INTLEVIEW WITH FRANK DENIUS June 9, 1968. (Paul Bolton)

PB: June 9, 1368. We are talking with Mr. Frank Denius, prominent Austin attorney. Mr. Denius what is your law firm's name?

FD: Well, Paul, I appreciate the compliment on the firm.

We are proud of our firm, of course, It's the....name of

my firm is Clark, Thomas, Harris, Denius and Winters.

PB: And you're also a director in several other corporations.

Can you name some of them?

FD: Yes, sir. I'm pleased to say that I'm a director and am privileged to serve as a Director of the Capital National Bank here in Austin, Southern Union Gas Company, the local franchise gas company that serves Austin and many other places in Texas, I'm Director of several other oil and gas companies and also Texas Capital Corporation; I serve as the Director, General Counsel, and Secretary-Treasurer of this company.

- PB. Ar. Denius, you also have been active in the Exeradents' Association. Are you still an official of that organization?
- Yes, Paul, I serve as....this past two years as Charman of the Executive Committee of The University of Texas Ex-Students.

  Association having previously served as Second Vice President,

  First Vice President, and then President.
- PB: Now, what we are particularly interested in just now is one

aspect of Texas politics which concerns President Johnson back in the mid '50s. But before we get to that, can you tell us something about the Democratic Party in Texas, how it is split up, its various factions, that sort of thing?

FD: Well, I think, Paul, commentators and, as well as the public generally, probably label it as conservative and liberal. Actually, I don't think it's quite that simple. I think to some extent or to maybe even greater extent the leadership of the Democratic Party sets the pace for the classification of the factions in Texas. For example, I would certainly think that President Johnson has support from what I consider conservatives and what I would consider moderates and what I would consider liberals.

26. From all three factions. Middle-of-the-road and, I think, he probably tries to take a middle-of-the-road stance as far as the Texas situation is concerned, but back there in the 50's the conservative leadership was, as I recall, centered in Governor Shivers, is that correct?

FD. Yes, sir. I think, if my memory serves me correctly, the late Euford Jester passed away in June of 1949, Allan Shivers was then elected....had just been elected Lieutenant Governor and he succeeded by operation of law, of course, to become Governor of Texas in 1949. He ran for a first full term in 1950. I would think in 1950 under Allan Shivers' leader-ship and the expansion and interest in the State Democratic Party, probably more people were involved in precinct work and

and things like that than ever before in the history of the State of Texas. Then, just going one step further, in 1952 Allan Shivers and Ralph Yarborough opposed each other in the first of two rather severe struggles for the Democratic governorship in the State of Texas. And I think probably these two individuals are, Allan Shivers as the conservative and Ralph Yarborough as the liberal, perhaps that's where the labels liberal—conservative really began and were just divided in two groups rather than moderates, liberals, and conservatives.

PB: Since we are preparing these tapes for the LBJ Library and they may be referred to by persons not too familiar with our political system, can you explain just a bit about system the precinct in Texas? How it operates?

FD: Well, Paul, you know there's two means of determining who the Democratic party will support for governor or for president. One is by the Presidential Primaries which many states have, you know. The other is the system that we have in Texas is by the first precinct convention and the election by the precincts of delegates to the county convention and then the election by the county convention ofdelegates to the state convention and then at the state convention levels, delegates to the National Democratic Convention are elected or selected and the leadership is charged with the responsibility of putting forth the platform and ideas of the Texas Party. And this is the

system that we have in Texas that I think you were referring to.

PB: That's right. Now in precinct conventions the convention goes on record for some person who is known to be favorable to a presidential candidate.

FD: That's generally right. They .... the precinct will vote to elect a slate of delegates that will represent the ideas of the majority of the members of that precinct convention as to who they should support—usually for governor and for president.

PB: And that makes the control of the precinct convention eventually leads up to the control of the state convention; therefore, that's a very important democratic process.

FD: It's the most grass-roots level of politics that you could have, I think.

PB: OK, now that orings us by degrees up to the 1956 convention. But the way, you are comparatively younger than the President. When did you first meet him?

FD: Paul, I had the privilege of voting for him in 1948 in his race for the Senate.

Pb: That was your first vote?

