

Harold Paulk (Hal) Henderson, Sr. Oral History Collection

Series I: Ellis Arnall

OH ARN 11

Ellis G. Arnall Interviewed by Harold Paulk (Hal) Henderson, Sr.

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CD 1: OH ARN 11 (1 of 2) Tracks 1-6; 1:05:40 minutes

CD 2: OH ARN 11 (2 of 2) Tracks 1-6; 0:43:46 minutes (may not be complete)

Cassette: OH ARN 11, 1:27:35, Sides One and Two

[CD 1: Track 1]

[Cassette: Side 1]

HENDERSON: [Tests tape recorder in preparation for interview] Governor, let me ask you a question going back to your early history. What impact did your family have on your life?

ARNALL: My family had great impact on my life. My mother [Bessie Lena Ellis Arnall] and father [Joseph Gibbs Arnall] were devoted parents, encouraged me all along the way. My father's ambition was to be a lawyer and he loved politics. He did not get the privilege of going to college. He went to work as a young man, but he encouraged me to study law and to enter politics. And he was as proud of me being governor as if he were governor, probably prouder than if he'd been governor. My mother was from Union Springs, Alabama. She was an Ellis. Her father was Joseph Mathew Ellis, who was a merchant farmer and was reasonably successful. All of his boys were in business with him. He had a three story building in Union Springs. In those days you were in the millinery business, women's clothing business, men's clothing, grocery, buggies, everything. They sold everything, and he did well. He was a member of the legislature from Alabama representing Bullock County, in the House of Representatives in Montgomery. And my first touch of politics was to, one summer, he asked to come down there and be a page in the Alabama legislature. I was about

eight years old, and I'll never forget it. That was my first entry into, going in to a state capitol. As a matter of fact, I never went in the state capitol of Georgia until I went in to be sworn in as a member of the legislature and a candidate for speaker *pro tem*[*pore*] of the House.

But my family were devoted parents; they were good parents. We were from a big family in Newnan [Georgia]. My people were modestly well to do and gave me every advantage a young man could have. For example, in the summer they would send me to a summer camp where I could engage in summer sports and activities. They always paid my tuition and gave me spending money. And when I went to college, they gave me an automobile. And they were just very indulgent with me. But I tried to be a good son. My father used to say, and this is quoted in one of the publications I've got, he said Ellis always gets what he wants, but he was brought up that way. To persevere, never say die, never quit, but keep going and that you will then achieve what you undertake to do.

My parents were active in the church. They were members of the Central Baptist Church of Newnan. My grandfather, Henry Clay Arnall, was one of the organizers of the Central Baptist Church of Newnan and all the Arnalls were active members there. I went to Sunday school as a boy; I taught Sunday school as I grew older. [tape pauses] My mother, Bessie Lena, L-E-N-A, Ellis Arnall, was president of the Newnan Garden Club and active in civic affairs, a reading circle, and all that kind of thing. My father was a member of the Rotary Club, and he was an alderman of the City of Newnan and was chairman of the board of county commissioners for a number of years.

As a matter of fact, I could not think of anything that a son could want from his parents that my parents did not supply. And I'm not talking only about material things. I'm

talking about encouragement. I'm talking about giving a son of themselves, their counseling, their advice, their guidance... Almost every night in Newnan, after I was married, I went over and visited with my parents. And we, in the summer, would sit on the back porch and talk. As a matter of fact, their home was at 209 Jackson Street, and I built a little home when I was married next to it at 213 Jackson Street. Strangely enough, talking about how things change, my mother loaned me \$500 to buy a lot next to them. And I bought the lot. It was 500 feet deep and 100 feet down on the road, and [I] built a house there. I was the first recipient of a federal loan that was guaranteed by the federal government that the Manufacturer's National Bank in Newnan loaned me \$5,000. And I built the home for \$5,000, and the lot cost \$500. My wife [Mildred Delaney Slemons Arnall] and I, when we were married, we took a--on our wedding trip, went down in the Caribbean [Sea], took a cruise down there. And I thought there was a duty of every husband, when he got married, to have a roof over his head and to give the house to his wife, and I still think that. In any event, I thought I would surprise her on the ship. And I had blueprints of the house, and I rolled them out and showed her what was already under construction. And she hit the ceiling. She said You mean I haven't had anything to do with designing this house? [HENDERSON chuckles] I said Well, I thought the husband ought to have the house for his wife. Well, when we got back to Newnan she re-did it quite a bit. It didn't end up my house nor hers, but it was our home for forty-five years. And we reared a family there, and we enjoyed it. But getting back to my parents. I would say that I was fortunate in having good parents, and I loved them very much. And I think, I hope, I was able to give them some happiness and joy.

