television was a brand new thing. Bought a little bit of television time which was an eye-catcher. I don't know what my costs were on the thing. But I do know that when the primary came, whatever it was, I don't know if it was March or April of that year in 1954, David Peters, the sheriff here, ran first and Bob Borchers, who is the brother of Webber Borchers, ran fourth. Webber Borchers incidentally was running on the Republican side and he ran third or fourth. And Paul Ferguson, the incumbent state representative, and I ran second and third.

Ferguson had been involved in some sort of a window-peeping incident. Some said that the sheriff had set him up on the thing. The sheriff knew he was going to run against him so he caught him window-peeping, but, you know — or said he was window-peeping. And he had gone through a divorce. But at any rate the sheriff ran first and Ferguson — so the results said — ran second, beat me by 197 votes, which was close.

And then we looked at the results and saw some errors. And they canvassed and then they decided that I was the winner by 39 votes. And Ferguson filed a recount because it was only 39 votes difference. And he and I recounted every ballot in the three counties. And finally on — by about Memorial Day, May 30, 1954, we had finished all the count and I still had more ballots than he. And so the judge entered an order saying I was the candidate, that I had gotten the second spot.

Q: I understand there was some court action involved in getting that recount established on Ferguson's part.

A: Yes, he has to — within 30 days of the canvass he has to file for a recount. And he did. He filed. He wanted to recount only certain precincts and then I cross-filed and asked, "If you were going to count certain precincts, you might as well count them all." It wasn't terrifically expensive.

I had a cousin of mine, John McCarthy, help me as a teller. And Paul and I were commissioned by the court to be our own — our own deputies. And we'd go from county to county and get the official tally list and get the ballots and go through. And if we couldn't agree on a ballot, say if the X was outside of the square or the lines failed to be intersecting or if there were no initials on the ballot, we'd set that aside, and then come to some agreed

totals as to what we had counted for the day. And we continued that process, as I say, throughout the whole three counties. And finally we finished up in De Witt. And if he won every one of the contests, ballots that had been set aside, I still would have defeated him. So that's when he admitted that I had more votes in the primary than he.

Q: Was it your experience with the initialing by judges which led to the legislation later on that, I believe, having to do away with the initialing of votes by judges?

A: Well I don't know that ours alone — I think every — every election contest you see where judges fail to initial and ballots are thrown out. I don't know what the law is. Maybe — my understanding of it is that the law still requires initialing by judges.

Q: I don't know.

A: Yes, I think it is. I think you'll still see judges' initials. And that the theory there is it's better to have an initialed ballot rather than a phony one that gets slid in there.

Q: How did you go about getting the press behind you during that campaign?

A: (pause) Well I went — I went to the newspapers, the Decatur daily paper here and the Lincoln daily paper and Clinton — they had two papers, a daily and a weekly. Dick Hayes, my cousin, was a good friend of John Nugent who was the publisher of the Lincoln paper. It's a Republican paper. But based on their friendship I got some good treatment from a news standpoint from them. The Clinton papers never really did get all that much involved. They didn't have anybody from De Witt County running, so, you know, they'd print stuff if I'd get it there. You know, I'd ask them; you know, get releases to them. Decatur paper, a little bit more aggressive. They — they liked — they spent some money on their political reporting. And early in the campaign I looked fairly attractive to them, early in the campaign.

Q: You didn't later?

A: No, I split with them on an issue that ultimately, I think, won my election.

Q: What was that?

A: That was the question of whether or not the constitution should be amended for a reapportionment of the legislature. In 1901 the legislature had stopped apportioning because of the influx of the population to Cook County. And even though the constitution told them to reapportion, they just wouldn't. And here there was a . . . constitutional change, it was on the ballot, that would provide for the House to be apportioned on the basis of population, which would mean Cook County would take a majority, and the Senate to be apportioned where area would be the prime consideration.

And they preserved three different, distinct geographical units. That is, the city of Chicago, outer Cook County and downstate in the Senate apportionment. And that was in response to a growing tide of discontent with — with rural overrepresentation that was going on throughout the country. And so when that issue was up, the local paper here was in favor of that amendment passing as were all of the "good government groups," the League of Women Voters, so forth and so on.

I didn't like — I didn't like giving up control of even one branch of the legislature to one county, irrespective of the merits of it. I didn't like giving up control because I'd been told and believed at that time and still believe that politics is just a little bit different in Cook County than they are downstate. I thought that no one county, you know, should control a state.

And then the other three fellows, Peters — Bert Peters and the two Republicans came out in favor of it. And I looked at it from a political standpoint and thought, well, I'm just going to advertise this as my position, to be against it. Not only am I against it, I'm going to say I'm the only candidate against it, thinking it would be a good way of getting votes. Because I knew that we would articulate a good defense against this to a certain segment of the population. Get them to think, "Is it a good idea for Cook County to control one branch of the legislature?" People would think about that, you know, that one county should have more than the other 101. They'd say, "No, it's not a good idea. Let's — let's make them use bayonets to force us to do it. We just not are voluntarily going to give it away."

So then I put my conscientious opposition to this proposition and tied it in with some effective advertising where I had a folder, "Keep Cook County's Hands Out of Downstate's Pocketbook," printed on blue paper and a caricature of a hand with a big diamond and dollar bills sticking in there and the hand in the pocketbook. And then would put throughout this piece of literature and others that McCarthy was the only candidate that's opposing the blue ballot. All keyed to the idea that when people went into the election and got their blue ballot, they would also maybe think of me as a candidate who was asking them to vote no, and they'd find me somewhere on there.

That was actually my campaign. I didn't talk about anything else. I didn't campaign about anything else. I think I prepared 100,000 of those handouts. And all of my television and radio was keyed to one single issue, vote no on the blue ballot and vote yes on McCarthy. Single issue campaign. And it worked.

The newspaper, they — Ed Lindsey called me in and says, "If you don't change your position we're going to be against you. We're going to use the power of the press, you know, and we're going to be critical of you." I said, "I don't care." And they endorsed against me. And . . .

Q: What did the Courier in Lincoln do?

A: They didn't make any formal endorsement but they gave me good — good coverage all the way through. And, you know, "Let's select — it makes sense to elect someone from Logan County, you know." They — they went that far that people could do worse things than elect someone from Logan County.

SESSION 4, TAPE 6, SIDE 1

Q: Yesterday we were discussing reapportionment and you said that it was your major campaign issue in 1954. In your decision to make that your major campaign issue, did you consult with anyone on that and discuss it?

A: Yes, with a number of people. I checked to see how that issue might be received with some people. Nicholas Hubbard, a former state senator from this district, comes to mind. And then we — Paul Powell who was the minority leader of the House Democrats called a meeting of all candidates in the summer of 1954 and expressed his opposition to this reapportionment and enlisted the support of all the Democratic downstate candidates. He put on a rather persuasive type of argument against reapportionment and it was so convincing to me that I just came to the conclusion that it was not wise to change the constitution. So I'd say Powell — more than anybody else, he convinced me. That meant that I could take that issue and convince the people, I thought.

Q: What were some of the points that he used in supporting his position?

A: The theory of — of — of — that an absolute majority should not be able to take rights that legitimately belong to a minority. And that here, Cook County, 1 county would have 90 house members and the 101 other counties would have 87. He argued that if the 101 other counties were to have 90 and Cook 87, that that would not be a comparable situation because the other 101 counties would not act in unison such as representation from 1 county would.

He pointed out that there were — that the problem of the one big county in a state was almost unique in Illinois, that there was only perhaps six states in the United States that had one big county with a majority of population. Wayne County in Michigan which is Detroit and Maricopa County in Arizona which is Tucson, Cook in Illinois. Even New York — they split up the populous area of New York City into five different counties. So that he drummed forth the theory that reapportionment would mean one county rule, either by way of positively enacting legislation in the House or vetoing any legislation that would come from the Senate. And he pointed out that in the United States representation no one state had a majority of the House of Representatives and that in the Senate the states each were given two. And it was the basis of a compromise, had been — you know, put the union together.

So, it was the idea that Cook County was a well-disciplined political county where they had a technique that had been constitutionally approved where we could legislate one way for counties having more than 500,000 population without naming Cook as the county, and another way for counties having less than 500,000 population. The Supreme Court held that was a reasonable classification. That was the case law. So, if you — given the case law, that you could — well, like on division of motor fuel funds, that was one people could understand. Out of every dollar of motor fuel taxes that came in I think 34 percent went to the state of Illinois. And so much went to townships and a different percentage went to cities. And then I think 11 percent went to counties having a population of less than 500,000 and a different percentage, smaller incidentally, went to counties having a population of more than 500,000. But that was a type of bill that had been at least not upset by the Supreme Court.

Well you could see that if Cook County decided to change the allocation of motor fuel funds, they had the constitution on their side, now they would have the numbers in the House. The discipline that they had was a legitimate specter, that the likelihood that they would vote together on something that would be beneficial to their county as opposed to all of the other representatives from the 101 counties voting together was just not a comparable situation. So those were generally the type of arguments that persuaded me that we should not voluntarily change the representation.

Q: Where was this meeting held?

A: It was held in Springfield at the St. Nicholas Hotel.

Q: Did most of the downstate candidates attend?

A: I would say that there was a good representation. If there were — if there were 60 candidates downstate, I'm assuming something like that, perhaps 40 candidates were present there.

Q: Did you consult with anyone else, like Alan Dixon for example? You said you had become a friend of Dixon's there.

A: Yes, I talked to — I talked to Dixon who I believe was taking the position of support for the amendment. And met Paul Simon at that time. He was a candidate just like myself. He was going to support the amendment. I felt that — and when I ran it by him, I said, "Well, you know, number one, what do you think of it as an argument?" And the

answer would be, "Well, it's a pretty good argument. It appeals to the — your constituents' narrow interest; you know, their pocketbook." Don't know that that's a nasty way of referring to it. Maybe that's a legitimate interest of the constituents. They seem to think that the squirearchy or the overrepresentation of rural areas was something that was ultimately going to have to end and of course it did have to end, ended 10 years later. They seemed to — and in their areas they had other issues they were running on so they were just not going to make a lead issue of the fact that they were supporting it. Dixon was running basically on his record as a House member. Simon was running, I think, against the Madison County Democratic organization was his theme.

I was convinced that Powell gave just a great argument. And I would watch Powell. He engaged Samuel Witwer, a lawyer from Chicago who for one reason or another was interested in amending the constitution all the time. And he engaged Sam Witwer who had the respectable ability built into him because of favorable press and media treatment. Powell would challenge him to debates. They had one here in Decatur. The League of Women Voters sponsored it. I think Powell just cut him to ribbons, you know, in the debate on the issue.

So, every place where the people thought about it, and it was thoroughly ventilated downstate, there was some pretty good opposition. And like in Logan County the results indicated that there was more people that voted no on the blue ballot than voted yes, same way was in De Witt. Here with the backing of the local newspaper I think more people voted in favor of ratification, but not by a wide majority. Up in Cook County they may have ratified it by 10, 11, 12, 13 or 14 to 1, something like that, so that . . . But there was — there was a spirited type of — in various localities, areas — of debate on the constitutional change which was a good healthy thing.

Q: I understand you debated several times with Elbert Smith here in Decatur.

A: That is correct. Off of the — taking off of what I saw happening between Powell and Samuel Witwer, I agreed to — and so did Senator Smith, he was not up for reelection that year but he was firmly in favor of the amendment — and he and I did engage in at least two, maybe three, debates throughout the district which gave the public an opportunity to hear both sides, gave me some political exposure. I don't think there was any applause meter that recorded the applause at the debates, but my ears told me that I'd win the debates each time, not on the basis of oratory or on the basis of vocabulary, but just on the basis of presentation to the interests of the people. So the debates were helpful. People that would applaud for me loudly at the debates probably supported me at the election time.

Q: So you had a good feeling about the election on this particular issue then?

A: Well, I — I was — I bet all my marbles on one issue. I needed to attract some attention. I needed to be all by myself because there was a cumulative vote system, which we still have, and I wanted to be identified and fashion my complete campaign and color coding and everything . . . The little pictures I had were of a blue stock. And as I mentioned in our interview yesterday, the brochure was printed on blue paper. I used the color coding system, you know, so that when — all designed that when the people went into the ballot box . . . Let's say that the regular ballot was white, paper ballot. They also received a blue ballot for the constitutional amendment hoping that that color coding would jog them in and say, "Oh yeah, we've got to vote on that. Let's go over here and get this fellow. He's brought the negative aspect of this to our attention. We — we need somebody like him in the legislature that won't roll over and play dead and follow the crowd and just be for a cause because some leaders happen to be for a cause." And it worked.

Q: What was your feeling about the outcome of the blue ballot statewide at that time? Did you feel it was going to succeed or fail?

A: Well I think I probably was of the opinion — hope springs eternal — that, you know, I can't be wrong. I'm so convinced that it's a bad thing for the state of Illinois that I just can't — I just can't believe that the public is going to vote it in. In other words I was — I think I believed that probably it would fail of adoption merely because a self-fulfilling wish. You know, I hoped it would fail, so I believed it would fail. Wrong on that.

Q: Did you ever have any thoughts during that time about the situation if it should succeed, the fact that Chicago would have a bigger voice?

A: Yes. Yes, and I thought that would be bad for the state of Illinois.

Q: Did you think about it in respect to your situation if you were elected and went into this situation?

A: Well, I thought, you know, I'm going to deal with reality as it is. And it wouldn't — I was — my first term that I — if I was elected I was going to serve under the present system of apportionment. When I say present, I mean the system that existed in 1954. If we had to reapportion I'd try to look after a district that would maybe be a district that I could easily represent, get reelected in, and then I'd — I'd deal with the situation as it came to be. But the general overall feeling that downstate would lose power was — was certainly there.

Q: Did you know any Chicago Democrats at that time?

A: During the campaign?

Q: Yes.

