

INTERVIEW I

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INTERVIEWEE: PRICE DANIEL
INTERVIEWER: JOE B. FRANTZ
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F: Let's trace you very briefly, Governor. You are a native Texan and pretty well took every role at the state level right on up to the governor. Right?

D: Quite a few offices I held, yes, sir.

F: You must have known the state like few other people did.

D: I did get about over the state quite a bit.

F: When did you first come to Austin?

D: I came to Austin in the legislature in 1939 as a member of the House and served three terms.

F: Did you know young Congressman Johnson at all at that time?

D: I met him after I came to the legislature. He visited there two or three times during the six years. Once, I especially remember, when I was speaker of the House he came down with Speaker Sam Rayburn when Mr. Rayburn made a speech to the House. I guess that's the first time I really did get to visit very much with then-Congressman Johnson.

F: Then you went from the speaker to be what?

D: Well, I left the speaker's office in 1943 to go in the Army and was

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in the Army for three years. Then, immediately after coming back in 1946, I ran for attorney general and was elected attorney general in 1946. I held that job for six years.

F: Until you became senator?

D: Yes, sir.

F: Right. Then as attorney general did you have any contact with first Congressman Johnson and then Senator Johnson? Of course, you were here based in Austin, and this was his home district so you're bound to have hit each other a little bit along the way.

D: Yes. There was legislation pending in the Congress that was very vital to Texas--the so-called tidelands legislation to restore to Texas the submerged lands that the Supreme Court had taken away.

F: This had been raised by Secretary Ickes originally, hadn't it?

D: Secretary Ickes was the first high official to raise the issue. It was first raised by some applicants for federal mineral leases which were selling at twenty five cents an acre and they applied on the California coast--very few applications on the Texas coast. But they stirred the thing for quite a bit, and former Senator Burton K. Wheeler was their lawyer. He had some members of the Congress, and especially Ickes, change his previous view and his previous official opinion that these lands belonged to the states and began his fight against California for claiming federal ownership.

F: What did you have--a kind of a nebulous situation? You didn't have a clear-cut body of law on the tidelands ownership at this time, did you?

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D: Yes, it was quite clear-cut, we thought. There were fifty-two Supreme Court decisions which had held that the states own all of the submerged lands beneath navigable waters within their boundaries. Fifty-two times the Supreme Court held that. It had so held with respect to some of the coastal lands and lands under the Great Lakes, which were held by the Court to be the same as high seas. So we thought it was quite well established law. But the Supreme Court undid the law with respect to these lands lying seaward of the beaches along the coast.

F: With no exception for Texas, regardless of how she entered the Union?

D: Well, it seemed that Texas was going to be given an exception. I was afraid that the Court might go off in a direction that would keep us from having an exception. And on the day that the California tidelands case was argued, I went up for the National Association of Attorneys General and made a short friend-of-the-Court argument. Attorney General Tom Clark had been contacted ahead of time by his brother Bob Clark at my request. I asked Bob to ask the Attorney General if he thought it would in any way prejudice Texas for me to represent the National Association of Attorneys General, and his reply was that he did not think it would. So I went up to argue it. Before we began the argument Tom Clark came down the aisle and put his arm around me and said, "Well, Price, at least you got a good trip to Washington out of this, but that's all you'll ever get out of it, because I've just issued a statement saying that Texas is

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different and this Court decision will not apply to Texas." And he handed me the release that he had just given to the press. It was an all-out statement that Texas would not be sued, that our title was retained when we entered the Union. We were different from California, and that therefore this case would not, in any manner, affect Texas. It was as fine a statement in our favor, and along the lines that you just asked about, as you could ever want.

But the Court went off on a theory--instead of ownership, they went on a theory in the opinion by Mr. Justice [Hugo] Black that the federal government had paramount powers in the land seaward of low tide, and that the states couldn't exercise those powers. That's what their decision was based on rather than on ownership. That was contrary to what the Attorney General had argued in his brief. The Attorney General of the United States, Tom Clark, was quite disappointed that the decision didn't deal with proprietorship and straightout ownership.

So, you know what happened later on. Tom Clark had to reverse himself and file suit against Texas.

- F: Which put him in quite a position as a Texan himself.
- D: As a Texan and as an Attorney General who had issued that big statement just before the California argument in the Supreme Court.
- F: Is it just coincidence that a couple of your leaders in this fight against state ownership of the tidelands were Burton Wheeler from Montana and Joseph O'Mahoney from Wyoming? Or is it because they did come from inland states with no tidelands that they took this

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particular position?

D: I think Burton K. Wheeler was acting strictly as a lawyer. He was out of the Senate then, I believe.

F: Yes.

D: He had clients: these people who wanted to buy these cheap leases. You see, Texas and California, the two, leased to highest bidders. But under the Federal Leasing Act whoever files first paid twenty-five cents an acre for the lease. He had a lot of these lease applications on producing oil lands. Joseph O'Mahoney--I was his desk mate later in the Senate--I think just felt, maybe as an inland state man, that they had very few navigable streams and it would never apply to them, and that the federal government ought to latch on to the property since the Court had held that they had a right to it.

F: O'Mahoney, as I recall, wanted the Interior Department to hold these lands in receivership until you could get everything settled.

D: I think he was behind making naval oil reserves out of them. At least Mr. Ickes, as he went out of office, proposed, and President Truman in his last week in office proposed that they be made naval oil reserves.

F: Did Congressman Johnson in these early days of this dispute have to declare himself? Did he declare himself?

D: Yes, he did. He voted as a member of the House for the first bill which would quiet title in the states before the Supreme Court ever passed on the California case. I'm saying he cast his vote that

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way. If he was present, I know he did because he openly supported the position of the state.

F: Did he talk with you about it?

D: I think that I talked with him on several trips to Washington during that period.

F: You were sort of commuting at that time, weren't you?

D: Sort of. I didn't talk with him before the first bill was passed because actually it was passed before I became attorney general. But on the second bill I talked with him, and he supported it. Both bills were passed, and President Truman vetoed the bills. Congress always was in favor of quieting the title in the states because the legislation applied to all submerged lands under rivers and everything. There was a definite feeling that the theory in Justice Black's opinion could be applied to any navigable waters.

F: Of course, Justice Black came from a state with a small tideland.

D: Very small tideland area.

F: Yes. During 1951, you had sort of a running battle, as I recall, because Mississippi collected its own tidelands revenue, but the federal government collected Texas' leases.

D: Was that in 1951?

F: In 1951, yes, while you're still attorney general.

D: The federal government might have started leasing some of the tidelands in 1951. Now Mississippi hadn't been sued then. California and Louisiana had.

F: Basically, this was a Louisiana-Texas-California fight, and the other states just kind of played tagalong, I guess.

