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JOHN GEE CLARK:
California Legislator,
Executive Administrator,
and Judge

by
John Gee Clark

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INTRODUCTION

John Gee Clark, who during his long and productive career served in all three branches of the California State government, was born in Fairview, California, March 23, 1890. He completed his grammar school education in Pasadena and Los Angeles, and graduated from Polytechnic High School in 1909. While in high school, Clark developed a keen interest in Economics, in which he chose to major at the University of California at Berkeley. After receiving his Bachelor of Arts degree from the University in 1913, Clark returned to Los Angeles and, on the encouragement of his friend and mentor, Judge Curtis D. Wilbur, became a probation officer and began the study of law at the University of Southern California.

In December 1917, Clark interrupted his studies and probation work to join the Medical Corps. At the end of his training, he was shipped to Beaune, France, where he served as a medic in a receiving hospital until the Armistice in 1918. Upon his return to Los Angeles at the close of World War I, he resumed his study of law, graduated from the University of Southern California, and was admitted to the Bar in

campaign for reelection, Clark served for two more years in the Legislature, during which he again served on a number of committees and worked on bills for improvements in social welfare, State financing, the care of prisoners, and the development of oil resources.

In 1938, at the request of Culbert L. Olson, Clark accepted the post of State Chairman for the Democratic Central Committee. While serving in this capacity, his most important contribution in helping Olson win the governorship was to unite feuding party factions in the north and south of the state. After Olson was elected, he appointed Clark Chairman of the Board of Prison Terms and Paroles and also Director of Penology.

As Director of Penology, Clark became a key figure in one of the most important prison reforms ever effected in California. As a result of a riot at San Quentin, he launched an intensive investigation of the prison, which led to the dismissal of the Board of Prison Directors and paved the way for a comprehensive reorganization of the State prison system. He was also instrumental in the development of the California Institution for Men at Chino, the first minimum security facility for adult male offenders in the United States. The most important

aspect of this reform, in addition to the improvements in prison management, was the change in the treatment it made possible. For the first time in the State's history, rehabilitation of inmates became a reality rather than the written fiction that it had been in the biennial reports of the Prison Directors.

In 1941, having made significant contributions while serving in the legislative and the executive branches of government, Clark became a member of the state judiciary as Superior Court Judge. During his eighteen years in the Superior Court, he presided in Pomona, Glendale, and Los Angeles. Of the many kinds of cases that came before the bench, Clark developed a particular interest in adoptions, and just before he left the Court, it was in the interest of children that he helped bring about an investigation of the flourishing baby traffic in the Los Angeles area. Thus, Clark retired from public service on the note of humanitarianism which had characterized his entire career. He is now engaged as a consultant for his son's law firm and resides in Pasadena, California.

These interviews were conducted at Clark's Pasadena residence by Craig Cunningham in 1961 and 1962, and later, in 1964, by Donald J. Schippers, who also edited the manuscript.

CHAPTER I

FAMILY BACKGROUND

Clark: On my father's side, our family goes back to 1593.

My grandmother, Roxanna Woodbury Foote, was born November 14th, 1818. She traces her genealogy in America back to Nathaniel Foote who died in 1644 in Westerfield, Connecticut. He had settled in Watertown, Massachusetts. The first mention of his name is in the records of Massachusetts Bay (1663) when he took the oath of Freemason. He was one of the first settlers of Wethersfield, Connecticut, which is about ten miles south of Hartford. Nathaniel Foote was a cousin of Sir Arthur Foote who was Lord Mayor of London at the time of Cromwell, and life-size statues of Sir Arthur and his wife are today in West Ham All Saints Church.

It's interesting to note that my grandfather, Israel Ward Clark, was born in 1803 when our country was very, very young. I remember him and my grandmother very well. And that illustrates that our nation is still very young. He died in 1897, at the age of ninety-four. My grandmother lived to be eighty-seven. One of her sons fought in the Civil War on the Union side and was never heard from again

after the battle of Chickamauga. He was very young and his disappearance was a great distress to my grandmother, particularly so because the manner of his death remained a mystery. Whether he had been killed or captured and then died in prison remained unknown.

My grandfather, Israel Ward Clark, apparently had very religious parents. He was born in Connecticut Farms, now Union, a small village seven miles west of the city of Newark, New Jersey. My grandfather has an interesting business history. At the age of twelve, he worked in a drugstore, and later on, became an apprentice carriage maker. All this time, he appeared to be concerned about improving himself. When he entered the drugstore of Dr. Samuel Hayes of Newark, he found that his school days hadn't fitted him for this business. Having much leisure at the store, he studied Hebrew and taught himself arithmetic. He had the use of his pastor's library.

He stayed in the drugstore for two years. One day when he was thirteen, a man came into the drugstore and told about a wonderful new invention. These were carriages that were larger than those drawn by horses and were moved by steam. The man said they'd ride on rails at ten miles an hour all

day long. Of course, my grandfather listened to this tale with open ears, eyes, and mouth.

He asked Mr. Hayes, "Can such a thing be?"

Mr. Hayes said, "Well, maybe, but not in our day, Israel."

My grandfather lived to cross the continent in the limited train.

There was a big revival back there, and, apparently, he had some kind of a religious experience that stayed with him all his life. Later, he became a very strong supporter of the church. Once, when the druggist gave him a receipt for some blacking he went into the business of putting out the blacking in bottles. One Sunday, a man came from the hotel for a bottle. My grandfather said that he could sell medicine on the Sabbath but not blacking. The man slammed the door and went to the grocery store. The next morning, the grocer came over and bought the whole dozen bottles. My grandfather got a dollar profit and, with it, he bought the first Bible he owned.

After leaving the drugstore, he went into the employ of a brewer. My grandfather's temperance sentiments went no further than to regard drunkenness as a sin but not the manufacture and sale of beer. All the same, he said the business had no scruples,

and that he would sooner die than do it again.

As a sample of the kind of things he later wrote about, there is this exciting experience when he was nearly killed. He wrote about this when he was eighty-four. He said, at this distance, he cannot remember providential escapes, but, on this occasion, he was riding a horse which was usually quite gentle. On returning to the stable, he thoughtlessly struck him with his whip, and the horse sprang for the door which had a low beam and which no rider could go through without dismounting. He couldn't check or turn the horse, so he threw himself flat on the horse's back. He passed under the beam and was not harmed. After this happened, he saw that the opening was even too small for the horse with the saddle, and he could only imagine that the horse lowered his body as he passed under the beam and thus he was saved from being crushed.

After working for the brewer, he became apprenticed to a carriage maker, who made large carriage-bodies. At the end of his term, because his health suffered, he left and went to Boston and then to sea on a sailing schooner. Once, during this time, he attended a monthly concert which was a missionary meeting. There, he had a struggle between a desire to spend fifty cents to put his

name down and a fear that he could not spare the money. The desire to put his name down prevailed.

Returning home, he found a merchant who offered him a clerkship in his business, and he arranged it so that he didn't have to constantly be on his feet. It was the only store in Newark where he could have filled a position. He was there for two years and gained his health back. Then, for a higher salary, he began working at another dry goods store, but he stipulated that he was always to have time to attend the weekly prayer meeting at the First Presbyterian Church after assisting the other clerks in putting the store in order. His brother, David, was also a clerk in the adjoining store.

Then my grandfather went into business for himself. A distant cousin came to him and said he wanted to put his son Halstead in business and would give his son twenty-five hundred dollars and fifteen hundred to my grandfather. My grandfather said he'd dig up another thousand. He saved up four hundred dollars, but then he went to Cornelia Clark, a cousin, and, without a word, she gave him a thousand dollars with no security.

Then he rented a store, and he started in. The first year they made a thousand dollars. The partners, after four years, netted four thousand

dollars. They cut out the jobbers, and, apparently, it was quite successful. It was then a novel idea.

After that, he sold his interest and moved to New York. With only four thousand dollars, he took a small store on Cedar Street with one clerk and made some money. People thought he was crazy, but he got a lot of old style Merrimac plaid-prints that were unsalable at their old prices. He was able to get rid of them somehow or other. This got him a favorable introduction to J. W. Page and Company, Boston managers of the Merrimac and other mills, and so he got their goods without going through any commission merchants in New York. The second year he bought sixty thousand dollars worth of goods from Mr. Page. When Mr. Page asked him what his capital was, he frankly told him it was thirteen thousand.

"That is small," he said.

My grandfather said, "Yes, but it will be larger." Mr. Page didn't object. My grandfather always honored the drafts that were made on him, and, obviously his promise was good because he had accrued the working capital of thirteen thousand dollars during his first year.

My grandfather was also very active in the anti-slavery movement. He had customers from as

far off as Charleston, South Carolina. One of these southern merchants was enraged to find an anti-slavery handkerchief displayed among the goods in my grandfather's store on opening day. There were also some prints of the whipping post on display, and pictures of chained Negroes on his calendars. The southerner wrote to my grandfather at once to demand that he punish the clerk who was responsible for this outrage. My grandfather had no doubt that it was one of his clerk's over-mischievousness that explained the mystery, but he didn't ask any of them about it. The merchant from the south got very angry and advertised widely, "No goods from Clark's."

The second year my grandfather had a capital of thirty-two thousand and rented a larger store. He went into business with Seth Hunter, and the firm name became I. and D. Clark and Hunter. They made forty-five thousand in profits at the end of the year. He saw the advantage of buying American manufactured goods without the aid of commission merchants, so they tried the European business.

Then, they had a great fire in 1835 and 1836. About twenty-five million dollars were lost there. They were fully insured, but only one company paid in full. Their loss was actually thirty thousand. While the fire was still burning, they rented

another store and opened up and started in again.

Then his brother David died, and he says it took his spontaneous enthusiasm for business away. He was only in his early thirties.

I might say that during the panic of 1836, three-fourths of the dry goods men failed. He said they barely lived through 1837. They got through, but they didn't make any profit. In 1838, they regained their prosperous condition, but because David had died, he didn't feel like going ahead very much.

In 1835 and 1836, there was a lot of emigration from New York and other eastern states, so he went to Michigan with his wife, the former Miss Roxanna Wood^{bury} Foote who he had met in Philadelphia. In Michigan he founded Union City, with another man, on the St. Joseph River at the confluence of another river because he thought it had good possibilities.

The wildcat disasters and the panics of 1837, 1839, 1840 and 1841 also reached into Michigan. Wheat sold for thirty and a half cents a bushel in the store, and to get cash for it, it had to be hauled forty miles. Because of this, one of his partners failed and he had to buy him out. The partner had a lot of land in Missouri, so my grandfather took over two hundred thousand acres out there.

I think that's where all his wealth came from. This land was named Clark County, Missouri after my grandfather.

Cunningham: Did he move out there from Michigan?

Clark: No, he didn't go to Clark County. He always lived in Michigan. But he owned the property out there and he founded stores and things of that sort out there.

Well, at any rate, all of this about my grandfather shows that I came from a strong religious background on that side of the family at least.

Now, about my mother's side of the family, I have no detailed history except that my grandmother, my natural mother's mother, said that one of our ancestors was defender of the King at court. His principal duty, apparently, was to brandish his sword and offer to take on all opponents of the King when the occasion arose. I have no knowledge of any time when anyone arose to oppose him at that exercise. My mother's grandfather was Davis Dimock who was an elder in the church. He was born May 27, 1776 and his parents were David and Sarah Green Dimock. I have no further record of Elder Dimock excepting that his father was a sergeant at the opening of the Revolutionary War and afterward became a lieutenant in the Continental Army.

Elder Dimock was apparently quite a man in his day. He was born in Rocky Hill, Hartford County, Connecticut. At the close of the war they came to the Wyoming Valley and settled at Wilkes-Barre. He became quite a success in a modest way. For that time, he rapidly acquired wealth in the business of farming, blacksmithing and distilling ardent spirits. Then, he was converted, so he gave up those pursuits and became a pioneer Baptist minister in Susquehanna County for the Exeter Baptist Church. Then, he took part in what was called the "great revival."

It might be interesting to note that, in those days, that was a primitive settlement. He traveled on horseback, and, in many cases, the only way he could find the way from settlement to settlement was by the markings on the trees. He studied medicine in his earlier years, and because there was no physician in that country, he added his medical services to his ministry.

Upon the formation of the judiciary, he was appointed the first judge of the new county of Susquehanna, Pennsylvania and he served for twenty-seven years. But he followed his profession as a minister all of that time and organized churches in the various places.

His son, Davis Dimock Junior, was an early

editor in the county. He was born in 1803 and died while a member of congress in January of 1842. He was a young man of thirty-nine at the time of his death, but apparently he had achieved considerable influence. He was my great grandfather--the father of my grandmother. That's a portrait of him there. Artists tell us it was done by one of the old Dutch masters.

My grandmother married a man named John Calvin Cox, but he died rather young. She then married Charles Gee of Chicago who was quite a wealthy trucking man. There's no blood relationship between us, but he was thought of so highly that Gee was given to me as my middle name.

It's been very easy to write, and with the hundreds of John Clarks and even many, many John G. Clarks, I've always spelled it out since going into politics--"g" double "e." I did that so two or three million voters wouldn't get me mixed up with some other John G. Clark who might choose to run for the same office.

CHAPTER II

CHILDHOOD AND EDUCATIONAL EXPERIENCES

My father's name was George Herbert Clark and he was born in 1855. He went through grade school and high school in Michigan and then went on to Olivette College. He left after two years of attendance there and my impression is that he was asked not to re-enter. This is likely because they knew him in Union City as "Georges Wild." After he left college he went to Chicago where he became secretary of the E. B. Miller Company, I think it was, and he later had a company of his own. In 1889, he pulled up stakes and came out here to the wild and rugged west. At the time he left, he was living with John W. Streeter, his brother-in-law who lived on Prairie Avenue. That's now in the slums, but then it was the street in Chicago where the boys used to ride their fine horses up and down the street.

So then, he and my mother came out here. He bought one hundred and sixty acres in Fairview which is about seven miles from Santa Ana in Orange County, then Los Angeles County. It's now part of Costa Mesa.

I was born in 1890 and arrived ahead of the doctor. When it was time for my brother to be born, my mother went East. She wasn't going to have another baby that came ahead of the doctor, because it took him a long time to get out that seven miles from Santa Ana, so my brother George was born in Chicago. My youngest brother, Francis, was born in California.

My father and mother later were divorced. She took the two boys East with her, and I remained on the ranch. When my brothers became five or six years of age, they came out to the ranch. I felt that was the greatest thing in the world.

I went to the little one-room school at Fairview. Fairview was a boom town and was founded by A. L. Clarke of Chicago who was a prominent banker and member of the board of trade.¹ He was the father of Elyzabeth Louise Clarke who taught school and was my teacher when I was about five years old. She later became my step-mother.

The company also promoted a railroad from Santa Ana, a little narrow-gauge railroad, out to

¹He founded Fairview along with several other men who formed a company for that purpose. The history of this ghost town is being compiled by Edrick J. Miller of 3257 Idaho Lane, Costa Mesa.

Fairview. The first year after it was built, it rained so, it flooded it out, and the rolling stock was taken up to the hotel and kept in an old barn there. They did build a hotel there because there were some hot springs which they thought would make it a health resort.

My father built a three-story home out there. The Chinaman who did the cooking lived in the top story. I don't know where my nursemaid lived. My natural mother had always been raised in elegance. Her mother was well-to-do and her father was too, so she came out here with a maid and a nursemaid. We had these tall greyhounds and the sort of stuff that you would expect on a Southern plantation. The house was all hand planed redwood inside and was a beautiful thing with two big five foot tall chimney openings. One was in the parlour and the other at the end of the dining room. Motion picture companies used to come and take pictures of the house and its interior occasionally. It burned down a few years ago one Christmas Day.

Santa Ana was about an hour's ride away in those days, and it was a small little town, but it was the center of all the industry around there. My father farmed and had a dairy. They brought the milk and separated it in the creamery which was on

a portion of my father's land.

I lived there until I was twelve years old at which time I finished grammar school there, such as it was. My brothers also went to the same school.

There was a church, and I remember the pastor there was Harvey Holden's father. Harvey is my oldest friend. We were chums from about the first of second grade in grammar school. He became a colonel in the Army and is now living in Guadalajara, Mexico. We still see him occasionally.

Some of the people who were there then are still living there. One notable family, the Segerstrom family, moved in there with four big boys. Segerstrom rented forty acres of land. At the present time, they own two thousand acres of land even after having sold a great deal of it. At one time, a conservative estimate would make them worth twenty million dollars, but they acted just the same as they did when they were renting and have kept the personal interest in the land. One of those three fine boys are still living. The father and mother died many years ago. Harold Segerstrom, the surviving son, oversees the operations of the ranch, and business properties. They're primarily ranchers, but they just had this wealth forced on them.

They bought land from me, seventy acres there,

for less than twenty thousand dollars. They could sell that for nearly \$3,000,000. I'm not sorry I sold it at that price. I'm all right. I still am eating well, and if I had that three million dollars, my son probably wouldn't be as good a lawyer as he is. He probably would have become a tennis bum.

It was a very interesting experience to live out there on the ranch. Our horse was a little cow pony that was quick as a flash. He could herd the cattle without any touching of the rein or guidance or anything. He knew just what to do all the time. No matter how tired he was, he was always up and coming to chase the cows.

I'd like to say that Newport Beach was just a little place where they used to load lumber. There was a railroad that ran out on the pier, and we used to go to a house we had on the beach front. We'd spend our summers down there. The great event of the day, or the two events of the day, was when the train left for Santa Ana in the morning, and when it came back with the commuters at night. In those days, all of Balboa was offered to my dad for ten dollars an acre, and all of Huntington Beach was offered for the same price. They did drill an oil well on his land, but nothing happened.

The only way we could get down to Balboa was at

low tide, because you know there was no road down there at all. They called it Abbott's Landing in those days, not Balboa. There was a little wharf down there, and a few trees and a house or two. We used to go swimming down there because it was nice and quiet. Of course, there were a lot of marshes, because it hadn't been dredged. But it was a very nice quiet place. People have found out that, now it's not so quiet.

At Corona del Mar, there was nothing at all, of course. There were just the bluffs up there. The big Irvine Ranch was nearby, of course.

The Orange Coast College campus is now on part of the land we owned. It was not part of the main ranch, but my mother and my two brothers owned property there--not all of it, but some of it. That's where I used to go to school. Of course, the house and the church and the graveyard have all disappeared. I doubt if they ever knew that there was a graveyard there when they demolished the church. They may be tramping all over it now. It's a ghost town and that land is now a part of Costa Mesa.

When we left the ranch, we came to Pasadena. I was to enter Throope [forerunner of Cal Tech], but when I got up there I found my education was

deficient in a number of particulars. I was twelve, so I went to Garfield School in Pasadena for a year, because we lived on North Pasadena Avenue.

Cunningham: Did your father sell the ranch?

Clark: He sold the ranch much later. That was a hundred and sixty acres which he sold for forty thousand dollars, which wasn't bad in those days. By the time he was ready to sell it, my brother George was doing some real estate and he wanted my father to trade for forty acres over in Hollywood, but he couldn't persuade him. George broke down and cried, but my father wouldn't make the deal. I imagine he would have been better off with the Hollywood property. I don't know. At any rate, the ranch was sold. My father also acquired some other land, and I eventually got eighty acres of that and sold seventy acres of it for \$17,500. Fortunately, I didn't sell all of it at that price.

Anyway, we got to Pasadena where I went to school. Mrs. Hunt, the wife of the famous architect, Myron Hunt, was the principal then. She's very well known in her own right and is quite an elderly person now, but has been active in civic movements of all sorts for many years.

Then my father married again. He married our school teacher, the daughter of A. L. Clarke. We

then moved to Los Angeles: 1437 Windfield Street, which is now West 11th Place. At that time, he could have bought property on Hill Street for just about the same price.

When I got over there, I found it would be preferable if I went to school over there, so I took the eighth grade over at the Sentous Street School. I'd skipped a grade while in Fairview. I was supposed to be such a smart fellow when I was in our grade school, that they just pushed me along much faster than they should have. When I found there were certain things that I had missed and should know, I took it over.

Then I went to what was known as the Polytechnic High School. John H. Francis was the Principal. If it were still there, it would be about a hundred feet in the air, right off of North Broadway. That whole hill has been taken down since, and they had a tunnel under the hill at one time. It was right across the street from the old Los Angeles High School.

One of the girls in school with me there later became a very famous actress. She's still living, I understand. Her name is Madge Kennedy. The old-timers will recognize her name. My brother thought she was a very lonely girl. She was, too. We stayed up at Polytechnic High School for one year

under John H. Francis, and then we moved into the new high school building at the end of Hope Street in Los Angeles.

In high school, my athletic concerns were gymnastics. For a while, when I was in Pasadena, I went to the Y.M.C.A. George Braden was the athletic instructor there. He now is retired, but he became very well known in the United States in public recreation work. He now writes a column on flowers and gardens for our local paper here in Pasadena, the Star News. That was where I first got my interest in athletics. I was a very small chap. I was pret' near a dwarf. Today, I only weigh a hundred and twenty pounds or less, and stand five feet four. It's always been a struggle for me to keep up with the big boys.

I wanted to build myself up, so I went into the Y.M.C.A. in Los Angeles when we moved. Then I became a member of the Polytechnic gym team under Oswald S. Lowsley who became a famous gynecologist and surgeon--one of the most famous in that line in the United States or in the world. He's written many, many books on the subject. He was head of the Jim [James Buchanan] Brady Foundation of New York City Hospital and trained a large number of surgeons and gynecologists. We maintained a very

warm personal relationship until his recent death. He's lectured all over the world, operated on presidents, generals and everybody of note, and he'd never take a dime from me for any examination or any other service. All the men in his field knew him very well.

He was a very determined fellow. In gym, he would never ask us to do anything that he wouldn't do. If it was a giant swing and a fly away, he would do it. I can see why he made a good surgeon. Apparently, a good surgeon has to be nervy and have a lot of confidence in himself. Well, he did. He performed some quite unique operations.

At any rate, I became very much interested in athletics and became a member of the team. Each year he selected six men from L. A. high school gym teams because he trained them also, and took six men from Polytechnic on a tour of the State. We went to the colleges and high schools and we put on an exhibition for about a week during the spring vacation. We had the best athletic tour of any team. In those days, we won our block letters for it and that sort of thing. I was always the little fellow to top the pile when it came to pyramids and that sort of thing. However, my interest in gymnastics, served as a means of putting

me through college later on, because I became playground director and also director of a gymnasium.

Another activity of mine at school was debating. I was on the team, and, apparently, we did quite well according to the record. I also was the yell leader for the school, which is quite a switch for a fellow of my size. There was quite a rivalry between Los Angeles High and Poly High, and they used to have some pretty good riots. I was supposed to be a calming influence, at least according to the faculty. I was the faculty's boy, but not the rough boy's boy. Pat Whelan, who was their choice, was also a yell leader, before or after I was yell leader. Anyway, Pat is now in New York and has a successful business. He owns some millions of dollars of real estate in Miami and so forth. He's doing all right. He is a very nice fellow. We see him occasionally, but not very often.

Those were my activities in school with the addition of being Senior Class President. I found out that I had to spend five years in high school, because when I first started, I didn't take the prerequisites for college. When it came around to desiring to go to college, I found that I had lacked things, so I had to make them up. I had to work pretty hard to do that.

One of my teachers stimulated my desire to go to college. I think he was in chemistry--one of the sciences. Maybe it was political science, but I don't think so. I can't think of his name, but I think he must have been quite sympathetic with socialism. He looked like a typical socialist was supposed to look--wild hair and one thing and another. But he engendered quite a curiosity in me to find out how our economic system worked.

So, I decided that I'd like to go to college and see if they had the answers, because I didn't find them around me or by myself. Of course, I didn't know whether he had the answers, but he whetted my interests in that phase. So, when I went to college, I entered the College of Commerce and majored in economics and political science.