A: No. I — I didn't — I didn't know any. Never met any until — there was a little dinner or an orientation dinner after the election where all the new members were down there and then I got to meet some of the new members that were elected from Cook County and generally they were Chicago Democrats.

Q: Do you remember any of those in particular?

A: Well, the Chicago Democrats that were in our freshman class. I remember Kenny Wilson, Jimmy Carter, both black; Nick Caruso, a so-called member of the West Side Bloc; some other fellows who were of Italian extraction; Bob Massey who is a member of the court up there now; and Ray Welch. Was — those are some names that come to my attention or my recollection right now of Democrats that were elected from Chicago in 1954.

Q: How did you go about getting started in legislative work over there? What did you do, when you first went down to Springfield, to get your feet on the ground?

A: Well, I could see that there was blocs of influence and — it roughly related to seating arrangements. Some of the people from the Powell group indicated that they had a seat picked out for me. I'd been active in the anti-blue ballot campaign and I think impressed Powell with some ability to speak, some ability to organize my thoughts and be effective. So, some of the people close to him told me they had a seat all reserved for me. I looked over where I — the other people where I might — that surrounded that seat and I didn't feel all that much comfortable there. Talked again to Alan Dixon and what we decided first was that — Alan, he put Paul Simon on one side of him and myself on the other. We were located in the middle of the Democratic chamber behind the Cook County and in front of the Powell. Right there in the middle.

Q: Middle. (laughter)

A: Yes. And so that's what we did in order to get started. Pick out a good seat because, you know, you don't change chairs every day. You pick your chair and you stay there for 6 months or conceivably 2 years. So that was really the most important decision was where I was going to sit. And that's . . .

Q: Why was that so important?

A: Well because, on floor work, the ones — the people that are close to you, they have a great deal of influence over you. You can't really get into a fight with your seatmates. And if they're of a particular persuasion on a certain bill, you're likely to accommodate them and they're likely to accommodate you. Well, if you see — you know, I wanted to be in a position of independence with nonalignment to either bloc. And I felt — I expressed that to — Alan and Simon felt the same way. And so we sat there in the middle. And then there were some other people of independent persuasion that were in that middle area. Some names are Jack Bairstow from Waukegan, he was there, and Joe Russell from Piper City in Ford County.

There are not a lot of independents in the legislature because — when I say independents I mean people that move freely in their actions because legislation can't be passed by one vote. It requires an absolute majority. So people operate within blocs. Presumably they should operate, if you believe in the strong party system, within the party bloc, you know. Maybe they — there has been a time and maybe there should be a time where the party is the bloc. But they — these various sub-blocs come up and they keep reappearing. So I wanted to be in a position to decide where I was going to be, have a lot of freedom, no barnacles on me. That was the way in which we got it done.

Q: How did this relate to caucus action? Were you — did you stay clear of caucuses then or did you participate?

A: Well, we didn't have much caucus in the House. We were a minority, small minority — I mean a large minority when we first started. Maybe — let's see, there's 153 members. (pause) We may have had — we had at least 70 members. Just a little too unwieldy for caucus. And then caucuses, maybe, weren't too good an idea for the people that had actual floor power. Maybe it was better — you know, caucus was kind of an evil thing, a bunch of independent thinking people might get together in a caucus. So better off maybe not to have a caucus. Better just let the leader of the Cook County organization, the delegation, get together with Powell and decide how 85 percent of the Democrats were going to vote. And then let the other 15 try to figure it out without benefit of even knowing anything about themselves. So there was very little caucusing. And that's true during all the time that I spent in the House. I was never at a meaningful caucus in the House. The numbers, I think, were a little heavy, trying to — trying to get a caucus action with a — with a group of people.

Q: Who was the leader of the Chicago faction when you got started there?

A: James Ryan was his name.

Q: What was your relationship with him? Did you . . .

A: Oh, it was . . . superficial. Jimmy didn't really need me on anything because we didn't have a majority. He was very nice to me, you know. And if he's alive, if I'd see him today, I think, you know, and if I'd tell him who I was, he would remember me. I would remember him because he was a leader. I — I doubt if he's alive today. But, he had all the Chicago and Cook County votes. And if he needed 10 or 15 other votes he — it would be easier for him to go to Powell to get them than to go around and pick up 15. Saved the wear and tear of the steps, you know, 1 step rather than 15. So it — and I was a new member. He had — oh, he was, you know, very nice and . . . But there was no particular

— no particular communication. Just — no need of it from his standpoint. I was pretty much in a learning stage. I didn't have anything I particularly wanted.

Q: What were some of the first things you learned when you started operation there?

A: Say that again.

Q: What were some of the first lessons you learned or things you picked up that were useful to you in being a legislator?

A: I don't know that I really learned all that quickly. I think I — I'm inclined to think that maybe I never really started to learn until maybe a dozen years later on really how to do things. You get so involved with the mechanics of just getting a bill drafted — that's a new process; trying to find a secretary is a new process; answer your mail; answer the phones; maintain a visibility of introducing a few bills so that you get some publicity back in the district — that you don't get into the mechanics of trying to pass the legislation. It's pretty much all showmanship in the initial stages. Your — your time is all consumed learning some mechanical things.

You soon learn that — that because an idea on a legislative . . . Because a legislative change may have some value, that doesn't — value in itself doesn't insure its ultimate passage. You've got to — I learned fairly early that you better do some counting. I think perhaps I was overimpressed with, early on, with the — the idea that merit or persuasiveness of a position would be enough to carry the day. It took me awhile to learn that it took a lot more than that, that you had to go over and ask, get your roll call and treat your fellow legislators as people that had to be approached and their support solicited. And — and that was a long time coming.

The . . . the other things that you learn, as I say, were pretty much mechanical. You learn how to get a letter answered without specifically answering everything that's raised in the letter. Because there is a certain type of constituent that will write a letter who will raise 3, 4, 5, 6, 7 questions of profound implications that, in order to answer that one constituent, the questions that they raised in the one letter, might require a full week of your time. You just can't give it. So you — you learn how to make some accommodations and substitutions and maybe make up a little form and see if that won't satisfy the person, if they got a form letter back. Maybe, you know, if they persist with, you know, with their mail, then you have to devise a second step. Maybe you answer one of their questions.

The — being in a district, being geographically close to Springfield had its disadvantages in that the people had quick access to Springfield, inexpensive toll charges. I was a new face down there. They had just elected me, so they — I got plenty of calls from constituents wanting to impress upon me their point of view of . . . It was so demanding it really kept my attention away from trying to see the inner workings. I'd say that the first — the first session of the legislature came and went and I didn't even — I didn't appreciate the roll of the Speaker of the House in putting the whole session together and getting it over. Just one day it ended.

My second session I appreciated it just a little bit more, the mechanical aspects of what it took to get things done, and the third session maybe I learned a little bit more. And it wasn't till I got over in the Senate, got a little longer term, 4-year term, had some more seniority and was able to devote some thought analysis as to what went into leadership so that I could then appreciate some of the problems of running a legislative body and making it work.

Q: What were some of the early bills that you introduced? Did you introduce any during your first term?

A: Oh, I'm sure I introduced — I know I introduced some bills in my first term. The one that I did introduce became law. I was complimented, again by Alan, he said it was the best bill of the session. It was a bill that would require a seller of a motor vehicle to stamp on the invoice in letters not less than 1 inch that no liability insurance was issued in connection with the transaction.

The reason that that legislation was necessary was that the practice was that the person would go in and buy a car on time. They'd say, "What about insurance?" And the car dealer, in many cases, would say, "Well, we've got insurance built-in." What it was was collision insurance and not liability. The fellow would get into an accident and he'd find himself in trouble with the secretary of state financial responsibility section, because he didn't have liability insurance and he thought that he had it because he was paying for it. So this cleared it up because the — the 1 inch . . . I think if you buy a car now it's still — that still is the law. It may be scaled down to a half-inch, but there has to be a notification that you're bound to see that no liability insurance is issued in connection with the transaction if, in fact, none is issued.

And the one person that gave me that bill was a lawyer here in Decatur, Poyntelle Downing. His son is a lawyer now, Bill Downing, a partner of former Senator Elbert Smith. Poyntelle Downing is one of my early supporters, very brilliant person, and he told me about there was a need there. And that was one bill that went through and the governor signed.

The new car dealers, incidentally, were against it, you know. Found that out over in the Senate, and we had to make some little change in it. Elbert Smith handled the bill for me as a Senate sponsor. And he told me that the lobbyists for the new car dealers were opposed to the bill and they made some little change in it, because Smith was convinced it was a good piece of legislation.

Some other bills would be — I know I was concerned about voting and trying to loosen up the conditions on voting, greater freedom in registration, greater freedom in hours of voting, because I had the two narrow escapes my first two elections — first two tries out, the first time 39 votes and the second 357 or something. I wanted to get as many people eligible to vote as possible because Democrats, I think it can statistically be proven at that time and maybe still today, are not quite as careful with their voting habits as the Republicans are. If we were able to make it easier for them, maybe we'd get, you know, more votes. I don't know about that. So there's probably some legislation in there.

Q: Did you generate that yourself or did that . . .

A: Well, I can't . . . A lot of times the ideas would be floating around and I'd come up with an idea and I'd surface it and somebody would say, "Yeah, I had that bill 2 years ago." And I'd say, "Well, you going to put it in this year?" And they'd say, "Yeah, I guess I will." And I'd say, "Well, can I be one of your cosponsors?" "Okay." Well, okay, then I'd be a cosponsor. So the person who had been there before and had introduced legislation, they kind of had an unwritten rule that they were entitled to reintroduce it until such time as they got tired of it. Then, you know, it became out — it went out in the public domain and anybody could pick it up as their item. Just sort of a matter of courtesy. But it would be along those lines. I don't — I don't remember — I remember carrying the one bill which I thought was a good bill, and so did other people, on the liability insurance. About the only thing of significance that I remember.

Q: It's often said that most of the legislation is decided off the floor, out around town. Did you find that to be true?

A: Later on I found that out. I didn't — I wasn't — I didn't appreciate that as being factual in the early stages. Didn't realize how influential the special interests groups were. Even

though, you know, they were operating right there, I didn't see them. Part of it being that I was approached after a certain bill had passed, was told that somebody had left a present for me, which I took to mean that there was some money left around because apparently I had voted the right way. And the individual that told me that, I told him that I wasn't interested in it and that . . . they could return it or keep it or do whatever they wanted, but I wasn't interested in it. And so I'm inclined to think that, you know, my position on that was so firm with this one individual, and maybe that word got around among lobbyists or prospective bribers, and I didn't get approached anymore. So not being approached, people wouldn't know what was going on which was, you know, fine with me. And it was — so I just didn't — I mean I heard the stories but I didn't know how it worked and I wasn't interested in how it worked. So what you say is true but it took me a long time before I really became aware of that. Again, I still wasn't interested, but after a number of years you're bound to pick up more knowledge.

SESSION 4, TAPE 6, SIDE 2

Q: During your period in the House, were there being many fetcher bills introduced at that time or had that era pretty well passed?

A: No. (pause) No, there was talk of bills where there was money on bills, either A fetcher bill, technically, is a bill that would be disadvantageous to a certain group so that that would fetch their attention and they would come up with money so that the sponsors would kill the bill. That by introducing the bill and fetching the lobbyists to come up to put the money out to put the bill — to extinguish the bill, that's technically a fetcher, as opposed to its first cousin which is a purely special interest bill which, if passed, would result in some sort of an economic windfall for a certain group. That would be more of what we would call a money bill, you know. If it passes, somebody is going to make a lot of money and maybe there would be some money spread around someplace.

I think — I think that there were bills like that. The first session I was in there, there was a bill for the creation of the McCormick Exposition Hall up in Chicago — which was the brainchild of the Chicago Tribune. That's the reason they called it McCormick Place — that would invade the stockyard's province of being the convention center. And the stockyards, when I say that, it's some amphitheater or something. I think William Wood Prince, whose name comes to my mind as the owner of that amphitheater. So that there was talk that if there would be economic gain for a convention center downtown on the lakefront, there would be economic loss at the amphitheater out by the stockyards. So, there was talk of money on that bill.

There would be talk of money or certainly economic gain for lots and lots of legislation because you could see all the legislative — on the turn of a legislative page, how one group would gain money and another group would lose. And where the gainers and losers were both narrow selfish special interest, then there would be a fight, because both groups — the narrow small groups — would identify their economic interest.

Let's just take as a hypothetical the McCormick Place versus the stockyard's amphitheater. The economic gain was going to be down in the lakefront and the loss was going to be at the — what William Wood Prince owned. Well, pretty easy to see where the money would be coming from or, if there was any coming from, where it would come from.

If you get into a situation where there is a narrow special interest gain, like an insurance company, early on, where they . . . I remember a bill in my first session that provided that — or maybe the second — that provided that people that had a revoked driver's license had to buy proof of financial responsibility in the future which was a high-priced type of liability

insurance, maybe two or three times the premium of normal liability because there was just a little difference in the coverage. Now that's the type of legislation that, when it went through, I just couldn't — I couldn't believe it went through because here all the people on the outside from whom money was being taken through higher premiums were misrepresented, in my opinion, by votes against them in favor of the insurance industry which would allow them a device to get more premium money. And I just — I couldn't believe that any — a public servant would vote to take from the great mass and give to the special interest. But I saw it happen. And the concept that they were bribed didn't cross my mind. But yet something funny was happening.

Now it's very difficult to see money on a bill like that because the great masses of people that pay increased premiums aren't organized. There is no money that comes from them, you know. They're out there unorganized. And so all you see there, that's kind of a money bill, would mean maybe whether you see it or feel it, you feel that the sponsorship and some key people in conjunction with the insurance company lobbyist, they're in there because they're going to make some money on the passage of that bill.