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D: That's right. And in California they had agreed that they would hold all the money until the dispute was finally settled by the Court or the Congress as to the definite locations of the boundaries.

F: Who'd hold the money--the federal government?

D: The Court would hold the money. I don't believe Mississippi got into it until a little bit later. In Louisiana the same arrangement was made. But off the Texas coast you may be right--the federal government might have started leasing because they didn't sue us until considerably later. They didn't sue us until--well, I guess by the dates you mentioned. You said 1951.

F: Yes, in the summer of 1951.

D: They did have a judgment then. By a four-to-three vote of the Court. We almost won that case. And the opinion of the Court was rendered by a minority of the Court, four members. Two were disqualified.

F: Tom Clark was on the Court by then.

D: Tom Clark and Jackson, who had been attorney general.

F: During this period of 1959-1951, particularly 1950, the University of Texas and the whole Texas educational system has the problem, at the college level, when Heman Marion Sweatt tried to force entry into the University of Texas Law School. As attorney general, of course you represented Texas.

D: Yes.

F: Did Senator Johnson take any role at all in that? Or was he pretty much out of it?

D: No, I don't remember him taking any role in that fight at all.

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F: He never, as far as you recall, talked to you about the possibility of what this would mean politically one way or another?

D: Not at all.

F: Let's come on down to 1952 then.

D: Let's get rid of that Heman Marion Sweatt case just a minute. I sat in the trial of that case with Joe Greenhill and Jake Jacobsen, and took the lead in the trial. Our adversary was a present member of the Supreme Court, Thurgood Marshall.

F: I remember when he came here.

D: We had quite a friendly fight. He said after it was over that he had been treated better here in Texas in the courtroom by us than he had been in any other state that he'd appeared, and he had been in many making the same fight to declare segregated schools unconstitutional. Then after we argued the case in the Supreme Court he asked Joe and Jake Jacobsen and me to come out and have a picture made with all the lawyers. It's interesting to see that he moved on up and is now a member of the Court.

F: I noticed he had a little--what was it--a heart attack or a stroke?

D: Yes, he did.

F: We've interviewed him incidentally.

One other thing I'd like to establish before you get into your own senatorial years. That is you were attorney general in that disputed contest between Lyndon Johnson and Coke Stevenson in 1948, the one which Johnson eventually won by eighty-seven votes.

D: I was attorney general at the time.

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F: Did that involve any state law, or was it strictly a federal election problem?

D: All of the litigation was in the federal courts. I simply sent a member of my staff to the Court hearings here in Texas. [That was] Joe Greenhill, now a member of our State Supreme Court, to observe and to see if there were any Texas laws violated on either side of the election contest that we should be apprised of. But he took no part in the litigation.

F: And so he didn't find anything that involved the state of Texas insofar as the legalities were concerned?

D: Well, there were some things, some irregularities, but no evidence was available that we felt like we could turn over to district attorneys that they didn't already have. For instance, there were some irregularities on both sides that would effect, let's say, both sides of that race.

F: But as far as you could tell, as far as the state of Texas was concerned, it was sort of routine irregularities?

D: You might call it that. For instance, at Brownwood out there in that county, there were hundreds of ballots that were not signed on the back by the election judge. If that case had ever gotten down to a real contest, it's entirely possible that there would have been as many or more votes thrown out that were cast for Stevenson as votes that were cast for Johnson, if you'd have come to a statewide contest.

F: Okay, we're coming down to 1952. Tom Connally is up for re-election,

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or is going to be, and Tom has been around now for quite some time.

At which point did you decide to get into the race?

D: First, let me say that I had a great admiration for Senator Connally. He was the first candidate that I ever campaigned for. As a boy I tacked his signs up over at Liberty for my father and Mr. E. B. Pickett, who were his campaign managers. The Senator was kind to me through the years. I regretted to announce against him, but I really felt that the time had come that he was paying more attention to Washington and to Dean Acheson and to the State Department and some of the things they were doing than he was to Texas and the interests of our state. I felt, furthermore, that someone was going to defeat Senator Connally.

I consulted with Governor Shivers about it, and he decided he [would run again]. I would rather have run for governor. I really had no ambition ever to go for the Senate in all my life. But Governor Shivers was in and he decided he didn't want to run for the Senate and wanted to run for governor again. I'd been attorney general three terms and I felt that if the Senator was going to be defeated anyway, which I felt positively he would be, I decided it would give me an opportunity to go on to Washington and at least try to get this four million acres of land back to Texas. That was what really interested me.

F: You had an issue?

D: Yes, I had an issue.

F: I remember that period quite well. The feeling throughout Texas was

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that Tom Connally was full-time chairman of the Senate Foreign Relations Committee and wasn't a senator from Texas at all.

D: That was the feeling.

F: Every now and then, I had some friends in San Angelo that called on him and found out that he hadn't been in San Angelo in fifteen years, you know, and didn't know of any of the changes that had come over in the community.

D: He had lost touch. He was, also, supporting a lot of President Truman's plans and recommendations which were not too popular in Texas.

F: At the outset before you entered, did you talk this over at all with the junior Senator from Texas, Senator Johnson?

D: No, I do not believe that I talked it over with Senator Johnson.

F: Did he indicate at all where he might stand?

D: Well, I knew where he would stand. He would have to support his colleague. It is possible that I discussed it with him. But I didn't have to discuss it with him to know that he would be obligated to stay with his colleague, and I understood that perfectly.

F: Did you have any idea that Tom Connally was going to get out?

D: Not when I announced. Well, no, I didn't have any idea that he would get out. A little bit later, after announcing, I began to feel that his response from home and the polls and all were such that he might get out.

F: The polls were showing that you were probably going to defeat him.

D: Badly.

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F: And so--

D: For instance, the polls--I remember one in Fort Worth showing about five-to-one. That was a newspaper poll where people wrote in. Some of the more scientific polls showed the same thing. I began to get reports that when he wrote to his people who had previously handled his campaigns that his responses would be that so many of them were gone, were dead. In many counties a majority of those still living were against him and were for me. So I began to read the handwriting on the wall when I started getting these reports.

F: He began to read the same handwriting.

D: Yes, he read the same handwriting.

F: And got the same answers. Well, now, you have one problem in this particular year, and that is the fact that it is also a national presidential election year.

D: Yes.

F: So that you, in one sense, have to look two ways at once. This was the year when Stevenson was first nominated by the Democrats and Eisenhower by the Republicans. According to my notes on August 24, 1952, you announced that you would not campaign for Stevenson.

D: Yes. I'd already been nominated for the Senate. Earlier I had announced that I would not support Mr. Truman or any other candidate who would not let the majority of the Congress settle this tidelands issue. I figured that any president who would substitute a third veto in place of letting Congress settle this issue was not the man that I

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would support.

F: Did you ever talk to President Truman directly on this issue?

