INTERVIEW I

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INTERVIEWEE: W. ERVIN "RED" JAMES

INTERVIEWER: MICHAEL L. GILLETTE

PLACE: Mr. James' office, Houston, Texas

Tape 1 of 2

J: I first met Lyndon B. Johnson sometime in the mid 1930s. At that time I was a clerk in the old WPA. Aubrey Williams was at that time the deputy administrator of the WPA. Harry Hopkins was the administrator. It was, you recall, Aubrey Williams that appointed LBJ to the job as director of the NYA in Texas. Let me say at the outset that I will refer to this man as Lyndon up until the time that he becomes president of the United States and thereafter I will try to refer to ~~him as Mr.~~ President, which is the only proper thing to do. I did not know him when he was secretary to Congressman [Richard] Kleberg. I met him after that period of time. I do know people that were with him when he entered, I believe, the Georgetown Law School for just a couple of months.

G: Who would these be?

J: There was a fellow named Brown.

G: Russell Brown.

J: Russell Brown, yes. I saw Russell Brown at the 1964 Democratic Convention in Atlantic City. Russell was reminding me of some of the things that had transpired. Russell Brown, I think, was there when Lyndon Johnson

enrolled. I might add that through the years it was evident to me that Lyndon Johnson had always wished he had studied law and continued. But I think that he got appointed NYA director and then came on back to Texas. It's my best recollection that Congressman [James P.] Buchanan died and that Lyndon was elected in his place to the Congress.

G: Let me ask you one thing about this NYA appointment. Did you ever talk to Aubrey Williams about why he hired Lyndon Johnson for that, or who put the bug in Williams' ear to hire him, who might have been influential in him getting that appointment?

J: I cannot be certain of that because at that period of time I was not well acquainted with Lyndon. I did know Aubrey; I've known Aubrey since about 1934. Of course, he's dead now but we were great friends. I admired Aubrey. I didn't always agree with him. I knew Aubrey and Nita, his wife, and his sons. Of course he later moved back to Alabama and became the publisher of the Southern Farmer. That story I'll get to if it becomes a factor in these memoirs. But I strongly suspect that Sam Rayburn and some of the Texas delegation may have importuned Mrs. Roosevelt or President Roosevelt to have Aubrey get hold of Lyndon and offer him the job as NYA director of Texas, but I do not know the facts with respect to that.

G: I gather that someone else had almost been designated already at the time LBJ got the position. Have you heard that story?

J: I do not know the facts with respect to that.

G: While we're on this NYA period, let me ask you if Aubrey Williams ever characterized Lyndon Johnson to you or if you recall any assessment of

him, or what Aubrey Williams thought of him. Of course, we were never able to interview Aubrey Williams.

J: I can give you his assessment in later years.

G: Okay.

J: All right. Of course Aubrey moved back to Montgomery, Alabama, where I was born and reared. After I left Washington in January, 1947, I went to Montgomery to practice law and represented Aubrey in some of his matters there. We used to discuss Lyndon Johnson. He regarded him very highly. They didn't always agree on everything, but they had great regard and respect and affection for each other. That was my impression. I'll have to tell a sort of a personal story. I don't want to intrude too much of James into this story because I know you want to hear about LBJ.

G: Well, we want your perspectives of him.

J: You asked me the question of Aubrey's relationship. In 1950 I ran for Congress in the Second Congressional District of Alabama against George Grant, the incumbent. Well, Aubrey Williams at that time was under attack because of his views on the black issue of race relations. And Aubrey once told me a story as to how he came to have his feelings for the black man. Aubrey had studied to be a minister. He had a deep religious feeling, and he joined the YMCA in World War I, not II, but World War I, and went to North Africa with the YMCA as a sort of a social worker. He got into the French Foreign Legion and then was transferred to Europe and fought against the Germans even before the United States became involved in the war. And he had a friend--Aubrey

had gone to the University of Wisconsin--who had finished Harvard and they became friends. They found themselves in a foxhole, a shell hole, with a black man and they were under heavy attack, and this man, this friend of Aubrey's, a white man from Harvard, was seriously injured. This black fellow, who was a big powerful man, took him on his shoulder and carried him two miles back behind the lines and saved his life. Aubrey, in a great show of emotion, would say, "I resolved then and there that I would never show a distinction between a white man and a black man."

All right. Now in 1950 you had the Joe McCarthy era. Harry Truman was under attack; just about everybody was under attack. While my family was well-known in Montgomery and had been for several generations, they started, when I ran for Congress, to say, "Why, he's been in Washington with Harry Truman," and that sort of thing. "Why, he's a friend of Aubrey Williams who loves these black people." It was kind of bad.

One morning in the middle of the campaign, about two weeks before the election, Aubrey shows up at my door at my home at six o'clock in the morning. I said, "Aubrey, what are you doing here at this hour?" He said, "My boy, this is very sad. I want to talk to you." I said, "Come in. We're fixing coffee." So he came in. He said, "They're going to defeat you with me. They're saying that you are my friend." I said, "That's true. I never deny that. Don't always agree with you, but I won't deny that." He said, "Well, they got to do something about it, boy. It's going to defeat you." I said, "Well, they may do it, but

so be it." He said, "Tell you what I want you to do. I want you to come out and blast me." I said, "Aubrey, I won't do it." He said, "I tell you what I'm going to do. I'm going to come out in favor of George Grant." I said, "Aubrey, I will not permit you to do that."

(Interruption)

His purpose, of course, in saying that he was supporting George Grant would be so the newspapers would pick it up and say George Grant is being supported by Aubrey Williams, and Aubrey Williams has repudiated James. That was the tenor.

Now to digress and go to the final days of Aubrey, and, again, of his regard for LBJ. Aubrey had a most unfortunate time in Alabama. The Ku Klux Klan would burn a cross on his lawn and the White Citizens Council had him under attack. Of course, I could withstand this because they didn't bother me, because my family was well-established. My brother was police and fire commissioner. My brother Earl later became mayor for twelve years. But Aubrey, it was too much for Aubrey, and he developed cancer. So he went back to Washington, D.C., literally, to die.

I happened to be in Washington, sometime just shortly before Aubrey's death. But LBJ had become vice president, the period of time before LBJ became president, from the time he was elected vice president to the time he became president, which I believe was in 1963. Isn't that correct? I was in Washington and I called Aubrey's home. I asked, "Nita, is Aubrey able to talk on the phone?" She said, "Yes. Let me get the phone over to him." So I started talking to Aubrey. In this fashion

he said to me, "My boy, I'll never forget you. I'll never forget you. You cast your bread upon the water and it will come home. The Big Boy was able to see me," meaning LBJ. He said, "It meant so much to me, it meant so much to me. He did most of the talking," meaning Johnson, "and I was pretty weak, but it was so good to see him. You"--and I'm putting myself up on the same level with his relations with Johnson. Then he recalled this incident that had happened in my campaign for Congress and commenced to cry.

Well, I was pretty unstrung. I told him, "Well, Aubrey, I know you probably won't last much longer, but I'll see you," and hung up the phone. I called my wife so I could get my composure and my equilibrium back and told her what had transpired. But he did regard this man--now I'm aware that they had some words about the Vietnam War and some differences. Johnson did not go to his funeral, I'm aware of that. I did not know that incidentally until I read Cliff and Virginia Durr's memoirs of this incident.

(Interruption)

Going back to the time after Johnson was elected to the Congress, he had friends in the WPA and the NYA in Washington. A fellow named Orrin Lull, L-U-L-L, came out of Denver or Colorado somewhere to become the national administrator of the NYA and Aubrey took on other duties. Tex Goldschmidt, I think his name was--

G: Arthur.

B: Arthur Goldschmidt--Tex--and Elizabeth Wickenden, his wife, were both in the WPA and I knew them. They were close friends of LBJ. While we

didn't have as many social contacts, Aubrey Williams was a great one to have people over on Sunday afternoon, Leon Henderson and people that had had names. I remember some of the others. There was one fellow who had had a part in the old--what was the trial in Boston of those two?

G: Sacco and Vanzetti.

B: Sacco and Vanzetti trial. And Aubrey used to have people from the middle of the road to the left of center and to the right of center. They used to have some delightful discussions of people, and people who had been very prominent in many fields, as Aubrey himself had. And occasionally LBJ and Lady Bird would be there. Then, going to the Durr's, Cliff Durr being from Montgomery, Alabama, where I was born and reared, I spent a lot of time at their home and I knew Senator Hugo Black pretty well. The Durr's used to have a lot of parties. They had people over like Drew Pearson and Robert S. Allen, John L. Lewis, the Johnsons, Hugo Black and his lovely wife, Virginia's sister.

G: Do you recall the first time you met Lyndon Johnson?

J: I cannot recall the first time I ever met him.

G: I suppose he was a congressman before you really became aware of him or knew him.

J: He had an office on the fifth floor of the old House Office Building, and he stayed there long after he acquired enough seniority to move out only because he had more space. But he didn't even have a private bathroom connected with his office, as certainly all congressmen have today. One would go in to confer with him, and he would talk to you and work

and people would be in and out of his office. His staff, they all worked like dogs. Then he would have to relieve himself and he would get up and thumb-bolt the door and go over behind the screen where he had a lavatory and turn the lavatory on and urinate in the lavatory, while he talked to you. He was tall enough to look over the top of it and talk to the person who was there. In later years Houston Harte, who owned some newspapers in Texas, and I were together reminiscing about these incidents, and Houston Harte said, "Red, you know, I remember those incidents where he'd get up and go thumb-bolt the door." After even Johnson became president I was in his office one day, and I said, "You got a water cooler here. I'd like a drink of water." He said, "Well, there's a lavatory right over there. There's a glass." I went over and drew a glass of water, but I couldn't drink it. I just dumped it and went on to lunch with him.

(Interruption)

Along in 1939 or 1940, I've forgotten exactly which, Harry Hopkins left as the administrator of the WPA and became secretary of commerce, and some of us who were in the WPA went to Commerce with him. Among the group was J. C. Capt, C-A-P-T, who was from San Antonio, and J. C. Capt later became the director of the Census Bureau. Capt knew LBJ; they weren't really great, intimate friends.