So that's a different type as opposed to a real fight between — I gave the two exposition centers. Another example is between the stationary currency exchanges and the mobile currency exchanges. Stationary currency exchanges have their lobbyists down there — several of them just got out of jail — where they have their currency exchange in a building, and they're licensed and they've got a right to be there. The mobile currency exchange was a different group. And they operated in a trailer and they would go out by the plants on payday and cash checks on Fridays or whatever the payday was. Great big fight always between the mobile currency exchanges and the stationary currency exchanges as to what the state law would be. And you could see money — you could just hear money going both ways on that one.

Q: What would be the major difference between the two as far as legislation was concerned?

A: Well one would allow mobile currency, trailers, more accessibility to the plants, get closer to the gates. The other would say that a person, you know, couldn't conduct currency exchange business unless it was in a fixed location and subject to supervision and healthful and sanitary and . . . There were many ways in which the legislation could be drafted, but that was — that would be another example of where there would be money on both sides. Or I mean you'd hear of money on both sides. If you see any money on either side, it becomes your duty as a citizen to report it to the proper officials, you know. So please don't take an inference that I ever saw any money. If I did I would have reported it, but I didn't see it but you still can hear it. You can hear the rustle or you can hear hearsay evidence, you know. And then you can draw your own conclusions, which I'm sort of drawing now, when you'd hear all this heated debate. A week would be consumed between battles between the stationary currency exchanges, those in a building and those that were mobile. And the poor guy that had his check, he didn't care. And he was the one we were supposed to represent, the one that wanted to convert his check into money. You can draw your own inferences when you see bills like that. The list could go on and on. But I don't know that I picked all that up early. I think that was, you know, a gradual process.

Q: I guess Paul Powell's shoe box was something related to that then?

A: Well, that's what a lot of people have thought. Then of course Paul Powell, in my opinion, is an authentic folk hero, just an authentic folk hero in Illinois. Since his death 10 years ago, I've never heard anyone say a bad word about Paul Powell. I think he just — he was one of those rare individuals that — that had people that were convinced of his innate goodness. And that thing — that conviction has persisted since he's been dead. So where his money came from, you know, I have no idea. His supporters, and I'm pretty much of a supporter of Powell, certainly a supporter of his intellectual capacity, smart and unusual

abilities. He could turn a negative into a plus. He just — just had that ability. Turn an accusation at him and he'd just turn it around and make an advantage out of it.

Q: Can you think of any examples of that?

A: (pause) I'd have to think for a little while, but he had that ability, he had that ability to do it.

Q: I've heard that he was very expert at the timing of his actions. Do you remember any examples of that sort of thing?

A: In talking about Powell, you have to remember that he was a full-time legislator, when a lot of us were part-time legislators. And anybody that gives full-time who is smart is going to be a lot more effective than a part-timer who might be smart or may not be all that bright.

And Powell lived in Springfield, lived at the St. Nicholas Hotel. And the legislature was his lifetime. He had no other outside interests. Kept a home down in Vienna. I doubt if he slept in that home 30 days out of the year. When we'd be back at our work — Paul Simon publishing his newspaper, Alan Dixon practicing law, myself practicing law — Paul Powell would be in the St. Nicholas Hotel figuring out how to be an effective legislator and a leader. And naturally he'd devote more time to it. He had years into it. He'd know the time and he knew the background. He knew — he knew over a lifetime of research how to — how to get people at the right time.

So, when you talk about passing legislation, you're talking about how to get people at the point of sale, you know. When do you get them to say yes on your vote. It's not unlike when he told me how he was able to sell them radios. He'd tell me that during the Depression he'd take radios out to the home and leave them in there on a trial basis. When the wind would come in from Kansas City, the station was bringing in a good signal with some band, the Kansas City Night Hawks or whatever, then he'd go around that night and call on the house and ask them if they had made up their mind as to whether or not they wanted to buy the radio or whether or not he's going to pick it up. So he — he had lots of thoughts on human nature. I think what I've said here is that, with his experience and time that he devoted to it, he would figure out when to make the point of sale on people.

Q: So it wasn't just a feeling on his part, it was actual thinking out of the timing. Do you recall having gone to him for any advice during your period in the House?

A: Oh, yes. Oh, yes.

Q: Can you think of an example of that?

A: I went to him several times. And he was always very good to me. He gave me — gave me good advice. Told me how he would handle situations if he were me. (pause) I don't recall right now anything other — anything that crosses my mind. But there were some pretty good ones. More of a — more of a political nature where I'd anticipate a political issue coming up. I'd ask him about it and he'd tell me how to handle it. It may be that I can refresh my recollection. But I don't have — I went to him for advice so many times that no one bit sticks out.

Q: Well then you were in the middle between the Chicago bloc and the Powell bloc but generally oriented toward the Powell bloc?

A: Well, not quite true. I was in the middle between the blocs, but I had a good relationship with Paul Powell personally. Now the people around him I didn't pay much attention to, the bloc. I mean his closest friends. I was not close with them. I — they didn't show

me anything. I didn't want — I didn't have — I just — they weren't attractive to me. Powell was, as an individual. I'd be looking for him because he was smart, you'd learn things from him. He was witty, entertaining. Used to know his habits pretty well. He was — he was good to be around. You had a feeling that you were worthwhile when you left Powell.

And he liked to have an audience too. He — he was one of those fellows that rose late and went to bed late as opposed to the people that rise early and go to bed early. There's a lot of people, including myself, like to get things done early in the morning, be successful under the early bird theory. There is another theory if you're willing to accommodate your body or if your body — I don't know whether the body is the one that tells you which way to operate, but there are people like Powell, and I've been told that Lyndon Johnson was of the same general type, that rose late and then would come in fresh when the other people had been working all day. Be able to come in fresh and superimpose their opinion late in the day when the others were ready to give up.

So that was a — so Powell, I knew his habits along those lines. He wouldn't have dinner until 10 o'clock, 10:30 at night, and then he'd want a little audience when he'd tell some of the war stories. War stories meaning political stories from 11 o'clock or 11:30 until 1 o'clock at the St. Nicholas Hotel. We knew where we — I knew, my friends knew, where he would be and that was pretty good evening's entertainment, would be to show up to the St. Nicholas about 11 o'clock and Powell would hold court at a table, tell stories.

Q: Who were these friends, Alan Dixon . . .

A: Yes.

Q: . . . and Paul Simon?

A: Well not Simon. Simon and Powell just became enemies in a hurry. Apparently there was something about Powell's outlook on life that Simon found offensive. They just never never became friends, even in 1968 when Simon was elected lieutenant governor and Powell was for him. He still was not . . . sold on Paul Simon. And Paul Simon . . . never came to the conclusion that, from what I'd get from him, that he thought Paul Powell was the best of what a legislator should be in God's great design. So it would be more like Dixon, more practical himself, that would — that would listen to him.

Q: Can you think of any examples of where you worked with Dixon or Simon in preparing or pushing legislation or opposing legislation?

A: Well I can tell you that Dixon being the senior man in there, he — this was his third term and Simon and my first term, we just naturally supported every one of Dixon's bills. And he would support our legislation. We would support each other. We at least had a bloc of three votes as a start off. Dixon had more legislation. Simon had quite a bit because he was an aggressive-type fellow. I had less than either one.

Particular items of legislation, well, there are just an awful lot of them. Dixon was heavy on the merit selection of judges. I remember supporting that more out of deference to him. My instincts were the other way. Simon was interested in the public right-to-know type of legislation. By that I mean he as a journalist seemed to think that good would come if their nonelected people would be able to get in, you'd have sunshine into government. Open Meetings Act, I think, is a Simon bill where every meeting of a governmental unit is an open meeting.

Generally speaking, the legislation that — that those men sponsored, as well as myself, were pretty much in the public domain type of — you know, it didn't offend anybody. Didn't have any tremendous economic consequences to a small group of people either by way of

gain or a detriment. So the legislation was either passed because it was well attended to or it failed because it wasn't well attended to. That's the reason I can't give you, you know, right now anything that sticks in my mind. It just wasn't that spirited. Like, take Simon on an open meeting act, that the school board today on account of the Simon bill has to let people come into their meetings. Now what's wrong with that, you know? Who can quarrel with it? No one goes but, you know, it didn't require a lot of legislative fight. So . . .

Q: What about constituency requirements or district items that came up, bills for specific things in the district?

A: Well those of course were very important. I worked with Elbert Smith on some things when he was senator the first 2 years I was in there. He had some seniority and there was a Republican governor. I know we were able to go in and see the director of public works and buildings which, at that time, was in charge of the road program. We were able to get an improvement on Route 121 between Lincoln and Decatur allocated, built, in that they widened the pavement on both sides, blacktopped over it. You did that not by a legislative act but by support of the governor's budgetary request. And I followed Smith on that; kind of, you know, went to him. Supported him when he needed my support and then asked for his support, like on the 121 project. Constituent legislation just was not that . . . There wasn't that much around because you didn't legislate for the county of Logan or the county of De Witt. You had to legislate for all the people of the state of Illinois or at least those in counties under 500,000.

Q: Were there any particular items that came up in these three counties that were applicable statewide? For example, a tax rate level or something of that nature might have required legislation.

A: Yes, there was an increase in the sales tax I think the first session I was in. And it gave the cities power to impose a half-cent sales tax. We dealt with the officials in the cities. They were prodded by the Illinois Municipal League to contact their legislators. I can say generally though that we had, again, lots and lots of constituent contact. I think it has to do with the fact that the counties were so close to Sangamon County and that the news coverage was pretty heavy. People in the counties that surround Sangamon are more aware of government — state government — than they are, I think, when you get 150 miles away, when you get up to La Salle or down to West Frankfort.

I find it difficult to remember episodes in the House, constituent contact, as distinguished from constituent contact in the Senate, because over a period of years the faces change but the type of contact is pretty much the same. Your women are down on certain issues, ERA [Equal Rights Amendment] for the last 8 years, one way or another. Before that they were down on school aid and funding levels of schools and collective bargaining rights of teachers. They are, you know, an army that can be mobilized to come over to Springfield in buses. Some of them — used to be more than now — you know, were homemakers and had time to take a day off to come over and lobby their legislator. It's good — good clean fun. Of course the farming community, they'd be around, prodded by the Illinois Agricultural Association because they have superb organization, organized in every county. Catch a rainy season or a rainy part of the year, you know, when the farmer would not necessarily be busy, they'd have time to come in and talk to you about their problems. But the mail would come heavy and the phones would ring.

Q: Now your mail was delivered to your desk was it?

A: In the House?

Q: In the House.

A: Yes. Maybe not to the desk, maybe we had a mail — we had a postmistress. And we'd go to her office and she'd pick out our mail and hand it to us. Yes, I think that was the way we did it.

Q: You had a secretarial pool then to help you do the responses you decided on?

A: Yes.

Q: But at that time there were still no offices available for . . .

A: That's correct. Didn't have any office. Your desk was your office and I think maybe I had a fourth of a girl.

Q: Do you remember who that was in the House? Was it the same girl all the time?

A: I think the first one I had was a girl by the name of Betty Shipley.

Q: What do you remember about her?

A: Well Betty is still — she's over in the Senate, still over there. She's working for the president of the Senate. So — I've seen Betty over the years, seen her become a mother, maybe even seen her become a grandmother, don't know. That's — the type of work there was nice for girls that didn't want to work full time. They could come down there and work 6 or 7 months out of 2 years, raise a family, have supplementary income. That's one thing I remember about Betty. Good friend; you know, friends over the years. I remember her becoming a mother on at least one occasion.

Q: I wonder if we could move back now to reapportionment. In 1961 there was considerable flap over congressional districts, reapportioning those. Were you involved in any way with that action?

A: Well in 1961 I was in the Senate. I presume . . . the Supreme Court had come down and talked about the necessity to reapportion congressional districts by that time. The cases kind of flow by. The Baker vs. Carr was one. I don't know if that — I don't remember if Baker vs. Carr was the congressional reapportionment.

Q: That had to do with the senatorial reapportionment didn't it?

A: The legislative reapportionment?

Q: Yes.

A: That would be in 1964 then, I guess.

Q: Yes.

A: Well okay. Baker vs. Carr was the one that caught our attention because that meant we had to apportion ourselves.

Q: Yes.

A: Well we just — my recollection on the House of Representatives reapportionment was that we should redraw the districts on the basis of population. I think it was a continuing obligation to redraw the districts because there would be reductions in the size of the state congressional delegation. I was not involved as a member of the select committee to redistrict and reapportion. Whatever that select committee came out with on lines, I voted

for. Then that became the legislative act. I — I don't specifically remember what happened that year, whether or not the . . . I think maybe the governor vetoed that one.

Q: Well in 1963 the House was reapportioned by the legislature and then it was vetoed, yes.

A: Yes I remember that one.

Q: Do you remember the activity of the George Dunne commission that took over after the veto and was supposed to come up with the reapportionment?

A: Yes I remember that.

Q: What do you remember about the commission?

A: (pause) Well they failed to agree, you know. Yes, that was following the 1963 . . .

Q: Yes sir.

A: Yes. Oh, that was a very very — that was a very very important thing. This was a reapportionment of the House as enunciated by the blue ballot of 1954. Weren't supposed to reapportion the Senate, just reapportion the House. And there was a provision in there that if they failed to reapportion then the members should run at-large. Okay. So . . . 1963. The Republicans had, I think, the majority in both branches of the legislature, certainly they had it in the Senate, may have had it in the House. The bill that was passed didn't reach the governor's desk until after the House and Senate had adjourned. Governor Kerner vetoed the bill which meant there had not been a valid reapportionment. Then the terms of the constitution came into play to provide for the creation of a 10-man commission that should reapportion for the legislature. And that commission would be appointed by the political party. And it would take an absolute majority of 7 out of the 10 to agree on — on the plan. It ended up that there was 5 Democrats and 5 Republicans. And George Dunne was the chairman from the Democratic standpoint, maybe the chairman of the commission.

Q: He was.

A: The only proposals that he would support would be maps that would guarantee Democratic control of the House. The only ones that the Republicans would support would guarantee Republican control of the House. So consequently for their 60 days or whatever period of time they had to come up with reapportionment by this committee, they failed. And that set in force the at-large election.

