INTERVIEW I

DATE: August 3, 1983

INTERVIEWEE: JOSH H. GROCE

INTERVIEWER: Michael L. Gillette

PLACE: Mr. Groce's office, San Antonio, Texas

Tape 1 of 2

G: Let's start off by asking you to describe how you became active in Texas politics.

JG: Well, that's a very simple matter. I was in World War II and actually didn't even know

Coke Stevenson. He was governor most of that time. I'm trying to connect up the--this has
been forty years ago, and it's very difficult for me to place things. I kept thinking that here's
something, but that led into something else.

G: You mentioned that Beauford Jester put you on that state--

Yes. But let's go back further than that. Beauford Jester was on the Railroad Commission and he decided to run for governor. He sent a telegram down here asking that I, Joe Sheldon, several others, there was a real estate man here--at any rate, Beauford sent the telegram down here and wanted us, the group that he sent the telegram to, to take over his campaign here. Well, Arthur Baird [?] was the real estate man, and his wife and Beauford Jester worked together in connection with some matters there. At any rate, it turned out Joe Sheldon said, "I'm willing to help any way that I can, but after all, I'm a Republican and Beauford is on the Democratic side. I'll help any way I can, but I think I'd better be in the

background." I said, "I agree with you." Then Arthur Baird came along and said he was just so busy he just couldn't do anything. Then Bob Terrell was on the bench, and he said, "I'm on the bench. I can't do anything." That left only me. So I said of course I'd do anything that I could, but that I thought I might be a controversial character. I've forgotten just exactly why that was.

But anyway, Beauford started out, there were thirteen, I believe, candidates for governor, and Beauford was number twelve or something like that. But at any rate, Jack Hebdon stuck his nose in the door just a minute ago. I suggested to Beauford that he name Jack Hebdon as his representative here and head of his campaign, and he agreed, because I told him that Jack was a youngster and he had--well, at any rate, he took over. A few pictures there of Beauford and Jack Hebdon as his leading man here in San Antonio. That's the way I got into the picture. As I say, at that time I'd never even met Coke Stevenson.

Well, we went on. They had the August Democratic convention here. I've forgotten just exactly when that was.

- G: It would have been 1946, I think . . .
- JG: Yes, bound to be 1946. And I didn't get out of the army until December of 1945. But at any rate, that's the way I got into the picture was through Beauford Jester, who was my cousin and close personal friend, as one of his representatives on the State Democratic Convention.

But anyway, the liberals got hold of the August, was it, or September convention in San Antonio. The liberals named Adrian Spears and Mrs. Gibbs, Mrs. Ralph Gibbs [?]. When it was reported back to Beauford that they had named those two liberals, Beauford

just sent word to the credentials committee that he did not want any liberals on his staff, the Democratic committee. He wanted me as his committeeman and Mrs. [Claude B.] Hudspeth as his committeewoman, which of course we got. The conservatives got the majority on that. I was named and Mrs. Hudspeth was named.

- G: Let me ask you, were the liberal forces in San Antonio, such as Adrian Spears, at that time in 1946 associated with LBJ?
- JG: Yes. I'm sure they were. Yes.
- G: I know he later became close to Mr. Johnson.
- JG: Oh, yes. Yes.
- G: Now, how did you become involved in the 1948 [state convention]?
- JG: Now, the 1948 one, let me see now, was that the Amarillo one or was it the Fort Worth one?
- G: It was Fort Worth.
- JG: Fort Worth. That's where the maelstrom struck.
- G: Did you work in Coke Stevenson's campaign though during that?
- JG: I never knew Coke Stevenson, never had even met him. I notice on here, this list, Judge E. A. Arnim of Flatonia. You found it there? He was the committeeman from that Flatonia district, and I was the committeeman from San Antonio. Now, this is the Fort Worth convention you're talking about. I participated in several conventions and so it's a little difficult for me to get the matter separated. But anyway, we had quite a--I noticed on here you also had Colonel Albert Sidney Johnson, who just died fairly recently, within the last few months. He was a very close friend of mine.

When the Fort Worth convention started out--now we're getting to Bob Calvert.

They're coming back to me but it's a slow process to try to weed these things out.