D: Yes, I did. Senator Connally is the man that took me there to talk to him.

F: I see. Did you get any inkling as to why he was so adamant on this particular subject?

D: Well, no, nothing except from his speeches in which he would say that he thought that the federal government should have the property-- the Supreme Court had said so--and that he thought that the title that had been adjudged in the nation should remain there. He didn't like the idea of restoring it to the title condition that was always thought to control.

F: Without going into the rights or wrongs of it, you think his position then was a sincere belief that the issue was settled and it ought to stay settled, and not just a matter of political expediency?

D: I think that's a fair statement. Of course, I think he also felt that it was the popular political side of the issue with the union bosses and some of the people in the East and some of the liberal element that tried to make an oil fight out of it, and say that was all that was involved.

F: So Truman doesn't run, but the Democrats pick a man who is more or less of the same mold as Truman insofar as the tidelands is concerned?

D: Well, Stevenson, first we thought that, in view of the Congress acting twice and two vetoes having been applied, he

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might agree to let the Congress settle the matter and not impose another veto. But Governor Shivers went up to get that kind of an agreement from him. I think he thought he was going to get it, but he did not. Stevenson, on the contrary, said that he could not make that kind of commitment and made sort of a general nebulous statement. Governor Shivers told him, "Well, let's get the cards on the table. What would you do if it were passed again?", and Stevenson said he'd veto it. So on getting that in writing--I had heard that by telephone--when the newspapermen called me, that's when I said that I would not support Stevenson, applying the statement that I had already made that I wouldn't support anybody that wouldn't let Congress settle it.

F: Now about the same time Johnson announced that he would stump the state for Stevenson. Did that bring you two into any conflict, or did you just go your separate ways?

D: Well, we went our separate ways. We were not intimate at that time. He had been of assistance to me in the Senate race after Senator Connally got out. I'll never forget, he called me and told me when Senator Connally pulled out that he was for me and that anything he could do to be helpful he would be glad to do it.

F: Did he do anything?

D: Yes, he did. He made some calls to Amon Carter, Fort Worth Star Telegram, and some more of his newspaper friends. He asked what could he do, and I knew he was close to a few newspapermen like that who had stayed with Senator Connally.

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F: So he put in a word here and there.

D: He put in a word there. I don't know if he knew at the time that Lindley Beckworth, a member of Congress, was going to run. But anyway he made his commitment to me immediately after Senator Connally pulled out.

F: This wasn't all behind the scenes; he let it be known publicly that he would look on your election with favor?

D: I doubt that he made a public statement, but he called people where it would be helpful.

F: Well, that kind of word gets around among people who make opinion.

You have a slightly curious position in this because you are the attorney general of Texas, and the Republicans want to place you, as well as Governor Shivers and some others on their ticket, which in my experience is something new in Texas history. Did that create any problem for you in this sort of cross-filing?

D: No, because we didn't do any cross-filing. The Republican Party figured evidently that the best thing they could do was to avoid any fights on the state level and try to get a big vote for--

F: In other words, their idea was that if they've got Shivers and Daniel on the ticket that people then will go ahead and vote for Eisenhower because they're going to vote for Shivers and Daniel.

D: Yes, they could vote for all the Democratic nominees. By the way, the Republican Party put all the Democratic nominees on their ticket without any of us soliciting it or even agreeing to it. Only John White, the commissioner of Agriculture, asked

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that his name be removed. They had it so that people could vote for Eisenhower on either ticket and be voting for the state nominees of the Democratic Party. It was a pretty smooth thing for them to do.

F: Also, in this election you could write in Eisenhower and Nixon on the Democratic ballot.

D: Yes.

F: How'd that work?

D: Well, write-ins in Texas have always been pretty permissible--permitted usually. The Secretary of State, I believe it was, asked me for an opinion as to whether or not this would be legal to write in Eisenhower and Nixon on the Democratic ticket, striking off Stevenson and who--Kefauver? Was it? Stevenson and his running mate.

F: I don't remember now who that was. I think Kefauver was 1956.

D: I don't either.

F: Sparkman.

D: That's right. So I had already declared myself against Stevenson and for Eisenhower; so rather than write that opinion myself, I appointed five former Justices of the Texas Supreme Court as special assistant attorneys general. They wrote the opinion that said it was legal.

F: To come on down to November of 1952 you're elected without much problem there and go into the Senate. Did you get the feeling that Sam Rayburn and maybe Johnson--but particularly Sam Rayburn--were

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beginning to try to organize to reduce the amount of influence and control you had?

D: Not Johnson at all. To the contrary, Senator Johnson had plenty of friends who supported Eisenhower. He was and is a great man to try to heal any breaches or misunderstandings and to forgive and meet anybody halfway or more than halfway. So he never chided me about it at all, about supporting Eisenhower. On the contrary, he encouraged me to get into the Democratic caucus and work with the Democrats.

I was at his house when the campaign was being put on to elect him majority leader. I remember him telling several senators, or them asking him, about me, and whether or not I might want to be on the committee. The committee was then Interior and Insular Affairs that I was particularly interested in. He saw to it that I got that committee.

And, when I went to Washington, there was no office space left for me because one of the defeated senators who was having to move hadn't moved though the session was about to begin. So Senator Johnson gave me a desk in his office and the free run of his staff. The day that the Democratic caucus met he asked me to go with him, and I entered the door with his arm around me. So he was making it quite clear that he was wanting his colleague to have all the benefits of the Democratic caucus and the Democratic Party in the Senate.

Now Mr. Rayburn had a little different attitude. He was peeved

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at me for several years, but he got over it finally.

F: He put party loyalty right at the top of everything.

D: Yes, sir. I had committed the unforgivable sin. Although he liked Eisenhower quite well, and nobody helped Eisenhower more than Mr. [Rayburn].

F: Made an awfully good speaker.

D: Nobody helped Eisenhower more than Mr. Rayburn and Lyndon Johnson.

F: Within the first week or so after you got to Washington and got certified as the new senator from Texas, you offered a bill giving the states titles to the tidelands?

D: Yes, I had that written before I got to Washington.

F: Did you talk with Mr. Johnson at all about this at the time--about the best way to get proper attention?

D: Definitely. I knew the best way to get proper attention was to get on the committee that was going to handle the bill, so I told him I'd like to be on the Interior and Insular Affairs Committee. He got me on there and was helpful all the way through.

F: You also, within two months after you got there, had lunch with President Eisenhower in which you talked over the tidelands problem.

D: Yes.

F: That's pretty good for a freshman senator. How'd you manage it so quickly?

D: Well, I had supported him.

F: I see.

D: But let me add this. That in that party for lunch that day was Jack

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Kennedy and several Democratic senators. It was just that the President was wanting to get acquainted with all of the new senators and some of the older senators. So he had luncheons for practically all of the members at various times--small lunches.