This is just prior to the period of time when I was to go to the FCC with Cliff Durr, and how that happened, I remember distinctly. I can even give you the date, December 1, 1941. But before I went over there I met a fellow who later became my law partner, Judge Roy Hofheinz.

Hofheinz was county judge of Harris County, Texas, and he had a friend in the Commerce Department who was a speech writer for Harry Hopkins. His name was Roscoe Wright [?]. Roscoe Wright, I think, had been the editor of a weekly in Houston called the Houston Gargoyle. He and Roy, at some time or other in their young lives, had planned to form a newspaper together. The first time I met Hofheinz was about 1939 or 1940. I was in Commerce and went down to see Roscoe Wright [and] Hofheinz was there. I saw him maybe once or twice before I went to the FCC.

With the connivance of Virginia Durr I landed the job as legal assistant to Cliff Durr when he was appointed commissioner of the FCC, one of the commissioners, which was a seven man commission, bi-partisan, no more than four commissioners of the same political party. The way we got around that was they'd appoint an Independent. They'd have four Democrats and maybe an Independent and two Republicans. But anyway, Hofheinz had had an application for a radio station in Houston. I learned this later; this happened just before I went to the FCC. Roy's partners were Hugh Roy Cullen; Dick Hooper, whose father had had the Dr. Hooper oil field around Conroe, and Major J. R. [Jubal] Parten, who's quite a character himself. Well, the thing dragged on so long that Cullen and Parten pulled away and sold their interests. So Roy wound up with a 75 per cent interest in the application and Dick Hooper had a 25 per cent interest.

By the time I got to the FCC, shortly after I got there, the war started on December 7. I was there December 1; December 7 the Japanese

attacked Pearl Harbor. While Roy had been given a grant, there was great opposition to his ever having a radio station. Now he was a great friend of Lyndon Johnson and he had helped Lyndon Johnson to prepare the application for their first radio station in Austin. So I saw a lot of Roy and of LBJ during this period of time, plus the fact that the Durrs would have big parties out on Seminary Hill and have people like Hugo Black. Hugo Black of course at that time was on the Supreme Court and he could draw a crowd any time.

G: How did they get the application through?

J: Roy's application got hung up because they passed a regulation at the FCC, because of the need of strategic materials, that no one would be permitted to build a new radio station using strategic materials, and that stymied Hofheinz. Well, Hofheinz then went ahead and declared again he would run for county judge, although he told the FCC he would not run again if he was given a station. During all this period of time he was in and out of Washington. He would come by to see me and Cliff Durr, we all became friends. Then, the commission opened the door by saying that anyone that had the materials on hand could build. Well, it so happened that Hofheinz had already bought his materials, had them stored in the garage. So he hightails it to Washington and comes in and says, "I've got my materials. Now I want my station." Well, he came within the rules and regulations, but there was great opposition to Roy. I never did really learn where it was. I suspected, but I cannot just baldly state where I thought it came from.

But James Lawrence Fly, who was from Texas--he had been at one time the general counsel of the TVA--called me to his office once and said, "Red, you're not helping yourself any by being seen up and down these halls with that young Hofheinz." I said, "Well, Mr. Chairman, I don't know why you say that, because I consider him a friend, although he is an applicant. He comes to see me." He said, "Well, he is not going to get a radio station in Houston, Texas." I said, "Well, he meets all the requirements. He's already been given the grant, has the materials on hand." He said, "He's not going to get it." I said, "Well, okay." I left and I told Cliff Durr this story. Well, again, I think I told Johnson, I'm not sure. I cannot recall. But it upset me that Hofheinz had--I didn't give a damn about Hofheinz. He was just another applicant for a station, but I thought he was being abused and mistreated.

So I was about to go into the Navy, and during all this period of time Alvin Wirtz used to come to Washington. I regarded Alvin Wirtz very highly, and he and Lyndon Johnson and I would get together and have a highball and go out to dinner, just shoot the bull about things, occasionally go over to Lyndon's house. Lyndon kept a picture in his office of Alvin Wirtz. My best recollection I think Alvin had on a yachting cap, I cannot remember. But it was autographed something like, "To Lyndon Johnson, whom I consider my own son, Alvin Wirtz," something like that.

So I would be working maybe at the FCC. Along about four-thirty in the afternoon I'd get a phone call from LBJ, and he'd say, "All right, Alvin has come to town. He wants to see you and wants you to come on over and we'll have a couple of drinks and then we'll go out to dinner."

And I'd say, "Lyndon, damn it, my wife is fixing dinner for me. Why the hell can't you call me earlier?" "Well, if you don't want to see Alvin I'll just tell him you've got too many social obligations and that you won't be able to see him." I said, "No, by God, I'll call my wife and tell her to just take my name out of the pot and I'll be there." But LBJ was absolutely the most persuasive individual I have ever been around anywhere. And with some five, six, or eight people in one room he could flat sell them on anything. Really. The greatest job I've ever seen done.

Now along about this time--I have to bring Hofheinz in here to show a little bit--they had a hearing on Hofheinz, which he won out. I don't need to go into details of that, but Cliff Durr was the one that pulled him out. James Lawrence Fly was determined; it was something he had put his staff on, Pete Shuebruk and Nate [Nathan H.] David, two brilliant lawyers. They came running to me and said, "Here in this record is where Hofheinz said if he got a grant for real estate he wouldn't run again for county judge. Now he's running again. Ah hah! We're going to set him down for a hearing, and we're going to really go after him." I said, "Yes, just crucify him. Why don't you do that? I'm going into the Navy and I don't give a damn what you all do." I went and told Cliff Durr the story. Cliff said, "I find that hard to believe."

But they set Hofheinz for a hearing and James Lawrence Fly took over the hearing himself, masterful lawyer, and really did a job on Hofheinz. But the next day when Fly said, "Do any of the commissioners

have a question?" He got to Cliff Durr. He very quietly lit a cigarette [and] said, "I have a few questions, Mr. Chairman," and he proceeded to take it over. And when he finished they voted unanimously to give Hofheinz the radio station.

G: Is that right?

J: Yes. I was at Fort Schuyler in the Navy. I went in as a lieutenant JG. I went up there. I got a letter from Roy, one of the nicest letters I ever received in my lifetime, "I'll never forget what you did." I just tore it up and threw it in the trash, didn't mean a damn thing to me.

So I went on in and stayed in the Navy. We got back to Long Beach after the shooting was over and I called the FCC offices and talked to Farrel McGonagel [?], who was one of the secretaries in the chairman's office. By this time Paul Porter had become chairman of the FCC, and Farrel said, "We are waiting for you to come back here. You're slated to be the legal assistant to the new chairman." I said, "The hell you say!" She said, "Yes, that's true." I said, "Well, I think I know who started that." I was correct; it was LBJ.

So I finally came on back. They brought me back, and LBJ did this. I was on the battleship Nevada and we were in Seattle and I got orders, ordering me to the Bureau of Personnel in Washington, in the congressional liaison unit. And Bill Deason, who had been LBJ's roommate at San Marcos, was the second in command of this unit. So I knew where the things all lay.

G: Let me ask you about Larry Fly's antipathy toward Judge Hofheinz. Do you have any idea what the problem was here, why he was opposed to him? Was it maybe [a] political enemy in Houston, or something like that?

J: Well, I would prefer not to get into that too heavily, because what I have is just surmise and suspicion. He had made some enemies in Houston, there isn't any question about that, some powerful enemies. And Fly was from Texas, I don't know what part of Texas.

G: Do you think Lyndon Johnson helped Hofheinz on that application? If so, how?

J: Well, I prefer to believe that he did, but the one that really did the job for Roy was Cliff Durr. And of course Cliff Durr was very close to LBJ.

G: I think there was another occasion right in here where Judge Hofheinz wanted to move a station from a rural community into the city.

J: No, I think you've confused this just a little. Channel 13 was allocated to Houston; Channel 11 was first allocated to Galveston; Channel 2 was already being operated by the Hobbys. They had bought that from Albert Lee. Albert Lee had been awarded the franchise and had, I think, built the station. They paid him $750,000 for a station that today would sell for 30 million. But Channel 11 was allocated to Galveston. And Roy asked me, "If I applied for Channel 11, do you think I could get a grant in Galveston and move it to Houston?" I said, "No. It's allocated to Galveston." Jesse Jones asked his attorneys, Dow, Lownes and Albertson in Washington. He said, "If I apply for Channel 11 in Galveston, do you think I could get a grant and then move it to Houston?" They said, "No,

it's allocated to Galveston." Well, Paul Taft, and Jimmy Stewart, the movie actor, and the Kempners in Galveston, they didn't know any better, and they filed for it and moved it to Houston. Now this is one of the things we tried to block, and we did hold them out for about three years. I think that's what you had reference to, the moving of that station. And it did finally become a Houston station. But they need three VHF stations here because they've got the three networks, and they now have some UHF television stations as well.

Well, to go back to Paul Porter. I came over one day from the Navy to see Paul. Paul Porter asked me, "When are you getting out?" This was in the fall of 1945. I said, "Well, I'm getting out just as soon as I get my points." So ultimately, in either January or February, 1946, I went back to the commission. I had left there as assistant secretary of the commission. I first went there as legal assistant to Cliff Durr, was promoted to the job as assistant secretary of the commission, left and went in the Navy, and came back as legal assistant to the chairman.

Then, of course, I saw a lot of Johnson during this period. [In] 1946 I saw more of Johnson than any other time. We were in his house many, many times. And he, too, loved to have these parties on a Sunday afternoon. Martha James and I were in their home one Sunday afternoon and people were just milling around and talking and maybe having a beer or a highball or something like that, and nibbling on some snacks. Johnson was playing dominoes with Bill Deason in the living room, and here comes Lady Bird and Martha James and Lyndon's mother and Aunt Effie and Mary Rather, and a bunch of them, coming down the stairs just jabbering

like a bunch of magpies. And Johnson raises up and says, "Cut out that damn noise! I'm playing dominoes! I can't think!" Well, my wife came to me. She said, "I'm going home." I said, "Wait a minute, we can't leave right now. We've got to wait just a few minutes." So we waited around for fifteen or twenty minutes and we took our leave.