- G: He was the chairman, was he not, of the state executive committee?
- JG: Yes. My understanding was that he, Bob Calvert, and several of the liberals met up in Temple with a lawyer up there; I'm trying to think of his name. Anyway, they met up there in Temple and planned this whole thing, as I understood it. My recollection of the law at that time was that the temporary convention would consist of those persons who had been certified by the credentials committee. Well, Bob Calvert called the convention to order, as I recall it, and called on the credentials committee and named Searcy [?] from Corsicana I believe it was. Well, anyhow, instead of letting the temporary convention be named by the credentials committee, Bob Calvert recognized the liberal from Corsicana and he made a motion--now this was before the convention had even been organized--to exclude the Harris County delegation because it was contested. Now, [are] you following that particular thing? That was just as illegal as anything could be, as I recall it.

Now, I was thoroughly familiar at that time. I was sitting on the rostrum in Fort Worth; I was sitting on the stage with Sidney Johnson and Sam Arnim. It's hard for me to go back forty years. But at any rate, he did put the matter to the vote as to the Harris County delegation. He ruled that Harris County could not vote upon that. Now mind you, the Harris County delegation, they had two delegations, one of them conservative, one of them liberal. And the conservatives were in the majority. But that was the first shenanigan that took place was this action by Bob Calvert in recognizing the fact--well, he sustained the motion that the Harris County delegation would not be allowed to vote upon its own

credentials, completely ignoring the statute that says that the temporary rolls shall be those named by the credentials committee.

So when that happened, and Bob Calvert ruled directly contrary to the statute, as I recall it, Sidney Johnson and I were sitting there on the stage in Fort Worth when a messenger came out and said that I was wanted and Sidney was wanted back behind there. So we walked in and Dan Moody was there; Connie Renfro was there. Connie might have been a little later. I believe he was a little later, I don't believe he was on. But anyway, there was Coke Stevenson and myself, Sidney Johnson, and they spoke up and said that they were ready to file a lawsuit in the federal court under the civil rights--that Coke Stevenson had been deprived of his rights by virtue of the action that was taken by Bob Calvert.

- G: Well now, in addition to the Coke Stevenson-Lyndon Johnson dispute, was there also a struggle between the states' rights elements of the convention and the pro-Truman elements?
- JG: I didn't think that came up at that particular time. I could be wrong. My recollection is that the states' rights thing came in the Amarillo convention, which was later on. Now, you probably know more about that than I. I'm just going back in my memory trying to recall forty years ago or something.
- G: Now, at that Fort Worth convention, the state democratic executive committee voted on the certification of the nominee, and it was a one-vote difference; LBJ got it by one vote. Let me ask you to recall what you can about that vote.
- JG: I'm not there yet. (Laughter)

- G: Oh, I'm sorry.
- JG: So, we're back in behind [the rostrum], in the wings of the convention. I'm there; Sidney Johnson's there; Coke Stevenson is there; and I believe there was one other, but I can't remember exactly who that was. But at any rate, they spoke up and said that they were ready to--Dan Moody took more or less the lead there. Coke was pretty lackadaisical; he wasn't a forceful character in my way of thinking there. But anyway, Dan Moody spoke up and said, "I've got all those things ready to go. I've been preparing for this. I knew what was coming." He said, "I've got the lawsuit prepared based on the civil rights of Coke Stevenson, his civil rights. But I don't have anybody on this petition with me." Then he turned to me and said, "Josh, will you go on this petition with me?" I didn't answer quickly enough and Sidney Johnson spoke up and said, "Yes, he will." So that's the way I got on that committee. So first time I had ever seen Coke Stevenson to my knowledge was that afternoon when I started down the elevator of the Blackstone Hotel and I recognized Coke Stevenson and spoke to him. That's the first time I had ever spoken to him so far as I know was in the hotel corridor there at the Blackstone Hotel in Fort Worth.

I'm trying to [remember]. The steak house comes into this. Jimmie Allred comes into the picture now. At any rate, somebody suggested that I draw up the order, which I did, and then Sammy Arnim and I--Judge Arnim there--went over to get something to eat at the steak house across from the--that's immaterial except that while I was there Jimmie Allred found out where we were and came over and asked me to approve the order. At any rate--

G: Which order was this?