John H. Francis is another person I should like to say something about because he was a very remarkable man. He really founded a new system of education in Los Angeles, perhaps in California. I'm sorry that I don't have more definite information as to what his scholastic theories of education were, but they were unique. Later he became superintendent of schools in Los Angeles. He had a rather stormy career there. Joseph Scott, who was on the school board, apparently didn't care for Francis and made

life pretty miserable for him.

I know after I graduated, they elected me president of their alumni association and our big job was to see what we could do to help Francis in his battle with the board of education. I guess he finally lost out, but he has left his mark on a great many people who were there in his school. As a matter of fact, each year, about two hundred people who were there in Polytechnic High School when he was there meet at a dinner. They are all rather old folks now. Frank Frank, one of the students of those days, fostered the dinner meeting. He's recently retired from the Security Trust and Savings Bank. Incidentally, he received a scroll from the city on his retirement, and he has kept alive the friendships of those days in the memory of John H. Francis. He is largely responsible for the naming of a new high school out in the valley for John H. Francis.

The high school where I went is now known as Los Angeles Technical High School, I think. It is apparently quite different from the school that he presided over in those years. They were quite a number of prominent people there. J. Paul Getty, the richest man in the world, was also in school at that time, although he was a little after my time.

Zeb Tarry, a famous baseball man was still there. The Haney boys went there. Fred Haney, now manager of the Angels, was a little after my time, but I knew him. I knew his brother Bill very well, because he went to school at the same time I did, His name will mean something to people who are interested in baseball. Carl Anderson, a Nobel Prize winner, also went to school there.

My brother, George Clark, who was two years younger than I, was going to L. A. High, too. He was president of the student body there, and also a prominent member of the track team. My third brother, Francis, started in at L. A. High, but all he heard about was his brother George, so he left and went down to Poly High. He got down there, and he didn't hear anything from the teachers except about me, so he quit. It was just more than he could take.

My brother George became vice-principal of a couple of the high schools here. Later he became county superintendent of schools for two terms in Merced County. He retired January 1, 1959, and didn't run for re-election. My step-mother was on the board of education in Los Angeles for many, many years--Elyzabeth Louise Clarke, Mrs. George Herbert Clark as she was known. She spelled her

first name with a "y" and because her family name had an "e" at the end, she resumed the "e" later, after my father's death. She remained on the Board of Education for many years. She was very prominent in the drives for Community Chest. She was quite an excellent speaker--very excellent speaker. She had a Macaulayan trait for exaggerating, which makes for a very good speech. She also was very prominent and supported the Y.W.C.A., and was quite instrumental in establishing the International House and getting their quarters over there, which is now the International Institute, separated from the Y.W.C.A.

My father was in the real estate business after he came to Los Angeles, and though he was not too active, he watched the other investments he had. Looking back on it, I don't know how he supported us and a maid and all for all those years on what money he was making. He certainly couldn't do it today, that's certain.

At that time, we belonged to the First Congregational Church on Ninth and Hope Street. I was active in the Church in the Christian Endeavor Society work and things of that sort, but I suppose I came by that naturally by reason of my ancestry. I was exposed to rather narrow and traditional religious views through the Christian Endeavor

Society and the Bible Institute. In those days, they were primitive in their outlook as I view it now. The Congregational Church was not this narrow; in fact there were many liberal men in the church. Judge Curtis D. Wilbur was one of them. He was the founder of the Juvenile Court in this state, and when I attended the Congregational Church, he was my Sunday School teacher. The first time that I ever went to the mountains, I went up with him and his family to the old Creel Club in the San Gabriel Canyon. That was long before the dams were built. We traveled up there by fording the stream, and the horses pulled us through. He was on the Superior Court of Los Angeles County for a number of years and went on to become Chief Justice of the California Supreme Court. He was a graduate of Annapolis, so he frequently would take us onto the battleships when his old buddies who were then Captains and high officials, would come in to port. We would be given all honors possible. It was a very interesting experience.

He also built a club house in the San Gabriel Canyon, right near the forks, where he'd take the Sunday School class during the summer and let them earn their way mining gold or in proving the camp. It was strictly a philanthropic deal, because we

didn't mine any gold to speak of. We did have a tunnel in there, and we didn't mind the rock blasting a bit. They nearly had a tragedy there with myself and another fellow, but it was averted. We listened to the blasts, but we thought we only heard two. There should have been three, but I guess we figured that two of them must have gone off at the same time. We went back in there and I was shoveling the stuff around when we ran into some live dynamite lying around. That scared us to death--everybody else too.

Later, Wilbur became Secretary of the Navy under Calvin Coolidge. He was Secretary of the Navy at the same time that his brother Lyman, who was then president of Stanford, was Secretary of the Interior. I think it was the first time that there were two brothers in the cabinet of the President of the United States at the same time. He served there until he retired from that position to become Chief Judge of the Ninth Circuit Court of Appeals of the United States. He continued in that for many years. We'd see him occasionally and renew our acquaintance and friendship. He'd always keep close touch of me and Clyde Doyle who is now in Congress and was my old law partner.

I would like to say that Judge Curtis D. Wilbur, was very important to me. You know there is a very

popular prejudice against lawyers on the grounds that you can't be a lawyer and be honest--at least, in the minds of many people. Judge Wilbur convinced me that it was perfectly possible to be a good lawyer and be perfectly honest. He was the main inspiration for my going into law. He got me my first job, after I got out of college, as an assistant probation officer of Los Angeles County. I say that advisably, because I passed a test for it and I assume that I passed it on my own. But he was the one who urged me to take it, and I cannot pass without paying tribute to the very great influence which he has had in my life. We kept our friendship up all through the years till his rather recent death. He has always been a constant inspiration and source of power in me as far as that part is concerned in whatever I've done. In fact, he probably was the single influence of my life if any one man was. At least, judging by the results, I would say he was.

CHAPTER III

COLLEGE DAYS

I had the opportunity to go to college through the good offices of my cousin, Elizabeth Price, who was then married to Clifton Price, a professor of Latin at the University of California. I went to live with them in their flat, a Swiss chalet, up there on Panoramic Way above the University. I used to work in the garden and wash the dishes and take care of their horse. They had a horse and buggy in those days. It was a great big horse, and I remember once I rode him from Berkeley to Los Gatos, and I think it wore us both out. I also did a lot of walking on that trip, I'll tell you--about as much as the horse.

I enrolled in the College of Commerce and majored in economics. Doctor Jessica [B.] Peixotto was one of my professors, and we had some interesting discussions on economics. I remember one fellow who always came over from San Francisco wore a great big red bandana around his neck, and he looked like pictures of anarchists or something of that sort. He wasn't. I think he must have been a socialist or IWW. At any rate, he used to ask some very

interesting questions and we had interesting discussions. Then there was Carl Plehn who has written some books on taxation, and Tommy [Thomas] Reed who has taught political science and who was secretary to Governor Johnson.

I supplemented my income by doing playground work. I opened up the old De Fremery Park in the west end of Oakland, and it was tough, because I wasn't very big. I had the toughest time I ever had in my life there. The head of the playground was the director of the cadets, a Lieutenant Colonel. He gave me the job, and why he thought a guy my size could handle it, I don't quite know, because, later, the guys at the playground threw the Stanford crew-man right over the fence. Another one of my successors was Albert Vail who held a world's record as a pole vaulter in high school. I don't know how much trouble he had, but I don't think it was too much.

One of my jobs was to umpire the baseball games between the saloon teams down there. I was supposed also to break up the crap games and things of that sort on Sunday afternoons. I was not a tremendous success as a ball player myself because most of my work had been in gymnastics which doesn't train you for baseball. As a matter of fact, it

ruined my arm for throwing. So I was no good and hadn't played the game too much myself. I was a spectator, but I got off without any physical injury at any rate.

I had to deal with these boys through indirection somewhat. Cutchy McGraw who was one of the idols down there was quite a well-known boxer and a good baseball player. He played pro or semi-pro ball later. I don't know if he took pity on me or what, but he seemed to be on my side. Of course, anything that McGraw said, the boys went for. He also had a sister that was pretty good. I've seen her knock a boy flat on his back. That was about the toughest experience that I think a fellow could ever run into. These boys were pretty near being wild indians. They wouldn't go home from one weekend to another. They just lived by pilfering and so forth.

I remember I saw one of them carrying a box of apples and they offered me some. I asked where they got the apples.

They said, "We got them in the street."

"How did they get in the street?"

"Oh, the rope on a wagon got loose, and they fell off."

The rope loosened all right.

It was quite an experience and pretty tough to

work there because De Fremery Park was a pretty tough part of town. The baseball games were held down near the West Oakland station, near Sixteenth Street I think it was. It pret' near made a wreck out of me, I'll tell you. I was supposed to win them over and do the best I could, but I never had any violence. Bigger fellows would come around who had no business in there and really shouldn't have been there. Then, in the evening, the men came, but I never cared about that too much if they behaved themselves and didn't swear too loud.

I remember one day they had a celebration down there--a Fourth of July celebration. I was introduced to a fellow named Stivatter who the boys all called "stiff-water." By George, I was going along pretty well talking about the flag and the stars and stripes and doing quite well, and when I came time to introduce this man, I'll be darned if I could think of anything but "stiff-water." So, I kept going for awhile and tried to remember what this fellow's name was.

At last, I just came out and said, "I give you Mr. M_____."

It was just sort of a mumble jumble affair, so nobody knew who he was.

Another thing my athletics did for me was to

get me a position at Plymouth Church where I had charge of the gym certain nights. We had basketball and things of that sort. At the church, I met Mr. Arthur Arlett. He was one of the most active men I ever saw. He used to take my brothers and me and sometimes my roommate, Fletcher Taylor, who's now a very well-known doctor in internal medicine in Oakland, to his home for dinner Sundays. I used to take care of his old Pope Hartford. At any rate, he was a very close advisor to Senator Johnson.

I remember one time he took Fletcher Taylor and myself up to see Governor Johnson. He was a member of the California delegation to the Progressive Convention that nominated Theodore Roosevelt in the old Bull Moose movement. Our fraternity was all excited about that.

Fletcher Taylor's brother, Walter P. Taylor, has quite a record himself. He was very much interested in this Bull Moose movement too.

Arthur Arlett died in November of 1921. He was only forty-six. For his last three years, he hadn't done much, so he accomplished everything he did before he was forty-three. As I say, he was a member of this delegation. He was a close friend of Johnson's and could have been governor, I think, if he had wanted to work that way. He was chairman

of the Alameda County Republican Central Committee and chairman of the State Harbor Commission in San Francisco. He was active in church work and he was one of three representatives of the Governor at the World's Fair in 1915. He was also a general contractor who had done many public buildings along the coast. But he inspired us with his political interests. The whole fraternity was pretty worked up over the Bull Moose movement.

The fraternity I belonged to was Pi Kappa Alpha. It was originally the old Calamedical Club, and I joined because some of my friends were members. The club became a charter member of Pi Kappa when it was formed in 1910 or '11, I believe.

Pi Kappa Alpha was mostly medics or scientists, but I was one of those fellows who happened to come from the College of Commerce. I became Pi Kappa Alpha, because they didn't restrict membership to doctors or those in that particular phase of medicine. Beyond that, my college activities were not too extensive. I didn't have time for much social life and my athletic activity was confined to diving.

When they built the first swimming pool up in Strawberry Canyon, I competed in the first diving contest. We were taught to dive by the man who represented Sweden in the Olympics. I would have

continued being a gymnast, but because I had so much to do, I took diving instead. In diving, I did have trouble getting any height to speak of because of my light weight. They didn't have adjustable boards in those days, but I did win second place in the first diving meet they ever had up there in Strawberry Canyon.

I did a little tumbling and so forth in competition for the Y.M.C.A., but I was obsessed with the idea that I'd like to be a Captain in the R.O.T.C. because I was a little fellow. You know, with that captain's uniform and that big sword you carried every Friday, you were given a lift that you didn't ordinarily get. I guess I knew my captain pretty well, because I at least got to be sergeant in my junior year. In my senior year, I was appointed as Captain, so my ambition was realized.

I found that when I went to college the questions that I raised when I was in high school were not answered. As a matter of fact, they haven't been answered yet. Of course, you can pick out the answer you like the best, but nobody has the ultimate answer.

I've always maintained my interest in economics. As a matter of fact, that is the basis upon which I went to the legislature the first time. I decided

in my own mind that here was this depression and these thousands of people out of work and hungry and that this situation couldn't be solved by any one group--not labor unions or chambers of commerce or any other group. I decided that our government set-up afforded the only vehicle by which all of the people could set about endeavoring to find their own solutions to the problems and that that could only be done by some form of cooperation between all the groups. So, that impelled me to run for the legislature when I did.

But I found that my training in economics was very helpful to me in attacking the problems of government. That is another story and I think we should take it up when we come to the political phase of my career. I think we've covered my heritage, my schooling, and such accomplishments that I had at school, if any. At college, I was elected to the Beta Gamma Sigma, which is the honor society of the College of Commerce.

CHAPTER IV
PROBATION OFFICER; U.S. ARMY

I graduated from the University of California in 1913 from the College of Commerce with a BA Degree. I then came home to Los Angeles where I became associated with my father in the real estate business for a short time, but I didn't set the world on fire in that respect. I wanted to be a lawyer, which Judge Wilbur, Curtis D. Wilbur, encouraged me to do. As I said, he also asked me to become a county probation officer.

In December of 1913, after a few months with my father, I entered the probation office in Los Angeles. At that time a Mr. Hugh Gibson, I believe, was the chief probation officer, and a Mrs. Byram was his assistant and head of the women. Judge Wilbur had been the author of the Juvenile Court Law in California, but, at first, they didn't pay much of anything to those who served as probation officers. It was a voluntary business. A few years before I came in, they began to pay them something. I think my pay, when I started, was a hundred and fifty dollars a month.

At that time, in the Probation Office, there

were about fifteen or twenty deputies. In the juvenile department where I worked, there were possibly eight or nine men and probably an equal number of women. Maybe that is more than there were. Unfortunately, there is no good history of the Probation Department of Los Angeles County. In 1946, there was a report of the then Chief Probation Officer, John Zuck, in which he attempted to get such a history, but I recently have been contacted by the Probation Office to see if we couldn't make a history of the early days of the Probation Office.

It has been suggested that I contact a number of those who are still living in order that we might meet in a conference and sit around a table to refresh each other's memories and correct each other's memories. We would do that in order to work out, as best we could, some of the early history of the Probation Office. I think that's a very good technique because at my age, I'm not too certain as to my memory of these things. I'll be seventy-one in March and memories do trick you. It might be that such a conference would be better than if they were to try to get this from them individually, because we can refresh each other's memories and correct each other's memories as we go along.

At any rate, a man named Dunlap and myself at

one time had all of Los Angeles County outside of Los Angeles. I had Pomona and way stations. We rode motorcycles in those days to reach those places. I took more chances every week on that motorcycle than I have all my life in a car. I remember going down from the Court House, clear down Broadway, without any brakes, but we survived and we did use that means of transportation until later when they gave us a car allowance. Then we purchased our own Fords, and we were able to get around safely and comfortably in that way.

We would contact the boys who were in these various towns. We would cooperate with the agencies that were there, particularly the police and juvenile officers, such as there were. There were really none in those days but the police, primarily. We would try to secure cooperation from other social agencies and school authorities in the supervision of these boys and in helping them and their parents work out their problems. We had some really exciting times in the Bell district. I remember a group of fellows down there stole a lot of cars and then raised Cain generally. I think they'd been in before.

At any rate, at that time, the detention home was under the old red court house up between First Street and Temple. It was right north of the present

Hall of Records. It was right where the temporary buildings are now, but it was torn down after the earthquake a number of years ago. That was the detention home as they called it, and the people who ran it were a Reverend Mr. Boller and his wife. His son, Gordon Boller, is now in the County Counsel's office. He also had a son, Phil Boller, who was quite a well-known surgeon if I recall correctly. The boys that were sent to the detention home would leave occasionally, and I had the pleasant experience on one or two occasions when boys came back and told me that they wanted to give themselves up because they didn't want to "get me in bad."

At any rate, we worked that way, although it was pretty rough at times. I remember on one occasion some boys shot at the police who were chasing them and all that sort of thing. But, for the most part, they seemed to respond after awhile. At least, they sort of outgrew that foolishness. At any rate, I hope they did.

Of course, I was just as small then as I am now, and I had the difficulty, I suppose, of impressing these fellows upon our first meeting because of my physique. That is quite a help to you in dealing with boys, so I had to use diplomacy. I had to go into some pretty lonely places, and they

had some very vicious dogs around on occasion. I didn't want to be chewed up by a dog, but I didn't have to use a gun. I never used a gun in an arrest or anything like that. The fact is, I didn't do much arresting. I called on the police, largely, for that. That is their business and should be done primarily by them.

During that period of four years when I was in the Probation Office, I studied law with Paul Sigler, my fellow Probation Officer in the USC law school. The law school was then on the second story of the building at First and Broadway in Los Angeles. My teachers were a number of Judges who were then upon the bench. I remember Lewis Works and Judge [Frederick W.] Houser, who later was on the Supreme Court, and Judge [Gavin W.] Craig. Judge Craig was removed from the bench, but he was an excellent lawyer. As a matter of fact, we had the advantage of being taught by men that some of us would have to appear before later on.

We also had the advantage of dealing with fellow students who were to be our fellow practitioners in the law, which I feel is a very helpful thing. We all honor Harvard and some of those Eastern schools, but I feel there is a certain advantage in learning law not only in your home

state, but in your home locality. This is because of that association. You come to know your fellow students quite well. You know who you can trust and count on and they have confidence in you. When they give a stipulation, you know you don't even have to have it in writing if it's someone you have confidence in. So it has that kind of advantage.

It was quite a drain, physically, to work all day and study most of the night, but I survived. Then the war came along just about the time I could have graduated. I was told if I'd take one more course I could have a J.D. Of course, I couldn't very well let the war be fought without my help, so I had to get into that. The fact is, if I hadn't enlisted, I'd have been dragged in anyway.

The first military experience I had was as Captain of Cadets of the University of California that I told about previously. I had word to report over here to Caltech to take an examination to become an officer. In those days, apparently they were making all college men officers who wanted to be. So, I came over here to Caltech, and I took the examination. I passed the examination, and they wanted to make me a second lieutenant.

I said, "Well, I was a captain of cadets. I taught all these fellows that you're taking in as

second lieutenants all they know. I should get a better deal than that."

So they said, "Well, you come over and we'll give you an examination to see if you can be a first lieutenant."

I went back, but by that time they were establishing these officer's training schools. It was discovered that I was half an inch too short, so that barred me from entering as an officer.

I thought, "Well, I'm so smart, I'll go over here and enlist in the regular army. Of course they'll recognize smart men when they see them." I tried to enlist in Los Angeles, and, of course, I was a half an inch short for them too, so I couldn't get in. Then it was up to me to wait for the draft.

I had a couple of friends in the ambulance corps who had been over in France. Franklin Steele, whose father was professor of music at SC, and his good chum, Walter Humphries, joined the ambulance corps together. They were over in France and sent back exciting accounts of their experiences. I thought that would be a pretty good idea to get into that branch of the service. I had a natural aversion to killing any person and it troubled me a great deal about murdering a fellow human being whatever the reason might be. Of course, I couldn't

always be sure that we were on the right side of the question. So, I thought that if I could get at least in that branch of the service, my conscience qualms would be satisfied. I wouldn't feel that I couldn't give everything I had in connection with it.

The opportunity came when they formed an ambulance unit at the University of California, but for some reason it wasn't completed. So, they turned it into a base hospital which was being formed. It became known as Base Hospital 47. They recruited boys from Stanford, California, and practically all of them were college men.

Cunningham: How did you find out about this unit, and where were you inducted?

Clark: I was just trying to remember. I have a diary here that I wrote in the form of letters to my folks. I neglected to say how I found out, but we got on to the formation of this unit anyway. I know that my brother George, and my brother Francis joined up at the same time that I did. We joined up some months before we were actually called to go up there. We were not called until December 10th of 1917. That's when I quit the Probation Office, and we reported up at the Stanford campus.

As I say, I don't know how we first got on to the formation of the unit. Fortunately, we did

get on to it. I think we got about the most fortunate deal in the whole Army. We did report on December 10th up there at Stanford, and there were four Stanford medical students with us. One of them was Don Tressider who later became president of Stanford University. Don, however, didn't stay with us too long. He later transferred into aviation. The other two fellows became doctors. One was Everett Carlson; the other was Dan Coll. We had a fine group of fellows. Of course, they weren't all of the same kind. Some of these fellows had never done a lick of work in their life.

I remember that in that outfit, I rose rapidly to a sergeant. In other words, there wasn't anyone around except the top sergeant and myself and maybe another one or two that knew anything about drilling the men. So, I had the job of drilling the officers. The sergeant or sergeants drilled the others. The officers, except the colonel, were not military men, and I guess drilling them was a matter of keeping them in physical condition. I don't know what particular military value it had. It couldn't have made them much better doctors and that was their main job in this outfit.

Cunningham: You were training then up on the Stanford campus?

Clark: Yes, we trained on the Stanford campus and our camp

had more of the atmosphere of college life than that of a military base. Some of the pranks we pulled were like those you would expect in a fraternity house.

We stayed at Stanford until we were sent to Fort Oglethorpe, Georgia. There we camped out near Camp Greenleaf and the Chickamauga battle field and we took our marches around the field. We stayed in Georgia two, three months I guess, and we didn't like Chattanooga very well. I didn't have much trouble though, and we ran into some wonderful people down there--people that we still correspond with and call on whenever we're there. Helen Gager whose husband is dead now used to take us home to dinner and then she and her husband would drive us all around Chattanooga and the mountains there. We came to like them very much. For the most part, my brothers and myself always went together. They really made it very very pleasant for us.

Some of the boys in the other companies didn't have good officers but we were fortunate in having a fine bunch of officers ourselves. For the most part, there was too much of a division between enlisted men and officers in these other outfits, but we didn't have that ourselves.

We stayed down there in Georgia until we went

to Allentown, Pennsylvania. In Allentown, the food was pretty bad, but we did have a chance to go into New York. We were put up at the Waldorf Astoria. My brother says that it cost \$7.50 for the three of us. Then we also visited Philadelphia, and were entertained wonderfully by some folks we met. If I recall correctly, they just picked the three of us up on the street. He had designed some of the famous bridges in the East but just which ones, I don't know. They took us to their lovely home and fed us.

We were also entertained on another occasion in Philadelphia and then we went down to Washington. We knew the Seeley Mudds who lived there during the war. The family founded Mudd College out here at Claremont and when we were in Washington they had us to dinner at their lovely place. They both belonged to the First Congregational Church in Los Angeles as we did.

I remember while we were there, President Wilson and his wife came driving by. Of course, we three members of the Armed Forces saluted the Commander-in-chief properly and he saluted us back. We thought that was quite an occasion.

We then pulled out from New York and it was all very hush-hush. Nobody knew just how we were

going, but we discovered that we were going on the Leviathan which was formerly the Vaterland. It was the largest ship afloat, and it was the one we had taken from the Germans. We understood that the Germans wanted to sink that ship above all other ships, but we also understood that we would be convoyed by practically the entire American Navy and that sort of thing.

So we filed on one evening, and it took quite a while to get us loaded. There were 12,000 of us on that boat as troops, and I went down about six floors below deck. I know I was sleeping with a machine-gun company. Their morale was pretty low. The rumor was that they had taken their guns away from them for the protection of officers, but I doubt that. At any rate, they didn't think they had any training or knew much about this fighting game at all. I remember one of them asked me when I thought the war would be over, and I told him I didn't know. At the time, the Germans were as close to Paris as they ever got.

I said, "The Germans are said to be very close to Paris, but they could take Paris and the war wouldn't be over."

He said, "Yes, but hell, we'd get the Kaiser."