FD: No, sir, I had come out of the service in 1945 following World War II and voted for the first time, being 21, I was eligible in the 1946 election. But this though, in 1948, was really my second time to vote.

PB: OK, and then go ahead from there.

FD: Well, I supported President Johnson in the 1948 election, and I was then from Henderson County, Texas, that's where my family lived, where I was born and raised, but I was attending The University of Texas Law School at the time. I did some work for the President back in my home county of Henderson. And if I'm not mistaken, Henderson County went for President Johnson at that time.

PB: That was in the race for United States Senator?

FD: Yes, sir. That was his race for the United States Senate. To further my relationship with the President, in 1949 I went to work as a law clerk before I finished Law School with the firm of Looney, Clark, and Morehead. That Everett Looney, the late Everett Looney, and, of course, Ambassador Edward Clark both of those gentlemen had been long-time friends and supporters of the President. And as I recall, the first time I met the President, who was then Senator, was around Christmas time of 1949. He was in Austin and came by my law firm's office and Mr. Looney brought him in the office to meet the firm's new lawyer which happened to be me.

PB: Now, during your tenure as a lawyer, I believe that you became fairly good friends with the then Mayor of Austin, Mayor Tom Miller.

FD: Yes, sir. Mayor Tom Miller was one of the greatest friends that I've ever had, and I owe a great deal to Mayor Miller as do the people of Austin. He took me under his arm as sort of

a young lawyer and gave me a lot of advice, and I had many wonderful hours of friendship with him including, I guess, the last time before he got sick I went to California to the Democratic National Convention in Los Angeles with Mayor Tom Miller and Tom Miller, Jr.

PB: What year was that in?

FD: 1960.

PB: 1960. Then as an attorney you also made some trips to Washington and on some of those trips you had contacts with Senator Johnson on official business. Can you tell us....do you recall any of the specific contacts?

Yes, sir. This was a tremendous experience for me. Mayor Tom Miller called Doren Eskew who was then city attorney and still is a friend of mine, into his office over at City Hall one afternoon and said that he knew of pending legislation in Congress that was going to be very important to the people of Austin as taxpayers and as utility users. This dealt with the payment by the Federal Government, or the proposed payment by the Federal Government of minety per cent of the cost of relocating utilities whether they be public or privately owned when they had to be moved or relocated because of the construction of the national system of interstate and defense highways. I believe the highway act was passed in 1956 by Congress and was subject to amendment in 1958 and this was an amendment that was pending that the Mayor was quite interested in.

represented some of the private utilities in Austin and Doren Eskew represented the city. So Mayor Tom Miller called Senator Johnson one afternoon and said that if....you know maybe first I'd better say to make my story complete that Mayor Tom Miller was in the hide business in Austin among many other things--being the director of a bank and having other business interests -- but he was in the hide business and the first thing he said to Senator Johnson when he called him, says.....said, "Senator, I'm sending you two of the greenest hides that I've ever had," and he mentioned Doren Eskew and my names. But nevertheless, Mayor Tom Miller gave us our instructions and took us out to the airport and put us on the midnight flight, leaving here about 11:20 p.m., we arrived in Washington about 5:30 a.m., and Senator Johnson's staff met us. We went by the hotel room, checked in, cleaned up, shaved, dressed and went down to the Senator's office.

PB: And how about the bill?

FD: Well, this was one of the remarkable things about Senator Johnson....then Senator Johnson, was his tremendous ability to understand both proposed legislation and the people that were going to have to pass it. And we arrived in his office about 9:30 and discussed the proposed legislation and what it would mean, of course not just to the city of Austin but to people through the country. And about 11 o'clock Senator Johnson and his staff were working on it and that night by 9 o'c.....by 9 or 9:30 the bill was passed into law or passed and sent to the President for his signature. And so I would say in

less than twelve hours a tremendous complex piece of legislation was put together and actually passed by the United States Senate through the major efforts of Senator Johnson.

23: That legislation, incidentally, saved the local taxpayers, at least, considerable money.

FD: Yes, sir. It....I don't know how many millions of dollars that it saved just the people in Austin alone, but I would say it approximates in the neighborhood of 10 million dollars.