Well, about two weeks later we were invited to a seated dinner at Johnson's home, and Martha James wouldn't go. I had to go by myself. At that dinner he had Fred Vinson, who was chief justice of the Supreme Court; Lister Hill, who's an Alabama senator; Jim Rowe, who was deputy attorney general; Paul Porter, chairman of the FCC; Sam Rayburn; and James, who was way down the line. But Martha James later made up with Lyndon Johnson. I say made up. He never became aware even that she was unhappy with him. But she was a pretty strong-willed person. Then, as I say, she forgot about that.

We stayed around that full year and I resigned and went back to Montgomery, Alabama to practice law in January, 1947, and ultimately ran for Congress in 1950, lost by just a small margin of the vote, and would have been elected if I had decided to run again in 1952. But by that time we had decided that neither one of us wanted to go back to Washington. Roy, through the years, had tried to persuade us to come to Texas, and we moved to Houston in August of 1953.

Going back just a little ways, in 1946 when I let it be known I was probably going to leave the government, Lyndon Johnson came to me and asked me if I would go into business with him in radio and television in Alabama and Texas. He said, "Between the two of us we can get some

grants, and we can build some stations and we can make a lot of money." I said, "Lyndon, I don't have any money." He said, "Well, I have. I married an heiress." But we never did do that.

Now I practiced law in Montgomery from 1947 until 1953. In 1948 LBJ ran for the Senate against Coke Stevenson. I'm struggling to make a living, practicing law and supporting my wife and three children--maybe there were two at that time, but there later were three--and the phone rang. It's Roy Hofheinz. He said, "Are you just going to sit there and watch them slit Johnson's throat?" I said, "I'll be in Houston tomorrow morning," and went out there and stayed for three weeks, just left my family and my law practice and stayed three weeks and worked in his campaign night and day.

We had a suite in the old Rice Hotel. It was in the name of a committee, and we had run up a bill of about seventy-five hundred dollars. Of course I stayed there every night. Occasionally Roy would come in, in which case I would sleep out in the parlor and Roy would sleep in the bedroom. One morning I heard the door open. It was about five o'clock in the morning, but it was along in the summertime, fully light, day light. And there stood two men. I said, "What in the hell do you want?" They said, "Who's in charge here?" I said, "Who are you?" He said, "I'm the assistant manager. This is the house detective." I said, "Well, Judge Hofheinz is. He's asleep in that room, and my advice to you is don't wake him up." They said, "Well, you all have run up a pretty good-sized bill here." I said, "I've got nothing to do with it. Just close the door and let me go back to sleep."

Well, about that time the door opened of the bedroom and out walks Hofheinz. He said, "What's going on here?" This manager said, "We've got this bill here, Judge Hofheinz, for seventy-five hundred dollars." He said, "I'll tell you what I'll do. I'll chew up Jesse Jones on Monday and spit him out on Tuesday! This is our castle. The man's home is his castle. You get out of here! I'll sue you for everything you're worth!" Well, the house detective, it like to scared him to death. He backed off, "Now, Judge Hofheinz, you understand, I'm just following orders. I'm just following orders." Well, they both left and I just doubled up in the bed with laughter, with Hofheinz roaring and fuming. But the bottom line on that was that I left, and I asked Roy later, "Who paid that hotel bill?" He said, "Hell, we won! You don't ever pay a hotel bill like that when you win. We won!" And of course he did beat Coke Stevenson. And they didn't pay it, as I understand it.

G: What about Jesse Jones and Lyndon Johnson in that election?

J: Jesse Jones was backing Coke Stevenson. Jesse Jones and Judge [J. A.] Elkins were both behind Coke Stevenson. Governor Hobby, Gus Wortham, and, oh, a number of other people whose names have just . . . Sam Low, and a whole bunch, were of course backing LBJ.

G: Do you think that Governor Hobby's wife was influential in getting him to support LBJ or do you think it was . . . ?

J: I think not. I think not. In those days the old man, old Governor Hobby, was a pretty strong-willed individual. I met him several times.

G: Judge Hofheinz has been given credit in, I guess, the 1948 election,

maybe even in 1941, of pioneering the strategy of getting people in nursing homes registered and giving them a better opportunity to vote. Do you recall that? Is that the case?

J: Well, he even did that in his campaigns when he ran for mayor.

G: Oh, he did?

J: Yes. We got into a jam on one of those because they found that they'd gone out and a lot of these people had just signed the ballot without a notary public. They had a notary public and a doctor that was diagnosing their ills sort of nunc pro tunc as we say in the law, now for then. Oh, the Houston Press ran a hell of a story on it. It got one young doctor in a bunch of trouble. But we issued a statement that these people had been committed to these nursing homes and it was well-known that they were disabled and senile, maybe had never been committed or named NCM, non compos mentis, but it was well-known that they were physically disabled, and it didn't take another diagnosis by a doctor to determine that fact. And so we wiggled out of it in that fashion.

But let me go back to the 1948 campaign. Gus Wortham--who died fairly recently, American General Insurance Companies--and I became very close friends, and many times since I've been in Houston, Texas, Gus Wortham and I have been thrown together. And Gus Wortham has said to me, "Red, Roy Hofheinz was the difference in that 1948 campaign between victory and defeat. It was Roy Hofheinz that pulled that victory in 1948." Now Gus Wortham probably spent as much in the 1948 campaign as anybody else, maybe except George Brown, I don't know. But he spent a bunch.

G: What was Gus Wortham referring to here? What did Judge Hofheinz do?

J: He was referring to Hofheinz' tactics. See, Hofheinz was in charge of about thirty-five counties. I stayed there and ran the campaign headquarters and helped to write speeches. Roy was in and out and he would set up a speech to be on a network of several stations throughout the counties that he had the responsibility for. I remember WOAI, this big powerful station in San Antonio, backed away because of a possible libel suit. Hofheinz got pretty close. And Hofheinz of course threatened them with trying to get their license away from them at the FCC. Jack Binion, who was a lawyer for the Houston Post and KPRC, would come up and we'd be writing a speech, and he'd say, "Roy, I've got to look the speech over. Hurry up and finish the damn thing so I can see it and pass on it." Well, we'd give it to him at the very last moment and of course the other stations knew that, if Jack Binion passed on it and approved it.

But, you see, Roy was not the candidate and there is a difference between, in the libel laws, what a candidate says over a radio station and what one of his supporters says. The law is that the station is not responsible, in libel, for anything that a candidate says because they cannot censor his speech. But that's not true of one of his supporters. So this was the distinction that we were met with, and Hofheinz [made] one of the most blistering speeches I have ever heard. Roy had the records of Coke Stevenson when he was governor and his pardon and parole board. He dug out all these instances, and they had big ads in the paper, "Roy Hofheinz Will Speak." Johnson's Campaign. His subject will

be on Coke Stevenson's role in pardon and parole. The subject will be 'Pardon Me'." We found an incident where a person convicted of child molesting had been pardoned and three days later he raped two little girls on Buffalo Bayou. The town was really stirred up about it. It got very heated.

Now John Connally was in and out of this campaign. Sam Low--who was also collector of the ports of Galveston, Houston, whenever the Democrats were in power, and a great favorite of LBJ--was also in the campaign. We had a bunch. I heard Roy Hofheinz once in that campaign dress John Connally down like you have never heard a grown man take on another one. And when he finished telling John Connally how the cow ate the cabbage, Connally was a very subdued man. This is long before Connally acquired any prominence in his own right; this was 1948. Now I recognize that he later became secretary of the navy and governor of Texas.

G: But he was still a pretty formidable fellow even back in 1948.

J: He was formidable all right, but he could not stand up to Roy Hofheinz.

G: What was it about, do you recall?

J: It had to do with some particular strategy on the labor unions and the part that the liberals would have in the thing. And of course Connally is much, much more conservative than Roy Hofheinz.

G: This was a time when Johnson was really blasting labor, John L. Lewis. Perhaps Judge Hofheinz was trying to get him to tone down some of his anti-labor statements.

J: What Connally counseled was that they blast labor here in Harris County. We had a great difference and division in the campaign, and Roy Hofheinz and Sam Low prevailed. John Connally took a secondary role after that in anything pertaining to the area where Roy Hofheinz was supposed to be running the show.

G: Was the candidate here when that altercation occurred?

J: I don't believe so.

G: It was here in Houston?

J: Yes, it was here in Houston.

G: Do you recall Lyndon Johnson being here during that campaign?

J: Oh, yes, he came in and out of here many times.

G: Where did he speak? Were you with him once when he spoke?

J: Yes, we had a rally out at Roy's radio station, KTHT. And there's a pretty good-sized auditorium there. Roy Hofheinz introduced Johnson with a tub-thumping speech and then Johnson followed. Then we went to the Rice Hotel. There were one or two other places that he spoke, I cannot remember. But I remember that rally very vividly. It was well organized and tremendous. It was a rather small auditorium. It would probably seat three or four hundred people. But you get three or four hundred people in a small auditorium and set the microphones up properly, it sounds like you've got ten thousand people going out over the air. This is the way it appeared.

Let me go back a ways after 1948. I of course came to Houston in 1953 and I picked up my friendship with Gus Wortham again and people

I'd known in Johnson's campaign. Then coming on up to 1959 and 1960, Jack Valenti, in early 1960, asked me to speak to a group of women at the Shamrock Hotel, honoring Lady Bird. I agreed to speak and I said, "How many people?" You have to judge what you're going to say by how many people. It's an easy thing to make a speech to a thousand people, it's more difficult to make a speech to twenty-five people. I'm sure you're aware of that. Well, he had sixty people; there were five hundred people there. But anyway, I didn't have any problems.

G: Let me ask you about two things here: one, the helicopter in that campaign. Did you see him use the helicopter? I guess he used it more in rural areas but were you . . . .

J: In 1948?

G: Yes.

J: I had nothing to do with that. I think he had a DC3.