F: Jack Kennedy entered the Senate with you, didn't he?

D: Yes. At the same time.

F: Did you find within the Senate that the feeling on the tidelands tended to break down between coastal states and non-coastal states? Did the Great Lakes states, for instance, which would have their own coastal problems--did they see the thing through your eyes, or did they have a different viewpoint?

D: No, a great majority of the states, practically all of the coastal states except Alabama and most of the inland states, supported the bill. Because the Great Lakes states--their state officials, their governors and attorneys general with whom I'd been working through the years and many of their Congressmen and senators--felt like that this same decision would apply to the Great Lakes, they having been held by the Supreme Court to be high seas. Then a lot of the inland state people felt that it could apply to their inland waters. But whether it did or not, many of them felt like that after the states for over a hundred years had been recognized to own this land, had made a lot of improvements and developed it, that it was nothing but fair to restore it--wherein to put it back in the same status that it had been recognized by the government for over a hundred years. During all that time if the government wanted land to build a jetty

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or they wanted a Fort Crockett property down here that's extended out into the Gulf--

F: Down in Galveston?

D: Yes, they came to the state and got deeds for it--sometimes paid for it. So just as a matter of fairness, and also there were many members from inland states that felt like the theory behind that decision was bad, to say that because the federal government had need and paramount rights in the area that they could take the property was a dangerous doctrine.

F: There could be something then within their inland borders that the federal government might feel the same sort of paramount interest--

D: It might be able to apply the same thing.

F: You have one problem. You've surmounted one hurdle, but you are, one, a freshman senator. You have now made it onto the necessary committee where you can sit in on the hearings and give some guidance there. But you're also a member of the Democratic minority at this time, so you're going to have to have some Republican help in this. Whom did you work with most closely in trying to get this thing set up so that the Republicans could carry more than their share of the --?

D: Senator Butler, who was chairman of the committee, turned this problem over to his next most senior Republican, Senator Guy Cordon of Oregon and I worked with Senator Cordon day and night for a long time in getting the bill out of the committee. Then as you know on the floor it brought forth the longest filibuster in the history

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of the Senate up to that time. So the Republican leader, let's say, was Senator Guy Cordon of Oregon.

F: Now your majority leader was Senator William Knowland [California].

D: No, Senator Bob Taft [Ohio].

F: Bob Taft was at the outset.

D: Yes.

F: And he saw things your way?

D: Very much, even to the extent that when it came time for him to make his personal speech on the floor, he paid me the compliment of having me come to his office to go over his proposed remarks and make any suggested changes that I thought should be made. That was one of the highest compliments that was paid me that first year.

F: Did Senator Johnson, who now is minority leader, show his hand very much in this; did he work behind the scenes?

D: Oh, yes, you bet. He showed his hands right out in the open as minority leader and worked closely with Senator Taft in seeing that we, you might say, held the feet of the opposition to the fire through this filibuster.

Actually, it was twenty-seven days long and there came a time when Senator Taft began to weaken a little bit, just wondering whether or not this thing could be continued, or how could it be broken. Senator Johnson suggested that we have around-the-clock sessions day and night.

F: The idea being just to wear them out on it?

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D: Get it over with by not giving them a rest. So Senator Taft called the leaders together on the bill--those of us who were working the floor. Senator Holland of Florida was one of the main Democratic leaders on this bill and co-authors. I think we had over fifty co-authors. He called us in there to ask us if we were ready to do that and if we would conduct round-the-clock sessions. We said that we would, and we did. Senator Holland and I were on the floor all during the twenty-seven days, but we were on the floor day and night around-the-clock for a period of about a week, I believe, it took to break the filibuster. One of us would sleep while the other stayed on the floor; one of us would go back to the cloakroom and get a little sleep.

F: Just act like a relay team.

D: Yes.

F: Did Senator Johnson as far as you could observe work very harmoniously and effectively with Senator Taft?

D: Oh, very much so. I think they had a high regard for each other and worked together on many things. Senator Johnson was trying to be helpful. His idea about a minority leader was not to just have a lot of friction, but to work together for the good of the country and for the Eisenhower Administration. He helped put over more Eisenhower programs than the Republican leader did, really.

F: Was it obvious that Senator Taft's strength was running out, or did he go pretty much full-tilt right up until near the end?

D: He went full-tilt until this illness hit him and he came back to the

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Senate on crutches. I remember Senator Johnson telling me the bad news that he felt that Senator Taft would not be with us long. Evidently he had gotten a report from the Senator, or from someone, as to the seriousness of his illness. Taft was a great--

F: I know it caught the general public by surprise.

D: It was quite a surprise.

F: Was there much loss of effectiveness when Taft moved out and Knowland moved in?

D: Well, Knowland, I thought, was a very good leader. He was a high-class man, and he and Senator Johnson got along quite well.

F: There wasn't any loss in meshing efforts between the minority leader and the majority leader when you changed your majority leaders there?

D: I did not observe any. In fact, I was with Bill Knowland and Senator Johnson quite a few times when I observed the very best of friendship and cooperation. Of course, there would be times when the Democrats decided they could not go along with a certain measure in which they just ran over Bill Knowland by getting enough Republicans to go along. I saw a few heated arguments between Bill Knowland and Lyndon Johnson, but they remained friends.

F: These are just over those specific points or issues, and they never got personal?

D: That's right. They remained friends, so much so that out at the Democratic convention, when Senator Johnson was running for president in 1960, Bill Knowland came to the room and told me that if there

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was anything that he could do to be helpful to Lyndon to let him know. He was publisher of the Oakland paper then. If there was anything, although he was still a Republican, he wanted to see Lyndon Johnson get a good break in the newspapers and be as friendly as he could.

F: Did you have these Wednesday sessions of the Texas congressional delegation at this time?

D: Yes.

F: Every other Wednesday--I presume the format was same as now; that is, every other Wednesday was open to guests, and then every other Wednesday, alternate Wednesdays, were closed to talk things over?

D: Clotured. Yes.

F: How did those go in those days? Did one person seem to dominate it, or did everybody have a free flow of --?

D: No, it was a very friendly group. Of course Mr. Rayburn was the patriarch, and Senator Johnson was there for most all the meetings. It was a very friendly group. We even had the one Republican congressman who attended the meetings. I think they've discontinued that.

F: Yes, I think Bruce Alger broke that up.

D: Well, Bruce was the one that was--

F: Oh, was Bruce the one that attended?

D: Bruce was the one that attended. No, I think it was broken up after Alger was gone. I could be mistaken, but I believe it was broken up later.

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F: Of course the senator is the highest national office that the state can award a man. Was there a tendency on the part of the congressmen to defer to you two senators, or was it just pretty much an even-Steven proposition?