2B: Now, let's get back to that 1956 convention which we've been talking all around. What was the issue in the 1956 convention that....the fight for control of the delegates in 1956?

PD: Paul, to give you a complete answer to that, and I don't want to be too wordy, but I think we'd best go back to 1950 the first time that Allan Shivers ran for Governor of the State of Texas. Governor Shivers gave the state strong and very capable leadership and he organized the Democratic Party well and had control of the Democratic Party in Texas from 1950 and again in 1952 to the precinct, the county and state conventions. Again in 1954. That was the last time Allan Shivers ran for public office, I believe, was 1954. And so the leadership and control of the Democratic Party at the precinct level and at the county level and at the state level was definitely under the control of Allan Shivers well into the year 1954. After Allan Shivers decided not to run again for the office of Governor, you recall that the race then in 1956

office of Governor, you recall that the race then in 1956 was a very hotly contested race between then Senator Price Daniel, who resigned from the United States Senate to return to Texas to seek the Governor's office, and, of course, now our Senior Senator

from from Texas, Ralph Yarborough. And so in 1956 the Shivers' control was in issue and President Johnson, because this being a presidential year and because President Johnson was then senior Senator from Texas, the Johnson following which I think was basically what I consider to be a moderate group made an all-out effort to control the Democratic Party first at the and precinct,/then at the county level, and then at the state level.

PB: Well, still we get back....we need to get back to why Shivers wanted control of the party in 1956.

FD: Well, I think that Allan Shivers wanted to continue his control on the Democratic Party in 1956 in order to control the State's position and delegation at the national convention.

PB: And to control who Texas voted for for President. Now my recollection is that in the previous presidential election with Shivers in control they had approved a means by which Texas Democrats could vote for the Republican nominee.

FD: Yes, sir. That was 1952 and you recall a rather heated election between the late Adlai Stevenson and then General Eisenhower and we had....we'd had the traditional democrats in Texas that did not want to bolt the party or did not want to crossvote and the Democratic Party control had a....as I recall the ballot was an unusually large one at that particular time because of the many presidential nominees in different parties on it, and as I recall there was one column Texans....Democrats for Eisenhower. In other words, you could vote the straight Democratic ticket or you could vote for the actual Republican

nominees for President and Vice President by merely marking the column that was especially designed to permit Democrats to vote for Republican nominees without actually calling it a Republican slate, so to speak. And as I recall further, in 1952 the State of Texas did go for General Eisenhower by a substantial margin.

PB: Yes. Now in 1956 when this confrontation came between Shivers and Johnson for control of the Democratic Party, who were the probable nominees of the party? Who had been talked about, do you recall that? I....I'm.....

FD: Well, I think, Adlai Stevenson was still the, so to speak, the front-runner or leading candidate for the Democratic nomination. As I recall, Paul, maybe Estes Kefauver's name....

I think there had been some investigations that had been giving him a rather prominent position on television, and I think he was an aspirant to that position. I think that perhaps President Johnson was even mentioned at that time, maybe not for the Presidential nomination but maybe as a possible vice presidential timber. And....but I think that Adlai Stevenson was probably the front-runner with maybe Estes Kefauver a possibility, but definitely Adlai Stevenson was the leader.

PB: Then Eisenhower would be seeking....

FD: Yes, sir, of course, President Eisenhower would be seeking a second term.

PB: OK, now how did you get into this precinct fight, this convention fight.

Paul, actually I had been attending precinct conventions since 1950 and I'd been again in 1952 and again in 1954. But the 1956 precinct convention.... I was....had moved into precinct 230 which is the Casis School Precinct and.... more commonly known as Casis School .... and I remember one evening, of course there was a lot in the newspapers about it, there was a lot of conversation among the Democratic Party workers in our precinct where I had been a worker, there was a good bit....there were some evening meetings various memoers of....or those party members residing in the precinct. But as I recall, the way I became totally involved, you might say, was Mayor Tom Miller called a meeting of many of his friends and friends of then Senator Johnson in his office downtown and I went down about 8 o'clock one evening to meet with Mayor As I remember, those that were asked to be there was Herman Jones who was now a District Judge, I recall Tom Graham, I believe Buck Avery was also there who was a friend of Mayor Tom Miller's, I think Tom Miller, Jr., was there, Sherman Birdwell was there, you know Sherman at one time was on the staff of President Johnson, and there were several others including some representatives of some groups in Rast Austin. As I recall, also, there was a representative of the AFL-CIO present. His name I believe, was John McCully, he no longer lives here, and I think he only lived here a short time,

but I believe he was public relations man for the union, and he was there. It was a group of....and there were several others there. I don't remember all....but all of them were friends of Mayor Tom Miller and Senator Johnson.