G: How about Judge Hofheinz' efforts to get the black vote in Houston in 1948? They really rolled up large majorities in those black precincts.

J: Well, Roy Hofheinz is fundamentally a very fair person. I'll give you just an example. When he became mayor, without any fanfare and without any big to-do he very quietly removed the signs in the public library, colored here, white here, in the restrooms. Same thing on water fountains, just took the signs down. He required the bus company, without any fanfare, to take down the signs, colored seats in the back, white seats in the front. Just took them down. All of a sudden, without anybody even realizing it, they were gone. This is one of the things that I admire Roy Hofheinz about. He is a person of great courage on things like that,

and he's very fair with the chicanos and blacks. And he developed a great following, he had already developed as county judge, because he fundamentally is just a fair man. And he had a great following, still has, among the blacks.

G: Do you recall him working these black precincts, though, and who the leaders were?

J: I did not. Because, you see, in 1948 I was in Alabama. I used to come out to Houston a lot, but I didn't know too much about the details.

G: Lyndon Johnson seemed to have gotten a lot of George Peddy's votes, too, in the runoff.

J: Yes. We had--

(Interruption)

Charlie Francis, who was a name partner in Vinson, Elkins [Weems and Francis]--in Judge Elkins law firm--had been George Peddy's campaign manager. And when Peddy ran third, and the run-off was between Johnson and Coke Stevenson, Charlie Francis came over into the LBJ camp and was very effective in bringing a lot of George Peddy's prime supporters over to help LBJ and join hands with Roy Hofheinz.

G: In that campaign, you worked more in the office writing speeches and handling--

J: That's right. Yes. I was just a detail man. I sat in on all the strategy meetings but I took kind of a back row because I was from Alabama and all these other people were native Texans.

G: Were there any other decisions besides the labor one that you thought

were important or possibly pivotal decisions in that campaign that you were privy to?

J: At that time in 1948 there was still a considerable following among the Democrats of the policies of Franklin Roosevelt. Although of course by that time I believe Harry Truman had become president. In the South he was not as popular. He was later to become very popular, that is, President Truman. You know, you can ring the changes by giving one of those tub-thumping Franklin Roosevelt-Eleanor Roosevelt, remembering the Great Depression [speeches]. There was still enough people around that knew that Roosevelt had brought us out of the depths of the Depression and had put this country back on a footing, at least, where people could earn a decent living, laboring people, railroad people, for example. Prior to Roosevelt there had been no railroad pension. People [were] just turned out to pasture as it they were a mule or something like that.

G: Was Senator Wirtz active in this campaign? Did you see much of him down there?

J: I did not see much of Alvin Wirtz in that campaign. I think he confined his activities up around Austin and other places.

G: How about George Brown?

J: I used to see his footprints around, but he mostly operated in the background and pulled the big strings with the big mules, as we call them in Alabama.

G: In this election if Johnson had lost he would have been out of Congress altogether, whereas in 1941 he could run and lose and still retain his

House seat. Do you think that some of his supporters were opposed to his running first because he might be out altogether.

J: I'm sure that's true, Mike, but I don't know too much about it. Even going back to the 1941 campaign, at that time Johnson and I were good friends. Of course he left Washington, he went by the White House and got the blessing of the President, and pictures and everything, and then took off against Pappy Lee O'Daniel. And he said to me a day before he left, he said, "You know, I'm going to be elected, and I'll be the youngest senator ever to come to Congress." I said, "I thought Rush Holt of West Virginia [was]." He said, "No. I'll be even younger than Rush Holt was when he came to the Senate." I think Rush Holt was about thirty or something like that; I think you have to be thirty. But there may have been a month or two difference between them. I think you have to be twenty-five to be in the United States House of Representatives and thirty to be a United States senator.

G: Most people feel that he was counted out in 1941. Do you?

J: I don't think there's any doubt about it. I think it's a fact. As I understand the people that I've talked to, people like Sam Low and Roy Hofheinz, and they set about, they said, "They're not going to count us out again." Now I stayed through the election on a Saturday and I left and went to Montgomery on Sunday morning, and the Sunday morning papers had Johnson leading by a hundred and fifty thousand votes, statewide. I said, "Why, we're in." And it did appear that we were. I got to Alabama and I would call up over here on Monday and Tuesday and Wednesday and they just started counting him out again, and that's the

reason they put up such a fierce fight. A lot of these people have the feeling that [George] Parr elected Johnson in Duval County. That's not true. There were some votes there, but there are other places, particularly in East Texas according to Roy and Sam Low, where they counted Johnson out. You know, they withheld the vote to see how many they needed. This is the way it was.

G: Right. Well, he got Ma Ferguson to support him in 1948 whereas old Jim Ferguson had not supported him in 1941.

J: I was not aware of that.

G: I wonder how he was able to affect that change there. Of course [Jim Ferguson] was dead by then.

J: Well, I tell you one thing, he could charm the birds out of the trees. I'm sure his charm probably worked better with Ma than it did with Pa, that would be my guess.

G: Did you see much of Charlie Marsh during these years?

J: I remember him. Let's see, he was a newspaper man. I can just barely recall Charlie Marsh. We were never great friends, anything like that.

G: Before we get up to the fifties there are a couple of other things in the early years I wanted to ask you about. Number one, when he and Mrs. Johnson bought that station, did you have any dealings with them when you were still with the FCC?

J: She came to see me. I was at the FCC when they bought the station, and she came to see me. She used to come down to see me quite often and discuss matters, as she had a perfect right to do, unless they were adversary matters. I remember one incident that he wanted to, I believe,

change frequencies in Austin. I think this is correct. He wanted to change over to a frequency where the dominant station was WOW in Omaha, Nebraska. I think his lawyer talked to the lawyers for WOW and asked them if they would oppose it if he applied to go on that frequency and would protect them with a directional antenna in their coverage. They were a little upset about this. You know, most of these big stations actually try to sell an audience that they don't even have, but they lead their advertisers to believe that they cover this, and everybody's sitting there with bated breath listening to their damn radio station.

Well, I talked to Rosel Hyde, who was then assistant general counsel. And I talked to George Adair, who was assistant chief engineer. They looked at the thing and said, "We don't see any particular problems about it." And I told Mrs. Johnson that, I told Lady Bird. I said, "Why don't you apply for it? You know, if they set you down for a hearing, so they set you down for a hearing, in a consolidated proceeding." So they applied for it and got it. The commission granted it.

Then later on I wanted to try to get Rosel Hyde named to the commission. Rosel Hyde was a Republican from Idaho and we had a Republican vacancy. He'd been at the commission for years, but he was a card-carrying Republican. So I go to LBJ and I said, "Now look, we ought to get this fellow Hyde on this commission down here, because he is a good man." And so, sure enough, he intervened with President Truman--I believe it was Truman; it would have to be. Yes, Truman--and Truman

appointed him. So I went by Rosel's office after he was sworn in and I said, "Let me give you a bit of advice. Pick up the telephone and call Lyndon B. Johnson and thank him for helping you get this appointment." He didn't even know that Johnson had helped him but I told him. Yes. He called him up and of course Johnson--I saw him that night. I saw Johnson. He said, "By the way, I got a call today from Rosel Hyde thanking me for my help." I said, "How strange." (Laughter)

G: Isn't that something. Did Wirtz represent them in the FCC matters?

J: Yes. I'm sure he did. Yes, I'm sure he did. I'm not sure he ever held himself out as being an FCC lawyer, but Wirtz was an excellent guy. He was some what of a man.

G: Do you recall Wirtz coming before the commission or talking to commissioners?

J: No. As far as I recall he never put in an appearance, never.

G: But he really seemed to know a lot about it, none the less.

J: Oh, yes, yes, he could move around the same way Johnson did. Johnson learned early, when he was a young congressman, you don't go down and ask Harold Ickes, the Secretary of the Interior, to do something. You reach over in the Bureau of Indian Affairs, or the Forest Service or whatever, National Park Service, one of the bureaus of the Interior Department, and you find some guy in there who is a bright guy that knows what the hell he's doing, and you talk to him about getting it done. You start it up from that way and not fool with these people at the top. They don't know what's going on anyway. This is something Johnson knew very well.

G: Do you think that he, rather than Mrs. Johnson, was the dominant force behind that station's success?

J: Well, just as I [said] in my speech at the Shamrock, before those three or four hundred ladies, I reminded them that when the war came along, that Johnson had left the Congress and had gone into the Navy. And Lady Bird ran the office in the House of Representatives, which is true. She's a very competent, very able lady. What is the fellow's name, I'm trying to think of it, that now runs the show for her? He's been there--

G: Jesse Kellam.

J: Yes. Jesse Kellam.

G: He died this summer.

J: He did die? I did not know that. But he was on the scene and they had others as well.

G: Do you think that there's anything that the commission did for him that they would not have done had he not been a congressman? Was there anything that you perceived as maybe a borderline thing where he was able to get some sort of advantage over the others?

J: I can truthfully say to you, Mike, that as far as I'm concerned that during the period of time that I was there, and also during the period of time after I left there where I practiced before the commission regularly, I never observed Lyndon B. Johnson get anything that he wasn't entitled to in every way, on the merits of the case, apart from any politics.

G: Let's talk about the Cox case, do you remember that?

J: I know that case. Yes. Let me go back--you've got it by Cliff Durr. I'll review it very briefly with you. We sent a fellow down to make a routine check on WALB in Albany, Georgia. In going through their books and records he found this cancelled check they had made out to E. E. Cox for legal services, and he said, "What is this?" "Oh, that's Congressman Eugene E. Cox. He's our lawyer before the FCC. He helps us on all our matters before the Federal Communications Commission." Well, that just happens to be a violation of Section 1.18 of the Criminal Code of the United States. So this fellow took up all the records and said, "I'll send these back to you, but I'll need to take these back with me and look at things."