He didn't have much idea whose side he was

fighting on. When we got up in the morning, and looked for the flotilla that was supposed to be protecting us, there wasn't a ship on the sea. We never saw a ship till we almost got there; then we began to hear the ship shudder and shake as she was making zigzags in the water. The next morning we saw some little destroyers come skipping over the waves just like skeeters would on a pond. They were darting this way and that way and examining every box and every object that they could see around. Needless to say, nothing happened. Of course, everybody had their life jackets on. You weren't supposed to go around much without it.

We landed at Brest at night. It was an exciting experience to be landed on foreign soil. We had a thrilling time landing, and as we marched by the little children all crowded about asking for chocolates. "Chocolate, chocolate," they would say.

We went out to camp not too far away. The thing that impressed us very much was that it was way late at night. I guess it was eleven o'clock at night. We could read newspapers without artificial light and that seemed to be quite an unusual thing to us. We were camping there in pup tents and the rain sometimes is kind of uncomfortable. I remember they put us off on a forced march, just for practice.

We had to pack up in the mud and walk around and then come back and pitch tents in the mud. Just why that was necessary, nobody knew.

We had had some French in school, and then a few French lessons at the Y. M. before we left, so we got a young boy and paid him well just to sit up on the dikes that were built around us and speak French. We would jabber at him in French, and we didn't care how many mistakes we made. We'd just jabber at him and let him jabber to us. It was quite helpful. We tried that practice wherever we could, because it gave us practice, and we weren't afraid of making mistakes. In time we were able to make ourselves understood very well. We could go about with comparative ease and converse with the people. We got a great deal more out of it that way than a lot of the other members who didn't make any effort in that respect.

I don't blame the French people for feeling peeved at us. The boys would call them "frogs" and they would really treat them worse and talk about them worse than they did the Germans. I never shared that view. I always met unfailing courtesy wherever I went. They were very kindly. I think you're treated about the way you treat other people. I felt that by treating them courteously and as

gentlemen that they would respond, and they did.
I've always had a kind feeling for the French.

When we moved on to the Côte d'Or, we were put in these forty men or eight horse cars. That's what they called these little cars that we went in. We had a place to lie down and sleep for the night or two that it took us to get over to Beaune, Côte d'Or.. It wasn't very easy. We didn't have all the room we wanted, but we reached there at last. There, they had built a new hospital for us which consisted of long rows of sheds in which there were hospital beds. They had our stretcher racks for the men which came in from the front. We were on the spur of a railroad they built to run up to the hospital. That's where the men would be taken when they came off the line.

My particular job was in the office. I always had a pretty good job. My particular job was to meet the trains.

Now, as they came off the cars, they were taken in the stretchers and put on the racks in a big shed. There the information was taken off their dog tags, and also any information they could give about themselves. Then they were assigned to various wards. We had an officer's ward, because officers weren't supposed to be put in with the men. One time, we

had a German officer, and he got put in with the men by mistake and he kicked like a steer about that. I think he was finally put over into the officer's quarters. The German soldiers, however, were put in with our soldiers as I recall. We didn't have any special place for them, but they received the same kind of medical treatment that the others did. I imagine that they didn't have their wants served first, but they were all treated well. Some of them were a very brave lot, and, of course, many of them died there. Dan Coll had charge of the morgue, and, at times, he had bodies stacked around there like cordwood. It was a gruesome situation in many respects.

We had women nurses and they all were working hard. When we'd have a big train come in, the fellows were just exhausted. It was awfully hard to keep them on the job to evacuate the whole train, particularly, if they were prisoners. They didn't want to go to work on that. It wasn't all easy. We didn't have trains like that every day. I took an examination for officer while I was over there and I certainly got help from the examining officers. I had to know something about chemistry, apparently, and drugs. They recommended me for a commission, but not long after that, before the commission was issued,

the war stopped. Fellows that hadn't received their commissions didn't get them at all, but the fellows that came over with a commission all got boosted one step.

Well, we were receiving men there who had been gassed right on the eleventh hour. You see, the armistice was to go into effect at eleven o'clock. We had men coming in who had been wounded and gassed at the very last hour. I thought that was a miserable thing to have happened. These gas cases were quite horrible looking. Their faces would be round like basketballs, you know, and they looked quite bad.

Our stay there was not too bad. We all had good food and we all had good beds, and we had passes to visit the town of Beaune, Côte d'Or. We had a very desirable assignment clear through the war.

After the armistice, the first thing I did was to get some passes for myself and my brothers to go down to the Riviera for a couple of weeks. We got down to Nice and neighboring towns, which had been opened up as a center for the boys. We had a very fine time down there.

There was nothing much more of note except that I took a blind prisoner to Tours, where they were congregating blind prisoners. I was interested

to see the treatment that he got from the other American boys. They would stand aside and give us preference, not just because I was a sergeant in charge of him, but because they appreciated the fact that the boy was blind. He was a very cheerful fellow. He wanted to get back there because he understood that they'd make him see again. Well, of course, there wasn't any chance, because the bullet had gone through and severed both optical nerves. He never would see again, but he was a very cheerful, patient fellow, and we got on very nicely. When I did get him back there, some sergeant took him in charge and treated him roughly. I was exasperated and angry, but there was nothing I could do about it. I didn't think he was treated with the consideration that should be accorded a blind man. After all, he wasn't responsible for getting that way.

After I left the prisoner I returned to Beaune. Then we were sent to Bordeaux for embarkation to the United States. We came home on the Rotterdam in a rather rough sea and landed in New York.

CHAPTER V

EARLY LAW CAREER

I came back to Los Angeles, after I got out of the service, and continued my law education. I got in touch with Oliver Clark, a lawyer who was then the partner of Herschel L. Carnahan. H. L. Carnahan was a lieutenant governor of California. He was the author of the first Blue Sky Law and was the first corporation commissioner. He had a lot of oil corporation work and he was also the personal attorney of Giannini of the Bank of America. Oliver Clark, his partner, was a brilliant trial attorney.

There were quite a number of prominent men who came out of that office. There was Wilbur Curtis, a Superior Court Judge; Jess Stephens, who was associated with Carnahan later; Leonard Difani, a state senator from Riverside County, and Goodwin Knight, later Governor of California.

Then I went to George Nix, a blind attorney, who put more judges and other people through the bar examination than anyone I know. Lloyd Nix is George's younger brother and is Judge of the Superior Court at the present time. George had a remarkable mind, and it was a pleasure to be

associated with him. He had a very fine spirit and it was remarkable to see that this man, handicapped by the loss of his sight, was able to do the things that he did. It may have sharpened his memory and his ability to recall. At any rate, I have the highest respect for his ability. Of course, I have a reason to be grateful to him for putting me through. That was when I could have gone back to USC and gotten a doctorate by taking another course, but I didn't want to delay my entry into the law any longer than possible.

After taking this course with Nix, I took the bar examination and passed. I was admitted to the bar in February of 1920. I then was employed by Carnahan and Clark as a lawyer. Previously I was employed by them as a law clerk.

Cunningham: What was Goodwin Knight like in those days?

Clark: Well, he loved to talk then as much as he loves to now. He was a Carnot Medalist, you know. The Carnot Medal is the medal that is given to the winner of an extemporaneous debate between men from Stanford and men from the University of California. He'd rather make a speech than do anything. He still wanted to make speeches when he was a judge and did so a lot of the times. So, when he got into the political arena, it was exactly what he wanted. He

is an interesting speaker, and can talk about nothing and make it really interesting. I always liked him. We've been very good personal friends even though we've been on the opposite sides of the fence politically.

At the time I was elected State Chairman of the Democratic State Central Committee, he was making the Republican keynote speech in the other wing of the Capitol. We compared notes afterwards. Oh, we'd eat together occasionally and so on.

At that time Goodwin was inclined to be very conservative. Apparently, after he was elected, he got religion and followed the example of Earl Warren and began to woo labor and the Democrats because he was smart enough to realize, as did Warren, that he couldn't be elected in California by Republican votes. Now, that's not a criticism of either of them. I have very high regard for Warren. He was in college when I was but he was a year ahead of me. He was 'twelve and I was 'thirteen. Then, while I was Director of Penology, he was the Attorney General and we had occasion to get together sometimes. I've always liked him very much, and he was very friendly with me. I know he's taken time out to watch my son's tennis matches and things of that sort. He's a very fine person.

I want to pay tribute to his courage since he went on to the Supreme Court. I have been most pleased at the stand he has taken, and he's been on the liberal side of the court. We used to accuse him of being reactionary in politics, but the worst that was said of him by the Democrats was that he may have talked liberal, but that he wasn't. The truth is that he demonstrated he was not only a liberal but a man of courage.

As I have mentioned, upon my return from the war, I was employed by the firm of Carnahan and Clark. Carnahan was a very careful lawyer. He had little formal training in law in the law school, but he had studied law and had a remarkable mind. He was exceedingly careful and exceedingly technical. I learned some very excellent procedures from him. One was to be sure to follow the exact language of the statute whenever it was possible in a contract or in a pleading. As I mentioned, he was the author of the first Blue Sky law in California and was the first corporation commissioner and was later lieutenant governor. He was a personal attorney for Giannini, and I felt that I received a great deal of help through my association with him.

He had a peculiar method of working. He wouldn't come in until noon or nearly noon. He would then

work until midnight. That gave him a good many hours of uninterrupted time to do research, and when he wrote a letter, it never was as he originally wrote it. He wrote it and re-wrote it several times before it would come out exactly as he wanted it.

Oliver Clark was an excellent trial lawyer. He was not as careful technically as Carnahan, but he was never at a loss for a word in court. He could meet any situation. You could throw him up in the air, and he'd come down on his feet just like a cat. It was remarkable to watch him. He was recognized as a very very fine trial attorney.

Cunningham: In what year were you employed by Carnahan and Clark?

Clark: That was in 1919. I was admitted as I recall in either January or February in 1920. I'd come back from the war in 1919, and I think got through in about May or something of that sort. I didn't have tremendous responsibility thrust upon me by way of appearing in court for important clients, although I do remember something that had to do with C. C. Julian, one of our clients. They represented him, at least for a time, down in Long Beach in connection with some criminal matter. It was a formal matter, apparently, and I didn't have to do very much, but I did enjoy my ride with this very famous promoter who got in trouble. Whether there was any dishonesty

in connection with him I do not know. He's been charged with being dishonest, but I have no knowledge of it if he was.

One of the early jobs I had was in connection with the Coachella Valley water district. I remember going down to White Water, down on the desert, and taking depositions out under bushes and scrub trees or anywhere else we could find. We would get farmers who were involved in this matter to sit down and talk.

I was with Carnahan and Clark until my marriage in October of 1922. Then I was invited to join Clyde Doyle in Long Beach as a partner, because I had known Clyde Doyle for many years back in the days when he belonged to the First Congregational Church in Los Angeles. We were both members of Judge Wilbur's Sunday School class.

Because he has achieved prominence since then, it might be well to tell something about his early life. He was born in July of 1888 of Irish parents. He was not born in Ireland, but in the United States. His family lost their money, and he had to work his way through school. When he was about sixteen, he came to Los Angeles and graduated from the Long Beach High School in 1909. He was active in school activities and was pitcher on the baseball team,

president of the student body, and a member of the debating class. After leaving Long Beach High, he became boy secretary of the Long Beach Young Men's Christian Association until 1911.

At that time, at the request of Judge Wilbur, he became a probation officer under the juvenile court in Los Angeles. From there he went to the California Junior Republic at Chino. He entered the college of law at USC and graduated in 1917 with the degree Bachelor of Law. Even with all that, he managed to be the pitcher for the varsity baseball team. Then, he became a member of a firm in Long Beach. He later went into practice for himself, and the firm at first was Doyle and Clark. Then, later it was Doyle, Clark and Thomas. Thomas was his law clerk and then became a lawyer. We took him in; and, later, we took in Ward Johnson. So, the firm eventually became Doyle, Clark, Thomas and Johnson.

Doyle was active during the war as an assistant counsel to the exemption board in Long Beach. He was also the president of the board of freeholders which submitted the first managerial form of the charter which was ratified by a large vote. He was the first president of the Boy Scout Council of Long Beach and served as chairman of the Tuberculosis

Association and was trustee for the [Adelaide Tichenor Orthopedic School, Long Beach] Tichenor Hospital for crippled children for the Social Welfare League. He was also a member of the First Congregational Church, which we both attended. Later, he became very active in recreation work and initiated a unification of the city recreational facilities and the school facilities. A great deal of duplication was thus avoided and that became very popular throughout the United States. He later ran for congress; that was after I was out of the legislature.

I might say that Ward Johnson withdrew from the firm a little while after I went to the legislature on the ground that I was going to ruin the firm by political activity. He didn't seem to take that much to heart, because he ran for congress and was elected from Long Beach, for two terms. His record there as a Republican was very reactionary, so Clyde Doyle, who was registered as a Democrat, ran against him and ousted him from that position.

I think that Doyle was in congress some sixteen years; he was a member of the Armed Services Committee, and he was a member of the Un-American Activities Committee. That probably needs some explanation in view of the criticism of the Un-American Activities Committee, but he is the only

one that didn't seek to get on it except Jerry Voorhis. I think about seventy members tried to get on that committee when he was appointed because it was a wonderful opportunity to advertise themselves at public expense. Speaker Rayburn asked Doyle to serve for the purpose of formulating some rules of procedure which might reduce the criticism of the committee. He did make some rules which were adopted and although they certainly haven't stopped all the criticism by any means, they certainly improved the procedures of that committee to some extent. Regardless of whether you approve of his activities on that committee or not or the way it conducts itself, he was convinced that it was a valuable work, and he was extremely honest in his conviction. He was a fine Christian gentleman, and he wasn't serving from any motive other than the highest patriotism.

His own boy was a flier in the war and was killed. Clyde Doyle Jr. was a very fine chap who operated up in the Alaska area. He had to bring his plane down in the water twice, but I think all of the crew was rescued on each occasion; but, one time, he went back by himself and strafed the installations of the Japanese at mealtime. He was asked to return to the United States for training duty, training

fliers, and while in a little training plane with a sergeant, he crashed in the Everglades and lost his life. He was a wonderful lad, and it was a great blow to his father, but his father kept his memory ever with him as an inspiration and incentive to do what he thought was right.

So much for Clyde Doyle. He was a tremendously hard worker. He kept voluminous notes on matters that were stricken from the record and all that sort of thing and gave his time without stint.

Well, in regard to our law firm, we had considerable oil work. Those were the good old days when we got one percent for drawing an oil lease. I remember just on one little spot with one oil well, we got \$1,500 a month for some time. But they drilled near us or too near us or something of the sort and the well dropped to nothing after about six months, so we didn't get too much of that. Doyle did have some very fine oil fees. I guess he must have ultimately gotten a quarter of a million dollars out of one lease over which there was a contest.

We had good oil clients, and we had considerable experience in that field. With some others, we even drilled a well of our own. We had a fine opportunity to lease land right in the Long Beach Harbor district, but we went up to Maricopa where

Ward Johnson had drilled. Johnson's group drilled on the old Lakeview gusher site. They had only about fifteen acres, and I think Johnson took out about a hundred thousand the first year there, so we thought we'd go up in that country and make money. Instead of making money, we drilled a dry hole up there, and down where we had land, they had remarkably productive wells. That's the way it goes. The grass is always greener on the other side of the fence.

We purchased our own offices there in the Pacific Southwest Building and had them fitted up. We had a very nice suite there until the earthquake came and the earthquake damaged the building so much that we were glad to be able to walk away from it with the release of our obligations for the payment of the bonds against the building, and we suffered a loss of thirty or forty thousand dollars. Then we went over to the Jergens Trust Building which was also the building that housed all the courts and the clerks' offices.

It's hard for those who don't remember the days when the Superior Court did not have a branch in Long Beach to appreciate the fact that they don't have to take a Superior Court case to Los Angeles and wait there a day or two to get the trial with

their witnesses hanging around impatiently and anxious to get away. If it was an accident case, we had to keep the doctor on tap in spite of his appointments and operations so that he could be present to testify. The witnesses, of course, would become quite disgusted and hard to handle, and if you didn't have a case for several thousand dollars above the jurisdiction of the justice court, which I think was only about a thousand dollars then, it was better to settle for any terms you could.

We had a good practice during those years. Doyle was prominent, as I say, and brought in lots of business. I was rated in Martindale's law directory as A V. That is the highest rating that can be given a lawyer for his integrity and his skill and knowledge. That rating also gave the firm that rating of A V.

I had no notable cases that I can think of except at the beginning. Before I had been there very long, I got into a church fight with two sections of the Church of Christ. One section of the Church of Christ wanted to throw the other section out, and we were defending. At least, we had our pictures in the papers and there were cartoons about it. It was an interesting thing. We finally won out. As a matter of fact, in later years, the group that we

were successful in defeating hired us to do some work for them.

The earthquake was quite a blow to Long Beach. It was just a godsend that it didn't occur a little earlier in the day. I know that our own daughter had left the classroom less than an hour before the building and the room she was in was completely flattened out. All of them would have been killed, if it had occurred in the afternoon. We just left the Villa Riveria where we had viewed some paintings. I was teaching our son, Stanley, to skate for the first time on a roadway.

Suddenly, the telephone poles began to whip the wires around and the ground began to shake. I grabbed him and tore off across the sand to get away from them in the event that they fell down. The screams began to come from women who were in houses, and they began rushing out. No one stayed in their homes that day because the shocks would come one right after another. There would be an interval of five or ten minutes and then fifteen or twenty minutes between the shocks.

The first shock, I think, was the greatest shock, although there may have been a later shock that was greater. We had a little dog who seemed to sense the shocks before they came. Shortly before

they came, he would get terribly excited and rush around barking and raising Cain. He must have had some sense beyond ours.

We lived on what was known as Treasure Island. We had a lovely home there. We heard that a tidal wave was coming and there was only one bridge left on the island. If that went out, we wouldn't get off, so we tried to get out as fast as we could, including the dog who beat us all to the car.

There was no tidal wave, fortunately, but there was some bad damage to the island and there was a big crack next to our house. Fortunately, it didn't go under the house, but it was just to the side of it. That was the extent of the damage we suffered excepting that we had to take a reduction in our mortgage on the home we had sold because of the damage done to it. That was to help the folks out.

Long Beach recovered from that earthquake experience, but at the time, it was very exciting. For days, people were camping out in the parks and being fed by the Red Cross canteens. The National Guard was on duty as well as other military forces. We, ourselves, left Long Beach and came to Glendale for a short time.

Cunningham: That was in 1933.

Clark: Yes, the estimated damage was twenty-five million

dollars. I don't know what the actual damage was. I was placed on an advisory board named from Washington with W. F. Prisk, the editor of the newspaper. He, Franklin Robinson, a hotel owner there on the ocean front, and myself acted as a committee, advisory committee, in connection with the major rehabilitation projects. I don't know who nominated me for that. In those days, unfortunately, I didn't keep a scrapbook as I should have done.

Long Beach in those days was not a large place. In 1900, there were only about twenty-two hundred people in Long Beach. By 1910, there were less than eighteen thousand and by 1920 only fifty-five thousand. I came there shortly after, in twenty-two, although the oil boom had increased the population some before I got there. But it was rather a new city.

Incidentally, that land there was all originally purchased by a group, some of whom were the Bixbys. I think it cost twenty-five cents an acre and some of it eighty cents an acre. One of them was a big ranch down there. They had a big drought and the taxes were a hundred and fifty-nine dollars on thousands of acres, and they couldn't get anybody to buy it.

Doyle, as I say, was the first president and founder of the Kiwanis Club in Long Beach, I belonged

to the Optimist Club myself for a good many years and was on the board of directors there. One activity that occurred was of a semi-political nature. It was a reception for Governor C. C. Young. At the time, I was president of Washington Gladden Club of the First Congregational Church and that club, together with the public utilities league which is composed of the mayor and various officials, invited Governor C. C. Young to be their guest. They held this reception prior to the banquet. I was president and so I was seated at the head table with C. C. Young. I always regarded C. C. Young, the little that I knew of him, as a good Governor.

I was, of course, a Republican at the time, but I didn't engage in any political activity there to any extent at all. Doyle didn't either as I recall. We were very busy with our law work and with representing the various welfare organizations. I remember, in one case, we represented the Y.W.C.A. and the Traveler's Aid. If I recall correctly, there were about three or four public welfare institutions that we were representing at the same time. We didn't charge them money, as I recall.

CHAPTER VI

ENTERING POLITICS; THE EPIC CAMPAIGN

My early political activities started back in the days of Teddy Roosevelt and the Bull Moose party. That was in college, which I previously recounted, but I had no very active participation immediately thereafter. Of course, my mother was on the board of education of Los Angeles for many years. She was elected at the primaries and was prominent in association with other political figures of that time.

I, personally, became interested in political activity by reason of the depression and the widespread poverty and distress that I saw. Having been a student of economics practically all my life, I recognized that these economic ills were man-made, and if they were man-made, they could be man-corrected. I didn't ever regard the depression and misery as visitations from on high.

I realized that there was a reason for them, and that having been man-made, they could be man-corrected and that the only institution which we had for this sort of cooperative action was the state legislative process where all groups could be represented. I realized that no one group had all

the answers nor, by itself, could promote prosperity--not the Chamber of Commerce nor labor unions nor the National Association of Manufacturers or any other industrial or labor organization. None of them by themselves could bring about a correction of these ills that we ourselves created. It needed some sort of cooperative action.

The urgency was great, and I didn't find any feasible or practical way of doing anything about it personally until I became interested in the Epic Movement of Upton Sinclair. That was a remarkable political movement in California which hasn't been duplicated anywhere else that I know about. Upton Sinclair was, as you know, primarily a writer and a pamphleteer, a man who was a gadfly for any injustice and attacked those who created any injustice. He had written on these subjects and assailed those who were guilty of oppression--economic oppression or any other kind of oppression.

So, he wrote a book entitled The Way Out. He came to the conclusion that the only way that any headway could be made was through one of the great parties. He had run for governor twice and United States senator once, but he was always on the Socialist ticket and never polled over sixty thousand votes out of an electorate of a million.

So, he figured that that wasn't the way to go about it. He determined that the reason it hadn't gotten ahead in America was that it was a foreign movement, and that they used long words like proletariat and surplus value and dialectic materialism and a lot of words that nobody understood. Secondly, it was based upon the working class, and in America there wasn't any working class mentality. Nobody wanted to be known as belonging to the working class primarily.

When this book came out, the chairman of the County Central Committee of the Democratic Party in Santa Monica wrote to him in August of thirty-three asking him if he wouldn't register as a Democrat and announce himself as a candidate for governor. He didn't pay any attention to that, but the old gentleman kept writing to him and told him that five of the seven members of his committee were for him. He said it would be the same all over the state. There were a lot of waring factions in the Democratic Party at the time, and he came to the conclusion that he would have to work through one of the old established parties. One which had been established and would have a following and people would vote for because their parents had voted in that party.

He had been in the Democratic Party in New York,

but he didn't like Tammany Hall, because he had gotten rather close to it there. So he started out with this Epic Movement and sought the nomination. He had several people with him. Now, I was never personally close to Sinclair, although I've been at many of his meetings. I ran on his Epic ticket and was elected on it, but he was very well insulated from everybody. Dick Otto was his manager, and he saw that people didn't get to him. His wife, I think, was very solicitous that he be preserved intact, and that may have been wise because everybody would have taken up his time and his energy with their own stories. Probably, it was the best way to make it, although it made a lot of people very unhappy. We thought Otto and those who were around him were dictators, but I think they were doing only what they felt was necessary to preserve his health and strength.

He commenced a tremendous campaign. In fourteen months, I think, he addressed some two hundred meetings. He did a most unusual thing in politics in that he charged admission when he spoke. That hadn't been done before. It has been done since, but it was unique at that time. That was the way that most of the money came in.