PB: OK, what did you all decide at the meeting? What did you....

FD: Well the decision was to be made as to how to try to put together an organization that could win control of the precincts in Travis County which would give us, of course, control of the Travis County Democratic Convention.

And we had....from that meeting we went out talked with others, moderates, some conservatives, friends of Senator Johnson's, some liberals, and we had a series of meetings hen in Mayor Tom Miller's office off and on for about a week. I would place that at about a month before the precinct convention. And we began to organize and get representatives in every precinct in Travis County.

PB: I am sure the Shivers' people were doing the same thing.

FD: Oh, yes, they were organizing. In fact, we were meeting simultaneously in some of the same buildings in all of those ....we were all basically democrats so, just maybe some of one view over another. So it was....while it was very heated, it was somewhat friendly in the fact that I can tell you about the precinct chairman nominees from my own precinct.

If you'd like to hear about it.

PB: Yes.

FD: Well, two individuals who are prominent real estate men and have been for many years in Austin are Paul Crusemann and Tom Graham. They are partners in a realty company and other business interests and Paul Crusemann was the nominee of the democrats in our precinct favoring Allan Shivers. Tom Graham was the nominee for the democrats in our precinct favoring then Senator Johnson. So you can see that while we differed politically, businesswise and otherwise we were, of course, still friends.

PB: What interests me here is another thing. Where were the Yarborough and Daniel supporters during all of this?

election in 1956, Price Daniel won over Ralph Yarborough by, oh, a little over 3,000 votes, and I think they were out campaigning so much that .....trying to get votes, that they really didn't have much time to help in this precinct and convention, and state convention organizational work.

PB: OK, now, from the precinct convention, I understand that you lost your precinct.

FD: Yes, Paul, we had almost six hundred people, turn out in our precinct, and I had the privilege of serving as floor leader for the democrats in favor of Tom Graham, and of course, that meant in favor of Senator Johnson. The late Charles Greene, Editor of The Austin Statesman, a fine friend of mine

and an adviser

and counselor of mine from time to time was in my precinct

and as well as some of the other individuals that I have

mentioned and we were able to get 274 people in our precinct

there in favor of Senator Johnson but our opposition had

almost three hundred there, and we lost that precinct which

is a large voting precinct—we lost it by something over

twenty votes.

PB: But that meant that the entire delegate strength of the precinct went to Shivers rather than to....

FD: Yes, sir. At that time we didn't walk out or have any rump convention. We stayed in the convention and.... but the Shivers' delegation or slate of delegates was elected from precinct 230, and I was not a member of that delegation to the County Convention.

PB: But the county as a whole did go for Johnson as I remember.

FD: Yes, sir. Yes. sir. I believe that although it was sort of a ....it was close in the county convention. As I recall the final results were well in favor of President Johnson's delegates....strength.

PB: CK. From this county convention now we go to the state convention. As I understand it, the Travis County was carried as was many other counties by a coalition of the moderates for Johnson, Johnson friends, labor, and the lib.....so called liberal factions.

FD: Paul, I really think that President Johnson's strength at that time really went beyond that. While it was predominantly a moderate portion of the spectrum, you might say, the President had a great many personal friends who were business leaders as well as liberal leaders, and I would say that it was a well balanced group. I think that those behind the President in 1956 covered, if you want to classify them, conservatives, moderates and liberals.

PB: Did you go to the state convention which was held in Dallas?

FD: Yes, sir. I, through my friendship with Mayor Tom Miller, Mayor Tom Miller was successful in having me named alternate, as I recall, to the convention, and I went to the convention with Mayor Tom Miller. I did not have a vote at the convention, but I did go.

PB: Call you tell us any of the events which took place at the state convention?