Well, naturally he hadn't gotten out of the city of Albany before that station was calling Cox in Washington and telling him what's happening. Well, Cox knew that he had a problem. So he gets back to town, and four or five days later Eugene Cox rises on the floor of the House of Representatives. He was then, [in] my recollection, the number two man of the Rules Committee. Howard Smith of Virginia was the other one, both of them just a little bit to the right of Genghis Khan. Cox rises on the floor and [says] something like this, "Mr. Speaker, I ask unanimous consent to proceed for one minute and revise and extend my remarks in the appendix of the Congressional Record. Mr. Speaker, this FCC downtown is made up of a nest of rats and communists and I intend to offer a resolution to investigate them."

Everybody in the House, John Sparkman and others, "What in the world is this?" My recollection is John Sparkman called me and said, "What's

the matter with Eugene Cox?" I said, "I'll be over and tell you, my friend." So I went to see him and I went to see Johnson, everybody else that would listen to me. I was kind of the liaison with the Congress and the FCC. So periodically Cox would rise and make the same kind of a speech.

Francis Biddle, the Attorney General, I was told that Wendell Berge, who was assistant attorney general, head of the criminal division in the Department of Justice, had recommended that Cox be indicted, be presented to a grand jury and get an indictment. They couldn't decide whether to do it in Albany, Georgia, or the District of Columbia. He was one of the bitterest opponents of the administration, so a lot of people said, "Well, hell, it will just look like we're trying to persecute the guy." So they dilly-dallied around with it and finally they got up to the point where it looked like they were going to move and Cox got his resolution passed before the House. Incidentally, John Sparkman, who was, I believe, majority whip at that time, tried to amend it at our request to include an investigation of the networks for all of the "blue" type of programming that they had. And incidentally, if you've read Newsweek for this past week you'll really see some blue stuff in television. It's gotten just like the movies.

But anyway, he got his resolution through, appointed this fellow, Gary [?], as general counsel, who was the meanest s.o.b. in the world, and an appropriation of three-hundred thousand. They set about to really try to crucify the commission. Cliff Durr was the only man on the

commission that really stood up to them. He and I would laugh about it. He said, "Well, they may find something on me, but I doubt it." I said, "Oh, Cliff, they'll never. You haven't done anything in your whole life that you'd be ashamed of." He said, "Well, that's pretty nearly true." But Fly had a gal--I think she was in the Labor Department--that he had what we would call a maritritous [?] relationship with, and Fly was married and had a family. But it was well known if Fly went to New York, she would take leave and go to New York; if Fly went to Miami, she'd take leave and go to Miami. And so Fly was scared to death.

Now I had an inside line into the committee and I also had LBJ, who was telling me, "Raise your gun just a little bit and fire a little bit higher. Put it over to the right and fire in that direction." So we knew generally what was coming up. So I set about to try to find out if we could forestall anything from breaking over Fly's head about this gal. And so I'd take this up with LBJ. LBJ called me and he said, "The Speaker called the Chairman in"--he's talking about Cox--"and told him, 'Now, Gene, there ain't going to be no sex in this investigation. You understand me, Gene. There ain't going to be no sex. There's too damn many of us that are vulnerable on that score'." So they dropped it. Well, I got this word to Fly indirectly and Fly got his courage back up. But in the meantime they were really giving us unshirted hell.

So Durr--this is principally Durr's work, I'll let him have the credit for it. I think he had some help, too, from some other sources that he never did disclose to me. But he said, "Red, why don't we draw up a petition to the Speaker of the House of Representatives because the

Constitution provides that the right to petition and memorialize the Congress shall never be abridged." I said, "That's great." So we drew up this petition to remove Cox as chairman of this committee. And Cox had a personal interest. It was a great petition. Maybe Virginia has got a copy of it. But we wound up by attaching a copy of the check to Cox with both sides where he'd cashed it.

Rayburn, it hit him! Oh, man, it just . . . I think I mentioned in this thing in Washington, that memorial service for Cliff, that Cliff and I ducked out and sent it on the Hill and told them when to break it, that we knew we'd probably be subpeoned. We ducked out and went to a movie, the movie was Ronald Colman in Talk of the Town. It had Cary Grant in it as a young man.

G: That's appropriate.

J: Yes. So, Rayburn took that thing and juggled it around like a hot potato and finally sent it to the Judiciary Committee. So then we promptly petitioned the Judiciary Committee that Cliff would be glad to appear and offer testimony, offer evidence and so forth. Well, Judge Sam Hobbs, congressman from Selma, Alabama, was on that committee, and I went to see Sam and I told him, "Judge Hobbs, this is wrong." He'd been a judge. He was a very, very conservative man, but a very fair man, and a good constitutional lawyer. I said, "This is wrong." I showed him the check and everything else. He said, "I am astounded. I don't know if there's anything much I can do. But pass this around everywhere, get it around." And I did. I just flooded the House of Representatives with this stuff. So then as Cliff mentioned, old man Eugene Meyer, the

owner of the [Washington] Post, who is Katherine Graham's father, Cliff went to see him and he called in Casey Jones, who was then the editor and they had another guy who was an associate editor named [Merlo John] Pusey. Cliff had forgotten about him and he was a great friend of Rosel Hyde's. I think they're both Mormans. Between the two of them they started writing a series of editorials which finally ended up with a front page editorial addressed to Speaker Sam Rayburn, and they went ahead and developed the facts on this thing. But this is without doubt the most outlandish type of an investigation that has ever been held. Cox should be removed.

So I got a call that night, twelve o'clock. I'm sound asleep. The telephone rings, this voice says, "All right, no names, no names. But today the bald-headed fellow met with the Irishman"--bald-headed fellow is Sam Rayburn; the Irishman is John McCormack, who was then majority leader--"and the chairman"--Eugene Cox, chairman. "The baldheaded fellow turned to the chairman. He said this, 'You've been my friend for thirty-five years, but I can't stand this any longer and you're going to have to step down.'" And he said, "That's what's going to happen. He's going to take the House, make a point of personal privilege; they'll jam the House, and he'll step down as chairman, and Clarence Lea of California will be appointed in his place and they'll wind up the investigation."

So a couple of days later Eugene Cox mounts the floor of the House of Representatives and makes this oration that commences like this, "Mr. Speaker, for many, many weeks the poison shafts of slander have pierced

my heart. I have been maligned and castigated by the press unjustly and unjustified. It is true that I was paid twenty-five hundred dollars by this station down in my district of Albany, Georgia, but it was not for representing the station before the Federal Communications Commission, but for entirely different reasons and legal questions that I have resolved. I gave it to my wife and she gave it to a little private charity down there in Albany, Georgia, a little bitty nigger with a belly as big as a watermelon." This is all in the Record! It's the most astounding, sickening thing you've ever heard. And I give you my word, when that s.o.b. sat down he got a standing ovation. He wound up by saying, "I now step down, Mr. Speaker, as chairman of this committee in order that it's important work can go forward unfettered by these unjustified attacks." They gave him a standing ovation.

G: Isn't that something.

J: That winds up the Cox investigation. I've told you about how Cliff helped Roy Hofheinz get his station.

I'll give you one other thing on Cliff Durr that might give you some idea. He made people uncomfortable because he was absolutely unafraid, you know, and a great guy. There was a fellow, an atheist--I cannot remember his name, I could supply that for you--out in California who wanted to broadcast on a radio station and the preachers and all of the Pentecostal groups and Holy Rollers and so forth, maybe some of the more respected ones, opposed it on the ground that he was an atheist. He said, "I don't throw rocks at churches. I don't attack people, but I have a right, under the First Amendment, to speak, to buy time, and talk about my atheism."

Well, they sent an examiner out there, they had a hearing and naturally his opinion was that they should not be permitted and that the station's license was not in jeopardy and that sort of thing. They came back and bounced it back to the commission. They prepared a decision along the lines that the examiner, administrative law judge, had ruled. They had the opinion before the commission on commission meeting day and the chairman said, "What's the vote?" The vote was six to one with Durr dissenting. Durr said, "Mr. Chairman, I would like two weeks to work on a dissenting opinion." "Well, certainly, certainly, Commissioner Durr." Commissioner Durr quietly prepared a dissenting opinion which is a classic of the right of free speech. It wound up every single one of the commissioners voted with him and it was unanimously adopted as the majority opinion of the commission.

That was Cliff Durr, Phi Beta Kappa, Rhodes Scholar, quiet, unassuming, self-effacing, truly great man. But he and LBJ, although they were just the opposite of each other--Johnson, gregarious, sometimes loud, always trying to persuade everybody to his point of view. On the other hand, Durr, very quiet, and people would fall in behind him, just literally go with him on everything.

G: What were Lyndon Johnson's techniques of persuasion here?

J: Very, very simple. He'd get you in a room and he'd stand up over you and with those long arms of his he'd stand right in front of you with his arms going up and down. I'll give you an example. Kennedy could never have been elected president of the United States without Johnson on the ticket. Anybody that knows anything about politics knows that to

be a fact. When he got Johnson on the ticket he was assured of the support of the South, which is something he did not have. I'll tell you in a minute about my going to Alabama and persuading the Alabama delegation to yield to Texas so Connally could place Johnson's name in nomination first at the convention in Los Angeles.

Well, after he was nominated--just [to] give you an example--let's say he would go to Alabama and meet with the governor and the two Alabama senators and several of the important members of the House of Representatives and maybe some of the ones in the Alabama legislature. They'd have a bottle of bourbon and they'd have some bourbon and branch water. And Johnson would say, "Now, gentlemen, I realize that this man is not a southerner, he's a New England yankee, but he's a good man. I'm running with him and I sure hope you all will support us on the matter. Let's have another drink." So they'd have a drink. And he'd say, "Now, you know, those docks down at Mobile, they need some appropriations to help get those things so that Alabama can truly have an international port. Let's have another drink." And the guys would sit there and say, "Well, we don't know. We don't care much for that Kennedy and his ilk." Johnson would say, "Well, let me tell you this now. I'm the majority leader in the Senate of the United States, and Kennedy is a United States senator. If we're not elected, I'm still going to be the majority leader and Kennedy is going to still be a senator. Do you understand that, sir? Let's have another drink." It all becomes clear to that yokel. You either get in there behind us or you're going to get the shaft, that's

what you're going to get. He would go to that extent only after somebody goaded him to it. But you talk about a guy now with a mailed fist in a glove, but he had it. And he knew how to use power better than anyone.