And we just saw it as a wonderful opportunity, given a good election year in 1964, to elect a majority in the House and hopefully a majority in the Senate. Because there was — it was in the constitution, still part of the . . . well it was in the constitution of 1954 that — some language that I thought and I was persuaded that if the House ran at-large also at least half of the Senate had to run at-large. I was up that year, in 1964, and so were 28 others. So it looked like an opportunity where we could elect 177 House members if we wanted to and — if the year was right — and 29 Senate members. We could do that, we would have control of the House and the Senate.

The fellow by the name of Gus Giannis brought a suit of mandamus against Charley Carpentier in the Supreme Court, original jurisdiction, asking the Supreme Court to mandate Carpentier to call an at-large election for the 29 members of the Senate that were up. I was in the Supreme Court when the arguments were given on that one because that was the one I wanted to see win. The court turned that down. They said that the at-large election applied only to the House, that it didn't apply to the Senate.

Q: Was Don Rubin involved in that, the lawyer?

A: I — I think — I don't know who represented Gus, whether Don Rubin represented him or not. Maybe he did. I remember Jim Wham was on the other side representing the Republican central committee. Don may have argued.

SESSION 4, TAPE 7, SIDE 1

A: I saw the Supreme Court, which was Republican-dominated, hold, "no at-large reelection" which would have jeopardized the Republican Senate majority. And that was a big example to me as to what power meant, you know, way at the top and how it — how you could see the chain of command all the way up, one of the reasons that I've been happy that we've had a Democratically controlled Supreme Court since about that time.

I say that parenthetically, but yet part of my observation over the years, it doesn't really necessarily make any difference what the legislature says the law of the state of Illinois should be and what the governor signs, it also must further survive the test of what the court says it means. And to those people that espouse merit selection of Supreme Court judges, I think they're way off base because there is no such animal as a nonpartisan that exists today, because they have some heritage, they learned something from their parents one way or another, either in conformity or in revulsion to it. They learned something from their experiences in life. And so this whole effort to make a nonpartisan selection of the Supreme Court is a thinly disguised effort by special interests who control media — the newspapers, the television networks and the radio — so that they can put into the Supreme Court candidates that would decide cases more along their economic line of thought than the line of thought of the people that vote for them.

I'm digressing a little bit. But when I saw the Republican Supreme Court take the position of the Republican state senators on something where I think the language was clearly the other way, I do remember that. I was disappointed that we didn't appeal it to the United States Supreme Court. Because in that case, if the court had taken jurisdiction, they very well might have reversed and ordered an at-large election of the Senate as well as the House.

Okay. Let's go on. Having that finally disposed of, then came the mechanics of how do you get the at-large election. I was — gave some of my ideas. I think I — I don't know that I picked them out, but I repeated them and refined them around to parties, maybe the party convention or something, that ultimately were incorporated in the mechanics. And that is that each party would nominate only 118 so that the maximum amount that would be elected would be 118, you'd preserve a one-third minority representation. And that was the technique that was devised so that each party in the 1964 election did nominate 118. And then . . .

Q: Now this was instead of a primary for that year as I understand it?

A: Right, yes. We just suspended the primary. There was nothing in the constitution that said you had to have a primary because the constitution had been adopted in 1818, or 1840 I should say, maybe even 1870, but long before primaries had come along. Well we just suspended the primary and provided for the nomination through the convention. And then the convention had the 118 on either side. And then that happened to be the Johnson versus Goldwater year where 118 Democrats won. Had there been an election at-large in the Senate for 29, there would have been 29 Democratic senators elected. (laughs) And we would have had the control right then.

Q: So this was a bit of a disappointment, then, the Supreme Court decision?

A: Yes, yes. Saw an opportunity for a real lucky find. My biggest regret was that I wasn't a party to the litigation either by way of interpleader or amicus curiae, you know, and taken it on to the United States Supreme Court to see if we couldn't get a reversal.

Q: There was talk in 1963 that the Democrats were intentionally attempting to set up an at-large election.

A: Oh, I believe that to be true.

Q: So you think perhaps some of the intransigence on the part of the Dunne commission, Democratic side, was because of this?

A: They would prefer the at-large election. Oh, yes. Yes, yes. I don't think there is any question about that.

Q: Do you remember any discussions about that at the time?

A: No, it was just so easy. You know, are you going to try to -- first of all, redistricting or reapportioning is a very painful thing where you get in and you have to get your census tracts out and come out with a mathematical accuracy and split townships and wrench away from individual legislators pet areas and substitute other areas for it. Then trying to put the whole package together. It's an extremely difficult situation. When the Dunne commission then was charged with working with the five on the other side, they had a clear alternative. "Are we going to go through the misery of attempting to draw the lines and get agreement, with the pressures on both sides, or should we just go for the full stroke and take this at-large shot?" And the answer was pretty obvious. Better to go for all the marbles, because Kennedy was still alive, but he looked good for reelection. It was a good deal. Much better gamble that way.

Q: Then when the Senate came up and had to be reapportioned, the same type of thinking was going on in the Democratic party then, an at-large election?

A: (pause) Yes, but the -- the court . . .

Q: In 1964 the US Supreme Court stated that the Senate had to be reapportioned . . .

A: Yes, they said it had to be reapportioned.

Q: . . . on the basis of population.

A: Right. We never did reapportion. We were hoping that the court would order an at-large election. But the court didn't do that. The court reapportioned for us. That's what they did. They reapportioned and drew the map themselves. They didn't like the result of the at-large election in the House, the same Republican Supreme Court. And so they thought, "Well, what are our alternatives? If we order an at-large election in the Senate, we're going to end up with 29 Democrats probably. What other thing can we do?" And they came up with a decision that what they could do was set forth a provisional reapportionment, that it wouldn't be right for the judiciary to do the legislature's act, but still the United States Supreme Court decision had to be followed, had to be implemented. It just couldn't be continuously refused. When we -- when we in the legislature refused to follow it because we failed to apportion, the court got on this idea of provisional reapportionment, sort of like when you have a coup d'etat and the old constitution is thrown out. The leader of the coup d'etat says, "I am the provisional leader of" -- whatever the country is. And when they speak of provisional they mean until they've set up a more permanent form of government, sometimes a constitutional form of government, sometimes a monarchy, depending upon what it is. So the Illinois Supreme Court set forth a provisional reapportionment.

Q: On their being led to do this there was a joint committee which was formed in 1965 — Cecil Partee was the chairman of it — that was the first attempt at redistricting that year. Do you recall any particular actions on the part of that joint committee?

A: Well I do. I wasn't a member of the committee but I saw some maps floating around that that committee was looking at. I saw a Democratic map. I saw a Republican map. Both maps — Russ Arrington was president of the Senate — both maps had Macon and Logan County divided. And that was enough. When I saw both maps having them divided, that meant to me that I was going to retire from politics if I remained in Logan or stay alive if I moved here.

Well I drew my own map. Everybody drew their own map and floated in the committee. I had a map drawn of Moultrie, Macon and Logan that fit. That's Sullivan, Illinois; Democratic. I wouldn't have to move. And everybody thought, "Oh, that's a great map," you know. But when you saw the map of both parties, and those two counties split, that was a signal for me to look for a house over here, which I did. Because I decided I was going to stay in politics and I was going to stay down here. I mean I was going to stay in a district where I could get elected.

Q: Do you recall the action, it wasn't part of the joint committee action but led generally by John Touhy in June of 1965, in which the Democratic party gradually backed off as the Dunne commission had but still was unable to get — come up with an approved reapportionment plan.

A: Well the — yes, the — I remember that — that there were . . . that the — I remember that the at-large election of 1964 was so successful for the Democrats that they weren't going — the court wasn't going to allow it to happen again. The Republican court wasn't going to allow it to happen again. And they didn't. And I had privy to some people that were very much interested in this. And I knew people on the Democratic side of it from the top to the bottom, and I was informed as to what likely was going to happen. And so, you asked me was I surprised and did I follow with interest. I knew where it was going to end up because I had been told that the court was going to draw the map. And — and the map probably would be the one that would have Macon, Christian and Shelby put in as a district. I was told that. That's the way it turned out. My sources were reliable.

Q: In 1975 there was a congressional redistricting.

A: In 1975?

Q: Yes, sir, in 1975. Cecil Partee put in a Daley measure in 1971 and 1972 and 1975 that was generally . . . The Chicago Tribune stated it was anti-Mikva and pro-Puchinski as far as the Chicago area was concerned. But also during that there was discussion of perhaps forming a district downstate here that would pit you against Finley. Do you recall that particular activity?

A: Yes, I remember that. I think perhaps we even had a map drawn in bill form that would incorporate Macon and Sangamon Counties as the two largest counties. And then the counties that were peripheral to it: De Witt, Logan, Menard, Christian, Montgomery maybe, or — and Macoupin, maybe pick up Pike County, or maybe not even go that far. But at least it would be — I think we needed 400,000 population. Yes. I think something like that. You needed 400,000 population. But it was there. I was interested in that district from two standpoints. One is that possibly I might take a shot at it myself because a Democrat could win. And number two, I was interested — I've always kind of thought that — I really believed that close districts are the best districts for the people. By close districts I mean close districts politically, where either party has a chance to win, some of the time. I don't know that it ought to be as close as 50.1 to 49.9 because maybe you end up with a little bit of instability, with revolving door members, Congress or the state legislature. But

certainly it ought to be fairly close, that the minority party should be encouraged to have a candidate, a serious candidate. So, that — that was a secondary aspect.

I still feel that way. I think the — there is a basic inclination when parties sit down to reapportion to talk about the safes, "How many you going to want and how many we going to want?" We'll take the Senate 59 and say, "Okay, shall we draw 45 safe districts and leave 14 of them as swing?" Things are done that way. "And if we're going to draw 45, how many do we get and how many do you get?" The Republicans say, "We want 24 and you can have 21. You draw — you draw your 21, we'll draw our 24. That's 45. There's 14 out in swing. Fourteen, in a good election you can get 35; you know, get them all. You'll have 35 in an absolute majority. And in a good year we'll get 6. And that will give us 30. That will give us a majority." That's the way that reapportionment is done.

I would prefer to think that people are better served if you say, "Let's make 59 districts and they're all swing." Because what they're doing on the 45 being safe districts, you're disenfranchising the voters, in effect, if there is such a thing as safe districts. Now that's changing, you know, because of a number of reasons. People are more mobile or they were more mobile before the gas shortage came along. (chuckles)

But, yes, in response to that, I was interested from two standpoints. Interested, possibly might be interested, in being a candidate myself and second I was interested in living in a district that could be represented by a Democrat.

Q: Were you disappointed then when, after three attempts, they finally gave up on that adjustment in the redistricting?

A: Not bitterly disappointed. It can happen sometime in the future. Yes, it still — it still is a — is as good a theory for a district in the future as it was then. Maybe it will happen in 1983. That's when they're supposed to reapportion again, or 1981. Yes, it still is a good idea.

Q: Think you might run if a . . .

A: No, I wouldn't run.

SESSION 5, TAPE 8, SIDE 1

Q: I wonder if we could take a look at your experience with the attempt to abolish the death penalty. I believe in 1957 you put in your first bill on it.

A: Yes, 1957 was the first time that I put the bill in to abolish the death penalty in Illinois. The reason that I got interested in it was I was defending the case of a fellow charged with murder up in Lincoln. I looked over at the prospective jurors and tried to get sympathetic people that understood the problems that people got into in their lifetime and would be somewhat considerate of their fellowman's problems so that they would, you know, view the evidence in the most favorable light. And every time that I got a prospective juror that looked like he or she might vote not guilty on the ultimate question of murder, the state's attorney would then come in and ask that individual if they had any conscientious scruples against the imposition of the death penalty. And if they — and several of them — I think each — I think nearly everyone that I had picked out to retain said, yes, they did have conscientious scruples against imposition of the death penalty. Then they were excused as a matter of law. And it struck me that here I was losing all my good jurors that I thought would give my defendant a fair trial.

Ended up with 12 people not only who believed in capital punishment but were willing themselves to impose it, which seemed to me like that was not a good cross section of the county

to try the case of dead . . . Pryzchicapanski happened to be the fellow, murdered the decedent. So that I thought that just from a matter of law, that Pryzchicapanski didn't really get as fair a trial on a murder charge as he would have if it had been for automobile theft or a simple battery or a criminal assault. Because in any one of those cases or any case where the death penalty wouldn't be imposed, he would get a true cross section of his peers to judge his guilt or innocence. But since he was charged with murder, every individual — and I think the figures at that time were something like 40 percent of the people had some scruples against the imposition of the death penalty — those people were excluded from consideration of guilt and innocence. So you ended up with a misbalanced jury. So that was really the reason that I put it in. And . . .

Q: When was this in comparison to when you put it in?

A: Oh, probably, I don't — I don't recall exactly, but I would imagine 3 or 4 years before . . . Sometime in the early 1950's. I was married when I tried that Pryzchicapanski murder case. That case, incidentally, came out with — in those days the jurors fixed the punishment as well as determined guilt or innocence. They found him guilty of murder and sentenced him to 14 years which was the minimum term for murder. It could be 14 years to life, or death. So it was clearly a compromise verdict that the jury reached. They could have found manslaughter, which they did not under the circumstances, and impose a penalty of somewhere between 1 and 14 years. Or they could have, you know, in this case, imposed the death penalty if they wanted to or given a long term. So that happened to be the compromise verdict.

I mention that as — I think it was, oh, maybe 1953 or 1954 when I tried that case. And it just struck me as being wrong that — that the more serious the crime, the more severe the punishment, the less the guarantees were on a — of a cross section of your peers being the jurors to determine your guilt or innocence. I thought that was wrong. I wouldn't even care if there was some sort of a — some sort of a perversion of the idea of a cross section of your peers for petty theft. Nobody would get hurt very much because the penalties weren't that — so much. Suppose you only could have, you know, people who had been victims of larceny serve on juries for petty theft. Well truly that wouldn't be a cross section of the people in the community, but nobody would really get hurt because of the penalty for petty theft. It wasn't so much.