JG: Let's see. I'm not sure just exactly what it was, but anyway Jimmie Allred followed Dan Moody and me and Sam Arnim and so forth to get us to approve the wording of the order. It's hard to remember, but I do know that Dan Moody declined to do this, declined to approve the order, which would permit an appeal. Jimmie then said, "Well, look, you're depriving us now of our right of appeal. We'll have to have that order appealing." And so then Jimmie Allred turned to me and said, "Well, will you approve it?" I said, "Yes, I think you've got a right of appeal. I'll go on and approve it," which I did.

Then later on [we] went on back to our room. About one o'clock in the morning I got a call from Coke Stevenson saying that they had lost something that I had done and they wanted to know if I'd come up and dictate it again. I said, yes, I would. My recollection is I had already undressed and was in bed when they phoned and asked me to come back down there and to redraft whatever it was that I was working on at that particular time. I can't remember exactly what it was. But I know that Jimmie Allred was grateful that I permitted them to exercise their rights really. Dan was a hothead.

- G: This was after that hearing in Judge Davidson's court, is that right? Allred wanted to appeal.
- JG: That's right. That's right. Now you've got it. There was a hearing in Judge--
- G: Let me ask you something, Mr. Groce.
- JG: All right.
- G: Do you have any idea what the origin of the animosity between Dan Moody and Lyndon Johnson was? Did Dan Moody ever talk about it?
- JG: No.

- G: What do you think it was?
- JG: Well, Dan was convinced that Lyndon was not the most honest person in the world. DanMoody was. That's about all I can say. I was not close to either one of them.
- G: Do you think there were any business conflicts that might have been involved?
- JG: If there was I don't know it, no. But you're right on that proposition of Judge Davidson getting that, that was what . . .

Well, at any rate, it started out after the Fort Worth convention, and I don't know whether you've read the Court of Civil Appeals opinion in that case or not. Well, that describes Fort Worth, what they did in the Court of Civil Appeals. You might get that volume out and read it, because it describes it. This was not a true convention, because it did not follow the law and it was nothing but a mob scene. I believe the court used that [term], a mob scene.

- G: Well, let me ask you to go back to that convention and talk about the certification vote, where the state executive committee voted to certify LBJ.
- JG: Yes. Oh, yes, they called me in because at that time they were figuring out which federal judge we should bring into this, file in his court, which federal judge would be the most likely not to be influenced by brass collar Democrats. We discussed practically all of the federal judges in Texas at that time, and we came to the conclusion that Judge Whitfield Davidson would be the most likely judge to respect the civil rights of Coke Stevenson.
- G: Why was that? Why was he regarded as the best one for that?
- JG: Well, more or less by the process of elimination.
- G: Really?

- Yes. They asked me, now, about Judge [Ben H.] Rice, who was my federal judge here in San Antonio, and I said, "No, I don't think we ought to put this responsibility on Judge Rice. He's only been on the bench for a very short while. He has been known as a brass collar Democrat. And it would be just too much to ask him to vote against what the brass collar Democrats would want." So he was eliminated. Then one right after another were eliminated.
- G: Were there any Republican judges then? Federal judges?
- JG: I don't think so. My recollection [is] we discussed [William Hawley] Atwell, and Atwell came near being a federal judge, I mean a [Republican].
- G: He was in Dallas, wasn't he?
- JG: Yes. He was in Dallas. Really, we took them one by one and ended up, as I recall it, by the process of elimination on Whitfield Davidson.
- G: Why did you rule out Atwell?
- JG: Because he was uncertain. We didn't know what--we couldn't predict. He was old and a tyrant, you might say, and [there were] those that were just scared of him one way or another. So my recollection was that they just said that he was so unpredictable that they didn't want him.
- G: Was part of it to get someone who was not sympathetic with the New Deal or Roosevelt for fear that they would naturally lean toward LBJ since he was more identified with Roosevelt?
- JG: It could have been. I just don't recall. That's one of the details that was not significant tome. We just took a quick vote on these various . . .

- G: Yes. Who else was there? You. Was Dan Moody there?
- JG: Dan Moody was there. He was one that had taken the lead more or less. Sidney Johnson was there. I was there. I don't think Connie Renfro was there. I think he came into the picture--this was in Fort Worth. I think we got hold of Connie in Dallas and said, "Would you go with us and present this to Judge Davidson?" He then said, "Well, I'll have to find out where he is." And we found out that he was at Jefferson, which is out in East Texas, right on the border. So Connie Renfro got in his car with somebody else, I've forgotten just who it was, and drove to Jefferson and presented this order. It was in the nature of a mandamus or injunction or some--I've forgotten what it was now.