There was an Epic paper that was put out--The Epic News, and he put out a pamphlet in connection

with it. He was supposed to have made a lot of money, but, as a matter of fact, he didn't do anything but lose money on it. Everything that came in went into the expenses of the campaign and there wasn't very much money. He was even charged with doing this for the purpose of selling his books. As a matter of fact, the sale was about cut in half, because he had so many of these other things going.

I formed one of the Epic Clubs in Long Beach. I notice from an old scrapbook of mine that it was the Epic Club number 10. There were several others in Long Beach and another young lawyer down there with the name of Merle Armour, a very fine young fellow who was quite interested in the movement also, had formed a club or two. These clubs were formed all over the State in all of the districts, and I would speak at various clubs.

I ran for nomination on the Democratic ticket and following the advice of Upton Sinclair, which I was given through these pamphlets and books, I changed my registration from Republican to Democrat just shortly before I ran for the nomination on the Democratic ticket. The man that I was running against was the Republican incumbent in the state legislature and also a former mayor of Long Beach--Ira Hatch.

I knew that I had my work cut out for me. Of course, most of my friends were Republicans and they were horrified that I would be associated with this Socialist that was running for governor on the Democratic ticket. I had quite an up-hill fight. As a matter of fact, my wife and my daughter used to distribute my campaign literature and they were frequently met with the charge that I was a Communist. Of course, in those days, Communism wasn't as scary as it is now. It was just thought of as a kind of exaggerated form of Socialism, generally. Of course, Socialism was a bad word to a great many people, but we campaigned throughout the district.

In June, 1934, I announced my candidacy for the assembly, and it was carried by all the papers and I received the endorsement of Upton Sinclair and of the EPIC clubs. That was when we formed the EPIC Club Number Ten. In the primaries, I had two opponents--[Jack] Horner and [Joseph B.] Langford on the Democratic ticket. Hatch, the incumbent, was opposed by [Lloyd C.] Leedom for the Republican nomination and Hatch got it. I notice that in one of these publications it says, "The race for the assembly district narrowed down to John Gee Clark, Langford and Jack Horner, but apparently Horner is out of the picture. Mr. Langford has the edge on

Mr. Clark for several reasons. He's known to more people in Long Beach than any other private citizen. He's always been in the limelight putting up a fight for some cause or other in behalf of the over-burdened taxpayer. People will vote for a fighter." Well, when the results came out, I got sixty-four hundred votes, Horner got three thousand and Langford got twelve hundred. So that publication didn't make a very good prediction in that particular case.

During the campaign, we attended the Shrine Auditorium at the invitation of Sheridan Downey. He invited me to attend with Culbert Olson, and some of the other candidates.

Also, during the campaign, I wrote a series of weekly articles for some of the papers down there, particularly the Belamos. The Star News, or the Press-Telegram, didn't seem to want them, although they were pretty decent to me, as was the Sun, because we were personally friendly to William Prisk and also the editor of the Sun. They were very, very kind to me in that respect.

I had the 70th Assembly District which was the eastern part of the city, and fortunately for me, it ran up into the northern working man's district. We'll say that they were the working class although they wouldn't like that word now, but it's what the

people called it in those days. We attended many meetings and rallies for Technocracy, an approach many thought would cure our economic ills.

I remember attending a Technocracy rally in the Shrine Auditorium to see what was offered. It was just jammed to the rafters. Some very eminent professors were writing books on Technocracy, Toward Technocracy, for instance, and people were very vitally interested in economic problems. They wanted some way to solve this very terrible economic situation. Hundreds of thousands of people were in distress and needing help; it was breaking the backs of those who did have a job to keep the rest of them alive.

It was Sinclair's program that they should be given credit so that they could acquire land and raise that which they needed for their use and to build factories to produce the things that they needed for their other needs and to employ the unemployed. He didn't advocate that as a universal and just form for industrial development, but he advocated it as a means whereby those who were unemployed could have means by which they themselves could produce what they required. That was known as the "Production for Use" Theory.

It is the same theory that the Mormons are

using and have successfully used for years to keep their people off of relief. They've handled that job magnificently and the principle is absolutely sound. The dole, on the other hand, though ostensibly for the benefit of the poor, is in reality also a dole for the butcher, the baker and candlestick maker, for the poor have only a brief, temporary possession of the dole money. It is almost immediately passed from their hands into the channels of trade and business. And it is the men who rule in trade and business that have the power to block any "Production for Use" legislation for the unemployed.

Cunningham: What actually made you decide to run for office?

Clark: I figured the economic situation was so critical that I wanted to get into it and do something more than just talk about it. I felt that it was necessary that men who had some standing, and I was cocky enough to think that I did have some standing in Long Beach, should come out for this form of relieving the terrible distress that we were in and clean up our state government in general. We were interested in running an efficient government and primarily, of course, in relieving the great distress that then existed.

We met with various groups, and we'd talk to the same people over and over again, because you'd

see the same faces at the meetings. But it had this advantage. You could go someplace and talk to a group of twenty or thirty people and that's all that would hear you actually speak, but your remarks could then be printed in the newspaper and a hundred thousand people could know what you said. Reporters will not generally quote you directly unless you are some exceedingly prominent figure. They will quote what is said at a meeting, but they don't want to give you the pages of their newspaper to put in whatever you want.

So I found that although we did talk to the same faces so many places, nevertheless, it did get around. It was a tremendously hot campaign. I was aided, of course, by the general enthusiasm that was engendered. Up until about a month before the election, it looked like Sinclair was going in. Now, I don't know what kind of a governor he would have made. I couldn't make any prediction as to whether or not his previous training would have fitted him for being the executive of a state like this or whether these men around him would have taken over and run it for him. I don't know and there is no need to speculate about that. He's a remarkable man in my book.

I won the Democratic nomination by having the

support of the EPIC ticket during my fight for the nomination. During the closing days there was a tremendous misrepresentation concerning the beliefs of Sinclair and of his writings. The greatest distortions were made by putting things out of context and leaving out significant passages which gave it its true meaning and so forth. A very, very dirty campaign was waged against him.

Of course, that injured all of us who were on that ticket and everyone else on the whole Democratic ticket for that matter.

We came down to the time for the election and, at midnight, I went home convinced that I had lost. I think I was seven or eight hundred votes behind at the time, and so I could see that it was all over as far as I was concerned. Then I went around to the City Hall about nine o'clock the next morning to see how the votes were going and they told me that I had picked up several hundred votes. The votes were coming from the outlying districts where the less fortunate folks live. I guess about ten or eleven o'clock, I pulled even and won, I think, by about seven hundred votes.

That was quite a pleasing situation as far as I was concerned, because of the opposition that we had had. I was, of course, surprised that I had

won after meeting with the unfortunate results up to midnight. We were then interviewed by everybody who wanted something up there in Sacramento or who had something they wanted me to do for them.

I can remember the thrill of walking up to that beautiful Capitol on the morning when we were sworn in, knowing that I was a part of the government of the State with a chance to do something practical for the benefit of these folks who were so much in need and for the rest of the folks as well.

CHAPTER VII

THE LEGISLATURE

After we took our seat up at Sacramento, we tried to elect [William] Moseley Jones as speaker. We didn't have enough votes to do it because some of those who were registered Democrats were our worst enemies. We had picked up a couple of good Republicans there, such as Ellis Patterson and Dewey Anderson.

Patterson, by the way, was my roommate up there for two sessions. During both sessions of the legislature, we roomed together, so I got to know him very well. He was the only man ever who was elected to the legislature on a write-in ticket. He was defeated at the primaries so he changed his party and ran and was elected on a write-in. He was full of very positive ideas and was very much of a liberal. He loved to campaign. He was the most persistent campaigner you ever saw and a chap of tremendous physical ability. He had been a wrestler at Stanford and then he played football for a while. He told the coach finally he didn't want to get his brains batted out there on the line, so he quit that. But he had great energy and daring. I always liked

him very much although he certainly made some bitter enemies and was accused of being a Communist and all that. Of course, I knew he wasn't a Communist.

As I said, when we arrived at the legislature, we attempted to elect William Moseley Jones and couldn't. [Edward] Craig, a Republican, was elected speaker of the house instead. Of course, the Republicans appointed all the committees, and when you do that, you control the situation pretty well. Not only that, if you're strong, you can always gather support because some boys who want committee assignments to their liking will back a winner if they can, regardless of whether he's a Republican or a Democrat.

Now, we divided ourselves up into blocks more or less. There's so much legislation going through that no one person can understand or analyze all the various bills and their amendments. Besides that, they're constantly being amended on the floor and amended in committee and the stack is almost as high as your head by the time they get through printing these things. So, we organized--several of us taking various areas.

Dewey Anderson was a very intelligent chap. He had been an educator. I think he taught at Stanford, although I'm not certain of that. He had an extremely

agile mind, and later, under Olson, he was in charge of the State Relief Administration, S.R.A., the largest State Department we had. Later, he wrote a number of books. I guess he's written ten or something of the sort. He also became the executive officer of the temporary National Economic Committee of Washington, D. C. where he directed a most comprehensive study of national economic problems. One of the best known books he wrote was Our California Taxes.

Cunningham: When you say "we", do you mean the members of the assembly that had supported Sinclair?

Clark: That's right.

There were certain chaps who perhaps felt themselves not qualified to pass on a number of these matters, so we attempted to get what information we could. Dewey Anderson was highly interested in all fiscal matters, educational matters and tax matters of all sorts, so he made some very fine analyses of the budget and of expenditures. So, he was able to give us a great deal of help in connection with the tax measures.

Then, for instance, when an oil issue came up, because I was more or less familiar with the oil situation, I advised them in connection with oil measures. I was also particularly interested in

penal reform and in educational matters, although I wasn't on the education committee the first year that I was there.

The committees that I served on were; Contested Elections, Corporations, Government Efficiency and Economy, Manufactures, Prisons and Reformatories, State Grounds and Parks, and Universities. Having gone to the University of California I was particularly interested, of course, in seeing that they were as adequately supported as other educational institutions were.

We had a number of scraps during the first term, but we didn't put up much of a fight for the speakership because we were just outnumbered and that was rather a hopeless fight. Of course, that was during the Republican administration with Governor Merriam as governor. Charley [Charles] Lyon, who later went to prison, was the Republican floor leader. Jones acted as somewhat of a general floor leader in connection with our group, but there were several of us who acted in concert and the power didn't lodge in one man as it did in Lyon. Lyon was watched when he voted and his boys followed him very obediently for the most part, except the San Francisco group which is a law unto itself.

Those boys from San Francisco are San Franciscans

first, last, and all the time. They watch out for the interests of San Francisco regardless of the political party that they represent. They had some very colorful leaders. One of them was [William B.] Hornblower who had a tremendous voice and who introduced a great number of bills involving fisheries. He was very interested in the fishing industry for some reason or other. He served both terms that I was there. However, it was disclosed during one session, that he received something like fifty thousand dollars in fees, and I think Charley Lyon received something like twenty-five thousand in fees. This wasn't graft in the strict sense at all, but it was enough to retire Hornblower. The people of San Francisco retired him, but the people of Beverly Hills came to Lyon's rescue and sent him back to the legislature in the interests of good government, I suppose.

So we had a lot of very fine idealists in our group. They were much interested in liberal education and liberal legislation. There was little or no chance for that to get through during the first term because the senate, of course, was overwhelmingly Republican and there were less than a majority of Democrats in the assembly if I recall correctly. Even if it had been a majority, it would have done

very little good, because some of those Democrats we had were very akin to Republicans as far as their voting record was concerned.

Now, as you know, in the introduction of bills, you usually introduce them alone or co-author them with other persons. If you are the first name on the bill, you are known as the author of the bill, and you have the responsibility of piloting that bill unless you abdicate in favor of someone else. It's your bill and your responsibility. I did manage to get a little through, but most everything I got was prompted by my fellow townsmen. I did get a bill through that required a citation in the case of guardianship, and so that those who were declared incompetents would have better opportunity and a better notice of the proceedings and what it was all about. That has been the law ever since. Without having a citation issued, one can't be declared incompetent.

Another bill, which is not of world shaking importance, was one that required a judge to give a reason when he refused to forfeit the bail bond and to put that in the records. That went through both houses of the legislature and was vetoed by the governor for some reason. Of course, the reason was that these bail bond boys immediately got busy

to see that it didn't become law. They wanted to get back their bonds whenever they could, and if they had a friendly judge, he could be accommodating sometimes, I suppose.

Then, I got a bill through both the houses of the legislature for giving greater notice of sale in case of forfeit of foreclosure. That was vetoed by the governor too, and, of course, I also co-authored the bill to abolish capital punishment. I always have been against capital punishment. That bill was killed.

Then, I did get a bill through, I think, requiring police and justices and police judges to enter all the proceedings in the docket so that we'd know what they did. There used to be no record of what was done. So I made them do that, and that did go through surprisingly well.

There were two other bills that I got through relating to carrying out procedure in the municipal court. Then I handled the teacher's retirement bill.

Now, with regard to the introduction of bills in general, I guess it is known that these bills aren't the pets of legislators themselves. In other words, legislators don't sit around thinking up bills to introduce, unless some fellow has some one pet he might be trying to put over. But

generally speaking, the bills are those which are introduced at the request of other interested parties. Now, for instance, I carried the teachers' retirement bill. They had me carry it, and that was a rather smart deal, because I was a minority member. They had the majority boys with them, so, as one of the leaders of the Democrats, they wanted me to lead the bill so it would go through more easily than it would otherwise. It did go through, and it improved the teachers' retirement bill considerably. It made retirement more secure, more stable and a little bit more actuarial.

But the idea that people have that legislators are just putting in bills for their own fun is not true. Actually, a bill can't go through unless there's considerable public support for it, and a fellow can't put through some pet of his own unless it strikes the fancy of the public and gets some popular support.

Cunningham: After you were elected, were you approached by quite a number of people who wanted you to pass certain things?

Clark: Yes, some, although not too many, because we weren't in majority. Those were given to Charley Lyon or somebody else to shepherd through the legislature. We were novices and they wouldn't give them to us.

They wouldn't hand many things to me, and although the retirement bill was a very important bill, it was given to me for the reasons that I've indicated.

Another bill was to create the Department of Penal Affairs. That was very much like the present law that was passed for the establishment of the Department of Corrections. We called it penal affairs and not corrections, but, of course, that was killed because they didn't want to disturb the status quo in the prisons. Also, the bill which I introduced for inmate employment in prisons was killed.

Then, another bill that I had and which was vetoed was to reduce the rate of redemptions on foreclosures from one percent a month to half a percent a month. That went through both houses of the legislature and was vetoed. These were times that were very tough, and there were lots of foreclosures. It was a serious matter to a family to redeem property at one percent a month. But the governor vetoed it. The next session of the legislature I did get through a similar bill, but I had to compromise by making the reduction two-thirds of one percent.

Cunningham: How did you become associated with penology and with these bills? What brought your interest into this field?

Clark: Well, you see, when I was a probation officer, I was interested in criminal problems and I had a very close association with Judge Wilbur who was the author of the first juvenile court bill in California. I was interested in people, and I visited the prisons as a legislator to see what was going on there. I made myself familiar with the operation of the prisons and the personnel, and become very much interested in seeing that the conditions there were improved. One of the reasons for these bills to create this department and for this employment bill was to do away with the terrific idleness that existed in the prisons. Piling rocks is not a very edifying process. It doesn't add much to a man's knowledge or interest in hardly anything. I will say more about prison affairs later.

We also tried to get the income tax revised a bit, but we didn't have much success at that. I was a co-author of those bills.

On the second election, I see from this clipping, I was to be re-elected on my record. It appears that the California Grange took nineteen measures out of twenty-five hundred bills and numberless amendments to determine whether an assemblyman was a progressive or a reactionary. I was credited with eighteen progressive votes out of the nineteen (I was author

of three of the nineteen selected measures) and, apparently, I indicated that I was an ardent supporter of President Roosevelt.

I notice that I stated that I secured an amendment to the working man's compensation act, liberalizing particularly as to policemen and firemen. I was a co-author on those things. I introduced a bill that would permit the state to develop its own oil field at Huntington Beach, but we didn't get very far with that. I got two hundred and fifty thousand out of the assembly for the prison farm, but the senate took care of that situation. It lost in the senate committee by one vote. I sought to obtain relief funds for cooperatives which was one of the planks in the platform of the Sinclair group, and I promoted self-help for the unemployed as much as I could.

The second term I ran for re-election, I won by a seventy-five hundred majority vote. That was in 1936 which was for the 1937 session. In 1936, Lee Cronk was running against me. I guess he's in Pasadena now, and solicits contributions from me for the YMCA every year and I do contribute.

In the seventieth district, Harvey Freeman was running against me. That must have been in the finals though. I beat him nineteen thousand to

twelve thousand eight hundred or something of that sort, and Paul Peek was elected at the same time.

My district, of course, was Long Beach, and I represented Long Beach together with Harry Riley. Harry Riley was a Republican--a very nice fellow to get along with, and we were very good social friends. He ran for state controller and was elected because there was a vacancy or at least no incumbent. Paul Peek ran for the assembly at my urging. He never had held any public office before, but he was the son of William M. Peek who was a former commissioner of public safety there in Long Beach. Peek beat Donald Lane by sixteen thousand to eleven thousand.

Cunningham: Peek was a Democrat?

Clark: Peek was a Democrat. We ran more or less as a ticket--Peek, myself and Byron Scott.

Byron Scott was a teacher who had a group of young fellows studying political science under him, and he had run for congress and won. These young fellows got out and really went to work. They proved a tremendous help to him, so, in thirty-six, he went in with over a fifteen thousand majority over James F. Kahn who was quite a well known and respected citizen of Long Beach.

Well, apparently, I had gotten twenty-one thousand three hundred and eighty-eight votes as the

final count. Freeman had received thirteen thousand nine hundred and ninety-one, so I told them that Democratic control of the state legislature was now possible. After that election, we did manage to elect William Moseley Jones our candidate, a Democrat, and the former floor leader of the minority, to the speakership. It was quite a tussle, but he was elected.

He's a very able chap. He had one vice and that was drink. If it hadn't been for that, I think he could have been governor of California if he had wanted to. He was an exceedingly able fellow--a good lawyer, but he could not control that situation and it put him down so that he later became a member of Alcoholics Anonymous. After joining that, he straightened up and has gained a fine law practice and has been a leader in the Alcoholics Anonymous and an excellent citizen and a very wealthy one. If it had not been for that unfortunate trait or habit, he could have gone as far as he wanted to in California politics. He was an able chap and well liked. We lined up behind him pretty well.

Now in that session of the legislature, we still had Governor Merriam to deal with and that was plenty as far as we were concerned. Our hands were really full on that score. Oh yes, I forgot to

mention that there was an oil bill in the thirty-five session of the legislature which permitted competitive drilling for oil on state oil lands. I was one of the people who backed that. We also tried to block a tideland drilling bill which would have given Standard Oil a monopoly of the whole Long Beach, Huntington Beach field.

During the interim, we also had some interesting situations. I think it was during that interim, that we probed the Banning strike which was aimed at the Metropolitan Water and Power group. There had been some very unfortunate incidents out at Banning, and we took a committee out there. I wasn't chairman, but I was on the committee. We visited the works before the aqueduct was completed, and we walked through the tunnels. The cars were still on their tracks trucking out the rock during that time. That was an interesting experience. But there was quite an anti-union spirit and we were trying to see just how far that had gone. The officials were responsible for the disorders which occurred at that time.

There was another very interesting probe that had to do with the film industry. That was at the time of Willie Bioff. Willie Bioff was the business agent of the International Alliance of Theatrical

Stage Employees, and he was the central figure in the investigation. It appears that this chap had been mixed up in the East with some gangsters. When he was served papers out here, it looked like a speakeasy affair. The boys went out to serve him, and the doors, of course, were locked. Then they were ushered in through a door after it was unlocked, and there were several body guards lounging around. They were able to serve Bioff, but it looked like a real TV gangster set-up.

Apparently, Bioff was working both sides against the other. I, personally, have seen deposits of a hundred thousand dollars in his own personal savings account. Now the film industry itself was not blameless in connection with this. He was paid to call off strikes, and he would hold them up till he got his money. He was later murdered, but, for a while, he lived in style and seclusion out here. I think it was around Palm Springs, but it could have been Phoenix. It was a real cloak-and-dagger story. Those poor folks in the union had no say whatsoever in connection with their affairs. Their charter had been lifted to the extent that they were not able to vote. It was entirely in the hands of these gangsters, and it was a very sorry tale that we ran into.

Paul A. Richie was the chairman of that committee. He was from San Diego and was a socialist, I guess. He was quite an able fellow, but he went around looking like he didn't have much money. He could talk quite well when he was sufficiently aroused to do so. He was a member of the committee and most of the testimony centered about the action of the officials.

They were trying to see whether or not Jack B. Tenney was responsible for having this investigation started. Tenney was the head of the musicians union and was at that time a very liberal Democrat. He was voting for repeal of the syndicalism act, or was one of the authors of that bill, and he was also for pardoning Mooney. He was just as liberal as they came in those days. Then he was thrown out of the presidency of the Musicians Union. He got quite a good salary from that position. I think it was a thousand a month or something of the sort. I don't recall exactly, but it was pretty good for those days. He blamed the Communists and then he turned on the Communists and changed his registration and began his campaign with his committee against them.

Then, we heard from Robert Montgomery. He testified about a statement from the trade paper. William Bioff had said that the IATSE had a plan by

which it would take over all branches of the industry, including actors, writers and directors. I asked Montgomery if the guild had any intention of turning over jurisdiction to the IATSE, and he replied that that was a matter for the membership to decide but that no move in that direction was under way. So, we took no action in connection with that that I can recall other than to report our findings to the legislature.

The legislature probably forgot it as it does most all interim committee reports that I can think of. Very few of them receive much consideration. There's some excuse for that. When you go there, you attempt to acquaint yourself with the bills that are coming in faster than you can possibly absorb them or even read them almost. You don't look for other ways to spend your time or for other sources of study, because you're too busy trying to take care of the situation at hand to indulge in research.

In the thirty-seven session, we knew a little bit more about how to go about things. As I previously indicated, I did secure a reduction in the redemption rate from one percent a month to two-thirds percent, and I did get a greater notice of sale under execution. One thing that the attorneys can thank me for is that I got through a bill to have

attorneys' fees paid directly to them in divorce cases. It wasn't always easy to collect your money if it was paid to the wife, who in turn paid you. She frequently didn't do it. That was no great moment, I guess, except to attorneys.

Then I was the author, along with Paul Peek, of the Judge's Retirement Bill under which I'm one of the beneficiaries at the present time, which was sponsored by the State Bar. There never had been a Judge's Retirement Bill before. Of course, you don't get these things through unless they are sponsored by some reputable and responsible group, generally speaking. But, it did improve the situation of judges and made them more secure. It didn't put a man out when he hadn't been able to save very much, because judges' salaries were not very big in those days even in Los Angeles County, which is in one of the highest pay brackets. It was only ten thousand a year, and, in some places, it was only four or five thousand a year, if I recall correctly. You don't save much on that.

I also got a bill through which provided for a prison farm. That is, I got a bill through the assembly and the senate (I think, it was five hundred thousand dollars), but that was vetoed by the governor. He also vetoed the bail bond bill, but I

did arrange for the deposit of public monies, at higher interest, and that bill was passed. Before that, public monies only got a half of a percent on active and one percent on inactive accounts. Well, you can get a good deal more than that anywhere on inactive accounts or even on active accounts in the amounts that the state had. This created two classes and permitted the treasurer of public bodies to contract for the best rate he could get. It was quite a nice deal to be able to be a depositor under that situation.

Then I carried the bill for the abolition of the SRA, the Social Relief Administration, which replaced its functions with the department of Social Welfare. Then, again, I had the teachers' retirement bill to improve. That was to make their teachers' retirement bill more solvent. We were all seeking to make it statistically sound if we could. Also, I got a bill through which inquired into the causes of criminal conduct.