FD: Well, it, again, was a rather heated convention. In fact, I suppose that it was one of the most traumatic democratic party experiences in the state because it did involve a transfer of leadership of the democratic party to Senator Johnson. And, of course, outgoing Governor Shivers had a great many friends and fine democratic people there at the convention and they fought long, hard, and well, but the President's, then Senator Johnson's, forces were in the majority and did

control the convention and did name a slate of delegates
to the national convention that were friendly to him and voted
and passed and adopted some resolutions that were favorable
to Senator Johnson. And I believe he was made the chairman of
the delegation and perhaps even the Favorite Son.

PB: I believe that's right. He was nominated as the Favorite Son. Do you know or do you recall what part Sam.....

Speaker Sam Rayburnplayed in the....

FD: Yes, sir. As I recall, Speaker Rayburn was....had a great influence. He spoke to the....he addressed the Convention, I believe, at one time during the convention, and he, of course, was a very devout supporter of them Senator Johnson and a personal friend of the Senator's, and I think he had a great deal to do with persuading a number of undecided delegates to support the Senator's position. And I think that, furthermore, I think that Speaker Rayburn had many friends among the conservatives, moderates and liberals and, therefore he likewise exercised considerable influence on the delegates representing those respective beliefs.

PB: I have heard it said that Mr. Rayburn was instrumental in persuading Mr. Johnson to make this fight, which, of course, he didn't have to make. Have you heard that?

FD: Well, I think that Speaker Rayburn was definitely an influencing factor. I just have always thought, without really personally knowing, that Senator Johnson having had such a

strong following in the State of Texas and more truly representative of the entire democratic party, he was sort of the natural heir apparent to the leadership of the Democratic Party.

PB: Yes, and but that....

FD: But Speaker Rayburn definitely, I think he was the motivating factor, you might say, that caused the then Senator Johnson to get into the Texas political arena and seek control of the party.

PB: The Senator had one considerable setback at the state convention. Do you know about that? About the election of the National Committeewoman?

FD: Well I.....Paul, I'm.....my knowledge on that is probably not as accurate because I really, as I said, I was not there as a delegate, in fact, I was unable to be seated on the floor at all times during the convention because there just wasn't enough room. And I may be not completely familiar with what you're....

PB: Mr. Denius, on one point, I believe the Johnson forces

lost on one issue at that state convention. That was the

issue of electing a National Committeewoman. Is that correct?

PB: Yes, sir. Paul, as I recall, again and this is, you know twelve years ago and I'm sort of trying to remember everything in the proper sequence, I believe then Senator Johnson supported Mrs. Lloyd Benson who was the wife of a Congressman from down

in the Valley for the position of Democratic National Committeewoman. And I think that most of the friends of the President wanted her, but actually the....when the vote was finally taken and counted, Mrs. Frankie Randolph of Houston was elected National Democratic Committeewoman.

PB: Mrs. Randolph, I believe, is notable in Texas circles as a supporter of the Liberal candidates.

FD: Yes, sir. I think that she would..has historically been classified as quote "a big liberal" quotes closed.

PB: Mr. Denius, from your long associations with the President, we would be interested in any comment that you might have concerning your contacts with him or any reminiscences that you have concerning the President.

FD: Well, Paul, I have had many wonderful associations with the President, and I feel that I have learned a great deal from the President. One or two stories that I think might be of interest. The first time that I walked into the Senator's office in Washington when he was Majority Leader, he had a sign back of his desk that said, "If you're talking, you're not learning," and so I have, whenever I've had the privilege of being around the President, I've been primarily a listener and a learner. And I feel that through my association with him I have greatly benefited in my outlook on life and my