HENDERSON: OK. Let me go to education. You attended Mercer University [Macon, Georgia] for one year and then you transferred to the University of the South [Sewanee, Tennessee] where you majored in Greek. Couple of questions. One, why did you go to Mercer?

ARNALL: Well, first of all—

HENDERSON: Governor, you can lean back if you like. I can pick it up [Arnall's voice on the tape recording].

ARNALL: First of all, in Newnan High School [Newnan, Georgia], I was a football player, among other things. I was a good student, president of my class, and whatnot and I was quarterback on the football team. My senior year in high school we had a good football team. We won most of the games. And some of us conceived the idea that if we who were on the varsity team and seniors graduating dropped some school work so we would not get a diploma and not graduate, we would be eligible to play the next year. So, I, along with several others, dropped enough weight so we couldn't graduate so we would be eligible to play the next year. But unfortunately when the fall season of the next year rolled around, some of the good players that had dropped enough weight so that they would be eligible, their families moved away and they moved. Some others got a good job and went to work. And pretty soon it became obvious that we wouldn't be able to field the football team we'd envisioned and play for the state championship, aspire to that. So, I was left alone, not being a graduate of the high school, not being eligible for college, and yet not having a football team to play

with that we had hoped would a championship team. So, what do you do in those cases? Fortunately, my grandfather, Henry Clay Arnall, who was the patriarch of the Arnall clan, was a trustee of Mercer University. And through his efforts to interest the admission committee in getting his grandson in, I got in to Mercer University with no high school diploma and not enough credits to get in. But the interesting thing was this: when I got down to Mercer--Mercer in those days was very poor. That was back in 1924, '24. And they didn't have adequate school buildings, no adequate faculty. So, all of my classes were held in the Tattall Square Baptist Church [Macon, Georgia], which is right in the corner of the academic area at Mercer. And all of my teachers were student teachers. As a matter of fact, I had two teachers, Hamilton Hall and [Thomas Jones] Tom Glover [Sr.] who were from Newnan a year ahead of me in school, and I sooner reached the conclusion that this was a waste of time. I rather thought I knew as much as they did or maybe more.

So, then I decided having done one quarter at Mercer with good grades that I could get into Vanderbilt University [Nashville, Tennessee]. So, I applied to Vanderbilt and was accepted and registered for the January start of the quarter there. And got on the train—I'd sent my trunk to Kissam Hall in Nashville [Tennessee]--that was a dormitory at Vanderbilt--and I got on the train in Atlanta going to Nashville, and low and behold there was a bunch of men on there, young men going to Sewanee [Tennessee, University of the South]. And we got acquainted, and they importuned me to get off the train at Cowan, Tennessee, and go up the mountain to Sewanee and visit them for a couple of days since Sewanee started earlier than Vanderbilt. So, I went up there with them for a couple of days and fell in love with the mountain and Sewanee. And I sent to Nashville for my trunk, to Kissam Hall, and I

registered at Sewanee and stayed there until I graduated and loved the University of the South. [HENDERSON chuckles] It's a great liberal college.