So, you ended up with a situation — it still exists today in those states that have preserved the death penalty and Illinois is one — where the more severe the crime is and the more serious the punishment, the less guarantees you have of a fair jury, in the concept of a true cross section of the community. So that was the impelling reason behind my legislation attempt.

I think it was heard in the Judiciary Committee. The lawyers there, they understood that. And they recommended the bill out. And we called it for a vote. I think the first time it came out on the floor, it was an outright repeal of the death penalty — or it may have been in committee. But I — I ran across some difficulty in getting the legislation passed either in committee or on the floor. And someone suggested that maybe I put a trial period in there of 6 years, to abolish the death penalty for 6 years so that if it didn't work out the way we thought it would work out, then the death penalty would automatically be reinstated at the end of a 6-year period without positive action on the legislature. I took that suggestion and either amended the bill in committee to get it out or else amended it on the floor. My recollection is not too good as to where I put that 6-year moratorium.

But the reason for that was that I had a number of people that said, "I'll vote for your bill if it's for a 6-year trial period only, because we don't know if homicide rates are going to go up as a result of the death penalty being abolished. And if they do we want a provision that within 6 years it will automatically be reinstated. If homicide rates, on the other hand, do not rise, then at the end of 6 years the legislature will be persuaded, probably,

to just abolish it permanently." So I put that on the bill and that was enough to capture a majority of the members of the House to vote for it. We got the vote late in May or early in June of 1957. I sent it over to the Senate and it didn't fare very well.

Q: Who handled it in the Senate for you?

A: (pause) I think I had Art Sprague handle it. Art Sprague was a Republican from La Grange, very fine lawyer. He also happened to be, himself, conscientiously opposed to the death penalty. Kind of — you had to find a sponsor that had personal opposition. And then he had an Episcopalian minister in his district that was very much interested in the abolition of the death penalty. So I asked Sprague to handle it.

By that time, when it cleared the House, we started to get some organized opposition and that came largely from the wives of the police organization in Chicago. For want of something better to do, they — they opposed the bill and they were aided and abetted, probably encouraged, by the Chicago Tribune which newspaper editorially opposed abolition along with its sister paper the Chicago American. If they hadn't bought the Chicago American at that time, they did later. My recollection was that definitely the Tribune was opposed to abolition whereas the Chicago Sun-Times, a Marshall Field paper, favored the abolition. So, it made good copy and they sold some papers. The Tribune had its sources to get to the police wives' association and they stirred up a little opposition, suggested to some members of the Senate that if they passed this bill they were endangering the life of the police officers in Chicago. And that was the end of that for the session.

Q: In 1957, yes.

A: We tried again in 1959. Again, I cleared it out of committee. I don't think I passed it in the House in 1959. Or if I did pass it, it was so late it didn't get much of a call in the Senate. And the next thing I did was wait until I went to the Senate.

Q: How much did Paul Simon help you in the bill?

A: Well he was — he was at least a cosponsor of the bill and interested in the bill passing. Actively supported it. Enlisted — enlisted his friends to support it. Spoke for the bill. Probably gave as much assistance as any other member of the House.

Q: Did you get much reaction from your constituency?

A: Very little. Very little. It was — doesn't have much economic impact. Surprisingly very little. There — there was one woman that lived her in Decatur who had a younger relative who had been executed out in Kansas. She was very active in wanting the bill passed. And would go to certain church groups to get endorsements. The Episcopalian church, in Illinois, generally favored abolition. And — but the rank and file community, I didn't hear much out of them. It was more of a theoretical — they — they didn't see that whether we had a death penalty or didn't have a death penalty, how that affected them. They couldn't perceive it as a problem that meant anything to them. Perhaps they're right. Because I'd say in the last 40 years there has been less than — less than 5 people executed in Illinois. So, you know, if anyone said this is a good theoretical argument that doesn't have any . . . There is no need for it at the present time because the death penalty isn't being used. You know, it would be hard to argue against that.

Q: Why did you put it in in 1961 in the Senate?

A: Well I was — there were certain groups that grabbed ahold of me once they saw the bill pass in 1957, like the Friend's Committee which we know as the Quakers. They have a group up in Chicago. I didn't know it at the time, but they — they're interested in abolishing the death penalty, wherever and whenever. And they would ask me to continue the fight.

And then there would be another fellow from Joliet by the name of Paul Thurlow, if I remember his name correctly, and he had been active in the abolition movement not only in Illinois but in other states. It was just a thing that he wanted to do was try to abolish the death penalty. And he'd come down to Springfield and visit with me and then bring statistics and literature. He introduced me either on a personal basis or through the mails or through the telephone with other people that were working for abolition in other states.

And once you became identified with these various groups and individuals that wanted the death penalty abolished . . . The John Howard Association is another one. It's an association that's headquartered in Chicago that is, you know, is a reputable organization that deals with ex-convicts and recidivism. And they all — they take a strong position against the imposition of the death penalty.

So, I either found all of these groups and individuals or they found me or else it was a mutual process. They kept asking, you know, if I was going to — if I'd continue the fight. And I — I didn't see any reason not to. I'd passed it in the House on one — maybe two occasions and I thought, well, over in the Senate, if I could pass it there, then maybe I could — the momentum would carry through in the House and be able — to be able to get it to the governor. Governor Kerner was governor at that time. I talked to him about the matter. And he indicated to me that he wouldn't have any difficulty in signing the bill if I could ever get it to him.

Q: Did you try any particular maneuvers in attempting to get it through?

A: No, it wasn't . . . it wasn't the subject matter where you could trade a vote on capital punishment for a vote on the currency exchanges. Although I did get a couple of votes just on straight trade. I remember Ed — Eddie Groen from Pekin was sponsoring a Sunday closing bill. I voted for his Sunday closing bill and he voted for the death penalty. I had a roll call to work on off of the 1957 roll call or the 1959 roll call when it was over in the Senate. I knew certain supporters. I — Russ Arrington was the president of the Senate, or soon became. He — he generally favored the bill. I tried to get as many as I could. I even asked Mayor Daley if he'd — if he'd use his influence on some legislators to get me enough to get it out. He said he'd think about it. Never told me that he would. I saw no evidence that he ever told any of his people, any of his close political associates, to vote for it. The big opposition surfaced in 1957, stayed, and that was the . . . women's auxiliary of the Chicago police organization and the Chicago Tribune.

Q: I believe — wasn't Adamowski state's attorney at that time and he came out against the abolition?

A: Yes, yes. (pause) That's my recollection. (pause) So — I think the Chicago Tribune was — was, you know, they'd get Adamowski to make a statement. I think in 1963, I think it was 1963, I tried it the last time. And I got 26 votes in the Senate, needing 30. And I tried everything that I could and I was still 4 votes short and I decided it was time for me to concentrate on something else.

Q: So you just dropped it at that time?

A: I dropped it then. I — I had played with it so long and tried to pass it in both chambers for a period of 6 years. That was a long enough time. That was the entire moratorium period. (laughter)

Q: I see. Yes, sir. On — let's see, in 1972 now, the US Supreme Court declared all death penalty laws invalid if I remember correctly. And shortly thereafter Illinois' Supreme Court declared the Illinois statute invalid. Do you recall anything about that action on the part of the Supreme Court here. Were you involved in that or did you follow it closely?

A: Well, I followed it. I think that the basis for the United States Supreme Court declaring the death penalty unconstitutional was a case that came out of Texas and it came up on that very question that motivated me in the first instance. And that was, was a person who was charged with murder, using that as a capital punishment crime, were they entitled to their rights on a jury of a cross section of their peers guaranteed by the constitution when that jury not only found the question of guilt or innocence, but where the possibility of the death penalty lurked around. So, the Supreme Court held that — that where the jury had found innocence or guilt, it also fixed the punishment, that that was unconstitutional. I felt vindicated that the United States Supreme Court some 16 years later, you know, came around to what had appeared to me to be a gross case of injustice.

So following that with the assassination of John Kennedy it all changed. The assassination of John Kennedy changed people's attitude on death penalty. They'd say, you know, "Would you be in favor of imposing the death penalty on Lee Harvey Oswald?" "Well, yes, I would on him." Well, once you break and make the exception then you have to leave the law.

Then following Kennedy's assassination you had the lootings and the burnings and the Martin Luther King and this and that. The death penalty became very popular. Mayor Daley came out with the statement in the late 1960's following Martin Luther King's assassination, told the police to shoot and kill people that were committing arson. That was applauded, you know. So, I mentioned those things to you that by the time the Supreme Court decided it was wrong, the legislature in Illinois and many other states were all poised to correct the constitutional infirmity. And they did that in Illinois by letting the one jury decide guilt or innocence and then have a second jury come in and decide penalty.

Q: Was this — Kluczyinski in 1976 introduced a bill to return the death penalty. Was that a result of that sort of thing?

A: Yes.

Q: What were your feelings at that time when they were coming back with it?

A: I was through with the death penalty as a legislative issue. I continued to register my vote against the reimposition of the death penalty. I never believed in declaring an individual act unlawful, such as murder, and then allow the state to legally do the same thing. And I still retain that opinion to the present time. Don't believe that the death penalty acts as a deterrent to crime and don't think it serves any useful purpose. But insofar as being the leader and the champ in the efforts to abolish it, I'll let somebody else go after it.

Q: You mentioned the unsettled times there in the 1960's. Do you remember much about the Broyles Acts? They were coming in or winding up about the time you got started there. Do you remember anything about the bills he was introducing?

A: Well, the Broyles Acts, they were just about being finished in 1955 when I came in as were — kind of a outgrowth of the hunt against communists in America. Well, no one denied or said that his bills didn't grow out of the tactics of Joe McCarthy, the United States senator, in questioning the loyalty of government employees and other individuals. And so in 1953, 1954, when the Joe McCarthy hearings were quite an event where he was taking on the army . . . other . . . individuals . . . in Washington, Broyles decided to put a litmus test or loyalty test on people that were public employees in Illinois. So those were his bills.

I think if passed — and they never passed, I never supported them — required school teachers and maybe some other type of employees to take an oath that was a little bit different where they — in the form of the oath they indicated that — they would have to indicate that they opposed any change in our form of government.

The press opposed Broyles much as they did Joe McCarthy. Thought that his legislation was ill-conceived. And the few chances I had to vote in the House in 1955, I — I remember it specifically, I voted against the so-called Broyle Bills. I felt that they were not needed, that it was just another . . . another attempt to use a prevailing mood as an excuse for a legislative act. We — we still have that, you know. The prevailing mood as an excuse for a legislative act fills our law books — law books with laws. And — and the very realistic attitude that — with the printed press being generally lined up against the Broyles Bills — it probably was not an unwise decision to vote on the side of the press.

Q: I understand the Legion was pretty much behind Broyles on these. Did they ever approach you?

A: Not really. The American Legion, from a statewide standpoint, did endorse it and they had a few men who were regular lobbyists around the state capitol building who would appear in committee. But they weren't — they didn't have a lot of funds and they didn't stay up there for long periods of time. The bill got out of committee and they felt that their work was over and they'd go elsewhere and not stay around, maybe, for the floor action. Insofar as the local American Legions, the ones in Lincoln and here in Decatur, maybe the one in Clinton — if I had Clinton as a constituency and if they had an American Legion, I may have gotten a letter from them, but that would be the extent of the lobbying.

Q: Right at the tail end of the 1960's, there was considerable uproar over at the University of Illinois. Did you get involved in any way with that commotion?

A: That would be with reference to disciplining the students?

Q: Yes, plus the Clabaugh Law. At that time the University of Illinois was making a move to have that repealed, the law which restricted student activities.

A: Well, yes. Charlie Clabaugh, I guess, had passed some sort of legislation that was law that could be considered as maybe a restriction on civil liberties of the students, and there were efforts made to try to pass it. I didn't get too excited about that. The thing about the university, the big question there always was whether or not they were going to get the money that they wanted. They had a full-time lobbyist who did a good job for the money. Following the episode at Kent State where two or three students were killed in Ohio, there were some destructions of state property at the University of Illinois as well as other state universities and there was some reaction against them. What I did in all those instances was not get too much involved. I would, you know, vote my conscience and conviction in each instance, but insofar as leadership is concerned on student activities at the universities, I didn't have much to do with it.

Q: There was some discussion as to whether the schools were doing an adequate job or whether additional legislation might be needed to give them control over such activities. Do you recall that situation?

A: Not — not with specificity. The only thing is that nearly every session there would be a legislative reaction to some act of the university, be it the University of Illinois or some other university. If there had been a maldistribution of basketball tickets or football tickets, that might prompt the introduction of some legislation item pointed at the university. There was some feeling, I think justified, amongst legislators that came from nonuniversity districts that — that the lawmakers just — were a little jealous of the ease with which — apparent ease with which the university was able to extract taxpayers' money.

Generally speaking, the viewpoints of the people in the academic world are not the same as the viewpoints of the elected legislators, so that there was always certain little reprisals popped up targeted against the universities. I think that generally it was just an outgrowth

of — of the dissimilarity between the two types of individuals. And, to say it another way, that you could have a meeting of the Illinois legislature over at the Ambassador Hotel and then have a meeting of the faculty of the University of Illinois over at the Orlando Hotel and you'd be able to know just by looking at the individuals who belonged where. (laughter)

Q: What about Webber Borchers' action in regard to the subversive activity at the U of I. Do you remember that incident?

A: Well, I of course remember Borchers . . . known him for — since 1954. I remember when he first got elected. I think it was, maybe, 1968. Webber . . . was looking out for — trying to find subversive elements. He was more attracted to that than I. It was just the sort of thing that — that he perceived as a — as a real threat or as an illness that he thought, perhaps, he could apply and give some remedy on.