thought and respect for my country and for my admiration and respect for people generally. I think that the President has a wonderful outlook on life, and I wish that, people throughout the country could actually sit down and visit with the President informally, because I think it would be a tremendous experience for them like I've had those experi-In 1959, Paul, I was serving as President of the Travis County University of Texas Ex-Students' Association and we had not had a great attendance at our March 2, you know that's the Texas Independence Day and Texas Exes meet everywhere throughout the world on that day. We had not had too great attendance and so I asked then senior Senator from Texas and Majority Leader, Mr. Johnson, to be our guest speaker. And we filled the entire mezzanine floor of the Driskill Hotel, and the President spoke to us on that occasion, and I had the privilege again and the great personal pleasure of making that introduction or introducing him at And I recall telling a story about the President. when he was Director of the National Youth Administration in Texas in the early 30's or 30's before he went to Congress, and I remember he was going to San Antonio, and Mr. Killam was riding down in the car with him -- I believe Mr. Kellam was then even associated with the President, and so they stopped in front of a particular project, and there were some young people that were supposed to be doing some work and the President knew how to exercise authority at all times and to make a long story short, I don't think he was personally too

pleased with the way that this work was being carried out so he sent Mr. Killam out there to advise these young people that they had better get on with their business and do the job right, and Mr. Kellam did so, and so the President later checked on them and found out that they still weren't obeying the rules that he had established and I think he made a change in leadership right then and there on the spot, and I think that this is an illustration that the President likes to see any job that is begun completed properly and then the President has always wanted to have Mrs. Johnson recognized as certainly a partner of his in all of his endeavors, and he was most proud that Mrs. Johnson was an ex-student of The University of Texas and a graduate of The University of Texas and a member of our Association and he always frequently mentions And I am very proud to say that he....President Johnson is a life member of the Ex-Students' Association and his name so appears on the role of Life Members.

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PB: How was it that he himself....an ex-student by marriage or something....

PD: Yes, sir. He always referred to himself as....by operation of marriage an ex-student of The University of Texas and, of course, you recall later that he did receive an Honorary Degree from The University of Texas and has been one of the very few in the history The University of Texas to receive an Honorary Degree.

PB: Mr. Denius, I was quite interested in what you said a

few moments back about people who have had personal contacts with Mr. Johnson—the effect he has on them. Could you possibly elaborate on that because it is certainly a comment that very many people have made and to a person who does not know him it is rather difficult to grasp just what is meant by it.

Well, Paul, I think that there are not as many leaders among the people of the world as there really should be. And President Johnson is one of those individuals who has the gift of leadership but he has the endurance and enthusiasm to actually implement his leadership and I think that when you have a personal conversation with the President you cannot help but be magnetically attracted to his persuasion on any given point. And I think that the personal experience that I am talking about is that he has the ability as a leader to motivate those people with whom he is associated with or with whom he has on his staff or .... and things like this. And this is one of the qualities of true leadership and so I think that the personal relationship that you have with the President you have to be near him to appreciate and understand and you might say determine his capable enthusiasm and experience and good judgment.

PB: Mr. Denius, by way of wrapping up this talk, are there any personal comments that you would like to make?

Faul,
FD: First, of course, I would like to thank you for asking
me to participate in this project and to try to be helpful
in describing some of the occurrences and events that I was

personally familiar with. But really, in conclusion, other than thanking you, I want to just take the liberty of making one or two final comments about President Johnson. I consider him to be a great man and one of our greatest Presidents. I guess history will....only time and history will determine what position he will occupy as one of the Presidents of these great United States, but I personally think that he entered public office, he's been devoted to serving the people and to his country, and I'm always, you might say, deeply impressed when the President says that he is first an American and in any thing he does or thinks, and I think that this is a great attribute and I think that he has done a magnificent job of leading our country beginning in 1963 in a time of tragedy through some rather toublesome and , for our country and yet I growing years, you might think his leadership will go down not only as being one of our great presidents but being one of the great leaders of our country ever since he began to serve our country, and I'm just greatly appreciative of the fact that I have known nim and have been able to call him my friend.

PB: Thank you, Frank Denius. You've been very helpful.

## GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE

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By FRANKLIN W. DENIUS

to the

Lyndon Baines Johnson Library

In accordance with Section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397) and regulations issued thereunder (41 CFR 101-10), I, Franklin W. Denius, hereinafter referred to as the donor, hereby give, donate, and convey to the United States of America for deposit in the Lyndon Baines Johnson Library, and for administration therein by the authorities thereof, a tape and a transcript of a personal statement approved by me and prepared for the purpose of deposit in the Lyndon Baines Johnson Library. The gift of this material is made subject to the following terms and conditions:

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