You see, one of the great problems we have in education--today some of our education is slanted toward the proposition of making a living, teaching people how to be proficient in a trade or business, and that's important, to make a living. But unfortunately, sometimes we're so motivated toward the goal of making a living that we don't teach young people how to live. So, at Sewanee, being a liberal arts college, they never talked about you make a living, but they talked about you appreciate life and love life. And that's how I got interested in Greek, because up there you either had to have adequate courses in Latin or Greek. And I'd been an indifferent Latin student at Newnan High School, so I thought I would try something different and fell in love with Greek. As a matter of fact, I'd been to Athens [Greece]. I've been to the Oracle at Delphi [Greece] where the world was ruled for eight hundred years by reason of what the smart people said up at Delphi, or the witch or whatever you call it, sat on a three-legged stool and ate leaves and would come out and double talk language so you could construe it like you would. But the Greek, all of our philosophy as we know it today, originated there. And I just loved Sewanee. I loved everything about it. And at one time I thought I might get away from my preordained lot in life of being governor; I thought maybe I ought to be a professor. I thought about that because I loved the cloistered hall. We were away from the world. Up there at Sewanee you're on a mountain, it's the largest campus in the United States. You were away from everything, except books, and so it was great.

[CD 1: Track 2]

HENDERSON: That brings to mind, what little bit I read about your father, he was a very astute businessman. Did he have any trouble with you majoring in Greek?

ARNALL: Well, they all laughed about it [HENDERSON laughs] but I says it's either Latin or Greek. And I'm pretty sure it ain't Latin so I know I'll do well in Greek. And actually my Greek professor, Dr. Henry M. [Markley] Gass, was a great inspiration to me, a great inspiration in philosophy, in purpose of life, what we can do and what we can't do. As a matter of fact, my great heroes in philosophy were Socrates, who was a teacher, and Aristotle and Plato. As you know, Plato lived in another world--he was a philosopher--whereas Aristotle was a practical man, he was businessman as we would say today. But all philosophy stems, in my view, from the early Greeks, and Sewanee meant much to me.

One thing I wanted to tell you too. Sewanee had a football team back in those days, and they had good teams. That was before the days of professional college sports like we have today. They were fewer academians and yet they played football. Sewanee defeated all the behemoths of the country. They went everywhere, and they won all the games. They were just a great team. They had a trainer, a black trainer, named [William] Willie Six [Sims], and on an occasion--he had massaged muscles of sore players through the years--and on an occasion they had an honor day for him. And they had a radio network and they got him out on the field and they asked him, Willie Six, [they] said You've been the trainer here for many years. What is your favorite team? And Willie Six thought for a while and he said My favorite team is always the one that's a comin' up. The next one is a favorite. And I can no more forget the way of life I learned at Sewanee than I can the Greek language that I've

learned and my handwriting. My wife says she can't read, because I use Greek "D"s and quite a few Greek letters in my handwriting. [HENDERSON laughs]

HENDERSON: Governor, why did you decide to go to law school?

ARNALL: I'd always known from the first grade grammar school that I had to be governor of Georgia. It was just as certain as knowing tomorrow's another day; it was just a question of when. And I knew that the law offered the best avenue to politics possible. As a matter of fact, most people in the legislature, for example, are lawyers. And you know, our whole judicial system, the system that holds society together, is based on law. And I was anxious to learn how laws were made. And I got in the legislature, and I thought the law was the best possible springboard into politics of any other profession. And I still think so.

HENDERSON: In your first political race you ran for the state legislature from Coweta County [Georgia], and you received something like 3,100 votes out of the 3,500 cast.

ARNALL: That is I lost 3,500. I lost... Wait a minute—

HENDERSON: You lost about 400 I think.

ARNALL: Yeah, well, in any event I led the ticket—

HENDERSON: Right.

ARNALL: Yes, your figures are right.

HENDERSON: What kind of campaigning did you do back in 1932? I noticed in the paper, the *Newnan Herald* [Newnan, Georgia], there was no advertisements. You didn't use any advertisements.

ARNALL: No, no.

HENDERSON: What kind of campaigning did you do?

ARNALL: Well, politics through the years has changed quite a bit. In those days the way you ran for public office was to get out and shake hands with people. Go into their homes, go into the fields where they were plowing, go speak to 'em and tell 'em who you were and you wanted their vote. Now, I learned very soon in life that all people are egoists. Let me again state it. The poorest man I have heard say Thank God, I'm one of God's chosen few. I'm poor. [HENDERSON chuckles] We're all egoists. We go to fraternal organizations and dress up like knights and soldiers. We're captains; we're--everybody. No matter how restrained they are in life, they're all egoists. And if you go to see a man in politics and speak to him, go to his home or his office or his place of business, [telephone rings] and the other candidate doesn't, he's going to vote for you. [tape stops and starts] All right, what were we on there?