G: And yet I gather he could be just as smooth and charming and diplomatic when he wanted to.

J: Yes. He used to make me so mad sometimes. We were out with them one night in Washington, Martha James and I, and we were over at somebody's house, I can't remember where, and Mary Rather--I always loved Mary Rather. Everybody was saying, "What will you have to drink?" "Well, I'll have a bourbon and branch water." "I'll have a scotch and water," blah-blah-blah. And Mary Rather said, "I'll have a martini." Johnson was standing right by her. He turns to Mary Rather and he said, "Um-huh, um-huh, there you are, there you are. We were out the other night and you had a little too many martinis and you made a complete ass out of yourself. I guess that's what you're fixing to do tonight." The poor girl just stood there with tears rolling down her cheek, and I felt like kicking him in the seat of his britches.

The next day he goes downtown and he buys Mary Rather a nice handbag. He comes back to the office, said, "I was wrong. I was wrong. I love you. Here's a handbag." That's what he'd do. He'd do everybody. I have seen him castigate members of his staff, just beat their brains out, and the next day he'd come over to them and say, "You know, I think maybe I was wrong."

G: Do you think he was just letting off steam here or could he control his temper here in these situations?

J: Usually it was by design. He's kind of like a friend I had once who said, "I'm not ever going to get mad again unless it's on purpose."

G: So he could turn it off. He could be chewing somebody out and then the next minute he would. . . .

J: He never, never, never, in all of our relationship, ever even raised his voice with me. Because my relationship was different, I was not on his payroll. I was not subject to anything. He respected me and he never, never raised his voice at me. But I've seen him do it, even with Bill Deason and people that he loved greatest.

G: How about his political philosophy? What do you think he was trying to accomplish back in the forties and fifties, before he became president?

J: In the late thirties and along in that period, some of us used to be sent to him to try to get his vote on a particular measure, and his technique was, "Well, I'll vote for it if you want me to. If you all insist, I'll vote for it. But it will defeat me in my district. I know my district and it will defeat me." We said, "Well, goddamn, we don't want you defeated, Lyndon." "Well, it will defeat me now." And then on the other hand, occasionally you'd go to him and ask him to do a certain thing. He'd look you eyeball to eyeball, one of his favorite expressions was "Now I love you, but I won't do it. I'm not going to do it. I love you, but I'm not going to do it." Then in jest a lot of times you'd ask him to do something, he'd say, "Well, I'll commit statutory rape and I'll roll a drunk, but there are a few things I won't do."

Let me go to the campaign of 1960. Connally and Oscar Chapman, who died the other day, who had been secretary of interior and, oh, a whole

bunch [of things], came at me to--I was in the committee here to elect Johnson president. But they asked me to go to Alabama and try to persuade the Alabama delegation to yield to Texas at the convention so that Connally could put Johnson's name in nomination first. It was felt that this would have some strategic value. Governor [John] Patterson was for Kennedy, and several of the Alabama delegation were for Kennedy, but we worked it out. We got the majority for LBJ and in 1960, at the convention when they called the roll, "Alabama", the chairman of the delegation rose, "Alabama yields to Texas." "Texas." "Texas wishes to offer a name in nomination." Connally, of course, was already on the platform and he proceeded to nominate Johnson. And of course we demonstrated all over the damn convention floor and raised hell and everything.

G: I have a note that in that campaign, and I presume that this was after the convention, that Johnson wrote a letter to Judge Hofheinz saying that, "Some of my friends tell me that you're unhappy with me for something, or you're sore at me."

J: Was that 1960?

G: 1960.

J: I can give you part of that, Mike. Roy is a person that always wants to be persuaded by the top guy to do something. Some of the rest of us willingly hop in. I'll give you an example: Roy Hofheinz and I had lunch with John Connally in his private dining room once when he was secretary of the navy. And among other things, Connally said, "I'm going to run for governor of Texas." I said, "I'll support you." Hofheinz said nothing. He was waiting to try to be persuaded by Connally to help him. I jumped right in. I said, "I'll support you."

All right, Roy lay behind the log at first in the 1960 campaign. We had our committee formed and everything. I'm on the committee along with everybody else of any prominence of Johnson people. And Roy wouldn't let his name be used. I called Johnson at home one night in Washington and caught him just as he and Lady Bird were coming in the door. He got on the phone and I said, "Lyndon, I want to ask a favor of you. I want you to call Roy personally and ask him to help you in this thing." He said, "I'm not going to do it. I'm not going to do it. I have come to see Roy and Dene Hofheinz everytime I have been in Houston, Texas, and I'm not going to call him. If he doesn't think enough of me to support me in this campaign, that's okay. I won't do it." I said, "Well, by God, it's just like Connally said. The reason is that you and Hofheinz are too damn much alike." He said, "Did Connally say that?" I said, "That's what Connally said." He said, "He ought not to have said that." (Laughter) But he didn't call him, didn't call him. But of course Roy, after they got into the campaign, jumped in and spent his money and everything else, and they patched all these little differences up.

G: Maybe part of it, too, was that he had come to Houston once and had not stopped by and seen Hofheinz.

J: I don't think that's true.

G: You don't.

J: I had a funny experience. I met him coming in on a plane during the campaign. He had been to Alabama and my brother Earl, who was then the mayor, had gone down to Greenville, Alabama and had gotten on the train to ride to Montgomery with him.

G: Whistle stop.

J: Yes, whistle-stopping. We walked away from the plane together among all these people. He put his arm around me. He was always a great guy, you know, to give you a bear hug. He said, "Red, your brother was very kind to me, very kind to me." I said, "Well, he better be. I'll cut him off without a dime," some such thing as that. Then after he got to be vice president, he came out here and made a speech somewhere one night--it was at the Rice Hotel--and I called him and I said, "Lyndon, I want to come down and ride out to the airport with you." He said, "Fine, fine, come on down here." And so he had a driver, and we got out to the airport. We talked about many things, just the two of us, nobody else. He got out of the car, there was a great big black skycap [who] grabbed his bags [and] said, "Why, Mr. Vice President, how are you? I'm so and so." Of course there's people greeting him; he's greeting them all over the place. [I] went on out and waited with him till they put him on the plane. This driver waited and brought me back to the office. But there are several little, you know, highlights like that.

G: What did you talk about? When was this?

J: It was after he was vice president.

G: Was it 1962?

J: It was either 1961 or 1962.

G: Where was he going, do you recall?

J: I think he was on his way to Dallas, I'm not sure. But he had made a speech here the night before.

I was telling Lady Bird some of his favorite jokes, do you want to hear a couple of those?

G: Yes. But first, can you remember what he was talking about? What his mood was, anything?

J: He used to call me on the phone when he would come to town in Houston and the conversation would go something like this: he'd say, "I'd like to borrow about three million, and I want you and Roy to go on my note." Of course I knew his voice naturally. I'd say, "You're knocking on the wrong door." He'd say, "Now come on out here. I'm out here at the Shamrock. I want you to come on out here, eye ball with me." Sometimes I could, sometimes I couldn't. But we were always great friends, got along fine together.

G: But on this ride out to the airport, it sounds like you're remembering him when maybe he was in a special mood and had a lot on his mind.

J: Yes, it was just a relaxed moment. He'd say, "Well, how you doing in the practice of law?" I'd say, "Well, we're doing fine. We're making a living." I think this was along about the time that we were trying to get a baseball franchise, maybe it was 1961.

G: I gather that the vice presidency was not at all the happiest time of his life, that he really felt frustrated. Did you get that feeling?

J: Yes. [Inaudible] Roy asked me to go to Washington about 1960, 1961, along there somewhere. It may be that he was majority leader, I can't [remember]. In 1960, see, he would have been the majority leader. In 1961 he would have been the vice president. And I cannot recall. It

seems to me that he was vice president. We had a bill that Estes Kefauver had sponsored, to remove the reserve clause in baseball. It scared the daylights out of the major leagues, and we were fighting to get a major league franchise in Houston, Texas. We formed this league with about ten cities, with Branch Rickey as president. Roy asked me to go to Washington and meet Craig Cullindon [?] and Branch Rickey. I had never met either one of them before. I went to Washington and I went to see Johnson, told him we had to get some votes. "Well," he said, "I'll help you all I can." My recollection--what's this guy who was kind of secretary of the Senate [who] got in so much trouble?

G: Bobby Baker.

J: Yes, Bobby Baker. I met with Bobby Baker, and Bobby said he'd help me, too. But Paul Porter, who I'd worked for as his legal assistant, was general counsel to the commissioner of baseball, and they were fighting like hell for their lives. Porter had told the commissioner of baseball, the president of the National League, [and the] president of the American League that we would get fifteen to nineteen votes in the Senate. Well, we got forty-one votes. We had forty-two but Scoop Jackson and--what's the other senator from Washington state?

G: Magnuson.

J: Magnuson, Warren Magnuson, had changed their votes. But we got forty-one votes. Then they sent the thing back to committee. But it scared baseball so much that we got a franchise and the New York Mets got a franchise in that. And Johnson helped me on that.

Then on riding the plane from New York, after the World Series game, to Los Angeles--one of the highlights of my life--my wife, Martha James, met Branch Rickey for the first time. He puts his arm around her shoulder, he said, "Martha, your husband, Red James, was responsible for the expansion of the major leagues." She said, "I didn't know that." We worked that Senate over. We used to spend a little time over at that old Carroll Arms Hotel, which is over there close to the Senate Office Building. And you know who was performing there at that time, too? Mark Russell, who is now at the Shoreham.

Tape 2 of 2

J: Let's see, where are we, Mike?

G: We're going to talk about Roy's bill.

J: Oh, yes. Well, years ago, Roy Hofheinz, in order to raise some money, formed a corporation called the Yorktown Corporation and transferred this valuable eighty-four acres which he owned on Yorktown Road into the corporation. He owned the property in fee simple himself, individually, and he was the sole stockholder of the Yorktown Corporation, but this removed any homestead problem that he had of borrowing money. Because you know how difficult it is to foreclose on a homestead. So he kept it in there till he could pay off the loan, then after he did that, he promptly transferred the property from the Yorktown Corporation back to himself, Roy Hofheinz, individually.