I generally got along very well with him and was able to divide work. Like we'd have highway projects and we'd get Roland Tipsword and Webber Borchers and John Alsup and myself together. We'd be on a radio station, WSOY, weekly. And we'd have a little meeting afterwards on road projects where, in order to avoid duplication, we'd — we'd parcel them out. I mention that because when it came to the question of who was going to be our subversive chaser, Webber liked that, and we just let him carry the ball on the thing.

I still, you know, have no opinion as to whether or not there are subversives. I've never seen one that I recognized. Although, perhaps, there — you know, there are people that do commit treason. But for other people, you know, they — they have more rigid ideas as to the spirit of nationalism and how it's offended. I could just, you know, as a tirade or as a side bar, indicate that I am nationalistic. You know, believe in the flag.

I generally regard multinational corporations as the real enemy of a nationalistic state such as the United States. When we talk about multinational corporations, we're not talking about long bearded Trotskyites with — that are portrayed in a cartoon with a bomb in their hands. We're talking about Caterpillar Tractor Company as it exists today. We're talking about Exxon which used to be called Standard Oil of New Jersey, but now they've got a multinationalistic name of Exxon which means the same thing throughout the world. I get much more excited about their activities in the use of the Eurodollar market, their activities in foreign acquisition of capital products and the import back in and the loss of jobs. This is more important, insofar as treason is concerned and as an attack on nationalism, as a concern than what some students are doing.

So — Webber had enough zeal for me so I just let him run his course. I'd look at some of the other issues like I have just outlined to you as what I considered to be threats to nationalism.

Q: What type of legislator was Webber Borchers?

A: Well he was — his instincts were good. Basically, you know, basically a fair man. Hard worker and dollar honest. I just — he had an excellent reputation for avoiding any bribery type of situation. (pause) A little impetuous. He — he wanted to be heard, you know. If he was 6th in line, he would like to be 3rd or maybe 2nd or 1st, be heard now. Generally speaking, a very good legislator on those qualities of honesty — and I'll put him down there as honest — and hard working. And basically his innate instincts were — were good.

SESSION 5, TAPE 8, SIDE 2

Q: What about Alsup? What type of legislator was he?

A: John was a . . . not very energetic. So, you could see that he just wasn't of the chemistry that you'd pick out for leadership. You have to understand that in 177 members, you shouldn't have 177 leaders. You need some people that are quiet, listen to the argument and then use judgment on the vote. And John was pretty much that way. He — I think just by nature he was not a real aggressive person. His judgment call on voting was good, which is really what the name of the game is all about. Long after the speeches are forgotten, the laws that are on the books are the ones that have impact on the people.

Q: Let's see, who was the other representative at that time?

A: Well, we had . . . when — up until 1966 when Lincoln was part of the district, Herman Dammerman was a member of the House for, I think, two terms as a Democrat. He challenged me for a primary race in 1964. I was — I defeated him in that and that was the end of his legislative career. In the 1964 at-large election, we put a young lawyer here on the ballot with Alsop by the name of Marvin Lieberman who was elected and later became chairman of the Illinois Commerce Commission under Governor Walker. He's now practicing law out in Washington, D.C.

The Republicans had one House member during that entire period of time. They had, in the late 1950's, a fellow by the name of Barrett Rogers from Atlanta who was the Republican representative and Hilmer Landholt who was a state's attorney over here. Then after I beat George Johns for the Senate in 1960, George Johns came over and ran for the House, served a couple of terms. And then Borchers defeated Johns and stayed there until the time that he was removed because of a conviction on an expense account matter. But the district, from the time I was first elected in 1954 up till the present time, elected 2 Democrats and 1 Republican, with one exception and that was the year of 1956. All other years, 2 Democrats and 1 Republican were elected.

Q: You mentioned projects, roads for one thing, within the district. What types of things did the constituents of the district ask you for in the way of district improvements and that sort of thing?

A: Well of course political jobs were frequent requests. People would want a job with state government. And they'd expect you as their legislator to use your influence to get it for them, whether the job would be at a state institution like they had in Lincoln run by the Department of Mental Health or the Adolph Meyer Zone Center which is located here or actually in the seat of government at Springfield, some capacity over there. The job seekers were plenty. And . . . increased in the summertime for students. The parents would like to have them have something to do. That theoretically should have been the job of the political parties, but people would — they'd come around and demand quite a bit of attention on that.

Insofar as benefits are concerned, there was a general awareness by each legislator's perception of his role that he ought to bring back a fair amount of dollars to the district because taxes came from the district, went into Springfield, and money ought to come back. That would be part of his job. And the most visible dollars would be road projects as well as the greatest need. Because during this period of the 1950's and 1960's, there was a tremendous increase in the amount of vehicles on the road and people that were drivers. In the 1960's the World War II babies started driving, early in the 1960's. And that just, you know, almost expanded the traffic geometrically. And so there was a pent-up demand for proper roads.

Q: Did you have any particular road projects that you followed through on?

A: Well, I personally am proud of Interstate 72. That's the road from Champaign to Decatur to Springfield. In the original interstate highway designation, I think there were — my figures may be way off — but I think there were 33,000 miles designated as interstate

highways. That was done in — about 1955. And the federal government made the original designation of these 33,000 miles. And there was no Decatur connection on the original interstate highway designation. And from 1955 until about 1968, there was no addition to the mileage on the interstate highway. And the community of Decatur in Macon County really felt shortchanged. As a Democrat I used to say that, you know, it was President Eisenhower's administration that made the designation during the time that Bill Stratton was governor. So don't, you know, don't blame me as a Democrat. But we still wanted to do something about getting Decatur connected to the interstate highway system. It just was a — there would be numerous committees and meetings and — that's from the day that I was elected until the day I was defeated, when the Interstate 72 was open.

But in 1968, there was some additional mileage added, I think 1600 miles added to the 33,000. And if you divide that by 50, you'll get 32 miles or something like that per state on an average. And we were concerned as to — if we could get the Champaign to Decatur to Springfield as Illinois' share of that 1600 miles, we would connect Decatur up on the interstate highway. I was extremely active with the laboring community over here, Henry Bolz, who had been a member of the Decatur City Council and a former executive director of the Decatur Chamber of Commerce as well as Congressman Bill Springer from Champaign who was active out in Washington on trying to get the highway committee to put this highway as Illinois' share. And so I worked with Springer, the state end of it, and he worked the federal, during the year 1968.

We took a delegation to Springfield to Governor Shapiro — Governor Kerner having resigned to become federal judge, and Sam Shapiro became governor because he had been lieutenant governor — asking him to make the designation as to what Illinois' number one request would be for the 1600 miles. Shortly before the election of 1968, he held a meeting for us and came out and said that he was going to request that this be Illinois' number one priority, the I-72. We thought that was great. And then the election came along and Shapiro was defeated and Humphrey was defeated.

Johnson was still president and Shapiro was still governor. So I called Chicago and got an appointment with Mayor Daley. He had gone down to Florida. I got into see him before Thanksgiving, the election being, you know, like November 8th of 1968. I took Alsup and Tipword — Roland Tipword from Taylorville, he was the new — well he had been — been with us from 1966 forward — up to see the mayor and told him about the situation. I said, "Now, look, we've gone this far where we've got Illinois' number one designation, the only thing is Shapiro is going out of office and Johnson's going out of office. We don't know what's going to happen." He said that he would help us and told us what to do. He told me to get ahold of Johnny Klukinski, who was a congressman who was chairman of the House committee that had the funds for the — for the road. For me to tell Johnny Klu that he had told me to get ahold of him.

And we went downstairs and decided how we were going to attack it. Klukinski was in Europe, but we were able to get ahold of his administrative assistant there in Chicago. Went over to see him. And after we told him where we had been, he got the clerk of the House committee on the phone. She was — she was at her apartment someplace in Maryland. He got me on the phone with him. Wanted her to tell him, you know, where the road situation was.

I continued in correspondence with him very very carefully, closely. And I remember, about the 6th of December, a couple weeks later, he called here at the office and left a message that the designation was going to be sometime between the 11th and the 15th of December, 1968, and the situation looked good. And on December 13th, the designation came out and the Champaign to Decatur to Springfield road was the Illinois share of that 1600 miles. And that was before Johnson went out of office and before Shapiro went out of office. I felt very proud that we got it done after the election was over but before the changing of the guard. So that was . . .

Q: Do you think that it might have been lost then if the guard had changed without . . .

A: Well, certainly it would have been a lot of work to redo when you got new people that you'd be dealing with. And new people that were inexperienced, but yet experienced enough to know that when — when they're in a position of power and someone comes and asks them for something, the best political response is to sit on it and not give it to them, dance them around. So . . . I hesitate to speculate what would have happened had it — had it not worked out that way. But you don't have to speculate because the designation was made and it was final on December 13, 1968, which was a big thing. Then that makes all other road efforts pale by contrast, but always were there road efforts.

Q: Route 51, must have been a major route improvement on Route 51.

A: Well, they're talking about that and . . . if they ever get that one built, you know, before my daughter's grandchildren are dead, I'll be surprised. Because they talk about it but they don't do anything about it. And I'm questioning, you know, whether or not the need is there at the present time with the decreased gas consumption, the decreased mileage, and the alternative that was afforded because of I-72. We had, in our initial meetings, we had — we'd have a meeting and half the group would be for trying to get 51 being the interstate connection, north and south. And the other half would be for trying to get I-72, what later turned out to be east central Illinois expressway or the east-west road. And you could see that the people in Springfield and Washington relished a situation like that, because if the community was divided, they didn't have to give them either one.

So that was one of the things that we — at any rate, I've talked about it because I feel that that was a very significant type of thing. Many many other ones, they consumed a lot of time. But they're all worth it because they resulted in savings of lives, they resulted in ease and comfort of people as they transfer — as they drive from their homes to their place of work or wherever.

The highways plus school monies which were always a big event . . . School people were after us all the time to try to get formula changes to bring back more money for schools. I mention about schools because that was big. And the institutions that were located in the district, they'd want money, as well as other groups that had state funding, the arts council who put on plays out at the Milikin Theater. You know, they — they'd want to make certain that we voted for appropriation of funds for the art council. And then the hospitals would be after us to make certain we voted for public aid so that they'd get paid for their hospital bills on indigent people.

Q: This Adolph Meyer Zone Center, wasn't there some problem as to where that was going to be located, between Bloomington, perhaps, and here in Decatur?

A: Well, it was between Champaign and Decatur, maybe Bloomington was in the picture. There were a number of zone centers to be built off of a bond issue that was passed in 1958. It was Governor Kerner who was governor at the time that the site selection was to be made. There was one set for Springfield, the McFarland Zone Center which — you know where that is — another one up in Peoria. There is one over here in the east. On that one Alsup was a little — was rather aggressive. He mentioned to me, he said, "Why shouldn't we get part of that zone center that's going over east?" And I said I thought it was a good idea. So he asked my help and we went after Governor Kerner to put the zone center here. And it ended up in splitting the zone center between Champaign and Decatur, putting the children, I think, here at the Adolph Meyer and the adults in Champaign or vice versa. And I forget the name of the zone center in Champaign. But that was a decision that Kerner made in response to our request. I remember him making it about — about the fall of 1964.

Q: Wasn't there also a matter of a workman compensation center in Lincoln or payment center of some sort that came up?

A: Oh, yes. Yes.

Q: What was the story on that?

A: Well, that was an unemployment compensation center where Lincoln had — where I lived — had itinerant service. They were serviced out of the Decatur office. That meant that a group of claims people would go over there once a week on Tuesday and sign up the people for unemployment compensation in the courthouse. And we had a couple — one volatile industry, Stetson China Company. It was pretty large for a town the size of Lincoln, maybe it hired as many as 900 people. But their employment swings would go like a bounce of a trampoline. They might have — you know, the plant shut down — 900 people out of work. There would be 900 people trying to sign up for unemployment compensation all on Tuesday and between specified hours. And had created quite a problem where — I don't ever remember 900 people signing up at the courthouse in Lincoln in one day, but I remember 500. And if you have 3 or 4 clerks trying to accommodate 500 people, that gets to be a real difficult job, not only for the people that are signing up but for the clerks, you know.

So I was always attempting to get Paul Douglas to put a full-time office in Lincoln because the money for the office came from Washington. We would — it was under the jurisdiction of the Illinois Department of Labor and the Bureau of Employment Security. So that the state had the administration but the money came from Washington. Never able to get it done. We would reach accommodations, you know, maybe they'd come over 2 days a week, increase the service. And to this day I think that's what the situation is, is that there is a lot better system of economic conditions between the Bureau of Employment Security as well as the large employers so that they'll get tipped off by someone out at the plant a few days ahead of a layoff, that there is going to be one, which gives the state agency time to adjust itself.

But we — we kept after that. Of course turned around and used it to political advantage. When we'd get those people standing around the courthouse in an election year or even a nonelection year, I'd get volunteers that would solicit them to get registered to vote. I remember one day I think some of the volunteers told them that they couldn't get their unemployment compensation unless they were a registered voter. (laughs) And the voting registrar was right there in the building and he registered 300 and some voters that day. And we always took the philosophy and I think valid that, of unemployed workers, the Democratic party would get more than 50 percent of the ultimate voters out of a group like that. So as I say some of the supporters got a little bit overzealous when they'd say, "Are you registered to vote?" The unemployed person would say, "No, and I'm not going to." You know, maybe one of them would say, "Well, you can't draw unemployment compensation unless you're a registered voter." They went right to the county clerk's office and got signed on the line.

Q: How well did you know Paul Douglas?

A: Well, pretty well. I ran in the campaign with Paul Douglas in 1954, again in 1960, and again in 1966. And he was a very good campaigner. I was around him quite a bit for those three campaigns. And then he was a good campaigner in the off-year elections, he'd be around helping the other — the other members of the ticket. So I got to know Paul Douglas pretty well in a dozen years there. And Paul Douglas was a truly remarkable, unusual man. He — he voted his conviction and he resisted and fought the narrow selfish special interests and was happy in doing it and as a result wasn't too successful because the special interests didn't die. They're still alive and Paul's dead. But he, you know, fought through such things as a truth in lending act where the lending institutions would have to put down what the actual interest rate is. And they're still complaining about it, that that's too much work for them to do, that they don't have the capability of putting down the annual percentage rate. What they're really saying is that they don't want the people to know how much they're paying. And Paul Douglas, he just — he just had all kinds of courage and he did

what he thought was right. His ideas as to what was right fit my concept of what was right in a great many instances. So I — I followed him. And enjoyed being around him, learned from him.