D: Well, there was not much deference to me. I was a young senator, all very friendly and cooperative, even Mr. Rayburn finally. But I'm sure that they deferred to Senator Johnson some because quite a few of them had campaigned for him. But the members of Congress were pretty independent. I think they thought for themselves. In fact, I helped put through a bill whereby the people who had been injured and the loved ones of those who had been killed in the Texas City disaster could sue the government and recover damages for the negligence in connection with the destruction of the ship that did so much damage at Texas City. Senator Johnson was strong for that bill. I had handled it in the Judiciary Committee. That bill was passed and we thought all the Texas Congressmen were for the bill, but over in the House Congressman Jack Brooks just tore the bill all to pieces.

F: That surprises me.

D: And without talking to either one of us. He felt that the amount of the claim should be held down, and even on some people who were injured for life. So he was my congressman and my friend, but I'm just citing this strictly to show you the independence of these members of the Congress, even in the Texas delegation.

F: Did you ever get in good arguments in these Wednesday luncheons, or

was it pretty much kept on a kind of almost an academic basis?

D: Well, I don't remember any arguments over anything at those closed luncheons.

F: Nobody tried to change anyone's viewpoint. They just tried to present positions and talk about problems?

D: Actually, there wasn't much of that. It was just a chance to visit without guests and have a chance to talk together. But I cannot remember any issue ever having been presented.

F: It never divided the group?

D: Not at all.

F: No factionalism there at all?

D: I can't remember any issue ever being presented to that group.

F: Let's get back now to the tidelands which I diverted you from. You got this bill up and you've got to see it through and you've broken the filibuster. Where do you go from here?

D: Then we had to be sure that the House did not amend the bill; because if the House had passed an amendment just dotting an I or crossing a T, that would give the Senate an opportunity to have a filibuster on concurrence. So we never wanted that bill to get back to the Senate. So we got busy with the House leaders and keyed them in on the situation and got them to agree that they'd pass the bill.

F: Did Sam Rayburn stay hitched on this?

D: Yes, he did--always stood hitched. There was a time, back before I went to the Senate, that Mr. Rayburn wanted to compromise. He was very disappointed that he couldn't work out a compromise, and that I

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would not go along with his proposed compromise. But after it was evident that that compromise would not be satisfactory to the states--and when I say that, I mean to the attorneys general and to the governors of all the states--then Mr. Rayburn went back to his support of the bill that he'd been supporting all along and was very helpful. The bill was passed exactly as the Senate passed it, which meant that it did not come back to our filibusters.

F: And you did not anticipate any difficulty at all from President Eisenhower on this?

D: No, I sure didn't, because he had already committed himself to support the bill. I helped write the speech which he made in Houston, Texas, during the campaign committing himself all the way.

F: I see. You acted as a ghost for Eisenhower and Taft both, huh?

D: I hadn't thought of them together, but that's true.

F: Right. It seems to me that quieted the issue. I mean, you get mutterings on everything for eternity, I presume, but you never have had any real serious effort to roll this back, have you?

D: Well, Alabama brought a lawsuit to declare it unconstitutional, and that didn't get anywhere with the Court. They wrote a little short opinion saying that Congress had the right to convey this land, or quitclaim it to the states. Then the only other attempt to roll the thing back, or in any way change things, was Attorney General Brownell brought a lawsuit just the week that he went out of office against Texas to roll us back to three miles instead of three leagues, which is equivalent to nine marine miles.

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F: President Eisenhower, though, understood the three league proposition.

D: He was committed to the three league proposition and for several years there, he told--

I don't know what got after Brownell. The first day he came before our committee he seemed to have let some holdovers in the Justice Department influence his thinking. He didn't want to restore the property rights. He just wanted to give us the right to reap the benefits out there. That was one recommendation he made. Another one was that we draw a line on the map setting the boundaries of each state. That would have split the states up because all the Gulf Coast States were claiming three leagues while some of them didn't have three leagues. So we couldn't try to settle that issue then.

But his testimony was very disappointing. I never shall forget Senator Guy Cordon told me at lunch after Brownell had testified that he never heard such a damn-fool presentation in his life. Senator Cordon and Senator Holland and I had offered to ghostwrite for Brownell. We had offered to help him in any way that we could on the issues. He was new to the problem, and we went down to the Attorney General's office together and offered our help and services, hoping that he would maybe call on us before he appeared before the committee. But he didn't, and he brought these things before us and no members of the committee except the opponents of the bill would go for what he proposed.

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I remember that the day after his appearance is the day that I had lunch with President Eisenhower that you mentioned before. President Eisenhower asked me if Brownell had split his britches before that committee. And I told him that I certainly thought he had. I said, "He did not testify for what you had committed yourself for--outright ownership being restored."

So then Brownell all through his administration seemed to think that he should litigate on whether our boundary was three miles or three leagues because he had to do it with Louisiana. He filed a suit against Louisiana, and he felt like that he had to litigate with Texas. The Supreme Court, I think, is partly responsible because they thought that he shouldn't just pick out Louisiana; that he should go on and file on all the Gulf Coast States. So I'll forgive him in a way.

F: Just kind of run a check-off list, in effect.

D: Yes. But on the other hand, even before the Supreme Court did that he had wanted to file a suit. Well, he had Bill Rogers who is now secretary of state and who was an assistant. call me up and read me a news release that he was going to file suit against Texas to roll us back to three miles. I was at Liberty, at home, and I said, "Bill, this won't do. Why does he want you to read it to me?"

"Well, he just wanted you to know about it and see if you had any comment."

I said, "My comment is that don't dare do it! I'll be in Washington as quick as I can get there by plane."

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So I got word to the President through Bob Anderson and Dillon Anderson, who was on Eisenhower's staff both during the war and during some of the White House days. They got word to the President. I flew up to see Brownell and talked him out of filing that lawsuit. I think the way he finally decided--what made him finally decide he wouldn't file it was when I told him very casually that Senator Johnson had told me that he was going to put me on the Judiciary Committee the next session of Congress. Well, the man nearly jumped out of his chair being friendly then, because that committee handles all of his appointees. So he said, "Well, okay, we'll put this off."

But several times the President had to use strong language with Brownell, saying, "You do not sue Texas." Finally, just to show you how even a president loses control of situations, Brownell finally persuaded him that he must file this suit. By that time the Supreme Court was requiring him to do it, really. So the president says, "All right, but in your brief you make it clear that I don't think you're right and quote what I said when I ran for President." The funny thing about it is, Dr. Frantz, that I wrote those quotes back there on those speeches. But anyway, that's how we finally got a lawsuit, and we won that case. That's one of the few times that a state has won a case before the Supreme Court of the United States. We won it holding for our three league boundary.

F: Was it a touch-and-go situation, or did you feel from the beginning that you could make your three league claim stick?