I also got a bill through to provide for the incarceration in San Quentin of those who were criminally insane or, rather, those who were insane and liable to injure somebody. They have better facilities there than in Mendocino where they were congregated. It was difficult to guard them there.

They're a very difficult group to handle, and, in San Quentin, there's very little or no chance to get out. They're kept in a separate inclosure and handled separately.

Then I carried the bill for the re-organization of the Social Welfare Department which we felt was quite an improvement. It permitted them to function more efficiently. That bill did go through.

During the time we were in the legislature, there were several things I observed I think might be of some interest. For instance, there is the position of the lobbyists. That's a naughty word, a bad word, in the lexicon of many people, but it really should not be in all its aspects. Many people up there are very legitimately promoting legitimate projects. Of course, a project is usually legitimate or illegitimate depending on whether you're for or against it. But, it is almost impossible to act intelligently on these highly technical bills without them--the reorganization of the Social Welfare Department, for instance, or the education bills that I had.

I was chairman of the education committee in my second term, and I dealt with some very high class gentlemen who represented the school teachers. Naturally, they were interested in the laws which

related to education and they complimented me quite highly on my cooperation with them because I felt that the things that they wanted done generally should be done. I supported a good many of their measures. Now, it is true that how you lobby has a good deal to do with it. We have some lobbies that have some rooms over there at the Senator, all fitted with a bar and everything. You don't have to ever pay for a drink. You can have as much as you want any time you want.

Of course, that may be called a form of graft. Graft isn't ordinarily passed in an envelope or something of that sort. It comes in campaign contributions; it comes in fees. For instance, when I was in this oil fight, it's the only time there was any attempt that I know of to directly buy me or my firm. An oil company called up and wanted to retain us and give us a ten thousand dollar retainer. The firm inquired what they wanted and, apparently, they didn't want much except to get me off the oil bill. So, needless to say, we didn't accept the retainer for the so-called "employment" that was offered.

Now, for instance, one of the San Francisco boys told me very frankly, "This fellow Hornblower, who is a lawyer, says he can take his right across

the table. I have to go out back of the barn to get mine."

He was speaking of the fees as if they were graft, of course. Then there is insurance placement, which is an inducement to many a man who is in the insurance business. Poker, of course, is a very easy way of passing money.

I remember one fellow who was perfectly honest, but he was so naive that he told me one day, "You know, I was with a bunch of fellows last night playing poker, and, you know, I never played with a finer bunch of fellows than that. You know, I played the wrong card three times, and they made me take it back."

Now, you know perfectly well that when these very fine gentlemen come up with something that they want him to do, that he's going to be glad to accommodate them. In his case, he won't even dream that he had been bribed. However, some of them are not so naive. That's why it's so difficult to identify graft, because there's so many forms in which it can be given. It's a difficult situation.

Now, you wouldn't call a political contribution graft in one sense, but you know perfectly well that companies or interests that are interested in certain legislation want certain men elected. They contribute

to his election and they expect him to deliver when he's elected. It doesn't mean that they've changed his mind, but they pick up somebody who's mind is already formed. They don't have to make somebody change over. They find some fellow that believes the way they do and is fighting for the same thing and they contribute to his campaign and it's hard to call that graft. People are entitled to contribute to those people that they think will do the country the most good and, of course, they think if it does them the most good, it's bound to do the country the most good.

Cunningham: Was Samish up there at this time?

Clark: Oh, Art Samish was there. Our first session was the longest legislative session we'd ever had and Art Samish's men, he has several lieutenants, were very active. One of them handles beer and so forth and so on and he works both sides of the street. Our boys didn't have very much money, and they weren't getting many free rooms and free board and things of that sort. We were only getting a hundred dollars a month, and we had to pay all of our expenses while we were there. So, things were getting pretty tough for some of the fellows, and they were getting pretty hungry. So one of his men came to me and told me that if the boys were hard up at all to just let

him know. He'd be very glad to make some loans to the boys.

That's accommodating and a Christian thing to do, you know, if a fellow is hungry. I figured it cost me about twenty-five thousand dollars to serve the two terms. Nobody was contributing to me. Of course, the EPIC groups were behind me, and I got a lot of publicity and that sort of thing, and I was favored by the general Democratic publicity, but my time was so taken up, even outside of sessions, that I hired a full-time lawyer to work in the office. I felt it wasn't fair to the other members of the firm for me to be spending so much time away and not to be contributing my full strength, so I did that and that cost me money.

In the second term, I think, Samish's group offered me some campaign money, but I didn't take it. During the campaign, though, I noticed that some of his beer trucks and some of his bottling works were advertising my name. Why they did that, excepting that I hadn't gone out to fight them, I don't know. I believe in the state handling liquor and not private industry in that respect. As far as I'm concerned, I think it's one of the best ways to control the liquor industry, but it's not popular with either the liquor dealers nor with the WCTU.

They don't think the state ought to stay in that nefarious business, so, as a result, it goes its merry way. But if private profit were taken out of it to the extent it would be taken out if the state were to run it, these establishments would be under far greater control. Today, we listen to the radio, and we hear the fine programs sponsored by liquor interests. Why all the kids aren't drinking the wines and liquors that are being advertised, I'll never know. From what you hear on the radio, apparently, there is nothing that tastes better than beer. Personally, I'm not fond of it but, by George, if you listen, you can't see how kids wouldn't be going after it in good shape. I noticed that while going up to Alaska. In Canada, we saw none of the drunkenness, but then when we hit the United States territory again, we saw plenty of it.

Cunningham: Canada does have state control of liquor distribution.

Clark: Yes, at least in the provinces that I was in.

Then there's another form of graft in the legislature. Just how the money is passed there I don't know, but it could be passed in many ways. The cinch bill is a bill that you know is going to damage certain interests, and you know they'd be very happy to have it killed for a price. I mean they'll pay the price to get them killed. Legislators are not

all progressives or all reactionaries clear through. A man can be a progressive in politics and an extreme reactionary in, we'll say, penal reform, and yet, on the other hand, he may be a flaming radical on penal reform and be tremendously conservative in his political beliefs. It's difficult to catalogue people all the way through.

There is another source of the bills that I didn't mention. Besides these particular people who are interested in particular legislation, we'll say liquor or horse racing or various things of that sort, cities and counties will send up their bills as well. By the way, I never considered eating at the expense of the lobbyists very evil, particularly, not when I was getting a hundred dollars a month. If they were going to take my time, I was perfectly willing to have them pay for my lunch, but it didn't go any further than paying for that.

In the first session, we used to have voice voting. That was a long and tiresome procedure. In the second term, these voting machines were installed and you'd press a button. Sometimes when a fellow was absent and their seat mate would press their button which wasn't quite the thing to do, or if a lobbyist was there enough, sometimes he took care of that. That didn't happen. That happened

very, very little.

Olson, at the time, was the State Senator. Olson had been State Chairman of the Democratic Party, and also ran at the same time for State Senator and was elected. He did a magnificent job.

One of the things that I was particularly interested in was securing better representation in the Senate. It was ridiculous to me to see Los Angeles County with about forty-five percent of the population and more than that contributing taxes with only one man in forty in that Senate. Every single bill that is ever passed has to go through that Senate, and the senator not only has to take it through the Senate, but he's got to carry the bills or should be carrying the bills of the assemblymen from his county. No one man can possibly do that for Los Angeles County and, of course, he's just pitifully outnumbered.

Now, the strange thing to me is that at least twice, since then, we have had the opportunity to rectify that situation. We here in Los Angeles County have again voted to disfranchise ourselves. Of course, the reason for that is that back in the early days the political power of California was in the north, and it stayed in the north. Then the population shifted to the south, and it looked as

though they might begin to lose their political power, so they set up what they called a federal plan. In other words, each county, as a state, would have a vote. This was a ridiculous solution, but it was called the federal plan and, of course, if you didn't believe in the federal plan, you really were not a good American. You didn't believe in the Constitution of the United States and all that. Those fellows just went all over spreading that propaganda and the foolish people here in southern California were not paying too much attention to this legislation anyhow. They knew little if anything about it, so they just let it slide through.

Then, again, when we had a chance to change it, we had some of our leaders here in Los Angeles County fighting it. Of course, one of the reasons was that, in the cities, the labor unions are stronger than they are in the county. That is considered dangerous as far as some people are concerned, and they wouldn't have it, and they'd rather disfranchise themselves than to permit labor unions to run things or have much influence.

This representation we now have offers a most perfect system to control legislation by special interests that could possibly be devised. Now, all you need to do is to spend a little money in electing

some state senators. They can forget the assembly. The House of Lords calls the assembly The Cave of the Winds, and they can put all the wild men in there they want. That's not going to worry them a bit because everything has to go through the senate, and they're interested in the senate. It takes just a little money to elect and support a man there and they don't even have to fight here in Los Angeles County. Why spend a lot of money trying to fight to elect one senator down here in Los Angeles County, when you can govern so much easier by backing people up north.

As I say, I'm not contending that the men elected are corrupt at all. It simply means that they believe in the things that these special interests want. As long as we have this situation, we're going to have a special interest control in the State, I'm afraid. And it's much more easy to do than would be the case if we had a regular proportional representation.

Now, to go back to Olson. I was saying that it was impossible for any one man to do the work required as a senator of Los Angeles County. We used to have eight senators in Los Angeles County years ago, but we just disfranchised ourselves. We were much smaller then than we are today--much smaller. It seems to me quite ridiculous.

CHAPTER VIII

THE OLSON CAMPAIGN

At this session, we might discuss the campaign in California for the election of Olson, Downey, Patterson and the Democratic ticket. At the time, the Democratic State Central Committee was elected, a fight developed between north and the south, and it developed into quite a bitter situation. Olson could not agree with Downey on who would head the campaign, and finally there was a meeting held just before the election at which Olson, Downey, Patterson, Phil Gibson, myself and a number of others interested were present to discuss the deadlock that was developing. Because of the split which appeared to be developing, Olson asked me if I would not take the position of state chairman of the Democratic State Central Committee. I demurred very, very strongly. I didn't want the job. I didn't think I was fitted for it. But Downey joined with Olson and Patterson in urging me to do so, and at last, contrary to my better judgment, I did consent to run for Chairman of the Democratic State Central Committee.

Then, there came the matter of dealing with the

other candidates. I had no part in that and didn't know what was done as a matter of fact. But when it came to the final vote I do not believe that I had any opposition. It is my recollection, at any rate, that there was no opposition to my election and that I was elected unanimously. Then there began the most hectic experience for me, because I didn't feel myself fitted for that position. I was not one who could remember names, which is the first requisite of any successful politician.

The head office was open here in Los Angeles on the corner of Seventh and Broadway, and, again, the details of setting that up were not handled by me. We got a great deal of help from motion picture companies. John Schenck was friendly to the Democratic cause and the Democratic campaign, and, although I am not certain of this, I think he gave considerable financial support. At least I recall a meeting held out at the studio to which he had invited a number of persons. We met them there and were assured of considerable support, apparently, from the motion picture industry.

There was a strong liberal element in the Democratic party. There was still a depression in California and those active in the EPIC movement, of course, were active in supporting the Democratic

party--the liberal wing of it. I was known as a liberal and had the support of labor and, apparently, a good many of the educational forces in the state. Because I had been Chairman of the Education Committee, they apparently approved of the things I did and we got support there.

Now returning to the campaign proper, I recall that the studios loaned us Doc Bishop. At the time, Doc Bishop was head of the foreign market of the films of the Fox studios. He had a desk at the Democratic headquarters and had a great deal to do with the internal runnings of the office. I don't recall whether he was an office manager or what his particular function was.

Now, at this time, the forces backing Sheridan Downey for governor were headed up by John Elliott. Pierson Hall was also exceedingly active in that campaign and worked with John Elliott in the campaign. Elliott was an old time Democrat, a man of considerable means, and gave generously to Democratic causes. He was quite a powerful factor in the Democratic party in California, particularly, in Southern California. They ran a separate campaign largely for Downey. I had a little trouble, considerable trouble, I would say, in keeping peace between Downey and Olson because of this separate campaign.

This was because funds which would have naturally gone to the general fund were diverted to Downey's separate campaign. I was always very friendly with Downey and liked him very much and liked Olson very much, and I attempted the best I could to bring them together. I think I did a pretty good job in that respect. At least there was no open friction, and, as I say, I think the root of it was the separate campaigns and the diversion of campaign funds.

In the north, and around San Francisco, a very bad situation developed in which the Democratic forces went off in a half a dozen different directions. Bill [William] Malone was the boss in San Francisco. At least he had had the run of patronage of San Francisco for a number of years, and some of the labor groups and others were feuding with him. So, I found it necessary to go up to San Francisco. It was arranged that I should go up there with Phil Gibson and we took suites of rooms in the St. Francis Hotel. A series of conferences were arranged with the various groups, and, inasmuch as some of them were fighting pretty badly and were quite hostile, it was necessary for me to meet with them in different rooms. So, a series of conferences were arranged by Gibson, and I would go from one conference

to another. Finally, we did manage to straighten the thing out so they began to work together and so there wasn't any visible antagonism. But it was a very difficult and a very hard job to accomplish.

While I was up there, I also had occasion to speak to various groups in Oakland and San Francisco, and I did a little traveling up and down the State in connection with the campaign. The old EPIC forces were very active in supporting Olson and Downey and Patterson. Patterson was the candidate for Lieutenant Governor. He was my roommate for two terms as I previously indicated, while I was in the Legislature.

I was elected as Chairman because I was the only one that the leading candidates could agree upon. That's the sole virtue that I had, I think, in connection with that campaign. I didn't have anything to do with the raising of the money. We had a finance committee to do that and I knew little about that phase of the work. It's been some time ago and my memory is quite hazy as to just what I did do in the campaign. My only impression is that I didn't do very well, but I can't pinpoint it.

Schippers: Why were you the only one they could agree on?

Clark: Well, I did have the support of various groups.

Labor was a very potent factor in state elections, politically, and I had the undivided support of all

factions and parts of labor. I was known as a liberal, and, in those days, liberals were popular--more popular than they are in some quarters today. So, it was felt that I would draw together these various factions, because labor was not united in many respects. They had different leaders who were striving for power, and it was felt that maybe I would have some influence there.

Then the campaign, as you know, was successful, and Downey and Olson and Patterson were elected as Senator, Governor, and Lieutenant Governor. We didn't get a majority of the legislators in the Senate or Assembly, so Pat Brown performed a political miracle when he won and carried a Democratic majority of both houses in with him. Also, considerable friction occurred between Gordon H. Garland, who was speaker of the House, and the Governor because Garland was quite a conservative. I think he was an orange grower from the middle part of the state and Olson didn't see eye to eye with him in many matters.

Speaking now of Brown's election, I thought that he was committing political suicide when he ran, knowing what had happened to Olson. After Olson was elected, the Republicans did everything possible to sabotage the program. Of course, nothing

could go through without the approval of the Republicans because of their control in the Legislature. They simply crucified Olson in anything that he attempted to do. That is well illustrated in connection with the penal affairs. When we attempted to have the Department of Correction in the state modeled very much in the same way it is now, we weren't permitted to do it because that meant Democrats would select the men to man the system and put it into operation. That was not permitted.

However, we were able to do a great deal in the penal system with good men, even with bad laws. The fact is, I'd rather have a good man administering some bad laws than a bad man working under good laws. I think that's illustrated in the penal system with the selection of Duffy and Scudder. The things they did both at San Quentin and Chino illustrate how, without adequate laws, good men can institute reforms that are outstanding. That was the kind of thing we had to do in connection with the State government. We had to use good men to administer the laws that we had, and Olson did appoint some excellent men for the job.

I frequently said that I felt that the Democratic party won its slate in California in spite of me and

not because of me. There may be more truth in that than first appears and I'm willing to admit it. The governor selected good men for his cabinet, and, all of them, I felt, were honest and capable men. For instance, in the Department of Institutions for the Insane, the State hospitals, he put in Aaron J. Rosanoff, a doctor who was eminent in his field of mental diseases. He instituted outstanding reforms. He also appointed James M. Carter as head of the Motor Vehicles Department. Carter later was a judge of the superior court and then a federal judge, and he's now serving in San Diego as a district judge in the Southern District of California.

Ed Pauley, of course, played a prominent part in this campaign, and undoubtedly secured considerable support. Another outstanding personality that I remember in connection with Democratic affairs was George Killion. He held the office of Chairman of the State Board of Control under the Olson administration. He later was treasurer of the National Democratic Committee. At the present time he is the president of the United States President Lines. He and Pauley were apparently quite close to each other and good friends. George, having a good deal of ability, was of great help in connection with the campaign, and, afterward, as a member of the

governor's cabinet.

Kenny, who at that time was elected Senator from Los Angeles County, unsuccessfully ran against Warren for Attorney General. Bob Kenny was a former superior court judge in Los Angeles County, and a very able one in fact. He was an outstanding liberal, so much so that later he was accused of being, if not a Communist, a very strong sympathizer, and even a supporter of the Communists. I never doubted his loyalty for a moment, nor would I ever think that he would encourage any movement which sought the violent overthrow of the government. He was an exceedingly able person, a fine judge, and later, when he was Attorney General, he was always fighting on the side of the Constitution. In other words, he was for free speech and fought every repressive measure that came up. I've always had a great deal of respect and admiration for his courage. In the minds of many people, however, he is, unjustly, associated with subversive groups.

Another man the Governor appointed was Edwin M. Daugherty. As Corporation Commissioner, Daugherty had the distinction of serving under both Democratic and Republican administrations. He was a very fair and able corporation commissioner and Olson recognized that this wasn't a place for politics to enter in any respect.

Isaac Pacht, Chairman of the Prison Board, was active in Olson's campaign, that is, the Democratic campaign. I call it the Olson campaign because I'm speaking of the general campaign. He was a former superior court judge of Los Angeles County and had a very fine record. He resigned because they weren't paying very much in those days. He had a very fine law practice and was a very able person. As I previously indicated, he did an outstanding job as the Chairman of the Prison Board.

Olson enlisted the University of California whenever possible and Dean McHenry, now Chancellor of the University of California at Santa Cruz, was assigned by Samuel May, the head of the Bureau of Public Administration, to assist the administration of Olson, and he rendered a most intelligent and valuable service. McHenry would furnish technical information that was most helpful. He did an outstanding job and we became good personal friends. Milton Chernin was another University of California man that helped us immensely, and he was particularly very helpful to me.

Miss Chickering was head of the Social Welfare Desk and she did an outstanding job in her field. This illustrates, I think, the character of some of those who were working during Olson's administration.

He required absolute honesty. Another characteristic of Olson was that he had tremendous courage, and he didn't want to compromise. Perhaps he should have gone farther with some of his proposals, but he was uncompromising. He, of course, had a very handsome appearance, and he looked like a governor should. But, to him, everything was either black or white. Either it was good or it was bad, and he was devoted to improving the conditions for the underdog. That's the reason he was in politics.

That's also the reason I devoted my time to it and the only reason that I had for entering politics. I recognized that because depressions were man-made, they could be man-cured. That was the reason we went into this. We weren't able to put over anything that was of great moment, except to render a good honest service. We were handicapped, of course, because, believe it or not, many men in that Legislature on the Republican side would have wrecked the economy of the State just to discredit the Democrats if they could have done so. They did attempt it in some respects because they didn't want to see any program of Olson's succeed for political reasons.

Schippers: Can you think of any specific incident?

Clark: Yes; as I have indicated, the penal system needed

reform, but it was opposed because it meant appointments by Democrats. The same thing occurred in the judiciary, for instance, with the members of the Appellate Court of the State. We needed a new department, but they refused to create such a department unless they had something to say about who was to be appointed to that department. That was the only way they would permit new appointees to new positions. They gave us a bad time, and I'll say that without any fear of contradiction.

I have previously spoken, I think, about [H.] Dewey Anderson, and gave some of his outstanding qualifications. He was appointed head of the SRA, the State Relief Administration. You see, when Olson came in, there were some twenty-four thousand applications for jobs and less than a hundred jobs that he could appoint to that would pay anything. The others were unpaid boards or under Civil Service. And he only would make appointments when he felt that the people were fitted for the position. Some appointments which had been made in a previous administration weren't made unless the person could buy stock in a corporation owned by the Governor and his relatives. None of that occurred in the Olson administration. He could get tremendously incensed against someone whom he felt

was trying to feather their own nest or was being dishonest in any respect. I feel that honesty, along with his courage, was among his outstanding characteristics.

In Kenyon Scudder's excellent book, Prisoners Are People, there appears a criticism of Olson for endeavoring to have worthy Democrats appointed to positions in China. As I have said, there were twenty-four thousand applications for jobs, and less than a hundred posts, probably, that paid anything. Outside of the prisons or the SRA there was practically nothing. Of course, he was greatly concerned with the plight of all of these thousands of people who worked so desperately to have him elected governor and hoping that, thereby, conditions would be improved and that they would be able to better themselves. I know that if Scudder fully appreciated that fact, he would modify the criticism. Scudder's main objective, of course, was to build the very best prison system that possibly could be built, and, naturally, anything that he felt interfered with that objective he opposed and would normally criticize anybody who suggested it.

To illustrate what I meant by the opposition to Olson, regardless of the consequences, the Assembly recommended against any new revenue measures

because they contended that they were unnecessary if economy was practiced. Of course, if this need was to be met as it should have been, new revenues and more revenues were required.

I think that Burke, in his book Olson's New Deal, illustrates some of the things that we were up against. As a result of the restrictions, the State Relief Administration that was giving this aid went through a very chaotic period during the first half of 1940, as Burke points out. The number of persons employed by the SRA dropped perceptibly and the Los Angeles County Democratic Central Committee asked for the ouster of [Walter] Chambers. Chambers finally resigned. [Sidney G.] Rubinow said that he had never seen such a chaotic condition as he found in the SRA and requested monies and an opportunity to operate on a decent scale. So, the Legislature was refusing to alleviate the terrific conditions that were existing. Thousands and thousands of people would have been aided by the State Relief Administration.

I just had occasion to read the last chapter in Olson's New Deal for California by Robert E. Burke, and, generally speaking, I feel that his summation in that respect is correct. At least it indicates that a great deal of research has been

done in connection with this matter and that the conclusions he has reached are not too different from those that would be reached by one who was in his cabinet as I was. We, who worked close to Olson, and I was close to him, feel a great respect for him and admiration for his courage. He was handicapped in the ways that Burke sets out, and his accomplishments, of course, were correspondingly less lasting than they could have been and should have been. He does pay tribute to the achievements in changing the state's penal and parole system and treatment of the mentally ill, and he was courageous in the protection of civil liberties, the rights of labor and minority groups. He also appointed distinguished men to the courts who proved to be fair minded and liberal and in keeping with the times. I do feel that probably his influence on the court and his appointments to the bench, the Superior Courts, the Appellate Courts and Supreme Court, probably constitute at this time his most lasting influence in California.

Schippers: One other detail I wanted to ask you about. Were you still in the Legislature when you were appointed to the executive branch?

Clark: No, I had finished my second term and didn't run again because I figured it had cost me at least

twenty-five thousand dollars to serve those two terms because I didn't solicit subscriptions or campaign funds. I hired a lawyer to take my place in the firm because of the time I was devoting to legislative business', of course, I was absent from the office for months at a time. So, I felt that I couldn't run any more; I couldn't stand that expense. But the governor asked me to serve as Chairman of the Board of Prison Terms and Paroles. He also had me appointed as attorney for the State Banking Commission to supplement my income, but I did not receive much money from that as I was busy with my other official duties. I had my firm do the work in Southern California and I hired an attorney to do the work on a bank in Sacramento. He was Senator Downey's son as I remember it.

Schippers: At the end of your second term in the legislature had you gone back to Long Beach or did you stay right in Sacramento?