At any rate he [Davidson] set the matter down for hearing a week later or something like that. So I told them that I had to go on--it came back to me just that minute--that I had to go on to Lubbock, that I had a deposition set for a very important lawsuit, and I told them that I'd help in any way I could but I just had to go handle this. Well, I got to Lubbock, took my deposition, and about that time the phone--well, no, I got another one before I get to this. There at the Fort Worth convention and afterward, they phoned me in the middle of the night and they said that they had lost the order that I had prepared and would I come down and prepare another one. I said, "Look, I don't know Coke Stevenson." But he was on the telephone asking me to come down there.

- G: Coke Stevenson?
- JG: Coke Stevenson [was] on the telephone asking me to come down there to prepare an order.And I did. I put on my clothes and went on back down there and redictated the order.

But now then, let us get back to the Whit Davidson [matter]. Anyway, he set the

- matter down for a few days in the future.
- G: But you weren't there that night that Renfro presented the proposition to Judge Davidson, were you, asking him--?
- JG: No, I was not there.
- G: Did you think that Judge Davidson was going to issue the injunction, then rule in your favor?
- JG: No. We had the feeling that Judge Davidson was as honest as could be and would not be subject to any undue influence at all. He was not a Republican. He was a Democrat and accepted appointment by Roosevelt as a federal judge, as I recall it.
- G: One of the questions that people have asked over and over about that challenge is why you didn't go to state court.
- JG: Did go, we did go to the state court!
- G: Instead of the federal court. Will you describe the process of going to state court?
- JG: I did not have anything to do with that. But you will find in the Court of Civil Appeals opinion that the state court--that's where the Court of Civil Appeals judge described this thing as a mob scene, this Fort Worth convention.
- G: But that was the New Orleans court, wasn't it?
- JG: No. No. no. No.
- G: This was a state--?
- JG: No, no. It was a state Court of Civil Appeals. The Court of Civil Appeals, I'm just trying to think of how it got there. I wasn't in the Court of Civil Appeals; I wasn't in the state court, I was in the federal court. Everything that I did was in the federal court. I had something

just then--

Well, at any rate, Judge Davidson did grant the temporary injunction or mandamus or whatever it was. I don't remember at this time which forum we were talking about. But at any rate--my memory is not too good.

- G: Did the Johnson forces appeal?
- JG: No. When I--just who appealed . . . I went on out to Lubbock and while I was in Lubbock they phoned me and said I had to get back to Fort Worth and they asked me if I wouldn't take the responsibility of establishing the facts, that Dan Moody was going to take charge of the law. That was the only thing that I asked Dan when we were back there afterward. I turned to Dan and I said, "Dan, have you briefed the law on this civil rights thing?"

 Actually it turned out to be only about four or five years too early for the civil rights to prevail. If that had come up now, you can see where it would have gone. But it turned out to be just a little bit too early, and Dan was right on the law. But it was just a little bit too early. And while I'm there, while I remember this, we went to the Supreme Court, and that's where the telegram from [Hugo] Black came into the--while we were down in Jim Wells County opening up the ballot boxes and so forth, which we did, and found out that the [ballots] weren't there.
- G: Did you participate in the Fort Worth hearing?
- JG: Oh, yes. I was the one that took the lead.
- G: Tell me what you remember about the hearing, just in terms of--?
- JG: That's it, right there. [See attached document]
- G: Okay. Anything that's not in there about the atmosphere or the two candidates, was the

LBJ Presidential Library http://www.lbjlibrary.org

Groce -- I -- 13

atmosphere tense or was it cordial?

JG: I never had anything to do with Lyndon Johnson, I was--although I never knew Coke

Stevenson before because of the peculiar circumstances of me being in the army and getting
out and Beauford Jester coming into the picture.

G: At one point in that hearing Judge Davidson suggested that they put both names on the ballot and let the voters of Texas decide. Do you recall that?

JG: No, I didn't recall that. It could have been.