D: All through the congressional hearings in the Congress and on the floor

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debate we put so much three league evidence in the record that we had a pretty good record built that Congress really intended for Texas to get three leagues. Furthermore, we had the Treaty of Guadalupe Hidalgo which fixed the boundary between Mexico and the U.S. at three leagues. So we had a pretty good situation there as far as winning the case. Even then though Black and Douglas dissented. But that was a great experience. I was governor then. Attorney General Will Wilson asked me to help write the brief and to argue the case. That was quite an experience to argue the case and get a Supreme Court victory for a change.

F: One of the issues that came up right at the beginning of the year in February of 1954, the Labor Department ended the hiring of all Mexican migrant labor which, of course, affects Texas considerably. I know people like Senator Lehman, Senator Humphrey had very strong feelings that we were feeding subversives in through from Mexico and so on. Of course I don't have to tell you what this did to valley farmers and the general labor market. Did you get very deeply involved in this?

D: I'm sure that I took the side of having those laborers come across and continue their work on the Texas side of the river. I do not remember anything specific.

F: This didn't get to be a sufficiently large issue that you and Senator Johnson would have worked together on this?

D: No. There are a lot of things like that that you work on and you do what there is to be done on it, but you're so tied up with other

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issues that you forget what you did.

F: I can understand that. Make a few phone calls and write a letter or two.

D: I imagine that if you looked in my archives over there at the State Library, you'd find quite a bit of correspondence and quite a bit of action on it, just like probably Senator Johnson did something about it. But I don't remember any specific work on it.

F: I have several things like this just to tick off. One of the other issues that comes up in 1954 is the one that you have at least a loose connection with almost all the way through to conclusion, and that is what are you going to do about Alaska and Hawaii. Senators Smathers and Fulbright and you--I don't know how many more--sponsored a bill to do something about Alaska and Hawaii, maybe commonwealth status instead of statehood.

D: Yes. I think that our tactic for trying to delay or defeat statehood was to offer them commonwealth status. We did it in good faith though, because actually Puerto Rico has a pretty good status as a commonwealth. They have quite a few advantages over the states. We thought that that would be better, to have that first.

F: Was this more or less Democratic policy at that time? Did the Majority Leader get involved in this, or were you working, as you recall, on your own?

D: I expect I was working on my own, but I would have to check the record to see whether or not Senator Johnson was for statehood at

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that time. I believe he was. I believe he was. But the Republicans were trying to get Hawaii in before Alaska, if I remember correctly. So we tied the two together at one time in order to defeat the whole package. Then we offered this commonwealth status.

There were some of us who just did not feel that Alaska and Hawaii at the time were ready for statehood, although we had friendly feelings for the people and admired them for wanting to get in the Union. But their population--especially Alaska's population I believe at the time was not as large as Houston--and to give them two United States senators just didn't seem right. I guess ahead of time we were thinking about the one man-one vote rule; not so much though really because I do not think the one man-one vote rule should apply all the way across-the-board. A geographical area ought to have some representation like we have for the United States senators. But this was a mighty small population to be given two United States senators.

F: It also involved something that we had not made another step toward at that time, of course, and these first steps are always something you take quite gingerly, and that was the first time we were thinking about statehood for a non-contiguous area.

D: That's right.

F: A jump of land to Alaska, and of course you've got that tremendous jump of water.

D: Some of us felt like that if you start that that you'd be jumping

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to Puerto Rico and some other places.

F: Guam.

D: Guam. We just didn't think it was the time to do it.

F: Another issue not a bill but an issue during this period was Senator Joseph McCarthy. Did that give you much of a problem in Texas, or did Texans pretty well stay out of this as far as--?

D: No, Texans were in the big middle of it. Most of the letters I received were in favor of McCarthy, and especially after I voted to censure him, I received some from I'd say a half-dozen old friends that just threw me overboard after I voted to censure McCarthy.

F: Did the Majority Leader do this, do you think, because it was a good political move or simply because he thought that the time had come, that in effect McCarthy had exceeded the bounds of good taste for a U.S. Senator?

D: Well, I think the latter. The President got along quite well with Joe McCarthy.

F: President Johnson.

D: Yes. You know, as well as you do with a person that you might have some differences of opinion with.

F: I gather that McCarthy was personally a very winning type--that you could like him very easily.

D: You could if you put yourself out to get to know him. Not too many people liked him. He was a pretty brusque fellow, but still if he wanted to be friendly with people, and he and Senator Johnson got along fine on several issues. I remember Joe McCarthy casting votes

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with us--the Democrats--on several issues when he felt his Republican leadership was wrong. But I think that McCarthy simply went too far in his treatment of the Senate committee that had been appointed. A select committee had been appointed to investigate certain charges. He was not censured on those charges. What he was censured on was the way he treated that committee, the ugly way that he treated the committee.

F: That was the one with Senator Watkins?

D: Senator Watkins.

F: And I don't suppose you could have gotten a more circumspect man.

D: That's right--a Republican senator, and the senator from North Carolina was on there. He was Sam Ervin, a former Supreme Court judge. It was a fine committee, and McCarthy just treated them terribly and said things that offended the Senate. That's why he finally got the vote of censure that he did.

We tried to settle it with him, get him to get up and apologize. You know McCarthy would have never been censured at all if he'd gotten up and apologized to the United States Senate. Barry Goldwater and I went to him and tried to get him to do that, and he just wouldn't do it.

F: He just couldn't bring himself to apologize or was so convinced that he was right and everybody else was wrong?

D: He just couldn't apologize. He just wouldn't agree to do it. I think he had a high regard for both of us. Well, I know he did, he said

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he did, and I know he did with Goldwater. So we took it on ourselves to go talk to him about just apologizing to the Senate and get it all over with, and he turned us down.

F: Another issue that came up in this period--it's still up--that's the reform of the electoral college. And you took some active part in that.

D: Yes.

F: In general what was your idea?

D: Well, my idea was simply the old Gossett-Lodge amendment that had passed the Senate before I ever got there when Henry Cabot Lodge was a member of the Senate and Ed Gossett was handling it in the House. It would have divided the electoral vote by states in accordance with the direct popular vote. You would still count by states, but instead of a candidate that got the majority vote in Texas getting all the electoral vote, he would get the percentage of the Texas electoral vote that he received in the direct vote--the same percentage. The electoral college would have been abolished. All left to do was for the secretary of state to send in the vote to Washington to, I forget whether it was the secretary of the Senate or the House; then they'd just be counted in that proportional manner. So I introduced that. I think I got about fifty-four senators to co-author this bill. I don't know if Senator Johnson went on it. It was a Constitutional amendment. I don't know if he went on as a co-author, but he did support it.

F: He did stand with you on it?

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D: He did. He voted for it.

F: Well, we haven't solved it yet.

D: Do you know who the floor leader was against it?

F: No.

D: Jack Kennedy.