HENDERSON: Let's see, you were talking about the campaign of '32.

ARNALL: Oh, about how you campaign. So, you went out to see people and shook hands with them. You didn't make speeches; you didn't tell what you were for or against. Who knew? And here let me put a gigantic parentheses: I'm a great believer of the representative system of government. I believe you should vote for a man because you've got confidence in his character, his intelligence, and that he will represent you well. But how in the world do you know what's going to come up, and let him signed off on the program... He may get information later that makes him realize his position was wrong and would be hurtful to the public, therefore he changes it. But we need representative government, and all we did in those days when I was campaigning with the legislature, was try to impress people that I wanted to do what was best for them, whatever came up. And second, we have to remember, that I came from a large family, the Arnalls owned a moderately large textile mills, they were in the banking business, the warehouse business, the grocery business, the farming business and whatnot. And there were a lot of uncles and aunts and cousins. My wife says I have "cousins, cousins, by the dozens" [*sic*]. [HENDERSON chuckles] You know that's quoting from Gilbert and Sullivan's opera [*H.M.S. Pinafore*], one his operas. "Cousins, cousins, by the ..." [*sic*]. But I had so many connections. And then there is another thing to remember. Not having been in politics there was no record they could shoot at and say that I voted wrong on this or voted right. So, I was right out of college; I had a fine family, family connections; and I went out and worked and saw the people and felt their flesh. Again, I say, that in those days that was the way you won elections. Today, it depends on how much

money you've got to be on television, newspaper ads, and all that. The thing that's changed considerably, back in those days it was the person-to-person contact.

HENDERSON: In the 1932 election, [Eugene] Gene Talmadge is running for the governorship for the first time. Did you endorse his candidacy in '32, and did he help you any with your campaign for the legislature?

ARNALL: In '32, we were in midst of a great depression, just beginning. And while Georgia's economy was not as weak as the economy in many states--particularly in the industrial states--they were having a rough time--yet, the people were very much concerned. We were in the depression, and Gene Talmadge was commissioner of agriculture and he defeated an incumbent commissioner because he was a young lawyer from down in south Georgia, McRae. He would go out and talk with the people and he was a good speaker. He could speak the way they would like to hear him speak. And Gene Talmadge at that time was somewhat of a hope of people. Somehow, they didn't know how, to get Georgia out of the depression so they were voting for him. Now, as far as I was concerned, I took no part in that campaign at all. I was running my own race. And actually, Coweta County, my county, was an anti-Talmadge county. But I was not against him nor for him. I was just running my own race and that's what I did. Later, in the next--then he went in for two years. And he and I became good friends because I supported his program. And really, as I recall it, about the only program he had was a three-dollar [car license] tag.

HENDERSON: That was about it.

ARNALL: And the problem with the three-dollar tag was while it helped the farmer and poor people, it also helped the big operators of buses and trucks and whatnot. Where they had been paying thousands of dollars for a tag, three dollars was good. So, they helped finance his campaign, I believe, and yet it appealed to the public. And I was for the three-dollar tag. As a matter of fact, in the legislature I became one of his floor leaders and led the fight for his three-dollar tag, which the legislature did not pass. But, at the end of the legislature, he told them he was going to suspend the collection of the tax, which he did by executive order. The constitution and law at that time was such that the governor could suspend the payment of a tax until the next meeting of the General Assembly. And so that's what he did and put in the three-dollar tag.

He appointed me special assistant attorney general. There was a bank in Coweta County, Grantville, Georgia, that failed and had to be liquidated. And under the law the governor could appoint a special assistant attorney general to represent the liquidator, so he appointed me special assistant attorney general. We were good friends and strangely enough, a footnote of history, in 1932, in that election while the people were electing Gene Talmadge, they were electing Franklin D. [Delano] Roosevelt, who was a great social reformer, governmental reformer, and Gene was opposed to all that stuff. He was an anti-New Dealer. Yet, the public voted one way for Roosevelt and one way for Talmadge. I did not participate for him in that election. In the next election, the following two-year election, he didn't have much opposition as I recalled it. I think Claude [Cleveland] Pittman--

HENDERSON: Right.