Now there's a provision in the law of treasury regulations, IRS, that you have to make a declaration within thirty days in such a transaction

as this, of an election, not to pay the tax on any increment in value that may have arisen from the time you transferred it individually into the corporation and then back to yourself individually. Those papers were all made out, and he didn't have the money at that moment to pay the tax and naturally the values of the property had tremendously increased. But he wanted to wait until he sold the properly eventually and pay the taxes, which was perfectly all right with Uncle Sam, if you made the election within thirty days. On the thirty-first day he discovered that he had not done this, and the Treasury Department would now accept it on the thirty-first day.

Well, his accountant, a fellow named Ed Bruhl, B-R-U-H-L, persuaded Albert Thomas, who was a congressman here from Houston, to introduce a bill in the House of Representatives for the relief of Roy Hofheinz, that was what it was called. It didn't really mean relief but from the--

G: A private bill.

J: Right, just a private bill. A lot of people looked on it as a billet to try to escape taxation, but there was no way you could do that. It passed the House over the objections of the Treasury Department. Well, at this point I went to Washington and got Senator Lister Hill and Senator John Sparkman to introduce me to Price Daniel, who was in the Senate. I had never met Daniel before. I explained the thing to him. And Lister Hill said he would help. John Sparkman said he would help. They were far senior to Price Daniel, and of course that sort of persuaded Price Daniel to help. So then I went to LBJ and enlisted his help.

Well, you had a Republican administration. Eisenhower was president, and we knew that we were going to have to overcome this opposition. So the bill passed the Senate, and then [I went to see] Dillon Anderson, who was a lawyer from Baker [and] Botts who had become secretary of the National Security Council under Eisenhower, and he had served with Eisenhower in World War II on his staff. I go to see Dillon Anderson and Dillon said, "I'll see if I can persuade the President to sign this bill even in the fact of the opposition of the Treasury Department." I said, "Well, [I] appreciate it." And one day a few days after that, I'm sitting in my office and my secretary jumps up and said, "The White House is calling." So, it was Dillon Anderson and he said, "The President just signed Roy's bill into law." I said, "Well, thank you very much." But that's the story on that little [bill].

G: That's a good story.

Is there anything else from the period in the forties and fifties, Johnson and his friends, you went out with him a lot, you were together with him at dinner parties, that you think is interesting or typical of him? Or something that you want to recall?

J: Well, I did not have as much contact with him when he was majority leader of the Senate. He was so busy, and I was trying to make a living practicing law, also. I saw him a lot, but his time was just so taken up. I think he was busier when he was majority leader than any other time, maybe even [than] when he was president. He seemed to be able to relax a little more when he was president than he did at that point.

G: I think you were going to talk about some anecdotes, some Johnson stories.

J: Oh, two stories. And he loved to have a story. I'll jump ahead. The last time I saw him was the autographing party at the LBJ Library. He had Roy Hofheinz and some of us up for drinks, and I told him a few jokes, one an Aggie joke that he promptly went over and picked up the telephone, called the foreman of the LBJ Ranch, who happened to be an Aggie, to tell him the joke. I don't think he found him. But Mary Rather got me aside and she said, "Red, why don't you come around more often and give him some new material. He's flat running out of jokes."

I remember two jokes he told, one, when he was playing on a high school football team. They said they were playing their arch rival for the district championship and they had a little quarterback named Sandy. The other team had made a touchdown to about the last four minutes of the game, but they'd failed to kick goal, the score was six to nothing, in favor of the other team. And the other team kicked off to them; they got the ball. Sandy looks toward the bench and the coach gives Sandy a play. Sandy runs the play, loses two yards. Second down, time's running out. Looks back to the bench, the coach gives him another play. He runs the play, no gain. Third down. Looks back to the bench, gives him another play, they lost six yards. So he looks back to the bench, it's fourth down, time is fast running out. The coach throws up his hand, "Sandy, you're on your own." Got back in the huddle and here they come out running play number eleven. The coach says, "My God, play number eleven!" But sure enough it worked. They made a touchdown, kicked goal, beat the other team seven to six. That was the end of the game.

So the coach goes running back to the dressing room to beat the newspaper reporters back there and find out what happened. And he said, "Sandy, how did you happen to run play number eleven? We ran it one time this year. We lost nineteen yards on it." He said, "Well, Coach, it was like this. We were back in the huddle, and there was old Red, this was the last game he'd play, playing center, crying. Old Red wanted to win that game, number six. And there was old Jim, tackle, number seven. I just put six and seven together and ran play number eleven." The coach said, "My God, Sandy, six and seven doesn't make eleven. It makes thirteen." He said, "Coach, it just goes to show, if I was as educated as you are, we'd have lost the game." (Laughter)

The second story that I always loved: this legislator called this judge in Dallas, from Austin to Dallas, one night about eleven o'clock. Got him out of bed, and said, "Judge, they just abolished your judgeship." He said, "The hell you say! On whose say so?" He said, "Well, the president of the Dallas Bar Association recommended it." He said, "Well, let me tell you about that shyster. He's the biggest shyster in this town. Anybody else?" "Yes, the president of the Republic National Bank recommended it." He said, "Let me tell you about that fellow. He's been charging these widows and orphans these usurious rates of interest for years. Anybody else?" "Yes, the president of the medical society." He said, "Let me tell you about that sawbones. He's the biggest quack in this county." The guy started laughing, he said, "Judge, I'm just kidding you." The judge said, "Well, why did you do that? You've made me talk about three of the dearest friends I ever had."

(Laughter)

J: That's two LBJ jokes.

G: That's great. I have always gathered that one of his favorite techniques in arguing or kidding with people was to use hyperbole, to really exaggerate something to the point of being ridiculous, and that he would come up with some very humorous terminologies this way. Do you remember his doing that?

J: Yes, that he would do. He was a great kidder, but he did not--my recollection of him--have the type of humor that leaves a scar, that's a biting type thing. Now, he'd bawl the hell out of his staff, just literally lash them, but they can take that. People can take that. But one thing that people resent--I think this is a true statement--is someone that is always taking advantage of a joke to say something that has just a measure of truth in it and they gig you in that fashion. I don't recall that he did that. And he was never one to gossip about people. He didn't--and neither was Roy Hofheinz. If Roy didn't like a person, the person was just dead. And Johnson was that way to some extent. He didn't want to waste time, you know.

G: And yet Johnson seems to have depended in part on knowing more about the other person.

J: Oh, yes. That's something else, yes. On the floor of the Senate when he was majority leader, I have sat up in the gallery and watched him work that Senate. Of course, Bobby Baker was helping him to find out who was going to vote which way on every [thing]. And he had the count, he had the nose count on everything. He knew exactly where they were

going. I have watched him go over and lean over the desk and talk to a senator and bend his ear and stand there, with somebody else making a speech out on the floor.

G: Did you get an opportunity to see much of his mother?

J: I remember her very vaguely. She was there when they lived in that big old two-story house over there across the street from J. Edgar Hoover. And Miss Effie, Lady Bird's aunt, they had . . . .

G: What was his mother like?

J: Well, she was rather tall, very distinctive features, rather quiet. I didn't find her to be a very talkative person but I was not around her much.

G: Was there a story about her that you remember?

J: I cannot remember much about her. I remember going over to the LBJ Ranch to a barbecue when we were trying to get Johnson elected president of the United States. We had President Harry Truman, Sam Rayburn, and a bunch there, and John Connally made the speech. Connally can make a good speech. And he referred--and of course these are all friends of LBJ. He called attention to the fact that John Singleton, Roy Hofheinz, Red James [were there]. He named three people out of these three hundred folks that were there. I was very proud to be named one of them. "They've been friends of this man for years and years." And then he winds up with this peroration, "Here on the banks of the Pedernales River, his mother's buried right down here." You know, this old thing, "Take them to the grave and let them weep by the side of the tomb." He was

kind of a spellbinder, when he winds up. Of course, he's not as good as Hofheinz. Hofheinz in his day was the best I ever saw, really was. Hofheinz' tongue and brain were more closely connected in his heyday than any person I've ever known. That's absolutely true. He could rise and make a speech on five minutes notice that would lift you out of your chair. I never saw his equal.

G: How about Johnson and Rayburn, did you get a chance to see them together much? You mentioned one dinner party, I think.

J: Rayburn was [the] kind of a fellow that was uncomfortable if he was around strangers. That's my observation. He just loved to be around his cronies and he loved LBJ just like he was his son. At the Democratic Convention in 1960, you remember, he was a delegate and sat in the Texas delegation. Clarence Cannon of Missouri presided as chairman of the convention. Clarence Cannon was once the chairman of the Appropriations Committee. He had a wooden leg.

Tell you one story in that: we had our so-called wake in the lobby, the room off to the side, in that Biltmore Hotel in Los Angeles. Johnson told us all, "I want to thank you. We've lost. Thank you for your help. I want to ask Lady Bird to say a few words." Lady Bird made a sweet talk. "I want to ask Lynda to say something." She made a nice little talk. Luci was about thirteen years old at that time, maybe fourteen. She said, "Well, I came out here and I tried as best I could. I did the best I could and I'm just sorry we didn't win," and broke down and started crying. Well, hell, there wasn't a dry eye in the house. We all just felt terrible.

So several of them said, "Hell, I'm going back to Texas." I said, "Well, I think I'll hang around." So I went on over to this theater which was close by the convention hall that we had as an LBJ headquarters, with a bar, a place to drag delegates off the floor and ply them with a little libation. They had an AP ticker over there, Associated Press ticker, and I was looking at the darn thing. This was in the afternoon before the session started. "FLASH: LBJ has agreed to run as vice president with Kennedy." I said, "My God!" So I snatched this off the ticker and went running over on the floor to get this Alabama delegation. And they were mad. They were mad. I said, "Johnson's going to run with Kennedy." "We don't care! We're not going to support the ticket." I said, "Listen friend, come on over here, I want you to listen to Mennen Williams talking in the Michigan delegation." I took two or three of the leaders over there and Mennen Williams was making a speech to the Michigan delegation, just giving Johnson unshirted hell. "We don't want him!" So they came on back, they said, "We'll stuff him down their throats!"