G: Stevenson said, "Okay with me," and LBJ said, "No comment" on that.

JG: I've forgotten now. But you'll be interested to know that the telegram was sent from Hugo Black to the federal commissioner, who was Bob Smith. The telegram from Hugo Black was sustaining a motion. I'm trying to think now just exactly what it was. At any rate, it was a telegram sustaining the motion that was filed by Jimmie Allred and his forces.

Bascom Thomas was the one that was representing Coke Stevenson in the Supreme Court of the United States. It was to sustain the motion. My recollection was that in this hearing before Hugo Black, Bascom Thomas, who was representing Coke, kept insisting on seeing the actual motion. And they didn't have any actual motion. But Hugo Black said, "We'll consider the motion as being filed." Well, we raised hell about that, said, "We want to see what it is, what we're confronted with, in writing." And he said, "We'll just consider it filed."

G: Were you in Washington?

JG: No. No.

G: Okay.

JG: In the subsequent election of 1960--of Kennedy--I wrote to the clerk in Washington and asked him to please send me a copy of the motion that had been filed several years before. I've got the letter in my files from this clerk of the Court saying that no such motion had ever been filed. Then strangely, some six or eight months later, out of the clear blue sky I get a letter from the clerk of the Supreme Court saying that in response to this letter, he'd said that there was a *nunc pro tunc* order entered--well, they didn't call it a *nunc pro tunc* order but what it amounted to--sustaining the motion in which the motion was filed. Now, this is long after the thing was over, but I've got that letter from the clerk.

G: Did you have a feeling that Justice Black was sympathetic to LBJ?

JG: Yes. Oh, sure.

G: Did you ever have any evidence that someone had intervened with Black in Johnson's behalf?

JG: No. I never had--well, we knew that the only judicial office that Black had was as a JP and he was the beneficiary of all sorts of crooked politics over in Alabama they told me. I wasn't there . . .

Tape 2 of 2

G: What was Coke Stevenson's reaction to Black's ruling?

JG: Oh, I don't know.

G: You didn't talk to him about it?

JG: No, no. I didn't talk to him about it.

G: How about Dan Moody? Did you discuss it with him?

JG: Oh, I'm sure I did with Dan, because he and I were pretty close friends. He had one end of

the lawsuit and I had the other end. He had the law and I had the facts. When they phoned me up in Lubbock and asked me to get back down here and take charge of the facts, that I was the lawyer that was nearest to Duval County and would I take the responsibility of getting the facts. So that's when Kellis Dibrell and Jim Gardner [?] came in, two ex-FBI men.

- G: Did you hire them?
- JG: No, they volunteered through Coke. They had known Coke longer than I had. They really did not claim to be lawyers representing him, they were more investigators. So they came in and worked under my direction, you might say, because I did get back down here and then realized that, hell, somebody had to put up some money.
- G: Money for the legal action?
- Yes. Expenses that we were incurring. For instance, I drove my automobile up to Fort Worth and then to Dallas and then to Houston, where we found Judge [Joseph] Hutcheson. Judge Hutcheson said that--well, this is after the hearing in Fort Worth. Now, the hearing in Fort Worth is told you there in that speech. I'm trying to think now of the name of . . . Well, anyhow, they did name me, say that I should take the facts and that Dan Moody would take the law.
- G: Well, now Judge Hutcheson was on the appellate court, wasn't he?
- JG: That's right.
- G: And what did he say when you talked to him?
- JG: Well, he just said that it was a very interesting proposition and that it would be a good case to submit to a court, which had already been done, and the facts had been found sufficiently

to . . .

- G: The Johnson forces argued that the case should have been filed in the state district court in Austin.
- JG: I didn't recall that.
- G: Did Dan Moody or any of the battery of lawyers ever consider filing in that court?
- JG: Well, in the meantime I think Bill Matthews [?]--have you talked to Bill Matthews? He had a state court action. But when we won in the federal court, my recollection is that that case never came to trial. Bill Matthews did have a lawsuit in the state courts.
- G: The question is, why didn't you file in the state court initially? You know, this is what Black said in his rule and this is what the Senate investigator said, that it was a state matter, it wasn't a federal matter.
- JG: That's where they ignored the federal civil rights.
- G: The other question is, it seems to me that Stevenson had named at least one of those judges in Austin, one of those state district judges, and presumably would have at least an impartial if not sympathetic judge there. So do you have any idea if this was discussed, if the lawyers considered that?
- JG: No, I was in on the factual situation, not the . . .
- G: They had already decided to go to federal court?
- JG: Oh, that was decided in Fort Worth, right there, because it looked like clearly Coke Stevenson's civil rights had been violated.
- G: But in the case of election fraud, wouldn't that have been a state matter rather than a federal?