F: He was? Did you have much opportunity to observe Senator Kennedy in these days? I know he set a record for absenteeism.

D: Yes, I did have a lot of opportunity. He made one speech against us on tidelands, and we got to kid a lot and talk about that quite a bit. But then when the electoral college reform amendment came up with me taking the lead--floor leader for the Constitutional amendment and him the floor leader against it--

F: He wanted to stay on this winner-take-all system?

D: Yes. We became well acquainted then because that lasted several days. He had his lessons up pretty well and did a good job. We got a good majority of votes, but not two-thirds, so he defeated us.

F: Did you observe his relationship with the Majority Leader? Did they seem to get on fairly well, and you felt that he got a fair shake from him, and so on?

D: Yes, I think he got along fine. All the new senators were pleased. Let me say that most of the new senators, practically all of them, were pleased with Senator Johnson as minority leader and then as majority leader because he inaugurated a plan whereby one good committee assignment would go to the new members, the new Democrats in the Senate. It used to be that the seniority rule would

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apply all the way across-the-board, and you'd have men--

F: If a man was senior enough, he'd have Appropriations and Ways and Means and--

D: And Military Affairs, or Appropriations and Finance, if he had the seniority. So Senator Johnson just talked his elder statesman into agreeing with him that they should give up some of those--their second committee if it happened to be a major committee.

F: That must have taken some talking with some of them?

D: Yes, but he had that ability. He had the ability to do that. He had the ability to talk to people like Senator Walter George and Harry Byrd and Dick Russell and get them to do things like that that no other leader ever was able to do. Some leaders maybe didn't try. He had the nerve to try it, and he got it over. So every new member got at least one good committee. That made him quite a popular leader with most of the new members. Albert Gore, I remember, was not happy about his good committee, I think it was Agriculture; he wasn't pleased. But I think Kennedy was pleased with his. I don't remember what it was right now. But they were very friendly through the years. Johnson, you know, supported him for the vice presidential nomination in 1956, which was a little later on, but they were that friendly.

F: You've got the problem also in this middle-1950 period, which you still have--some of these problems don't go away, as you know--of oil imports, and the restriction of oil import quotas. In this, I rather judge that you and Senator Johnson stand together somewhat

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against the administration.

D: Well, no, really not. I think that the administration was prevailed on, and I'm sure Senator Johnson helped to prevail on the administration. I know Bob Anderson did, who was acting then as Secretary of whatever his first Cabinet post was--Treasury. Bob Anderson was influential in getting the President to set up a high level commission to study the effect of foreign oil imports on the national security. This Presidential commission came in recommending that our imports should not exceed a certain figure. That's the figure that Senator Johnson took and that I took as the figure that we should fight for. So really we were not crossways with the administration on that at all--not the Eisenhower Administration. And we were able to get some provisions in the Trade Acts that passed that were helpful in maybe getting the commission established, but certainly in carrying out the work of the commission to see that imports did not exceed this amount that was found to be dangerous to the national security.

F: You were also quite active at this time in investigating drug traffic. Is this sort of a portent of what's going to become a real problem in the sixties?

D: It was already--You mean, did I see it then?

F: Yes.

D: No. I didn't see that it would get anything near like what it became in the sixties.

F: It probably would have set your teeth on edge if you had seen what was coming.

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D: I had finished the big tidelands fight and some other things, and was open for any other challenge. Washington and the Senate were boring to me at times on account of so many errands that you were called on to run for people back home.

F: Sometimes just kind of chief clerk's job?

D: Well, I didn't mind it so much except that I felt that I just needed another challenge, and one dropped in my lap. Charley Herring, U.S. district attorney at the time, wrote me a letter about the increase in the drug traffic and to see if there wasn't something we could do on a national level. The grand jury at Houston, in about the same week, passed a resolution, sent it up there to us, and asked that we try to strengthen the laws or the available personnel from the Bureau of Narcotics; told us how much increase they were having in the traffic. So I called up Mr. Harry Anslinger at the Bureau of Narcotics, and asked him if he'd found this nationwide. [He] said true, it was; that there was an increase; that they did need much more help.

F: By and large public servants at that time didn't pay much attention to this.

D: Very few.

F: I mean they're aware and deplore it, but it's a pretty passive interest, I gather, up to this point.

D: Yes. Hale Boggs, the congressman from Louisiana, had taken quite an interest a few years before.

F: In a sense, you're sort of pioneering.

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D: He was then.

F: But you are, too.

D: In increasing the penalties and other things. But after talking with Mr. Anslinger, I was convinced that the Bureau of Narcotics was undermanned, and that they ought to be training people, that they ought to run a school like the FBI did, and that they didn't have as many agents for the whole nation as New York City had for New York City. So I got quite interested when I found out that he felt something should be done and asked him if he thought that an investigation of the growth in the traffic would be worthwhile. He thought so. So I introduced a resolution for the Judiciary Committee to conduct this investigation and got it assigned to my subcommittee and conducted a nationwide investigation that filled about two thousand pages of testimony. And [it] showed that this was a real problem: that 50 some-odd per cent of all crime could be traced to narcotics addicts or violators.

But when I look back and see how little it was compared to what we have today, I just wonder if our legislation did any good. We did pass the strongest narcotics law as a result of this that our country ever had. Of course, I had Senator Johnson's full support in getting that bill up and getting it passed. The Senate now has passed unanimously a bill that would lessen all those penalties. We thought the mandatory penalty would help stop the traffic more than anything. After our bill was passed with these heavy penalties and mandatory--no suspensions or probation--the

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traffic dropped 'way down for about four or five years.

Then Timothy Leary and some of these kooks started preaching the use of marijuana and LSD on nearly every college campus, including this one right here. I believe it was--Ginsburg who came here and talked about the time that Leary was talking at Rice Institute? Anyway, they've got a whole cult of those fellows that go around speaking to kids and telling them that they ought to get on marijuana and LSD and how great it is, and that they shouldn't pay any attention to their parents and anybody over fifty years [old]. Their brain cells are all worn out. The thing wrong with the country is that it's being run by people who have--they called Lyndon Johnson's name down at Rice Institute--that they ought to get control away from those people and they ought to tune in, turn on, and drop out. Well, when he got to doing that and trying marijuana out at Harvard and LSD at Harvard before he was terminated there, it seemed like that these young people--who were not the problem when I was back looking at the thing--have just gotten into it for kicks or something, and it has gotten almost out of control.

F: The drug addicts I knew as a kid were usually older people who had gotten hooked.

D: Yes.

F: Through an illness or something and couldn't get off.

D: That's right. Morphine was the big thing. It was legal for the pharmacies to sell it, and that's when we had the most addicts in

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the country. But they were, as you say, older people or somebody who had got hooked when they took it as medicine and couldn't get off of it.