Clark: Well, I'd gone down to Long Beach first, but when Olson was elected, I went to Sacramento many weeks in advance of taking office and worked on the program that he intended to put into operation with Dewey Anderson and others. I was up there part of the time but not too much. It was nothing like Dewey Anderson who was devoting all of his time to

that activity.

Schippers: Previously, we discussed your Democratic chairmanship for the Olson campaign and you'd mentioned the Dies committee. I wondered if you could expand your remarks on that.

Clark: Well, that was a perfect example of political propaganda which exploited the prejudice against communism and used it for political ends. In those days, Russia was not feared. She wasn't strong enough to create any great fear, and though there was some talk about subversion, it was very little. They were a recognized party in California, and the fact is, a Communist ran against me when I ran for the legislature. I don't know him and hadn't met him, but he was actually no more revolutionary I suppose than most anybody who wanted a change in the economic system. He simply thought his system was more equitable and fair. But this McCarthyism which arose later was the spirit of the times, and the attitude toward Communism changed from then on.

In those days, of course, you could sue a man for calling you a Communist and that's what I did. I sued these men who made these false accusations before the Dies Committee, which, of course, were made without our previous knowledge and just a few days before the election so that there'd be no

opportunity, or adequate opportunity at least, to reply to them. Of course, I never was a Communist, but I wasn't afraid of the word socialism which is a bad word now, politically. As I've often said, I've met very few people who were not socialists to some degree. Our public school system, of course, is wholly supported by the state. Education is given free, regardless of one's ability to pay for it. Our veteran's administration takes care of thousands and thousands of veterans free and so do our public hospitals. Well, even our police are publicly supported and so are our army and our navy. There's a lot of socialism, if by socialism you mean services which are rendered for public good without private profit.

So, when you call a man a socialist, I think it's all a matter of degree. In other words, if you believe in public ownership of our natural resources such as our water resources for the production of power and irrigation, you are a socialist. There are those, of course, who are vehemently opposed to that extension of socialism, particularly the private power companies, but when it comes right down to it, there are few people that would do away with our public school. There are some religious bodies that have opposed them,

but they're not very powerful nor popular, as far as that is concerned. It's just as it was in England when the Labor Party put in these reforms, socialistic reforms, and when the Tories came in again, they didn't dare to cut them down to any great extent.

Schippers: What was the chief stigma of the charge of Communism?

Clark: It was an internal subversion that they were talking about. External danger was not imminent because of our superior military power. Of course, to me, it was quite ridiculous that a group of unarmed people could overthrow our government which is supported by the navy and the army and militia and all of these forces of the state. It was a pretty ridiculous situation. If they were spies, of course, they would not identify themselves and they would be smart enough not to join any radical organizations and undoubtedly would not endeavor to infiltrate the liberal organizations but would probably affiliate with the most conservative organizations. I don't know how far they went in that direction, but I assume that they would have done so.

There was a suit brought against Paul Peek, who later became the Secretary of State, to compel him to put the Communist Party on the ballot. He was refusing to do so, and the Supreme Court at that time made him put them on as a legitimate political

party. You see, many people don't realize that one of the chief and most bitter opponents of the Communist party itself is the Socialist party.

The representatives of the Socialist party hold the view that what Communists have done as a political party is to take hold of a very popular principle, which is socialism and is much stronger in Europe than here, and make it into a political party for political power. They feel that that was a prostitution of socialism. One of the two who testified against Olson, Downey, Patterson and me before the Dies Committee was a Harper L. Knowles who claimed to be acting for the American Legion, but the head of the Legion in California said Knowles had no right to speak for the Legion.

I sued for \$100,000, but they both evaded service and as far as I could discover neither had assets sufficient to pay any reasonable sum as damages. After the election there was no public interest in whether or not I was a Communist. The accusation was patently politically inspired immediately before the election.

After the election I had no time whatsoever to devote to obtaining what I thought would be an uncollectible judgment.

I was wholly occupied with my work for the

State and that is the reason I did not go further.

CHAPTER IX
PRISON REFORM

Schippers: You were speaking of your work on the prison system which began in the second session of the Legislature. .

Clark: Well, really in the first session. I was on the Committee of Prisons in my first session of the Legislature and there started some legislation which was not enacted. In the second session of the Legislature, I was the author of legislation which fostered a very complete system of government for the entire correctional system. It, of course, was not adopted because the Republicans were in control, and it involved the appointment of prison officials by Olson who was a Democrat. That, of course, was not in the cards. I think it was a very good plan. As a matter of fact, it was the same plan, in general outline, that was introduced during Earl Warren's administration and is now governing through the Board of Corrections of the State.

There comes to mind an interesting incident that occurred while I was a member of the Prison Committee of the Assembly, and that was the time the men of the Board of Prison Terms and Paroles (now known as the Adult Authority) were kidnapped. The

Board members ate in the warden's dining room at the warden's house each noon or evening that they were at San Quentin. One day, at noon, several convicts came into the dining room with guns and lined the Prison Board members and told them to take off their clothes and change clothes with them. Holohan, who was warden at the time, (later he was a state senator) attempted to resist them and was very badly beaten and injured. The others did not resist. As a matter of fact, Joseph Stephens, a board member, had a gun stuck near his ribs by a fellow whom he had refused to give much consideration to. Stephens had demurred that he couldn't get into those pants because they were too small.

The convict replied, "You get into them, you son of a bitch, or you'll get this," so Stephens got into them in a hurry.

Mark Noon, the Secretary, was a huge fellow, and I don't think anybody exchanged clothes with him. He couldn't have gotten into any clothes that they were wearing. Then they were all put in two automobiles the convicts had commandeered. As a matter of fact, Noon was instructed that he was to give the signal to let them pass through the gate. There was considerable argument over that, but he finally did give the signal and they all got out on the outside.

Then the chase began. All of the authorities on the peninsula were alerted to the fact that there had been this kidnapping and road blocks were thrown up. They ran into one road block not long after they were outside the prison and then had to turn around and go back. One of the members managed to jump out of the car and roll in the ditch during a turning maneuver and he was shot at. Of course, those who were attempting to capture them thought that the Prison Board men were the convicts by reason of the way that they were dressed. They escaped another road block and, Stephens, who told me the story, managed to slide out of the car at the road block and landed in the ditch. When he came to rest, he was looking into the gun of a District Attorney who he didn't know and he thought his time had come. Finally, he convinced him that he was a member of the Board. Several were injured in the fight.

I can't remember at this time whether there were any deaths, but it was a most exciting time. The Chairman of the Prison Committee hastily gathered the Committee together and we all trotted down to the Governor's office to find out what new laws he wanted passed to stop this sort of thing. Well, there was considerable excitement at the time.

None of the members of the Board were seriously injured except Holohan, the warden. That shows that the members of the Board of Prison Terms and Paroles at times led an exciting life.

I think this incident did help to focus public interest on the question of prison reform, and, particularly, on security measures which would be used to protect members of the Board and other personnel.

Schippers: What did the Olson administration do in connection with prisons?

Clark: Well, in the first place, Governor Olson insisted that I be head of the Board of Prison Terms and Paroles and also at the same time appointed me Director of Penology of the State. The post of Director of Penology of the State had been a dead office. It drew no salary. It was instituted a number of years prior for the purpose of investigating conditions in the prisons, but primarily it made me a member of the governor's cabinet which was what the Governor wanted. He would then be kept in close touch with the prisons and what was going on in them.

I did accept the position of Chairman of the Board of Prison Terms and Paroles and the Director of Penology for the state. Almost immediately, we

were faced with a riot in San Quentin. Now riots in prison, particularly after a change of administration, are not unusual. As a matter of fact, it is the only method by which prisoners can bring their grievances to public attention. This is what they did by striking over at San Quentin.

The warden there was Court Smith, a great big chap, six feet six, who was afraid to go into the prison excepting under armed guard. Even then, that was only for the purpose of what he called interviews, which amounted to little or nothing. The boys would line up and they'd ask him for credits, and he'd tell them he'd do what he could for them or some such indefinite thing. But he would not go inside the prison. This was made particularly obvious in one of the projects for which we obtained a hundred thousand dollars to build additions to the shops. And in that connection, Phil Gibson, who was then Director of Finance, came over to the prison for the purpose of seeing what we had in mind. I endeavored to get the warden to go into the prison with us to show us if he had any ideas. But he absolutely refused to do it. He had a very, very urgent engagement over on Treasure Island where the Fair was being held at that time, and he couldn't possibly go in the prison. So, I took Phil Gibson in myself.

Incidentally, we went into the mess hall and showed him the men at meals and also at lock-up. Well, this food strike caused considerable concern, and I was determined that it should be investigated and see whether or not these complaints of the men were valid. This seemed to satisfy the men in prison to some extent. At least the strike was over.

I found that there were a number of abuses, some of which I had observed personally with Clinton Duffy, later warden of San Quentin. He was the Secretary of the Board of Prison Terms and Paroles at the time, and we became very fast friends. We frequently went over the prison together observing conditions. It was determined that the State was paying for first quality food, but that the food the prisoners were receiving was not first quality. Some of it was wormy, and had greatly deteriorated. It was far from being first quality food. In addition to that, the method of its preparation was atrocious. In the first place, the men ate out of mess kits in which all the food was put in together. If they had a dessert or anything of that sort, it was all slopped together and they had to eat it out of that single container. Then we found that the preparation was about as bad as you could make it.

Bad food with bad preparation made a terrific

combination. Food is one of the great items in prisons, in the army or anywhere else, and it constitutes one of the key interests, when men are incarcerated in prison. We found, for instance, that on stew days, one half of the stew went out to the hogs at the ranch because the men couldn't eat it even though they were hungry and badly nourished. So, I had an investigation made by Nick Leone of the Department of Health who was loaned to us for that purpose. In connection with the University of California, the Department analyzed the foods and then prescribed a new diet and proper methods of preparation.

The food that was going in, when it got down to the prisoners, was the tail end, because it first went through the commissary where the guards would pick off all of the steaks and the good meat as much as they could. Then there were the men who prepared it and other trustees more or less in that category who sat at a special table and got more of the best. So, by the time the main line got it, it was really main-line stuff. That situation was remedied and the method of serving the food was changed when Duffy became warden. Plates were substituted such as these picnic plates with individual separations in them, to hold the various food so it wouldn't be

all slopped together. It was served hot, in cafeteria style, and, as a result, there was a tremendous difference in the atmosphere of the prisons after that had been put into effect.

Another abuse that we had noted was the method of punishment. They had what is known as the "hole" which was a sort of a subterranean room. It was cold, dark, and with no facilities whatever. There was a bucket for drinking and another bucket to be used as a toilet. The blankets and bedding furnished was insufficient, and the men frequently were taken from there directly to the hospital with pneumonia. How many of them died from that sort of treatment, I don't know.

Another abuse that we observed was the method of punishment in solitary. When men were sent to solitary or to the punitive section, they were brought out in the morning and made to stand in an eighteen inch circle. They stood there facing in one direction without moving about or talking. They were taken off "the spot" once in the morning to go to the toilet and then brought back again. They were let off at noon for a meal and then brought back again to stand till the end of the day. That was certainly a cruel and unusual punishment. If they moved, they were beaten, although beatings were

forbidden by law and against the regulations.

We had one chap who was in charge of death row who would come in grouchy and surly, beat a man, and then, immediately, his disposition would be sunny and he would chirp to the canary he had in there. He would be quite a different person after he had exercised his sadistic desires. Those men were given no consideration and they felt that the complaints that they had were not listened to. The captain of the guard, they felt, was not in sympathy with anything they wanted or wished, and so they felt that they were in a rather hopeless position. This treatment certainly wasn't anything approaching the rehabilitative process.

In a press release from Governor Olson's office on June 7th, 1939, I gave the Governor a report and these were the highlights of it. First, California's penal system has stood still for sixty years while crime had been streamlined to an amazing degree. Second, red tape was entangled in the operation of penal institutions until it could no longer be unwound. It must be cut. Third, food was the crux of most dissatisfaction and riots in prisons, yet there was ample opportunity available to supply much of it at no cost to the taxpayer.

Then I stated that continuing studies had been

abandoned for lack of funds, although the machinery for research and analysis existed and could be turned to constructive account. Full-time supervision of penal institutions was imperative, and it was predicted that the cost of crime would equal if not exceed the cost of unemployment relief at that time. In that day, the unemployed relief was a staggering sum, because that was at the time of the depression.

I further drew the conclusion that enough rotten and unpalatable food went into the garbage barrels of San Quentin to modernize the State's entire penal system, and give it the chance to achieve its intended purpose of rehabilitating the violators of society's regulations.

It was a comprehensive study of the penal system, the first one made since Daniel O'Brien's, who was appointed for that purpose. He died in 1933 and no successor was named to the post. My recommendations were that surveys and studies should be made of the production possibilities of State institutions to attain an orderly and efficient system of exchanging products for state use. I recommended that the Director of Penology should be vested with the authority to create work projects to rehabilitate and maintain the morale of more than

nine hundred men who had been granted parole but who could not be released because there were no jobs available for them in private enterprise. And of course, a job is the first requisite or a prime requisite for any man who's released on parole. If a man has no job when he's released from prison, you can be rather certain that you'll meet him coming back.

So, for that reason, we kept men in prison after they were eligible for parole till jobs could be found, and, at that time, there wasn't any systematic method of finding jobs. I said that they had earned their right to freedom by good behavior and that continued imprisonment outraged their sense of justice; anything a prison may achieve in reformation is wrecked and social grudges and resentments are created.

Then I advocated an educational program to be developed in cooperation with the University of California and other universities to fit men for release. I further recommended that there be cooperation in the psychopathic and medical departments of the University of California and Stanford University in the classification of prisoners and to evolve methods for treatment of their physical, mental and emotional defects. There should also be

cooperation with authorities operating federal prisons so the experiences of those institutions might be turned to beneficial account by the State. That's one of the things that I sought to do in the training of men who were supervisors or guards in the prison. I went to conference with Bennett , head of the federal system, and endeavored as best I could to have adopted in California the methods which were in use in the federal system.

Now, as Director of Penology, I had no actual control over the prisons. It was largely bluff by which I made this investigation and brought these charges. The charges weren't bluff, but I made the investigation under an authority which they thought I had but didn't. The prisons actually were run, at that time, by a Board of Prison Directors who had absolute charge of the prisons, hiring and firing of the guards and the wardens, and the Parole Board hadn't anything to do with it.

Among the things that I recommended was the reactivation of the California Crime Commission and to allow the Director of Penology to function constructively instead of being just a figure head. Also, I recommended creating a prison farm to recondition and rehabilitate parolees, or prospective parolees, so they could rejoin society as useful

members. Those bills were sponsored by assemblyman Atkinson and Cronin, Scudder, Rosenthal, King, Tenney, Hawkins, and Johnson. They carried twelve thousand five hundred dollars for support of the crime commission for the next two years, and thirty thousand for the Department of Penology. The report termed that the appropriation for the Crime Commission was vitally needed to make its specialized services available to the Director of Penology. The entire fund, I told the governor, could be amortized by savings effected by more efficient operation.

Then, with reference to the prison farm, I reported that there was probably no addition to our prison equipment which could make for greater economy and maintenance or would be more socially valuable in the rehabilitation of inmates than one or more farms placed in suitable localities and made available through classification of prisoners. I pointed out that the largest single cash item for prison maintenance was for food, yet inadequate, unwholesome and revolting foods were the basic cause of all prison riots and serious disciplinary problems. Whenever and wherever a prison revolt occurs, trained penologists know that food usually is at fault.

Land, water, and labor are necessary to produce

food in plentiful quantities. There was plenty of unused land, available irrigation water and labor power, and yet thousands of men were rotting into criminal tendencies for want of a useful occupation. I showed that the major portion of food necessary to provide palatable wholesome meals for prison inmates could be produced in prison farms far cheaper, than the stinted, ill-balanced, inadequate rations that were then purchased on the open market. All prison diets are deficient in green vegetables, meats, fruits, eggs, milk and butter, and yet these are the very goods that can be most cheaply and abundantly produced on prison farms.

I further reported to the Governor that at least one-fifth of our prisoners were not really criminals. They were simply children in intelligence who could not make their way in a complex world. To keep them behind walls was expensive and stupid. To turn them loose without supervision or assistance simply meant that they would commit more minor crimes and return to prison. On Prison farms they would be healthy, contented, useful and self-supporting. I don't know about contented, I may take that back, but they would be useful and self-supporting.

Parolees need opportunity to adjust themselves

to limited freedom and re-establish their physical and mental and emotional health before going back to civil life. Properly conducted prison farms meet these needs. I think I previously said that I got a prison farm bill through for half a million dollars while in the legislature and it was vetoed by Governor Merriam.

With reference to the investigations, the conditions were such that the papers, the San Francisco Chronicle, got hold of it, and, in great big letters, the story drove the war news way off the pages. The Chronicle broke the story of the conditions in San Quentin. I had in the meantime been trying to get these members of the old Prison Board to resign quietly and peaceably and without any fuss, but I wasn't able to do that, so there was nothing to do but take the bull by the horns and bring these charges against these men which we knew were true. Hearings were held at San Quentin in the presence of Governor Olson. They covered a period of several months because, of course, he couldn't continuously be in session on these hearings.

Edward P. Murphy, who was later a federal judge in San Francisco, was one of the attorneys who represented me in connection with pressing these charges. The other attorney who assisted me was

George C. Olshausen. Finally, the Governor upheld my charges and ousted the Prison Board. The matter went to the courts and the court upheld the Governor. The matter was then taken to the District Courts of Appeal, and the court again upheld the ouster. Then application was made to the Supreme Court where it was upheld and they were finally out.

The Governor then appointed Judge Isaac Pacht, formerly a superior court judge of Los Angeles County, as Chairman of the Prison Board. He made a splendid chairman. He was a very fine person and fully in sympathy with prison reform and vitally interested in giving a good prison system to California. He cooperated fully in instituting these reforms. One of the first things to do was to see that a new warden went in at San Quentin. Court Smith tried to hold on to his job as long as he could, but he finally was ousted by the courts.

In the meantime, I had gone East endeavoring to talk with some of the leaders in the Federal System which was under Bennett at the time, endeavoring to locate wardens for our prisons. I found that they were all backing away from it because they thought this might be a political deal. You see, when the Chronicle came out with a more or less exclusive story about these conditions, the Examiner

was exceedingly put out and endeavored to make it out that this was just a plot by Democrats to put in a lot of faithful politicians in these jobs and throw everybody out that they could.

I was supported by the Chronicle, but I wasn't supported by the Examiner, because, for one thing, the Governor was having a feud with the Examiner at that time. That's one reason they didn't get the information that they wanted, I guess. I was rather caught in the middle there, so it was a little difficult for the public to know exactly what went on in those hearings. They were covered by the press but I noticed the coverage was not accurate. My wife is a member of the League of Women Voters and she talked with some of the observers who visited the hearings, and they said from some of the reports in the paper, you would never know that you'd been at the same meeting they were reporting.

Schippers: What were the nature of the charges that were brought against the old board?

Clark: I brought quite a number of them. One was that they had not supervised the feeding, and that they were paying first class prices for third class food. Another was that they were allowing cruel and inhuman treatment of the prisoners.

Schippers: In other words it was a matter of neglect.

Clark: It was neglect, yes. They didn't really know what was going on, but it was their business to know and to see that it was run properly and they didn't do it. I didn't charge them with being crooked or stealing or being part of any contract that was illegal, or anything like that.

In the meantime, I had recommended that Clint Duffy, my secretary, who I knew very well and who had been born in the prison (his father had worked there) would be put in temporarily as warden until we could work something out. Well, the fact was that Warden Duffy went in there and made the dirt fly. He instituted one reform right after another. In the first place, he abolished this hole where these men were put in solitary confinement. That hole was enough to drive a man crazy. He abolished all corporal punishment and abolished the spots, the eighteen inch circles that the men were made to stand on, and he immediately started in to entirely reorganize the prison food situation. It was in his time that they put in these plates with the divisions in them. He made such a success of the thing that they just kept him on. The greatest contribution of the board was that we just let him go and didn't try to interfere because he was doing such a good job.

Schippers: In Burke's, Olson's New Deal, some credit for the investigation is given to Kate O'Hare. What part did she play?

Clark: Kate O'Hare was at one time secretary to Eugene Debs. I think she probably was secretary of the Socialist Party, but, at least, she was secretary to Debs. My recollection is that she was a pacifist and went to jail. While she was there, she got some first hand information about prisons while being incarcerated for her opposition to World War One. I don't know any more details about the offense she went to prison for except that she did go.

At any rate, she became quite interested in penal affairs, so she asked to assist me in connection with the prison work. Now, I didn't look her up. She looked me up, and inasmuch as we didn't have much money, I was very glad to get all the volunteer help I could from anybody that knew anything about penal affairs. She did appear to have some knowledge of that, so I appreciated her help. But she was a very forceful woman.

She had a very close friendship with Hy [Hiram] Coffey who was active in the Ham and Eggs movement, and he wanted to be warden of San Quentin. Of course, the governor shuddered when he found that out because he wouldn't consider such an appointment.

So, she became quite incensed at me for blocking that appointment. She also claimed that I must be a Communist because she couldn't figure out where my money was going. So, she thought I must be contributing to the Communist Party. Of course, Communist was the lowest thing that she could think of because that is the traditional socialist attitude toward the Communists. They think that the Communists have prostituted Socialism for political ends. So, I didn't have very pleasant relations with her; however, she was a woman of considerable ability.

She was an excellent speaker and she could write well, and it was she who broke this story about the floggings and the other punishments that were going on at San Quentin. When that was given to the papers, the story broke into headlines a foot high, and the fat was in the fire.

As I said, in the meantime, I had been working on this old Board to get out quietly. I thought that we could get them out without any explosion, but when this hit the headlines there was nothing I could do then but bring formal charges.

I did do that, and these twelve charges against the old board were the ones that were heard by the governor and upon which he ousted them.

Schippers: In other words, the newspaper campaign was not

deliberately designed by you or the governor, but when you were brought into it, you made the best of the situation.

Clark: That's right. The Chronicle, of course, pushed it and supported us very vigorously. At the time, there was a fight between the governor and the Examiner, and the Examiner wanted to get into this deal, but they couldn't get anything that was not made public. In other words, they couldn't get any information that wasn't known to the Chronicle, so they became quite hostile and threatened me with all kinds of things at times when I wouldn't give them information that they thought the Chronicle might be able to get.

You see, I was in a difficult position there because the governor wasn't giving the Examiner any news at all, and I was trying to protect him as best I could. I was backing up his policies, and I didn't want to be giving them stuff that they couldn't get through him or his office. So, I was in a rather unfortunate personal position with some of the reporters that were hovering about.

Schippers: So, the news broke about one month before the actual hearings were held. Was it during that month that you decided to hold the hearings and set them up the way you did?

Clark: Well, I brought the charges up before the governor, and it was up to the governor to set the time for the hearings. We had to have time to prepare and to present them. During that interval, of course, I was still extremely busy holding parole hearings, and I couldn't interrupt the passing of the sentences and the general work that I had to do on the parole board because we fixed the sentences for all prisoners sent to prison as well as their time of release. So, I was busy as I could be.

Schippers: Then, the hearings wouldn't have happened had it not been for this sudden kind of news coverage?

Clark: It would have depended on whether I could get the Board out quietly or not. This was the dynamite that I was going to use to blast them out if required. I was prepared to blast them, but she just jumped the gun on me. That didn't come from me. It came from her. But if I had not been able to get them out peaceably, as I was endeavoring to do, I certainly would have asked for hearings and used this dynamite which we were holding for that purpose.

Schippers: But, after this did become highly publicized, it was exploited pretty well by the governor?

Clark: Oh yes, he used it, and, of course, having brought these charges, it was up to us to substantiate them. We had a lot of courageous fellows testify. Of

course, you couldn't believe a lot of them because you can't always tell whether these fellows are telling the truth or not about some of the abuses which they claim they suffered. But, every fellow that testified was a marked man, and he would be subject to all the penalties that they could invoke. Actually, even his life might be endangered.