- JG: The first question I asked Dan Moody was, "Dan, are you satisfied on the law of this thing?" and he said, "Yes, I am." I said, "That's good enough for me." So that's as far as I can go.
- G: Did you go down to Alice and Duval County?
- JG: Oh, did I! Did I! I was given credit for being the first one that had ever gone into that cesspool down there.
- G: Let me ask you to recount your experiences there.
- JG: All right, first Judge Davidson said that he should appoint commissioners to go into these various counties and take testimony for the benefit of the federal judge. So he then asked for recommendations for appointment as commissioners. And since this is in the factual aspect of this thing rather than the legal, I suggested that for Alice and Jim Wells County-(Interruption)
 - I suggested Bob Smith, former federal district attorney, as one of the commissioners.
- G: Was he here in San Antonio?
- JG: Yes, that's where he lived. This is his [home]. Then Mack Burnett was named. I suggested both of these names to the judge. Since the others had not made any recommendations at all, he accepted my recommendations and appointed Bob Smith and Mack Burnett, who likewise had been a commissioner in the federal court. I know he had held a judicial office of some sort. So that's how they got into the picture. Bob then sat down for hearing in Jim Wells County, Precinct 13, Jim Wells County, and impounded the ballot boxes and then went on with the hearing. You'll get the basis of that right in that--you can get that better from that than you can from me, because that was written just about the time . . .

- G: But let me ask you about your own experiences there. What did you do? Did you talk to people who had voted or who had not voted?
- JG: Oh, no. Kellis Dibrell and Jim Gardner were the ones that would bring the people in to me, and I would discuss it with them. That's the way we got this . . . well, let's see, how did that come about? Anyway, when everything was all washed up by virtue of this telegram from Hugo Black sustaining a motion that had never been filed up until, oh, it was in the Kennedy race that the district clerk changed and said it was filed as of such-and-such a date. Never did give me the correct statement, and I don't think it was ever filed except as of three years before, and that was when, as I say, Bascom Thomas represented Coke Stevenson there and he kept asking "can't we see the motion that's been filed?" "Well, we'll consider that motion as having been filed." What could he do? So there's that one. Now where were we?
- G: We were talking about how Dibrell and Gardner would bring the people in.
- JG: Yes. Yes.
- G: Who were these people? Were they people who--?
- JG: They were voters. This tells you the story there. I think you can save my time and yours both by reading that and then come and asking me about it. Yes.
- G: Sure. Let me ask you to go back then and talk about at the state convention in Fort Worth where the executive committee voted by one vote, was it?
- JG: All right. Sidney Johnson was on the subcommittee of the credentials committee. The credentials committee held a meeting and certified the delegates and recommended that the report of the subcommittee of the credentials committee be accepted. That was a

More on LBJ Library oral histories: http://discoverlbj.org/exhibits/show/loh/oh

LBJ Presidential Library http://www.lbjlibrary.org

Groce -- I -- 19

committee of five, one of whom was Sidney Johnson, but he held proxy from several others. The subcommittee, as I say, recommended that the statute be followed and that the ones--no, I'm getting ahead of myself. The subcommittee recommended that its report be accepted. It was then submitted to the whole convention there in Fort Worth.