F: You also had a bill in here to exempt natural gas producers from federal control, which I know excited a lot of Texas interest. Some of my friends went up to testify.

D: Well, it wasn't exactly to exempt them from federal control. The Natural Gas Act had the producers exempted just as plain as you could write it. But the Supreme Court, in one of those opinions like the Court can write, wrote an interpretation that the producers were covered by the bill. So we were exempting them from the Supreme Court's interpretation of the bill. The bill is clear that the producers, that the federal--

F: It was the court decision that had clouded the issue.

D: That's right. It was clear the Federal Power Commission was not supposed to fix the prices that the producers could charge at the well head, but the Court said no. So that clouded the issue.

Now Senator Johnson was in that fight far ahead of me. Before I ever went to the Senate he had been in the big middle of the fight to keep the producers from being under federal controls--the same kind of law that we passed after I got there. He and Senator Bob Kerr were the leaders in that, and some fights to keep people from going on the Federal Power Commission who were in favor of controlling the producers' prices. I believe it was Leland Olds that they defeated in his nomination for the Federal Power

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Commission, and Senator Johnson and Bob Kerr led that fight. So I was really picking up the cudgels there in a fight that the Senator had waged before I ever got to the Senate. By the way, by this time now I was put on the Interstate and Foreign Commerce Committee, along with the Judiciary. And that committee handled this Natural Gas Producers Bill. We passed it through the Congress, but Eisenhower vetoed it, although he was for the bill.

F: Why did he do that?

D: Well, you remember the scandal that came out. Francis Case got up at the end of the debate and made a speech in which he was saying how offended he was that some lobbyist for one of the gas companies--

F: Superior Oil..

D: Yes--offering him a campaign contribution that he felt was tied to his support of that bill. It became quite a scandal. The Senate went on and passed the bill. President Eisenhower was committed to the bill and had recommended it to Congress. But I suppose that he felt that this scandal between Superior Oil and Case was so bad that he couldn't afford to sign the bill. That's what he said in his veto message. I guess the President thought that we could

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easily pass it again, but it has never been passed again since.

F: In a sense, that's curious reasoning, you know, to destroy a principle because of a bad incident. I mean, one man could always scuttle anything that way.

D: It's not only curious, but it's poor reasoning. It was just used as an excuse on the part of some of his advisers who were against the bill all the time to persuade the President that he ought to do this. One of them was Herbert Brownell. In other words it was their opportunity to get in a wedge there. Knowing how honest the President was and how offended he was about such a thing, they figured, well, he could teach a moral lesson here by a veto and at the same time defeat a bill that some of his advisers didn't want anyway.

F: Right.

D: I've given you at least two examples of how things get away from a president in Washington. This is more likely to happen than it is in Austin with a governor, because you can see what's going on here better. But up there it's such a bureaucracy that you don't know it, but the first thing you know you're being led into something here by some of your subalterns that seems to make sense to you all right, but you don't realize really who it is that has put all these ideas together. The first thing you know, you're doing something that's contrary to what you'd said you'd do.

F: You sort of have a no-man's-land there that outsiders, even though they are very much involved, don't really cross; whereas here, people can get at the governor.

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D: Yes.

F: I mean not just every man on the street, but he does get exposed and people, I think, pretty well see what's going on.

D: Yes.

F: I think you're right there, and I think that's a real danger.

Where were you when Lyndon Johnson had his heart attack?

D: I was here in Austin visiting my mother. I went out in the morning and picked up the paper, and there it was, the first I knew about it.

F: Did you go back to Washington fairly soon after that?

D: Yes, I went back in just a few days.

F: Did you see him?

D: Yes, I went out to the hospital to see him as soon as I got back to Washington.

F: Was he pretty discouraged, or did he have the feeling that he was going to be back?

D: I think he felt like he was going to be back, but he talked discouraged about continuing as leader in the Senate. Then the next time I saw him was at his house as soon as he went home. One visit there he just told me that he felt that he should check out of the leadership and just shouldn't try to carry that burden--very discouraged at that time.

F: What did he do, just keep delaying until he found out it wasn't necessary?

D: Yes, that and the fact that a lot of people encouraged him to let

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others carry the load for a while and take it easy and see if he didn't feel like continuing on with it. He did better by continuing on with the work. That man's happy when he's working, when he's with people. When he's working, I think that's his relaxation. He can't do like I can: go out and fish by myself on a bank, or rest around a swimming pool without anybody being around, or just be lazy.

F: He needs to be working on something.

D: His relaxation is working on something.

F: Did it put an extra burden on your office, or was his staff as majority leader enough independent [to handle it]?

D: His staff was well organized, and the only extra burden could have been on some Texans calling me to do something who would have called him. But he had such a good staff that I don't remember any real extra burden that it put on us.

F: Very early in that year, in the year 1956, 'way early, when you've got two more years up there, you announce that you're not going to run again, that you're a one-term senator. Why?

D: Well, as I told you, I'd had no ambition to be a senator. I did have an ambition and a desire to be governor of Texas. But, in any event, I decided that I did not want to stay in Washington beyond one term because I had four little children. I just wanted them to be raised in Texas and enjoy Texas and Texas schools. The work in Washington just had some drawbacks I didn't care to stay with.

F: Did you know at that time that Governor Shivers was not going to run again?

F: You announced about a month before he announced that he would not run again.

D: I expect that I did. I'm sure that I talked with him about what he was going to do.

F: Did you talk with Senator Johnson about the possibility of giving up the Senate?

D: Yes, I did.

F: What did he have to say about it?

D: He didn't like the idea at all.

F: He thought U.S. senator was the most important job in the world, didn't he, at that time?

D: He thought I was foolish. He tried to talk me out of it. When he saw that I had my mind made up, he then was helpful in trying to plan ahead in ways that would be helpful to me.

F: Did he talk to you about what support he'd give you as governor, or did he figure you could pretty well run the thing without any help from him?

D: Well, the main thing he wanted to be sure of was that we would work as a team, if I was elected governor, on water development in Texas and on Democratic Party machinery, such as the State Democratic Executive Committee--that if I was governor that I would work with him on seeing that his enemies didn't get on that committee and take over the party in Texas. He proposed that we work together there. He had just been through a disappointing fight down here in which

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the people who helped him beat Governor Shivers for the presidential convention control then turned right around on him and wouldn't listen to him or to Mr. Rayburn. So he felt that he was not in such good company, not company that could be trusted to look after his interests. Those are the two things, after he realized that I had my mind made up as to what I'd like to do, that he discussed about us working together on.

F: We're coming to the end of a tape. You've been here about an hour-and-a-half, and I don't want to exhaust your patience. Would you like to close it off now before we get into this 1956 year which is quite a year and get together later?

D: Good.

F: Let's do that then. Thank you, Governor.

[End of Tape 1 of 1 and Interview I]

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Price Daniel

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