So here comes Clarence Cannon off the podium, looking around. I saw him; I knew him slightly, and I walked up to him. I said, "Mr. Congressman, can I help you?" "I'm looking for the Alabama delegation." "Come right on over here. Here's where we are." I was sitting with them half the time. So I took him over there and he said, "Who is your chairman?" I said, "This is Mr. so-and-so, [the] chairman." He said, "Now here's the way it's going to be." And these were his exact words. "Here's the way it's going to be. Alabama will yield to Pennsylvania. David Lawrence, the mayor of Pittsburgh, will put LBJ's name in nomination

for the vice presidency." They all just nodded and that was the way it went. And then they had two or three other seconding nominations on the floor.

G: That's a good story. Do you think that Johnson wanted that nomination? That he had to really undergo a change of heart in order to accept the vice presidential nomination?

J: There's one little story I can tell you that might shed some light on this. You know, the Senate of the United States is a "club," I'll use that in quotations, and even though you're a Republican, if you're a United States senator, you're a member of the club. When Hubert Humphrey came to the Senate as a so-called wild-eyed liberal, his closest friend on the floor of the Senate was Walter George of Georgia, who was about like William McKinley in his politics. All right, Johnson and John F. Kennedy were pretty good friends. Now, we discovered that Kennedy had sent around a notation to all of the delegations that he would like to appear before them. So we said, "Good. We'll let him come down and address the Texas delegation, and we'll cut him up pretty bad." So, here comes John F. Kennedy and they introduce him to the Texas delegation and all of the people that were there from Texas. And you know, by God, when it was over--this was before the nominations even started--they gave him a standing ovation. They really did. What he had to say was such things as, "I'm running. I'm mindful of the fact that Senator Johnson's a candidate from your state. He's also running. I learned my lesson pretty good from my majority leader." He put it on them. I say put, he put it on us.

But I was not a party and I don't pretend to give any indication-- I was not a party to the strategy. I knew a little bit about what was going on that little short period of time when Johnson agreed to run as vice president. It's my recollection that Robert Kennedy went down to see Sam Rayburn, and I think President Johnson was off in the wings there, to feel him out. Sam Rayburn is alleged to have said, "Son, we don't want to talk to you. Send your brother down here." Of course he already had the nomination. This was after that.

G: Were you privy to any of the preparations or the procedures when Kennedy came down to speak to the Baptist Ministers' Alliance down here, that conference?

J: I can tell you who can tell you more about that than anyone else is Willard Walbridge. Willard Walbridge runs Channel 13. He's about to retire. He is a past chairman of the board of the chamber of commerce here and a very close friend of mine. You can feel free to use my name in calling him to get his story. But he's the one that set it up. And of course they used that video tape all over places where they didn't have the Southern Baptists. Where they would have a strong Catholic vote, they used that to great advantage, I'm sure. And I don't blame them. I would have done the same thing. But I think Kennedy handled himself very well. I don't think that [E. H.] Westmoreland, who was the principal Baptist preacher that was questioning [him] came out very well in that exchange.

G: Were there areas in campaign strategy in Texas where Kennedy and Johnson disagreed over strategy?

J: You mean while they were running?

G: Right.

J: I don't know. I don't know.

G: How about Sparkman and Lister Hill? Did they ever talk with you about LBJ? Did you get anything from them in the way of stories about his mastery of the Senate?

J: Well, they both liked him very much. You see, Lister Hill would have become the majority leader. But Lister Hill had to run for re-election in Alabama, and he knew that he could not support some of the measures that were being espoused by the Democratic Administration and still be re-elected to the Senate. So he stepped down. Now he was the whip, Lister was the whip. And this senator from Illinois, Scott Lucas, either stepped down or was defeated. I think he was defeated.

G: He was.

J: Lister Hill would have succeeded him but he wouldn't take it. I asked Lister, "Lister, why in the world didn't you take it?" He said, "Very simple, I couldn't have been re-elected." Lister was a great senator. Sparkman, great job. Sparkman is in the twilight of his life now, was chairman of the Foreign Relations Committee. Both very dear friends of mine.

G: Alabama has had some very prestigious senators in recent years, the last three or four decades.

J: Bankhead. John Bankhead in the Senate; Bill Bankhead, Speaker of the House.

G: Hugo Black.

J: Hugh Black, one of the toughest individuals I have ever known in my life, completely impervious to criticism. Didn't give a damn. It didn't worry him a bit. And smart, smart, smart.

G: Let's talk about those photographs you've got on the wall.

J: Let me tell you. I got a call from--while Johnson was president--Bill Deason, who is seated there with us in this first picture. Bill Deason was his roommate at San Marcos. Deason just completed his term at the Interstate Commerce Commission. While I think that President Carter would have reappointed him, he decided to step down. He's now retired and lives in Austin. But Bill called me one day and said, "The President wants to see you." I said, "Well." He said, "The President wants you up here with him." I said, "I'll come up and talk to him." He said, "Well, here's the game plan. We're going to give a dinner party at our house on Sunday night. The President is going to invite you and Martha James to a seated dinner for the president of Turkey on Monday night." I said, "Fine, fine." Bess Abell, who was then the social secretary sent us, Lady Bird did, a written invitation. And Jake Jacobson called us Saturday.

In the meantime, Martha James had taken pneumonia. I called Bess Abell on Friday, late Friday, and I said, "There's no way. We've just got to cancel out." On Saturday morning Jake Jacobson called me and said, "Mrs. Johnson has told me to tell you all [to] get in a plane, we're going back to Washington right now. Get in a plane, come to Washington, want you all there Saturday, Saturday night, Sunday, Sunday night, Monday, and Monday night." I said, "Jake, we can't come. My wife is in bed with

pneumonia." So that's how close I came to being able to say, in the White House, "James slept here." I've never slept there yet. But anyway, thereafter, I did go up and confer with him.

This first picture here that shows the President and Bill Deason and myself, he is offering me the chairmanship of the Federal Communications Commission. I said, "Mr. President, as you know, earlier in my lifetime I aspired to be a member of the FCC. But I respectfully decline." Well, you know, he'd argue with me a little bit. "Well, I want you to come on back." He sent me that picture there.

Then I went back. This time here, I'm showing him a clipping about Hofheinz, I think it's in Newsweek. He offered me a job as a member of the United States Custom Court in New York City, which is a federal judgeship, lifetime judgeship. I said, "Mr. President, with all respect to you, I wouldn't live in New York City for all the tea in China.

The third time he sent for me and offered me a job on the Tax Court. I said, "Mr. President, I'm not a tax lawyer." He said, "Well, hell, you can learn!" I said, "I don't want to learn. But, if Homer Thornberry goes to the Supreme Court, I'd like to talk to you about the vacancy on the United States Court of Appeals in the Fifth Circuit." He said, "We'll talk about it." Well, as Homer Thornberry made a speech once and said, "A funny thing happened to me on the way to the Supreme Court." You know that story. Abe Fortas.

G: Sure. Had he attempted earlier to get you on the commission, before this point?

J: He and Wayne Coy were working together. Wayne Coy was then chairman; I believe he succeeded Paul Porter, stayed there for quite a while. Wayne Coy went to see President Truman and President Truman--Wayne told me later--asked him, "Wayne, what about Red James for the commission?" Wayne said, "He'd be agreeable with me." He said, "Well, I'll talk to you further." Called him over there a second time, he said, "I'm going to have to put a woman on that. These women are raising hell with me." He put Freida Hennock on there. You remember then he nominated her to be U.S. District Judge, and the delegations came down from New York City, claiming that she was the mistress of a very prominent lawyer in New York City, and had openly been fornicating on the curb almost. So the President had to withdraw her name. But she was never reappointed to the commission and later died. Real sweet lady, I liked her very much.

G: Why didn't you want to accept the chairmanship?

J: The same reason I didn't run for Congress in 1952. I just didn't want to go back to Washington. I wanted to raise my kids down here.

G: Is there anything else on Roy Hofheinz and Lyndon Johnson that rings a bell?

J: I'm sure there are things I'll think of later, Mike, but . . . .

G: When Hofheinz ran for mayor, did he get any help from LBJ on that?

J: I think that Johnson must have stayed out of that.

G: How about the opening of the Astrodome, when the President was down for that? Do you recall that occasion in 1965?

J: Yes, I remember. Jack Valenti sort of took charge of everything and

brought all of his buddies up there to--Johnny Going and Welcome Wilson who'd never had any relation with the President of the United States and ignored--I may sound a little bitter about this, but he just brought in his own buddies. Well, Valenti, he was press secretary of the President.

But Hofheinz made a serious mistake in not inviting Bob Smith, his partner, and Vivian [?] to that. They sat down there right in front of me and got invited up, about the fifth inning or something, to shake hands with the President. And that was the beginning of the end with Roy Hofheinz and Bob Smith. Vivian from then on set about to terminate that relationship, and she was successful. But that was the straw that broke the camel's back, got to be very bitter. It was a very bad tactical mistake. But Roy got caught up in the thing. He tried to blame it on the Secret Service, but, knowing Hofheinz, if he had wanted Smith and Vivian up there, he could have had them up there.

G: I guess the two men were a lot alike as John Connally has said.

J: Yes. Connally was right, yes. They were just too much alike. And they were, both with super egos.

G: It's a wonder that they got along.

J: Yes, it is. It really is.

G: Were there any other times when you sort of mended the fences between them?

J: Well, of course, in the period of the presidency, you'll note in Mrs. Johnson's diary, that Roy and Dene Hofheinz were there several times. And of course Roy was there. When Martha James and I were supposed to go,

he was also invited. He was there at that time. I think he was there several times, to one or two state dinners. So the President acknowledged his obligations to a lot of his old friends and was perfectly willing. Cut just one minute, Mike, let me tell you a little story that I told Lady Bird.

[End of Tape 2 of 2 and Interview I]

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