- G: First it went to the executive committee, right, the state executive committee?
- JG: Right, state executive committee.
- G: Now, you were on that?
- JG: Yes.
- G: You were the committeeman?
- JG: Late that night, when the vote finally came, the vote as I recall it was 28 to 27 in favor of Coke Stevenson. But Bob Calvert, who was the state secretary--anyway, Bob Calvert was presiding and he held off the report of the final committee until, as I understood it, Brown and Root's plane picked up Guy Stubbs, I mean Guy--from Anahuac, brought him in, and then Pipkin or somebody from Amarillo.
- G: That was Guy Jackson from--
- JG: Anahuac.
- G: There was Charles Gibson from Amarillo.
- JG: I think that's the one. Both of them came in and changed their vote. They had given their vote to Sidney Johnson, who had voted it on the first go-round and then here came the one from Amarillo and from Anahuac in Brown and Root's plane and reversed the proxy that they had given Sidney Johnson. That made it 28 to 27 in favor of Lyndon Johnson. And with that all hell broke loose, there was shouting and all that sort of stuff, celebrating that

the Johnson forces had won this thing and so forth. With that, my friend Sam Arnim, who was sitting right there by me, said, "Josh, isn't anybody going to do something about this? See about Coke Stevenson getting a ride to the courts," or something. "Isn't anybody going to take Coke Stevenson's position?" We were both conservatives. And I said, "No, I guess not." He said, "Well, why don't you get up and do something?" Sam Arnim said that.

So I got up and went over to see the chairman, who was still shouting with the rest of them, and I said, "Bob, as soon as any order prevails around here, why, I'd like to have the floor to move that the other side have their day in court to some extent." He said, "All right, I'll let you have the floor as soon as we can get order." So it took quite some time to get order but when it did, well, Bob Calvert, true to his word, said that he would now recognize me. And I moved that the majority report of the subcommittee be accepted as the minority report of the whole committee, and that motion was adopted. That's how the thing got started. As I say, I never had even met Coke Stevenson.

- G: Was there any pressure put on you as a state committeeman to support Johnson in that 28 to 29 vote or whatever it was?
- JG: Oh, hell no! We thought that the conservatives had won until the Brown and Root airplane brought--
- G: What I'm asking is, did [Alvin] Wirtz or any of the Johnson people try to get your vote for Johnson?
- JG: Oh, hell no. No.
- G: They didn't know. You weren't affiliated with Stevenson at the time.
- JG: No, but I was affiliated with the conservatives.

- G: Were you?
- JG: Oh, absolutely, yes.
- G: So they didn't even ask you?
- JG: Oh, no. No.
- G: Were there others that they did try to get other than those that you've named?
- JG: Not that I know of. They naturally wouldn't tell me about this.
- G: Was it primarily a question of the state committee certifying the person who had won rather than looking behind the certification?
- JG: That was the whole object of the thing. Frank Lloyd, who was the Duke of Duval's [George Parr's] lawyer, he had been in on all of these things, at least--he made one of the speeches there that night in connection with the certification of the nominee for senator. Of course, Frank Lloyd--not Frank.
- G: Ed Lloyd.
- JG: Ed Lloyd. Frank is his brother, who was in law school with me. Ed, of course, made one of the speeches there that night for Lyndon Johnson. It was really something.

I'm sorry it's been so rusty.

- G: No, you've remembered a lot of these things very well.
- JG: Oh, I just was coming back. As I'd go along here, I'd get another one that would remind me of something else.
- G: Do you remember anything about the speeches? Ed Lloyd's, in particular?
- JG: I hadn't thought about that until just that minute. I hadn't even thought about Ed Lloyd being in the picture and making a speech in favor of him.

G: Well, I certainly appreciate it.

[End of Tape 2 of 2 and Interview I]

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

LYNDON BAINES JOHNSON LIBRARY

Legal Agreement Pertaining to the Oral History Interview of

JOSH H. GROCE

In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms and conditions hereinafter set forth, I, Marshall Groce, of San Antonio, Texas, do hereby give, donate, and convey to the United States of America all my rights, title, and interest in the tape recording and transcript of the personal interview conducted with my father, Josh H. Groce, on August 3, 1983, in San Antonio, Texas, and prepared for deposit in the Lyndon Baines Johnson Library.

This assignment is subject to the following terms and conditions:

- (1) The transcript shall be available for use by researchers as soon as it has been deposited in the Lyndon Baines Johnson Library.
- (2) The tape recording may be made available to those researchers who have access to the transcript.
- (3) I hereby assign to the United States Government all copyright I may have in the interview transcript and tape.
- (4) Copies of the transcript and the tape recording may be provided by the Library to researchers upon request.
- (5) Copies of the transcript and tape recording may be deposited in or loaned to institutions other than the Lyndon Baines Johnson Library.

Assistant Archivist for Presidential Libraries

Date