Q: What would he do to help you in a campaign?

A: Answer — answer or give me direction when I was in a quandary. He used to stay at the — what's now the Sheraton up north here at Pershing Road. It was a Holiday Inn at the time. When he was in town, he'd — we'd go swimming together and then he'd take a nap in the afternoon, we'd talk. He had some pretty good staff too, fellows that would — that would help you out on issues. He wasn't too good on the meat and potato stuff like constituency favors. They'd give you information that they had that would be of help to answer any questions. And then he was very good when you'd go to a campaign rally. He'd always mention the local candidates in glowing terms and ask the people to support him. He was — he was just very accessible and very free with his time.

Q: Do you remember any specific information that you got from him that was useful to you, considerable.

A: I used to listen to him because we'd be — we'd be in speaking situations, oh, at least a dozen times in each campaign. And I'd listen carefully to what he had to say. And I think I took my information from that. He was the first one back in 1960 that I ever remember that suggested that the shale in the west be used as a source of petroleum. And of course he was big on regulation of the price of natural gas which was a thorny issue for a long long period of time. Ultimately, Douglas is dead and now gas is deregulated and the price is up. (chuckles) So he fought the good battle. So I would just listen to him.

Never got into the interstate highway on 72 with him too much because the additional mileage wasn't there, and he was defeated by Percy in 1966 before we got into that. But I had asked him on help on the unemployment compensation office in Lincoln. He told me that if Jack Kennedy was elected president, he'd — he'd make certain that there was one there, but . . . I don't fault him for that because I didn't follow through and I think they — they gave additional service so . . .

Q: You served on the Council of State Governments at one time, in the Illinois commission that supported that. What was your experience with that?

A: Well that was a fine experience. The Council of State Governments is an organization of the 50 states. Every state in the union pays a little bit to maintain the national headquarters and the regional headquarters. It provides a type of organization where states can combine and come up with alternative solutions to problems that are addressed by the federal government. That was a type of thing that was very interesting to me from an intellectual standpoint. Felt that there should be, you know, alternative — alternative solutions proposed from the state and the federal standpoint. In about 1965, I was elected chairman of the Illinois commission, which took a lot of work. And I kept that for three or four years and did quite a bit of work. Working with the chairmen of 11 other states here in the midwest because the council is divided into regions where Illinois is part of 12 states in the Midwest Conference, the Midwest Conference of the Council of State Governments. I don't know that — and the council still is the only official council of state governments. How much good they do, you know, is open to question. But they clearly do enough to avoid being abolished. Contributions are still there.

Q: While you were chairman, do you remember any specific actions that were under way or issues that arose that were being discussed?

A: Yes. I took over the chairmanship in 1965 and we had our meeting in Columbus, Ohio, that year. And one of the big issues at the midwest conference in 1965 was whether or

not there should be a federal constitutional amendment to overturn the one man-one vote decision of the Supreme Court. That was the big issue, that the states felt like the United States Supreme Court had just come in and reapportioned, taken away a state function. When we got to the vote on it, I voted with the United States Supreme Court. I voted for Illinois as a no constitutional amendment to overturn the one man-one vote, which was a big . . . And, under the rules, in order for a resolution to pass, it needed two-thirds of the 12 states and it didn't get it, so . . . I remember that as significant because the Supreme Court had acted the year before in 1964.

Other issues that came along that were timely, I think we got into . . . into agreements with sister states and neighboring states on control and regulation of matters involving air pollution, water pollution, that became multistate in its implication, which indicated that the council was at least abreast of the time, maybe a little bit ahead of the time.

And then we — probably the thing that we did that has the most impact was the revenue sharing idea. And that came about when I was chairman of the Illinois commission in 1965 and 1966 and 1967. We — and you can believe that revenue sharing didn't originate in Washington. It had to originate someplace other than Washington. And it was our Council of State Government, I think, that came up with the punch to put through revenue sharing. And we felt that restricted grants were not as good as block grants. Just give us the money, let us share in the revenue, we've got the expertise to solve the problems. And so we did an awful lot of work trying to gain acceptance of that. And yet the money was always at the end of the Vietnam War. We said, "Now we can't do anything in 1964, 1966 and 1967 insofar as getting the money. But we want acceptance of the idea so that when the Vietnam War is over, we will have this scheme and the plan for revenue sharing in place." That came about. And you see now revenue sharing with the cities and counties and townships, school districts and everything. It hasn't worked out as well as we thought, but I'm inclined to think, still, it probably has been a good idea. Better than some. That is, I think, a significant contribution from the Council of State Government during the period of time that I was chairman of it.

Q: You were on the board of managers of the council itself was it?

A: Yes, that was — came about because I was chairman of the Illinois delegation. Every chairman, I think, became a member of the board of managers so that there would be on paper 50 members of the board of managers at least. But I took — I enjoyed it. And I took — it was like any organization, if you enjoy it, they're always looking for volunteers. I would do some work and I'd go to board of managers meetings where there might be 20 members that would be there.

Q: Mrs. Van der Vries was on that board of managers at the same time, was she not?

A: Well, I don't think she was on the board of managers at the same time I was. I think she preceded me by a number of years. Yes, because Bernice was — I think she preceded me probably by 8 years. We were never on there at the same time.

Q: I see. She was an emeritus or something for a number of years.

A: Well, that could be. I don't remember ever seeing her at a board of manager meeting.

Q: Where did you meet normally?

A: Well, we met at nice places. I learned that if you want to have good attendance at a meeting, you pick out a place that's easy to get to, has a nice climate and is enjoyable. Our midstate meetings would rotate around the 12 midwestern states. Oh, one time when we had it in Illinois, I was on the site selection committee. We went to Pheasant Run which is in St. Charles, Illinois. And it was a very — they had a golf course and meeting rooms

and so forth. And we would meet various places. Then at the national meetings they would rotate amongst the major states. But there are things that later exposed in the press as junkets and say why is it that 180 members of Illinois are going to the National Legislative Commission in San Francisco. The answer to that is that if you had it in Nome, Alaska, none would show up, so you wouldn't have a meeting. So that — I learned that you don't have a well-attended meeting — where there is no compensation, mind you — in Cleveland, Ohio, on December 10th, you know, because it's too cold and nobody is going to go there. If you want to have your meeting, pick a good place and you'll have your meeting and it will be a good meeting. And if you put it in a bad place, well you're not going to have a meeting so you might as well abolish the organization.

Q: What kind of guidance did you get from here at home, from the governor, for example?

A: I worked under Governor Kerner and generally I'd look over the propositions ahead of time and knew generally what he wanted. I would either tell him or alert him ahead of time on how I wanted to go and what I was going to do on the various resolutions. And I never remember him overruling my decision on the thing. As I say, I knew him well enough and knew what he — kind of what he wanted. And then I would take the resolutions and give it to one of his men, Bob Maher, and I'd mark on the resolution how I was going to vote the Illinois commission. If he had any contrary ideas, for him to get in touch with me. And he never did. Whether or not he — whether or not my choice was good or he just found a wastepaper basket for the whole thing I don't know.

Q: I see. (laughs)

SESSION 6, TAPE 9, SIDE 1

Q: I'd like to talk about your experience with the Judiciary Committee. You were on it from the beginning all the way through to the end. How did you come to get on the Judiciary Committee?

A: Well, at the time that I first got my assignments in the House, there was a rule that all lawyers automatically got on the Judiciary Committee. And so, being a lawyer I was automatically on. Then later on that was changed. As the number of lawyers increased, when there was an increase in the size of the House as well as maybe an increase in proportion, by that time there had been seniority established and with the establishment of seniority you were able to keep your committee assignments if you wanted to. I thought one time, maybe, there might have been one session in the Senate when I took myself off the Judiciary, but perhaps not. Perhaps . . .

Q: Just the one before the last session, yes sir.

A: I did. Yes. Well, I took it off because I was chairing committees and Judiciary is a heavy heavy committee. And by that time in the Senate, it was more of a — the committee was less than all of the attorneys, so that they didn't need me and I wanted to get off so that I could devote more time to the committee that I chaired. But that was — that was the basis for it.

Q: Judicial reform was a big thing coming up back in 1955. What do you remember about it during the early days before the amendment was made?

A: Judicial reform back in 1955? (pause) Well, the — the people and groups that were interested in constitutional change — and Samuel Witwer is the name that keeps running through my mind. Sam, to my knowledge, is still alive in Chicago enjoying good health. He

was motivated — and the reason for his motivation I never analyzed — to make constitutional change. I suppose — I suppose there can be people that are dedicated towards changing the constitution like there are people towards looking for an obscure stamp; you know, one with the airplane printed upside down. Kind of a rare personality trait for an individual to be born into the world and develop a personality trait that they want to lead constitutional changes.

At the time, back in 1955, I never thought too much about Samuel Witwer. Never looked at him, saw what put money on his table, saw what sources fed his family. Don't think I was quite, you know, that penetrating in my analysis as to why people wanted constitutional change. And I say that with reference to Sam Witwer as I would say it with reference to anybody. Sam and I are friends. So far as I've known there was nothing improper and I'm not alleging anything improper about his activities on constitutional change.

What I am doing is kind of painting a little background that I, at this stage in my life, suspect of people that lead constitutional changes. I ask myself why do they want to spend the money and the time and the effort to make these changes. Is there not for them, or for some groups that they represent or groups that pay them, some advantage coming out of the constitutional change? I think that my knowledge is a lot wider and more deep since I ask questions like that 26 years later.

So, using that as a background, I — and a lot of changes. It's not only constitutional changes. A thing that's been in my mind for at least 6 years is why has there been money spent in the United States of America to try to impose the metric system in this country and to replace the conventional system that we have which is generally the British, the inches and the foot and the pound, whatever. Just by way of background, I'm going to say I'm convinced that metrification or forced metric system, since there is money being spent to impose it upon the American will, somebody believes they're going to make some money from it. It's been my opinion since reading a book called Global Reach which deals with the multinational corporations that forced metrification will result in the tools that produce machinery being in uniform size and uniform bore throughout the world. So that if metrics come along and the automobile workers decide to call a strike in Detroit, the multinational corporation that owns the manufacturing assembly plant in Detroit, that won't bother them. They'll just send in a flight of — or a number of maybe 747's [large Boeing Aircraft Company aircraft] and load up the machinery on the 747's and fly it over to some plant site in some more friendly country where there is a form of government, maybe a corrupt dictator that they've got on their payroll, that's more amenable to the multinational desires. And they won't have any trouble in producing the parts because, with metrics, the part will be interchangeable. So, I mention that as what I think is a very real result that would come out of forced metrification.

Related back to judicial reform, got to just add this historical footnote. As I remember World War II — and you were in World War II, you'd remember it — when Hitler invaded Russia, he was doing real well going through the western part of Russia on his march to Moscow. And the Russians burned their rolling stock or their railroad cars. And that slowed Hitler down because they had a rail gauge in Russia that was wider than the European or the continental rail gauge. And when they burned their rolling stock, Hitler was unable to put the continental trains on their track and use it to transport the men and material. Well it slowed them down on their march to Moscow. And I have always remembered that as a good reason why you don't have uniform system of weights and measures. Had the metrification people had their way 50 years ago, who is to say that Hitler might not have conquered Russia and the outcome of World War II gone the other way. Okay. Not, you know — I suppose to give you the background as to why I now am suspicious. I now reflect and think, "Oh, judicial reform, constitutional change," and then, "Sam Witwer as a front man or chairman, which ever you want to use, together with the backing of the metropolitan newspapers and some of the downstate newspapers, for judicial reform way back in 1955."

My thoughts at that time were just kind of a knee jerk reaction that maybe there was something wrong with our system of selecting judges, where you had a county chairman of both political parties — or each political party talking to their candidate for circuit judge and maybe being able to have access to his courtroom or to his chambers more properly, or more improperly as the case may be. And if the county chairman were, with the system that we had — be able to say to the circuit judge, "Frank" — or whatever your name might be — "I want you to take care of my friend who is being sued in the case there. He's a very heavy contributor to the party." And the judge who is dependent upon the political party, if he — if he would take care of the friend, maybe that would be bad. That type of a situation was painted and publicized as being an evil of the system as it exists and we ought to have some changes.

Q: Was that going on in your district?

A: Oh, no, no. Certainly there was an alliance between the judges and the party chairmen, nothing improper about it. There was an alliance between the legislators and the party chairmen, where party chairmen, if they felt like they wanted their views held or voted by a legislator — that I want you to vote with the racetracks on this bill — they had a perfect right to tell you that. And you had a perfect right to respond to it one way or another. There's nothing illegal about it, nothing immoral about it. The fact that it came from a county chairman meant that you just didn't turn it down quite as quickly as you would some person who had no power of speech or power of — any power to respond. But the connection between the political party chairman the the officials elected through the political system was an existing connection. It was a healthy thing and good for the country. I think we had a better and stronger country then than we have now when parties are weak.

Q: Now that was downstate. There was considerable talk about particularly municipal courts in Chicago at that time being improperly run.

A: Well, I'm certain any court — down in Missouri they use the Missouri System as the system that we ought to adopt, where the bar association submitted lists of prospective judges and the governor made the pick. I believe if you went into the Missouri System where the judges were selected rather than elected, you could find instances of where the courts were improperly run. Much as you can find today in Illinois, where judges are retained on their record and do not run under party system, you find examples of improper conduct. Always find something less than perfection.

But to blame the political system and say that's the reason I think is an oversimplification. What it really was this day, a desire by certain groups that wanted to exercise power to pick up the judiciary as part of their powerful apparatus. And so they went about it in the form of trying to get judicial reform and picked out examples of courts, municipal courts in Chicago. But they never went very far with it.