I think I previously spoke about one of the star witnesses, who was assistant to the guard up in solitary, and died suddenly the day before he was to testify.

Schippers: Under what authority were you holding these hearings?

Clark: Well, the Governor was holding the hearings under authority of law. You see, I was appointed Director of Penology, but the Director of Penology didn't have any real power. Really what I did do was to lawfully sit in the governor's cabinet and advise him of what was going on in the penal system, but I had no right to interfere with the Prison Board. But I used the office and the title to make these investigations. Nobody was going to block the Director of Penology from making inquiry about what was going on, because I represented the Governor and I had a right to find out what was going on. I had no right to demand any particular reforms, but I did have the moral and possibly the legal right to represent the

Governor in finding out what was going on in the prisons.

Schippers: Did he prod you to do this?

Clark: No, this was my idea. He left the investigation of penal system up to me. Incidentally, the post of Director of Penology didn't have any salary and my position on the Parole Board was only a six thousand dollar a year job. I couldn't live on that and support my family and all that sort of thing, so I had to keep my connections with my law firm and supplemented my income with earnings from the law firm. But he placed the responsibility of the penal system on me. Then, when he appointed his new board with Isaac Pacht as chairman, Pacht dealt with him because they were legally in charge of the prisons. The Prison Board hired all the personnel and had all control and nobody else had anything to do with it. It was in the constitution!

I was appointed to the Board of Prison Terms and Paroles on January 2, 1939, and fifteen days later, I was appointed Director of Penology. I demurred about taking this job, but I had shown interest in the penal problem in the legislature because I did have interest in it, and I was the only one in the administration, apparently, that did have the knowledge or the interest. So, he was

relying upon me to keep him informed about the entire prison system that he inherited and to suggest what I thought was necessary to do in connection with it. But when Pacht was appointed, he relied on him. Pacht was a very fine lawyer and a very fine person who did an excellent job as President of the Prison Board. As President, he was in a position to advise the Governor as to what the plans were and what they had to do, because the Prison Board was charged with bringing plans to fruition.

Schippers: But Olson certainly followed through once the thing was put into motion.

Clark: Oh yes, I was supported right up to the hilt in anything that I did in the prison system. He never let me down at any time at all. He followed my suggestions.

While all of this business at San Quentin was going on, they were building another prison down at Chino, and although it was supposed to be another medium security prison or even less, actually, the plans came out for a maximum security prison just like San Quentin or Folsom. They were having great walls around it and gun towers and all that sort of thing. That wasn't what we had in mind, and it wasn't what the people interested in prison reform had in mind, so we stepped in and stopped that. We

had a bill introduced into the Legislature settling with the architects.

I talked to my old law partner, Congressman Doyle, and I asked him who he thought would be a good warden for Chino. He suggested Kenyon Scudder. I had talked with the Federal System authorities trying to borrow somebody from them and Scudder had just been appointed superintendent of Chillicothe, one of the reformatories in the Federal System. I persuaded Bennett to let him come, but first I had to persuade Scudder to accept the job of supervising construction of this institution along the lines that were originally intended.

He finally consented to do so. I notice that Burkhart in his notes says that he made applications and so forth, but really, it took a lot of persuasion to get him to take the job over. But he saw the possibilities of it. What he was afraid of was that it would be made political and that he would have to accept a lot of political men to hold his job. He was assured that it would not.

As I've mentioned, although he and Olson did have some disagreement, I think in Prisoners are People, Scudder doesn't fully credit the pressures that were on Olson, because, at that time, there were twenty-four thousand people who worked their

heads off for the Governor who wanted some sort of a government job someplace. There were only two or three hundred jobs that were outside of civil service that could be used for placements excepting in the prisons.

Scudder went to work and Chino was remodeled as far as he could to suit the sort of an institution that he had in mind, which was a minimum security institution. Then he had an examination for those who were to be supervisors there. They call them supervisors instead of guards out there. He was looking for college graduates and that's what he got. They were a fine bunch of fellows.

Now it is true, I guess, that Olson asked him to put in certain fellows, but Scudder wouldn't deviate a bit from his resolve that he'd only give a man a job solely on the basis of merit. Not being a politician, he didn't realize the tremendous pressures that were exerted on the Governor to do something for some poor fellows that had worked their heads off for him. On the other hand, the folks who worked their heads off didn't fully realize Scudder's situation either.

At any rate, the Prison Board gave him his head in connection with that. They cooperated very fully. They realized the tremendous thing that he

was doing. It was novel, and even if they made mistakes at times, it was a tremendous project. As a matter of fact, today, Chino is world renowned. It is a leading penal institution not only in the United States but is known around the world because of the things and the methods that he put in.

For instance, he allowed families to meet and eat together and that sort of thing--just like a picnic park. The supervisors dressed so that you can hardly tell them from the inmates. They don't have special uniforms and that sort of thing, and the men are given ample educational opportunities. It is a kind of a finishing school too, because the men left well trained after being there. They have shops and are taught various trades and have good educational opportunities. As I say, it was a very wonderful thing that he did, and it was recognized as such.

Schippers: In the statute that provides for the prison at Chino there is no explicit mention of a minimum security prison. Could you explain why it turned out to be a real minimum security prison?

Clark: Well, I had conferred with several people here in Los Angeles before my appointment as Director of Penology, or Chairman of the Parole Board. Scudder refers to it in his Prisoners Are People as a

meeting in Los Angeles at which we discussed the question of the construction of the prison at Chino. We all agreed that it was a great mistake to build the sort of building that was being planned by the architects. It was, in fact, a maximum security prison that was being planned, and it was my desire and the desires of the others that it shouldn't be that sort of an institution at all. It should be in the nature of at least a medium security prison and perhaps minimum. For that reason, when I became Director of Penology and was advising the Governor in penal matters, I called his attention to the situation down at Chino and urged him to stop the building so that a new type of institution could be erected.

Now, there was a common belief that the law which provided for that prison provided for a minimum security prison, or a medium security prison, and not a maximum security prison. However, in looking over that legislation there is no directive for any particular type of prison, but simply one which would contain prisoners who were capable of rehabilitation. So, it was more or less up to the Prison Board, who had the responsibility of erecting the prison, to determine the particular type of prison that was to be built. It was at that time,

and before Scudder was employed, I think, that we stopped the construction of the prison. I don't know whether I advised them to stop it or if we were advised through the governor's office, but, at any rate, the construction was stopped. Inasmuch as the architects had done considerable work, they were entitled to something, and a bill was introduced into the legislature and passed. It approved a settlement which had been agreed upon between the architects and myself and the governor's office.

It was after that time that the new prison board selected Kenyon Scudder to supervise the erection of the prison and to be its first warden. It is he who is responsible for the type of institution that was built then, and he is also largely responsible for the procedures which are still enforced today at that institution. Those procedures, of course, have been world wide in their effect.

Schippers: In connection with your action in penal reform, I just asked you about Assembly Bills 1040 and 1041 that were introduced in 1935 regarding penal reform. How much of these bills were solely your own authorship?

Clark: It's very hard to say. None of the ideas, as I have stated, were original with me. They were gleaned

from conversations with penologists and other people who were interested in penal reform. Now just who is entitled to credit for them I can't say in all cases. I remember that Milton Chernin assisted in the drafting and probably in supplying ideas in connection with them. There were also others that I talked to.

The actual wording of bills is done by the Legislative Counsel, of course. You give them the ideas, and they are supposed to put them in the proper legislative form. They do not, however, make suggestions as to what shall go into the bills. The contents are not their province. They deal only with the form in which they are submitted. So, I'm unable to say just how much was contributed by any particular person. It actually came from me, but to whom the ultimate credit is due, I'm unable to say at this particular time. These bills, in conjunction with those introduced in 1941, were essentially the same in principle, as those later enacted in Earl Warren's administration. But, as I previously said, we weren't able to put that into effect because that called for the creation of a number of positions which we weren't able to get out of a hostile anti-Democratic legislature.

Going back to Milton Chernin, I'm certain that

he is the one who drew this bill or at least put the ideas in it. The actual drafting of the bill, as I said, was done by the legislative counsel, but he gave me the ideas that I gave to them.

Schippers: Was support of prison reform a fairly bipartisan undertaking?

Clark: Well, yes, one is never a liberal or conservative in all things. There are lots of men who were very conservative in economics but quite liberal in penal affairs. Others, who were conservative in penal affairs, were quite liberal in economic affairs or other aspects of government. No one is consistently liberal or conservative in all aspects of life. You'll find some of the most radical suggestions coming from those you think of normally as very, very conservative.

In penal reform, however, the main thrust or support as far as I was concerned, came from the governor. Now, in that, of course, he was supported by the normal Democratic minority because of their loyalty to him and their confidence in him. Now, we had some very fine men who were not Democrats and who were not in any way considered liberals, such as assemblyman [C. C.] Cottrell of San Jose, who was quite interested in penal affairs. Cottrell, for example, was later quite active in the Prison

Association which was formed to aid men who were released from prison and also to help in prison administration. I was associated with that organization at one time, and we contributed some money, but it never was very vigorous. It languished and died on the vine, I think. But some very fine people were back of it and all those who were interested in penology were quite active in it.

Schippers: What would you say had stirred your interest in penology the most?

Clark: Well, I think it was a gradual growth. I had spent four years of my life, of course, in the field of probation, which has to do with the reformation of the individual as well as his punishment, because all of those involved in crime are not placed on probation. In those four years, I was intimately connected with the courts and with the crime situation, particularly among youth. I was probationer for the young folks, not the adults very much. Practically all of it was work with juveniles. During four years you can develop a tremendous lot of interest, and when I went to the Legislature, I had a good opportunity to view what the prisons were like because I had an interest in them. So I spent some time in the prisons looking them over and getting acquainted with the personnel

and that sort of thing. Then, when I introduced bills in conjunction with others who were interested in penal reform, I became even more interested. As I've said, I can't take credit for original ideas in the field of penology, because those ideas that I got were picked up along the way from various people with whom I associated.

One of those people, for instance, was Mrs. Buwalda. She was the first police woman in Washington, D. C., and was a graduate of the University of California. She married John Buwalda, who was later head of the Geology Department at Caltech. She was quite active and quite interested and kept me supplied with materials. For instance, she was quite active in getting support for the Youth Authority Bill that went through which is an excellent bill.

I realized that ninety-five percent of all men who go to prison return to society. It's vitally important to the rest of us, for our safety and the safety of society, that they come out better men than they went in. The old system was simply making them worse. They came out more dangerous, and they were almost certain to be returned to prison for crimes of one sort or another. So, I was interested from that standpoint, as well

as from the general humanitarian standpoint, of seeing men given a chance when they get out of prison who wouldn't otherwise have one.

Schippers: Then, the bulk of your thinking came from common sense and observation.

Clark: Observation, I would say, in the field, because I did not have an opportunity to study the writings of all of the experts in this field. I was an extremely busy lawyer with a family I had to support. And it was a busy law firm. I think I previously said that when I was in the Legislature, I hired a man to take my place in the firm, because the Legislature took so much of my time.

But, when I was appointed Director of Penology, I had a very difficult job, because, for some months after my appointment and while I was trying to get onto the duties of my new office, I was also still the State Chairman of the Democratic State Central Committee of California. So, that meant that great numbers that wanted a job were around trying to get one through me--not everyone, of course, but many. As I have stated, there were twenty-four thousand applications to the Governor for jobs and there practically weren't any jobs to be given excepting in the State Relief Administration and in the prisons. All others were under civil service.

So, I was busy night and day, and I just didn't have any time to sit down and look up any articles or books dealing with this particular problem. So, it was a kind of a practical experience and I don't pretend to be an expert in this field. I never did at any particular time. I felt that men should be reformed if possible to do so, and we ought to make conditions in our prisons such that it was possible to reform them and bring them out better equipped. It's very difficult to teach men to lead normal lives by putting them in an abnormal atmosphere for several years and which takes away from their judgment in so many things. The first six months after release, of course, is the vital period in a man's life who is released from prison. If he makes good in three to six months, he's usually pretty safe, but it's usually during that time that he will slip back if he's going to slip back.

Schippers: We've concentrated a good deal on prison reform, but other aspects of the penal reform would include things like parole. Do you have any comments on that?

Clark: Well, parole, as strange as it may seem, was under the prison board, and the parole board didn't have any control over it. That was a very stupid way to handle the situation, and it was later changed.

While I was the Director of Penology, I secured the introduction of a constitutional amendment which was carried by the people of California, and it gave the legislature the power to deal with the prison system formally. Before that, it was frozen in the Constitution and the legislature couldn't do much about it.

Parole, under the old prison board, was very unsatisfactory. Some of the parole officers were given to alcoholic stimulants to a great degree, and they were not trained for the job. The positions they held were just political plums that were handed out. The positions were for men who needed to be rewarded for some political service. When the new prison board came in, they appointed Jack John Chadwick. He may have been appointed before that, but I don't think so, and he endeavored to improve the methods of parole and supervision that they were exercising. I personally had little to do with that board. . . well, nothing to do with it legally and very little to do with it actually, as far as that's concerned.

Schippers: Another question in the area of reform would concern itself with the new method for receiving new prisoners.

Clark: You mean the classification of prisoners and that sort of thing? Under the old system, the newcomers

in the prison were called fish. They were just thrown into the pond without any preparation or examination or anything. They got their hair cut, their clothes issued, and then they had to find their way.

Later on, the new Prison Board which was appointed by Olson attempted to do some classification of prisoners, and now the system has developed so that there are reception centers where the men are examined by psychiatrists and by doctors and social workers. They go into the previous history of prisoners in all aspects that can be gotten. Then the men are classified as to which prison they should be sent to, what work they should do in the prison, and what they should prepare themselves for. They are given advice as to those trades or skills that they should try to develop and are given encouragement in that respect. It's quite different than throwing a fellow in with a bunch of men who have no interest in him whatsoever except to exploit him in certain respects.

Schippers: This seems much like your interest in the prison farm.

Clark: Well, I felt that accomplished two things. One was that it would reduce the costs of maintaining the prison. Second, it should contribute to a prisoner's health and well being. It didn't train him in a

trade excepting certain specialized portions of it such as the upkeep of the farm machinery or mechanic jobs and things of that sort. It didn't fit him, particularly, to maintain himself on the outside, and he, in many instances, was probably in there because he did not like farm work and wasn't fitted for any other particular type of job. So, this was not an ultimate objective, but it was a considerable factor in the rehabilitation of man. As a matter of fact, at Chino today, they have a large acreage devoted to certain crops and the tilling of the soil and that sort of thing, and it's part of their training there for those that are interested in that aspect.

As I mentioned, there was no great change in the parole system, as such, except in its administration by the Parole Board. Now, as I say, the old Prison Board which was ousted used it simply as a spoils system for placement of deserving friends. After the new Prison Board took over, Chadwick went in there and made a very definite and strong effort to improve the supervision of these men which were on parole.

During the time I was on the Board, and after me, in connection with the actual granting of paroles, there was some change. We hoped for better

supervision of the parolees, because parole means nothing unless it means adequate supervision. If you just turn the fellows out with no assistance and no help either in finding jobs or making peace in their families or adjusting them to the community in which they live, parole means nothing. It's worse than nothing as far as that's concerned because it discredits parole. That's why parole has fallen into disrepute in the United States, because there actually is no parole in many states. The fact that you say it's parole and turn a man loose, is nothing more than a suspended sentence. That is not parole in any sense of the word. To be successful it means a constant supervision in a helpful way. This supervision is not just a matter of snooping around and acting as a super-detective to see if a fellow has committed some crime. It means a study of the individual and help given him to meet the problems that he's running into. This is particularly so during the first few months after he is released. After that, he may attain more self-confidence, particularly, if he has a job.

Probation is also criticized by many people for that very reason. There are not adequate or properly trained probation officers in some places and their load is far too heavy. If you break it down, you'll

find that they only have ten or fifteen minutes a month to give to men under their supervision, if they are able to do that--even if there's equal distribution. So, the success of parole and probation rests largely on the competence of the parole and probation officers and the load which they are required to bear. If the officer is a good man but he's loaded down, he can't help, no matter how well qualified he may be. If you give a man more than he can carry, he just can't carry it. That's the whole situation.

Schippers: Last week you mentioned a memo from Burkhart in which there were some incorrect statements. You were going to correct these and put it on the record.
[Burkhart to Nunis, Oral History]

Clark: Yes, I'm referring now to a memoranda that was sent to me, but, apparently, a copy was also sent to the University. There appear to be a few corrections that should be made if it is to be preserved as a record for use at any time. On page three he speaks of the time I was drafting a bill while in the Legislature and asked James Bennett, Director of the Federal Bureau of Prisons to work with me in Sacramento prior to the drafting of the bill. Well, I probably wrote to him for suggestions, but he didn't come here and didn't work

with me in connection with the drafting of the bill. Then another statement, I think, is probably answered already. I was not appointed as Chairman of the State Central Committee. I was elected by delegates in August of thirty-eight. Then he gives me credit for being instrumental in introducing changes within the penal institutions. Well, the Prison Board should be given the credit for that under the leadership of Judge Isaac Pacht. He further indicates that when the Governor found that the charges which I brought were true that the Prison Directors resigned in mass. In reality they fought the case clear up to the Supreme Court. Even after that, some of them continued to fight me by endeavoring to oppose my appointment to the Superior Court on the ground that I was a resident of Oakland or Alameda County and not Los Angeles County. Earl Warren who was then Attorney General refused to permit the quo warranto proceedings to be filed and that was taken care of. Then, I think there's something here about Scudder's appointment. He says that Scudder evidenced his interest in being appointed the position. The appointment of Scudder came about in this way. I asked my law partner, Clyde Doyle, knowing that he was interested in welfare work, if he knew someone who he would

recommend. He spoke of Scudder because both he and Scudder had been probation officers. Scudder was the county probation officer for Los Angeles County at one time. Scudder was persuaded to accept because, at that time, he had just been appointed as superintendent at Chillicothe in the federal system. He was in the federal system and we persuaded them to release him to supervise the construction of Chino. Scudder didn't ask for the job. We persuaded him to take it. I recommended him to the Prison Board and they worked with him and thought very highly of him. He was appointed on their recommendation and mine. He speaks of Mr. Scudder as presently assisting Mr. Austin McCormick in the affairs of the Osborn Association in New York. Mr. McCormick, I think, is not actively connected with that as he was at the University of California in charge of their Department of Penology. Scudder, however, since his retirement, has been doing considerable work for the Osborn Association. At one time, he was president of the Prison Association of the United States. I just didn't want it to appear that Scudder was out to get the job. He had to be persuaded to take the job. Those are about the only corrections I wish to make. Burkhart, himself, started out with me in charge of my campaign there

in Long Beach. That was thirty years ago--more than that. He was a young fellow then. He's now about sixty years old. After he was with me, he was with the Department of Corrections. He was in charge of the parole office in the Fair Building there in San Francisco and rendered us very valuable service. Then when the Department of Corrections was instituted, he went into that and has remained there ever since. For many years, he was Secretary of the Parole Board, which is technically named the Adult Authority. In recent years, he's been the officer in charge of the interstate parole contract for California and is still head of the department there. He's a very able chap, very earnest, very hardworking and quite intelligent.

CHAPTER X

THE JUDICIARY BRANCH

I was hanging on the limb for a long time there, because it was generally believed that I would be one of the first appointees to the bench. I was more or less led to believe that myself. But, apparently, the governor hadn't found anybody that he wanted to handle the position that I occupied, so I just kept on. Of course, after I brought the charges, I had to stay with that and that wasn't wound up until the middle of 'forty, about a year and a half later. I had a very hard job in attempting to do these things that I was doing, and I was looking forward to being placed on the bench.

Then, Elliott Craig, one of our superior court judges died, and the governor issued a commission to me for that position which I was very glad to accept. The inaugural ceremonies were held in one of the courtrooms here. I felt it was quite flattering because the governor himself showed up there and made some remarks. Mayor Bowron was present at that time, and the courtroom was crowded with all my friends and well-wishers and those who were prominent in public affairs. So, I got off to

a pretty good start.

I had great help from Judge Walter Desmond of Long Beach, who later was on the appellate bench. He was then the Presiding Judge of the Superior Court, and he did a great deal for me in getting me started right. He gave me a lot of practical hints as to the procedures in the court and, as a matter of fact, he later made me his assistant. So I acted as presiding judge during the times that he was absent because he apparently still had some cases he was working on in the appellate court which had been assigned to him to finish. So, I had that experience which was helpful.

Then, my fellow judges were very, very helpful. I knew some of them from the time I was a boy in high school, and I had gone to high school with several of them, so I was among friends. When I say friends, I have to modify that. You see, the Republicans had tried to build up an image of me as a radical, and a few of my fellow judges apparently had that idea and they held it for quite a while too because of my association with the Democratic party in particular. Of course, the Democratic party was about as it is today, but a Democrat in the eyes of some violent partisans is practically the same as a Communist. Judges are conservative

men for the most part, but that feeling was not widespread among them and did not last long.

Schippers: You had some specific opposition from the L. A. Times in that they charged you were inexperienced in judiciary procedures?

Clark: Well, that's true. I had not been a judge, but my rating as a lawyer was an AV which is the very highest rating that Hubble and Martindale can give. It means the very highest capability and the highest integrity. So, and I was generally recognized, I think, as a good lawyer. I certainly would not have gotten that rating otherwise, because that's not a rating given to all lawyers by any means, and they rate lawyers throughout the United States.

Schippers: There was also a little retaliatory action on the part of Donald Colts.

Clark: Yes, I don't know whether I spoke of that or not before, but I was living in Berkeley at the time I was administering my duties in the prisons. The place I was living is now Alameda County. He attempted to show that I had no right to run for judge or be appointed because I wasn't in Los Angeles County. That was raised at the time of my appointment, but ~~that~~ many times, in California, a judge who's not been a resident of a county has been appointed there. Besides, this was really my home.

Of course, I was born here in the southern California area and lived in Los Angeles County. So, Earl Warren recognized that he should not permit it to go forward, and he was the one who would have had to bring the suit. He didn't do so. It had no merit whatever.

Schippers: In the Long Beach Press-Telegram, November 21, 1941, there's one paragraph that says: "Colts, whose removal from the state prison board was sought by Clark while Clark was Director of Penology, contended that Clark was ineligible for appointment." And then, of course, it goes on to say it was on the basis of residence.

Clark: Well, that was it. It was a quo warranto proceeding which is brought to test your right to hold your office. That was the thing that he sought to do, but it had to be done through the attorney general. Without his permission he couldn't do it. So that disposed of that hurdle. I'm told, although I don't know for a fact, that several of those who were deposed from the Prison Board raised several thousand dollars and offered to give it to anybody who would run against me. But, fortunately, and I thought it was rather unusual, no one did run against me. I would have been the one who would naturally have been attacked because I was a political figure. That

also has another feature that was an advantage, because as a politician I also had many political friends. That offsets the opposition, I guess.

Schippers: You mentioned to me previously something about the area you were assigned to and some kind of resentment you encountered there.

Clark: I think you may be referring to the time I was assigned to the Pomona Superior Court for the purpose, in part, of ascertaining what was needed out there. There had been judges sitting there right along, but I was actually asked to survey the situation, and they wanted my suggestions with reference to it. So, I did go out there, and I would say that my first reception was on the cool side because Pomona is, or was then, at least, quite a conservative community. Having been active in political affairs before I went on the bench (it was considered to be a political accident that I was on the bench) it was apparently anticipated that my decisions would be on a political basis. But it was a great satisfaction for me, that after I had been there awhile, they changed their attitude.

They had a policy in Pomona of writing the presiding judge at the beginning of the year and giving their preferences for those who they would like to have sit in the court out there. I didn't

know this until later, but I found out that the bar had requested that I be kept on there in Pomona.