Q: Who were they? Who was Witwer representing at that time?

A: Well, as I say, I never really looked Witwer over too well at the time because I didn't analyze the subject at that time in the depth that I have now. Witwer was a member of a law firm in Chicago. And the law firm I think probably represented corporate clients. It's a large law firm. And if it wasn't Witwer, you can — the pattern is still the same. You get a large corporate client law firm in Chicago — by large I mean 35 lawyers or more — and they might represent such interests as the Chicago Tribune as well as the banks, or the banks, insurance companies, whatever. All right, they've got 35 or more lawyers. They decided that it's to their advantage to allocate as a resource at least one of their lawyers to be on committees where he'll volunteer his services. That lawyer ends up being on constitutional conventions and ends up serving on committees that are appointed and make important decisions. And they're entitled to their representation, but I've never been

impressed with their generosity. I think that the vote of their — of their donee or the gifted lawyer to the committee process reflects the interest of the corporate clients that the law firm has. It's their access to government and to the decisions that are made without going through the elective process.

And so when I talk about those large law firms in Chicago and the interests that they represent, the banks and the newspapers, insurance companies, I think I'm talking generally about the institutions that have been for changing the Illinois constitution. And you might ask the question, "Well, why would those groups be interested in changing the constitution?" There's plenty of reasons as to why. The judiciary system in Illinois in 1955 was elective. That meant the people could elect the judges.

And I think it's fair to say that the judiciary is more powerful than either the legislature or the executive because they have the final decision on what a law means, "How is the law applied?" Legislature can debate it and the executive can administer it, but it's the judicial — the Supreme Court of Illinois being the highest court — that finally decides, number one, if in fact it's valid through a constitutional test, and number two, what's a reasonable construction and what did the legislature mean.

And these groups — I repeat them again: the newspapers, the banks, the insurance companies, the large manufacturing interests — in their structure, I think, retain the Hamiltonian suspicion that the public just can't be trusted with that kind of power. "The elected — the electors can't be trusted with power to pick seven people in Illinois to be members of the Supreme Court and decide on such big important things. They just don't — they just don't have the smarts. They're not educated well enough. They're not sophisticated. They don't have the community of interest that we people have."

And I'm going to just make reference to the groups that I'm talking about. "We have — we have interests that — that are to build and maintain a great city, to keep commerce alive and to have transportation systems and to keep profits and work out a system of socializing our losses. If we've got the mass, the electors, out there with the power to elect seven members of the Supreme Court that can rule against us, all of our plans are jeopardized. Wouldn't we be better off if we had a selection system. And let's call it reform. And we'll select — we'll take away from the people the right of picking the judiciary — and we'll select them from lists and they'll be blue ribbon lists. And they'll be blue ribbon because we'll put the blue ribbon on there. And the committees that pick them will be the people that we put on the committees. And they'll come up with these blue ribbon lists of individuals that meet the litmus test, will be trustworthy, that will have a community and continuity of interests that we have." That's the way it works.

The Missouri plan which they wanted was that then they'll submit the list to the governor and he narrows that down. "Of course it's much easier for we, the powerful group of people, through our control of the media and our control of campaign contributions and access to communications, for us to concentrate on one person, like a governor, than it is to worry about seven, being seven Supreme Court judges, or hundreds of circuit judges or hundreds of legislators. So that's the system we'll use and we'll take our chances with our resources on being able to get to the governor so that the right type of people get appointed to the court."

Okay. I've talked quite a bit about that. But you can tell that I feel, you know, rather strongly about it. And I wasn't alone. In 1955 when this thing first came up, I'd hear from people that were older than I in the district, "I want the right to elect my judge." And no one verbalized what I've told you. Theirs was more simplistic but it ran across the same line. They felt that if they or any member of their family or any friend was ever accused of doing anything wrong, they wanted him judged by a judge that they had elected, one of their own. You know, pretty good argument. Or if they ever got sued or somebody in their family got sued, they wanted the judge that conducted the trial to be an elected

one. That they just felt that that would be a more fair type of individual than one who had been selected through some blue ribbon committee. And they were right, in my opinion. So, the question of judicial reform met this resistance at the grass roots. The people, wisely, didn't want to give away to a selection that which they had elected.

And so the efforts of Witwer and the other do-gooders — and I don't say that in a mean way. I think — I think, you know, Sam Witwer is a friend of mine. If I saw him today I'd shake hands. Served on the constitutional convention committee with him to structure the Constitutional Convention of 1970. But his idea on what was basically good for the people and mine insofar as constitutional change, pretty far apart at the present time.

Q: Were you familiar with Rubin Cohn's study of the change need?

A: Yes, I knew Rube Cohn. He came to the faculty at the University of Illinois after I left, shortly after I left. Well he was a fellow that impressed me as being unsatisfied just in the professorial role at the law school and wanted to teach others other than students his certain ideas. I was familiar with his work on — on advocating judicial change. Didn't ever ascribe any improper motive to Rube. At the present time, reflectively, I disagree with the people that wanted the selection process.

Q: Stevenson requested that Cohn conduct that study. Were you familiar at that time — this of course was before you were in the legislature . . .

A: No, not with Stevenson requesting the study. I'll just respond by saying that the people that wanted constitutional change had Stevenson in their corner. I don't — and that's, you know, when a person wants constitutional change, they're going to do what they can from the position of power they hold to get it done. Don't want it misinterpreted. I still think that the constitutional change imposed by the United States Supreme Court, the doctrine of one man-one vote, was a wise decision by the United States Supreme Court and that we're a better country on account of it. I'd be quickly — try to be quick to point out that there is nothing about that constitutional change that took away the right to vote. Actually what it did was give equal weight to votes. So it can be clearly distinguished from any other type of constitutional change that took away from the people the power of their vote.

Q: What about the restructuring of the courts. Did you feel at that time there was a need for that?

A: No. No. It was all right. The realignment of the court where you had one court and a system of appeals that were maybe a little bit more expeditious, there is nothing that I've seen that there was anything wrong about that. It may have been that, although I don't remember precisely, it may have been that there were a few things that had to be done constitutionally in order to get that done. Eliminating the justice of the peace where you just had one trial court as you have now with all appeals going to the appellate court, I think probably is all right. Getting rid of the clerks of the court, which came later, as constitutional officers was probably a good thing. But the — that was one good thing, I think, perhaps, that came out of the effort to change the judicial section of the constitution as it — or a little bit more unified system of table of organization and where you go.

Q: Did you have any pressure from within the district from court members or justices of the peace to retain their part in the structure?

A: (pause) Most of the pressure came from the newspapers, the Decatur Herald and Review. They were committed to selecting judges. That's part of what the media is all about. The media feels that they should run the country, in my opinion. So their enemies are the political parties. And anything they can do to strip the power of the political parties enhances their power. Impose patronage bans, that takes away the strength of the party so that you don't have people wandering around the neighborhood asking votes for either

the Democratic or Republican party. Where does that leave the voter insofar as knowledge is concerned? The only knowledge he can get is what he reads. And he reads the daily paper. He listens to radio. He watches and listens to a television. So, they were the ones that wanted the judges appointed, taken away from the elective process.

So that when it got down to the hard decision of — in their own interest — of deciding what is libel, they wanted to make certain that there were seven people on the court that would rule the way they wanted the law of libel to read rather than maybe how it should read. When it came down to the hard decisions on how do you rule on underwriting profits and the taxability thereof on insurance companies, the newspapers and their institutional advertisers, of which insurance companies are one, it's to their interest that they would have seven members of the Supreme Court that would see their point of view as opposed to seven members of the Supreme Court elected from the people.

And take it on down the line as to the economic issues that would come before the court system and ultimately the Supreme Court and see where the institutions would fare better in the ultimate result, and you'll, I think, come to the conclusion that they would fare better where the members of the court were appointed and where the appointment process used the committee system that I've previously outlined as opposed to an elective system.

So most of the issue was from the newspapers.

There were a few JPs, justice of the peace, that hollered a little bit about losing their jobs, but they were grandfathered in to take care of them. This was later on when the judicial article was — was submitted. I think about 1961, I may be incorrect, or 1962 when it was finally submitted and ratified. The JPs, the justice of the peace, police magistrates, were grandfathered in, meaning their jobs were not destroyed. They, rather, would expire through attrition. Then there was a section in there where they would be associate judges for a while. That diluted the opposition of any person who might have a job. So . . .

Q: Was there any pressure from the bar associations, either Illinois or Chicago, that were pushing this?

A: No pressure. Bar association, either group, really weren't very effective at that time. They — I think they took positions in favor of it. And the structure of the bar association then was quite different than it is now. At that time the bar association, all the officers came from the type of law firm that I have previously described to you. About . . . I'm going to say about 8 years ago, a new organization, the Illinois Trial Lawyers Association, set up a Springfield headquarters. The first president — this has been more than 8 years ago, but I mention 8 years ago, 1972, as to when the trial lawyers started to get powerful — but their first president back in the early 1960's was James Dooley who later became an elected member of the Supreme Court and just died here a couple of years ago.

The trial lawyers could see that the corporate lawyers were running the bar association and the trial lawyers' interests were not being properly represented through the state bar. So they set up the competing organization — oh, not a competing but an auxiliary organization, the Trial Lawyers Association. Opened a Springfield headquarters. Had some success because insurance companies were down with no-fault bills to try to do away with tort liability, which would be an economic threat to trial lawyers because they get a percentage if they're on the — on the plaintiff side and they get paid a retainer if they're on the insurance company side. So there was some economic self-interest with that.

What I'm getting to is that following the battles on no-fault, tort liability concept, the trial lawyers decided that maybe they ought to do more in the election process of the state bar association. So a trial lawyer candidate would start off about 8 years ago for third vice-president of a bar association. I forget who the first one was, but now we have Jack Mullen

who just completed his term of office as president of the state bar association. He's a trial lawyer. Bob Heckenkemp who now is president, just took over as president, he's a trial lawyer. Got a guy, a fellow from Carbondale, by the name of Firely and a fellow from Chicago who just got elected in a contested election. All these have been contested elections, all of them being trial lawyers.

So we've got five or six trial lawyers as head of the bar association, Illinois State Bar Association, which is changing the complexion, changing the efforts of the bar association, making it much stronger. They've now hired a former member of the General Assembly to be a lobbyist for them. He's a very effective lobbyist. So . . .

Q: Who is that?

A: Dan . . . Dan — Dan Houlihan, yes. I talk about, you know, the change in the bar association, how the trial lawyers have taken over, because you asked the question was there any pressure by the bar association. Why they'd, you know, they just ran it differently. They ran it like a corporate boardroom. They let the newspapers do the pressure for them.

Q: Where was Bert Jenner involved in all this?

A: Well, Bert was . . . He certainly wasn't as active as Sam Witwer. Bert, a very bright man, very close friend of Russ Arrington, was building his law firm in Chicago and he — he'd be around. He was articulate, just as smart as he could be. He endorsed various things. But I — when we saw him in Springfield appearing as a witness, he was down there for a good reason, something important by way of legislation that may affect one of his clients.

On the constitutional aspect, I — Bert would lend his name, you know, endorsed by Albert Jenner, but I didn't see him around Springfield like I saw Witwer. Witwer was almost a full-time man on constitutional revision.

Q: What do you recall about the Judicial Inquiry Board development?

A: Well, the Judicial Inquiry Board resulted from the Constitution of 1970. And how it got in there I don't know. But I would suspect that again the same interests that wanted to appoint judges would also want to have a board that would discipline them, keep them in line. And so they did get incorporated in the 1970 constitution this Judicial Inquiry Board, which was not subject to gubernatorial veto, not subject to the courts themselves. Claimed that they owed no allegiance to the legislature.

The first man — Greenberg I believe his name was — when he came in for their appropriation, he made that statement to us. He says, "We're not responsible to the legislature, to the executive or the judicial. We're responsible only to the constitution." And I said, "Well, I'm going to put in your bill here that you have to, for your money, that you have to set up a Springfield office and get a telephone." I was using that as a test because the argument was that there should be no restrictions on their money. Just give them their money and they spend it any way they wanted. I said, "Hey," — you know, I was on that select committee that was going into it. We were trying to see how much control they would accept from the legislature. We control the purse strings. They said, "None." I said, "Suppose we give you your money and you don't even put an advertisement in the newspaper. How are we ever going to find out where you are?" Well, they thought that was silly, you know.

Well I recall it, you know, it's rather specific, because this Greenberg, he took the position that they were a fourth branch of government. He was backed by the press along that position that we shouldn't restrict them in any way. That was their editorial message. Any restrictions or directions would come from the papers rather than from the legislature.

And the legislators from Cook County of course were greatly concerned about their power. They — they perceived the Judicial Inquiry Board as a threat to the . . . as a threat to the relationship that existed between the judges in Cook County and the Democratic political machine. What that relationship was was that most of the judges were products of the organization. And if you put in a new independent policeman on the block who has got power to throw the judges in jail or take them off the bench, their loyalty is going to be towards that board, or whoever the board indicates, as opposed to the organization. So they were concerned from that standpoint. And the matter to my knowledge has never really quite been resolved. As most things turn out the evils feared are not as great as they were feared or the benefits to be gained are not as great as once thought.

SESSION 6, TAPE 9, SIDE 2

Q: I was going to ask, there hasn't been an awful lot of Judicial Inquiry Board action since it was established, has there?

A: Well, there's been enough. The ones you read about are the — a judge from some northwestern county that told the defendant that he had to get his hair cut and he was going to cut his hair or something like that. That made a little — that may not have been the case, but it's . . . Anything that the Inquiry Board does is not real good news and you don't see too much about it. They are — I don't know about Mr. Greenberg, whether or not he's still on the board, whether or not new people on the board — whether or not their zeal has been dissipated. My guess is that probably the board is now in the hands of staff. Staff has a way of fitting into a rhythmical pattern.