At any rate, at the same time, I was sitting in Glendale part of the time. It was anticipated that both Glendale and Pomona would have a full term judge, and the bars in both places asked for me as a result of their experience with me. They were both Republican jurisdictions, so it was quite a source of satisfaction. I had noted when I first went on the bench there, that there were a suspicious number of prominent Democratic luminaries who were associated in some of the important cases before me. But that situation didn't last very long, for they soon discovered that to be a Democrat or Democratic politician was of no advantage to them whatever. It raised the suspicion in my mind that perhaps they didn't have such a good case and therefore needed to bolster it up by some outside political influence. So, I made them really prove their cases and they rather quickly dropped that tactic because it just didn't work. While on the bench I never considered the political views of any man that was before me or what influence he might have politically.

Fortunately, here in California, we don't have judges chosen by political parties or run as a candidate of a party. I think this is a wonderful

advantage because, otherwise, it would just require a judge to go into politics. The minute he goes into politics, he can't give the necessary time, attention and energy to his job. A judge's job takes everything a man has if it's properly done. Of course, there are a few judges who don't give their best and their all to the job. I remember a story about the head of a very powerful and very fine law firm that asked the Governor to be appointed a judge. The Governor asked, why in the world would he want a job like that when he was making far more with the law firm than he would ever make as a judge?

The man replied, "Well, that's it. I've been working so hard and I just feel I need a rest."

When that's told to judges, they just hoot, because they know that never in their lives have they worked harder than when they were on the bench. A few may be lazy, but, generally, they're a very hard-working group. That's particularly true in Los Angeles, which has an excellent reputation. In New York and Chicago, the courts don't meet for two or three months in the summer, but we never do that in our court here. There are judges who have been away from their bench over a month on a number of occasions, but generally speaking, the judges try to limit themselves to not more than a month of

vacation during the summer or whenever they want to take it. If they want to take an extra trip, they sometimes cut short one year but make it up the next.

Schippers: Yet you did seek election in forty-two?

Clark: Yes, in forty-two. The first election was a nervous one for me because there were several judges pointing at me. One of them was particularly popular and a great speaker and a war hero. In addition to that, he was on a municipal bench which gave him the title of judge. I thought he might give me a lot of trouble, but he finally decided that he wouldn't do it.

Of course, there are very few judges on our Superior Court that are defeated. We have all these millions of voters, and it's a very expensive job to unseat a judge. Normally, only a judge can unseat a person and there have been very few cases. The judges that were put off have been either those of advanced age or alcohol got the best of them or they asked for it for some other reason. One judge, for example, was particularly insulting to those who came before him and got a bad reputation in that respect. Two others I know of were way up in their seventies. I believe one was over eighty. For instance, Judge Fred Houser, who was a lieutenant-governor, ran and unseated a judge who

was in his seventies who had announced that he was going to retire. The then attorney general's last name sounded the same as Fred Houser's. So he was running against two men, two Fred Housers, and people didn't know which one, but they knew the well-known name Fred Houser. The father, Judge Frederick Houser, was a member of the Supreme Court of the state, and Houser himself had been very prominent, a member of the assembly, and was very prominent in Republican circles. So it was just a combination of circumstances there.

The last defeat occurred when Judge Evelle Younger, a municipal judge, defeated a very fine old judge who was in his eighties. He had announced that he would retire, but they gave a big dinner out at the Beverly Hilton in his honor and persuaded him that he'd better run again. So, he ran, but Younger had been on traffic court and had been exposed on television and practically everybody knew him.

Schippers: Then publicity does count in maintaining a judgeship?

Clark: Oh yes. Now, I don't know if it would be popular to say it, but I think at least some of the superior court judges that voted to discountenance Younger's activity did so because they were afraid of the very thing that did happen. They knew that one of

them might be defeated at the polls because of the great popularity that a judge can build on television.

Younger asked the Bar Association to appoint a committee to pass on the question of the propriety of his conduct and render an opinion on the legal ethics or judicial ethics in conducting the television show "Traffic Court." The committee of which I was a member considered his case and they condemned it as unethical. I wrote the only dissenting opinion and it was circulated among all the judges of the State along with the decision of the committee.

The point that I was making was that Younger was conducting that court as an educational institution. It was so popular that some of the firms were letting their employees out early in order for them to catch the program so that they could learn traffic laws and the traffic situation. He handled it very well, and the fact that he was a judge added a great deal of significance to what he said while he was acting. He had the entire control of that program; nothing went in it that he didn't approve of. So, I felt that he was doing a lot of good and that we should consider these cases individually as to what sort of a performance they were giving.

I could recognize that a judge could go on there

and make a fool of himself and discredit the judges, but if he was doing the judges credit or our judicial system credit, I felt that he should have the right to do it. Also I felt that we should cooperate to some extent with the press and television companies and try to understand their viewpoint in seeking to publicize events that occurred in courts. That still is a very knotty question with the American Bar and our own Bar, which follows the American Bar in that connection. The American Bar is quite opposed to anything of that sort.

Schippers: But this wasn't campaigning or competition in the normal sense?

Clark: No, as far as the judges are concerned, there's no competition among themselves if they are on the same bench. They do not want anyone else's job because they're all equal and they all get the same pay. We are assigned to different courts, but are on the same level. Of course, we have municipal courts and justice courts and all of those gentlemen would love to be Superior Court judges. Apparently, some of them live with that purpose in mind. Therefore, they do all that they can to obtain publicity for their good works which they feel will help them in that respect.

Now, I don't think Younger did this for the

purpose of getting himself on the Superior Court, but it did work out that way. However, when there are a number of municipal judges running for a place on the superior court, which occurs when a judge who occupied that post is not seeking re-election, there is apt to be very active competition.

There are two municipal court judges who are in the race right now and about four lawyers, all for one position. My guess is that the lawyers will not make it, even though one lawyer has had a great deal of publicity. He gets in the paper every time he can think about it, and he may make a showing on this publicity. But, generally speaking, if a lawyer is running against a judge, unless the judge has not behaved well, the lawyer is at a great disadvantage because people don't know as much about him as they do about the judges. Even judges don't know much about each others' work on the bench, although they have a general idea. Of course, lawyers are generally not given to publicly criticizing judges because of fear that the judges may hear of it, and they do have to present their cases before them.

Schippers: During your period as a judge you were also on the juvenile bench for a while?

Clark: Yes, and I was caught in the middle of a scrap in

that connection. My old friend, Bob [Robert] Scott, whom I knew way back in high school days, (we debated each other, as a matter of fact, and went to college together) was sitting in Juvenile Court. He wanted some help and needed it badly and so he asked for it.

Well, in those days, they had two cliques among the judges and it was apparently decided to give Judge Scott's group a lesson. I didn't want the job, and I told some of the fellows that I didn't want it. So they had a meeting, and the other group put up Judge Georgia Bullock who was the biggest vote getter in Los Angeles County at that time, and some other popular fellow who the judges couldn't very well say anything against. So they assigned them as Juvenile Court judges. I was not actually running, and it was only a temporary appointment as I say.

Well, the papers came out the next day saying that I'd been ousted which wasn't the fact at all. I had a temporary appointment and there wasn't any ousting of anybody. I think the Times carried that story and one of the reporters got his information from the opposition. He was making a lot about the fight that occurred, but it was simply a fight between two factions of judges in the court.

They really used to have some pretty good scraps at the judge's meetings in the old days, but not in recent years.

Schippers: Can you recall any of the issues that caused these scraps?

Clark: No, I can't recall. We just had some fellows that would fight at the drop of a hat or even before the hat was dropped.

Schippers: Were they about the composition of the court or about the way cases were being handled?

Clark: No, I can't recall that, but it was usually about some pet peeve of some judge.

Schippers: One thing that comes to mind is that the courts were under tremendous work loads, and that this has been somewhat alleviated now. Could that have been a factor?

Clark: Yes, I think so. I think the men were over-worked, although they still are. Of course, it depends upon the man himself. Some of the men will take work home with them and some practically kill their reporters off, but there's no real necessity for that now. They've done a great deal, but there's still a great deal to be done in expediting matters in the courts.

We do have departmentalizing in the court. You spoke of publicity before, and we've discussed

that, but a judge cannot electioneer as such, for in California they are non-partisan. He can lecture on various phases of legal affairs and that's perfectly proper and legitimate, but he's not supposed to become active politically.

We'll take divorces, for example. Some judges want to turn that over to a department that would handle divorces and release them from that. Other judges realize that their only chance to be advertised is through the publicity which comes from these divorce cases, because they usually mention the name of the judge. Now, a good many of these movie folks run down to Santa Monica for divorces and they get written up very sympathetically and so that also advertises the judge. So, it was decided to continue to distribute these divorces among various judges. There are usually anywhere from two to four, and sometimes five, default cases a morning which have to be disposed of before the regular work on the bench can be started. They take your time and energy from the case being considered, but they get publicity for a judge in a way that he never would have gotten alone.

I've appeared in the foreign press, in Rome and in Paris, simply because I was handling the divorce of a well-known actor or movie actor. The

press will take the strangest little things and make a great deal out of them. They'll run your name all over the United States. I remember one time that there was a bequest to a parrot in my court. Well, they picked that up, you know, and ran it all over the country. Then, I got a letter addressed to me from a woman living in Tucson who wanted to know if I had ever lived in Fairview, in Orange County, and did I have two brothers and so forth. I wrote back, yes, I was born down there and my two brothers lived down there, and she wrote back and said that she'd so often wondered where her boys had gone. She had gone into "my parents' service," as she called it, when she was sixteen and had come over from Germany. She had been our nursemaid. So, my brothers and I have contacted her and called on her at home in Ohio. We correspond regularly. She treats us just as if we were her boys, because she thinks of us as her boys. I thought it was quite a strange coincidence. Even though it doesn't illustrate the question of publicity by association, it shows how the news travels. I remember when Beryl White and Earl Carroll, who was a great nightclub owner, were both killed in an airplane accident. In his will, he stipulated that a statue be erected commemorating

his death. They're buried out here in Forest Lawn. I think the statue of a nude cost fifty thousand dollars, and it came before me as a routine matter. I was concerned whether accrued interest on the money which had been appropriated could be added for that purpose. Of course, the papers got the wrong idea as to what I was considering and all the papers put it out that I was pondering the question of whether this nude statue should be erected out there or not. That really had nothing to do with it. That's one of the things that went clear to Europe, because Earl Carroll was a well-known. It got a lot of publicity at the time.

Schippers: Did you notice a difference between a lawyer's life and that of a judge?

Clark: Well, I'll say that the judge is not under the same strain as the lawyer in court. I know when I was in court as a lawyer, I was under a big strain. Trial lawyers, the good ones, are pretty much under a strain all of the time. That's why we find too many of them drinking too much, but it's an attempt to relieve the strain that they are under in court. When the jury is out and you are a lawyer, you get pretty nervous. It might mean anywhere from one to four or five thousand dollars, and a good deal more in fees, depending on what the jury is going to say.

With that much hanging on the dice, you get real nervous.

The judge isn't under that much of a strain. He can work hard at the job of ascertaining the truth, and he can work hard in ascertaining what the law is that applies to it if he doesn't already know, but he doesn't have the nervous strain of a lawyer.

Of course, there are agonizing cases that tear your heart out. I know, you'll find that in divorce cases and in the custody of children where their life is determined by what you do at that time. I know that is also true in cases of contested adoptions which I handled for some time.

When a parent seeks to regain a child in adoption cases, it's a matter of great concern. Of course, whether she has a legal right to regain the child or not depends on whether she has abandoned the child for the period that's required or how she's treated the child and so forth. All of that enters into it, but whatever you do and for whatever reason you may do it, the fact remains that, if a child is in the custody of adoptive parents for any length of time, that child knows only those adoptive or prospective parents as his only parents. He has become attached to them and there is a tremendous

traumatic damage that can occur if that child is taken from them and given to the mother who may be a perfect stranger. As far as the adoptive parents are concerned, the child may just as well have died because, of course, they will never see the child again if it's taken from them.

So, a great deal is involved in many of those things. The Adoptions Court, by the way, is a wonderful court to sit in if you don't have to make those decisions. When I was there I always tried to really make it a ceremony that they would remember, because to the adoptive parents, they're getting a little child of their own. It's a deep emotional situation to them, and I realized that though I did it many times, that to them, it's a new experience. A judge has to bear that in mind. I also bore that in mind in connection with the divorces. To the judge it may be an old story, but to them, it's an event in their lifetime.

I enjoyed the work in adoptions, but before I left the court, I discovered some abuses that were going on. Just as I left, the press asked me some of my parting views. So, just before I went off the bench, I said that this traffic in children was something that should be investigated. There were men who were getting thousands of dollars for

children--lawyers who were handling the cases, and also doctors. I named Beverly Hills and Hollywood as the seat of much of the trouble. I got a real hot letter from the president of the Beverly Hills, or Hollywood Bar Association (I don't know which it was) in which he condemned me very strongly for singling them out. But, the fact was, that was where most of the abuses did occur. I told him about some of the things that members of his own bar had done, and he acknowledged to me later that I was right in that respect.

They actually did indict a number of lawyers. They got a hung jury in connection with it, but it sure put the fear of God into a lot of men who were doing that sort of thing. They would bring babies in here from the East and send babies out without knowing a thing about where they were going. They didn't know what the qualifications of the prospective parents were at all. I am given credit for starting that investigation, but I don't deserve much credit other than I did blast it at the time. They're doing a good work now in connection with that.

Judge Ben Keenig has been very much interested in stopping these abuses, and he's done a tremendous amount of work. As a matter of fact, he's the one who deserves the credit, because he selected the

cases and gave the information upon which the criminal complaints were issued. He's keeping a pretty close watch on these fellows. There is this unfortunate thing that branch courts also held adoptions, and so when they get too tough here in Los Angeles, it's not unusual to see some of them go elsewhere, which is not too good.

Schippers: What other abuses did you make mention of when you left?

Clark: Well, it was a matter of the doctors. I know one doctor whose name came up, it seemed to me, in three-fourths of all of the adoptions before me. It was a great number, at any rate--enough to create a lot of suspicion. He, apparently, was running quite a business in that respect. What the doctors have done about him, I don't know. I don't even know whether they have taken it up, but at least it has been called to their attention. Now, whether he was one of those indicted, I can't recall.

The judge's life, in many respects, is very rewarding, and I find it preferable to practicing law, but I don't think one should go on the bench until he's had much law practice. Of course, you can't be appointed until you've been admitted for five years, but I'd say more than that should be required. At least, it's advisable.

Schippers: And after you left the bench?

Clark: Well, after I left the bench, we made up some time that we lost by traveling. In California, they have a peculiar provision in the Constitution, itself, which states that a judge cannot leave the state for more than sixty consecutive days. If he does, he's no longer a judge and not even the legislature can extend that time. So, I was a little bit nervous about going abroad. As a matter of fact, in those days, it wasn't as easy as now, and you couldn't go as fast as you can go today. You can cover a lot more in thirty days now than you could before. So, we had not gone further than Alaska, Hawaii, Mexico or Guatemala while I was a judge, because of the possibility of getting sick or something happening. If you meet with an accident, or if you wanted to try to stretch it toward the sixty days, you might run into difficulty in transportation, strikes, or breakdowns of some sort.

So, since my retirement, we have been to Europe and the South Seas and other places that we didn't feel we had the right, or the nerve to visit while I was on the bench.

I did take out my license to practice, because my son has an office here in San Marino. I assist him at times, and his firm is Kelley and Clark.

I'm carried as "of counsel" which means I confer with them when they want me to. The judges on the Superior Court, in my opinion, have a greater opportunity than judges on the District Court of Appeal.

There were a couple of times when I might have been appointed to the District Court of Appeal, but I did not consider it, because the District Court of Appeal is between the Supreme Court and the Trial court. When a case goes up, they have to accept the facts as the trial judge finds them. If there's any evidence at all to support the findings of the judge, they've got to find the way he does. They also have no right to change the law at all and have to accept it as it comes down from the Supreme Court. So they're caught in a vise between the two courts.

But I have handled thousands, literally thousands, of appealable orders; yet I think not more than seventy or eighty cases have been appealed from my decisions. Out of those seventy or eighty that were appealed, I don't think more than twelve or possibly fifteen have been finally reversed. Sometimes the appellate court would reverse me, and then the Supreme Court would take it up and set them right. A Superior Court, therefore, is the final court for thousands of cases except the few

that are appealed.

In the Superior Court, you're meeting with individuals, too. You see them. It's a contact that you appreciate. You can judge for yourself whether they're lying or not. You may not judge rightly, but you at least attempt to do the best you can. So you're dealing with a great number of people and your influence is multiplied, it seems to me, over that of appellate court judges who write comparatively few decisions in a year. A trial judge has this personal contact in the superior court and there's a certain drama in it. We've had tremendously dramatic scenes in my courtroom. The emotions were so great practically everybody was crying, including some of the lawyers. But I found my tenure as a judge a very rewarding experience. What you should have for the job is the courage to do what you actually believe. You have friends come up before you, for example, and you can't favor your friends. As a matter of fact, when I was first on the bench, I really thought my friends got the worst of it, when I look back over it, because I was trying to compensate and to be sure that I wasn't favoring them just because of friendship. So, because you know the judge, it doesn't mean that you've an in.

Schippers: In other words, you know what it is to make the
judicious decision.

Clark: Yes, you do have to if they're really judicious
and not political decisions.

CHAPTER XI

CONCLUDING REMARKS; A POLITICAL VIEWPOINT

Schippers: You indicated earlier that you would like to take this opportunity to give a general expression of some of your political and economic philosophy.

Clark: Yes. I think I previously said that a bushy-haired high school teacher of mine first excited my interest in economics. He made enough of an impression on me so that I became interested in going to college to find out what made our economic system tick. I found out, of course, that nobody had any definite answers and that the explanations were quite inconclusive. I did feel, however, that economics was the basis of our existence and material well-being, and so I was interested in seeing that we had a fair economic system.

That was brought into sharp focus at the time I first ran for the assembly. I believed economic problems, being man-made, could be corrected and that the only place where all persons could meet to determine solutions was in the legislature. I did not believe that labor groups, or those representing capital or any other special interest groups could do the job alone. It needed the

cooperative effort of everyone at the legislative level.

When I began my campaign, I wasn't too much afraid of labels. Labels are used largely to scare people in politics. They mean very little unless they are specifically defined, and so I was not afraid to investigate the various economic theories that were advanced during the Depression. I remember attending the rallies held by the Technocrats, for example. They believed the scientists could get us out of all our trouble if the management of our economic system was turned over to them. I never did attend a Communist meeting that I know of, nor was I ever invited to one. There were some folks I knew that I suspected of being members of the Communist Party, but I couldn't prove they were. Incidentally, they were very fine people as far as their morals and their desires were concerned and I don't think they had any more idea of overthrowing the government than Barry Goldwater would have. There were some folks representing the Communist Party who lobbied the legislature while I was in it, but I didn't regard any of them as very dangerous either. They were interested in the particular bills for the alleviation of the plight of poor folks and I was striving for the same thing myself,

so I couldn't condemn their efforts.

I know that, at that time, I was interested in Norman Thomas' views. The fact is, I still am today. I think he's very wise and courageous. This doesn't mean that I approved, then or now, of the brand of Socialism that is in effect in China or in Russia. As a matter of fact, I've always considered myself to be a liberal although, for political reasons, some have tried to make that a nasty word too. But a liberal is one who wants as much personal liberty as he possibly can have and that is consistent with the rights of others. That's at the opposite pole from Communism as it has been applied in practice. The theory of Communism is different, of course. Communism in practice means repression of individual liberties, which is the last thing that any liberal would be interested in supporting.

To meet the challenge of Communism, we need some bold thinking and action. We really needed it during the Depression and, fortunately, we got some of that with the election of Roosevelt. I thought of him as just another New York, Tammany politician at first, but from the time he made his first inaugural address, I was for him 100% in the things he was trying to do. Frankly, he could have gone

further than he did. I'm not so certain that he didn't make a mistake in not taking over control of the banking system at the time he had the opportunity to do so. We have, of course, the federal reserve banks, but the United States doesn't own a share of stock in them although many people seem to think that the government does. Money, which includes credit, of course, is the life blood of our economic life, but it is in private control and can be privately manipulated for those who control it.

Besides the money aspect, other things affecting our economy are also going to have to be dealt with boldly. Automation, for example, is certainly changing the face of things and even more rapidly than the industrial revolution changed England. We're beginning to see the effects now, particularly in California. This change is further complicated in California because so much industry is concentrated in the war effort, and now we're losing many of those contracts to Texas and to the East. Small companies are just simply going out of business because they are dependent of the larger war plants and thousands of men are being put out of work. The combination of automation and the constantly shifting centers of industry is not only causing an unemployment problem here but everywhere else as

well. Before long, unless some drastic measures are inaugurated, unemployment will become one of our most serious problems.

I noticed that the Institute for the Study of Democratic Institutions in Santa Barbara has offered some novel suggestions for discussion in connection with that. But we know, and we're really going to face a very serious situation unless we look ahead, that we're not going to get out of this unless we apply a liberal's point of view. In other words, we're not going to be able to apply the old methods because they have generally failed. We've got to try out some new ones. Now, we're radical in the field of computers and mechanics and engineering. We're always devising new ways and new means to do things quicker and faster and easier, but many still think that the only proper way to conduct business or government is the way they did it in George Washington's day, regardless of the change in conditions.

Of course, that is based largely on fear. People with large means are fearful that any change is going to endanger their position, and it may. They're fighting for security, and it seems about the only thing that business leaders are thinking of is security for themselves and their families. They seem to forget that others want that too. This is

the problem, and we'll have to do something and do it rather quickly because this is upon us now and it's world-wide.

Of course, I feel that we can do this only with international cooperation. That is the final thing. I've always been a great believer in that, and I had great hopes for the League of Nations and now have that hope for the United Nations. Of course, it was the United States that killed the League of Nations. If it hadn't been for Hiram Johnson and Senator Lodge, we'd have been in the League of Nations, and if we had gone into it and supported it, in my opinion, there'd have been no Second World War, nor Third World War, as far as that is concerned. We would have, by this time, evolved a means for settling our international disputes. We will have to in the end, and I hope we will before it is too late. We will need some kind of federation, not a world government exactly, because I don't mean that we'll all be governed from one source, but there must be certain limitations on nationalism. We've some illustrations of that today in our international postal treaties and in our radio channels. We have international agreements with reference to navigation of the seas and of the air, and we'll have to have international agreements in

many other things.

We certainly should take away from nations the power to settle their disputes by war, just as the Colonies did here in America by creating the United States out of thirteen sovereign states. This business of states' rights is so loudly touted that to some it simply means a desire to Balkanize the United States and make it as weak and ineffective as possible. It's a strange thing that many of these people who talk the loudest about the greatness of the United States and wave the flag most wildly are the very fellows who are trying to make the United States weak and ineffective in this way. They talk about the terrible tyranny that exists in Washington, and it's a strange paradox that many of them who claim to love their country the most hate most everything it does.

The point is, we don't have to have an international organization that's going to destroy the United States. We will maintain our national sovereignty, and it's just a matter of deciding upon what the international organization will have jurisdiction over. There are questions regarding the common market, for example, and in time the question of a common currency will arise. I mentioned the abolition of the right to make war. We profess

to like the rule of law, and yet we're the folks that stuck in the Connally amendment before joining the International Court of Justice. That means we refuse to recognize the court for any effective purpose except when we are sure of winning. If we don't like the court's decisions, we don't have to abide by them. Well, that means we still have international anarchy, and we'll never have real peace in the world until that anarchy is replaced by some form of international control.

I have no blueprint for that international control. It will evolve, and, of course, the people who will do the work will be called traitors by many who oppose it. Just as the men who formed our United States were called traitors. But some form of international control is necessary and I feel we should support such organizations as the "United World Federalists," and the American Bar Association in its campaign for "The Rule of Law" in international affairs.

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