ARNALL: --from Cartersville, who was a judge, and Ed Gilliam, who was a city councilman here in Atlanta ran. And Talmadge walked away with that. And it's very difficult to defeat an incumbent, and he had a strong following. His accomplishments were not great, but he had a strong following. And it was only after the convening of the legislature in 1935, what would that be? '30... '30?

HENDERSON: '35.

ARNALL: ...'35 that I began to drift away from Talmadge because [Eurith Dickinson] Ed Rivers was speaker of the House, I was speaker *pro tem*, and Roy [Vincent] Harris was the floor leader. And we three together were New Dealers. So, we were pushing for the New Deal program and Talmadge was vetoing everything we'd pass, but even then he and I were good friends. That was in the day of the textile strikes too. And my family's mills at Newnan were struck, and I represented the labor unions in that strike. My family didn't like that, but I told them I had to make a living and the older lawyers represented the mills so I took on the labor unions. We had quite a commotion there. Talmadge, if you remember, put the strikers in concentration camps and all that. But, even then, the next session of the General Assembly he and I got back on good terms and we were on good terms. As a matter of fact, the only thing that caused me to break with Talmadge, really, was the university issue, which was another story.

[CD 1: Track 3]

HENDERSON: All right. Let me go back to when you first get in the legislature and you decide you're going to run for speaker *pro tem*. What made you decide to do that?

ARNALL: Well, remember, I was determined to be governor and I knew I had to be. And just being a member of the House, I was twenty-five [years old] when I was elected to the legislature, and I had asked some of my friends, lawyers, and people who'd been in the legislature, what's the highest office in the legislature? And they said speaker. Why? I said I'm going to run for one. They said Well, you can't be speaker, but another office is speaker *pro tem*. And I said Well, I believe I'll do that. So, I got into a car, my old jalopy, and drove and went to every county in the state and shook hands with every member of the legislature, spent the night with those who invited me to, ate meals with them, went fishing with them, whatever it was. And they were so impressed about a brash young freshman representative wanting to be speaker *pro tem* of the House, they voted for me. And as a matter of fact, I believe, I had three opponents in that election.

HENDERSON: You did.

ARNALL: And I got more votes than all of them put together in the first vote and enjoyed it. Another thing that was interesting, the day they first--when we convened, the legislature, we were all sworn in as members, and then they voted on the presiding officers and Rivers was elected speaker and I was elected speaker *pro tem*. So, when we took the podium, he and I went up there together. He called them into order, went through one or two of the ritualistic

things you have to do, and then he threw me the gavel and ran off the stand. And I had never been in the legislature before, I never read *Robert's Rules of Order*, but it was my job to preside the first day over the legislature. But we got through. [HENDERSON laughs]

HENDERSON: Well, that sort of leads into my next question here. You were in the legislature for two terms. During this time Ed Rivers was the speaker. What was your relationship with the speaker? Were you his right hand man? Did he rely on you a great deal?

ARNALL: Ed Rivers and I did not know each other, other than casually, until we first ran for the first session. He ran for speaker and I ran for speaker *pro tem*. But we became very, very close friends and we worked together all the way. There was another man in the legislature who was with us who was somewhat of a ... triumvirate that ran it, that was Roy V. Harris, who was the floor leader. And Ed was speaker and I was speaker *pro tem*. And we worked together on everything and we were very close, very, very close. As a matter of fact, as history unfolds, as you know, Rivers became governor, and I supported him actively and he appointed me attorney general.

HENDERSON: In the '33 session there was one issue, maybe there's more, but there's one big issue you and the speaker split apart on and that was the sales tax.

ARNALL: Right.

HENDERSON: He came out strongly in favor of it and, interestingly enough, took the side of Gene Talmadge who was against it.

ARNALL: Right. Well, Gene was against the sales tax because, basically, he didn't want the state to have too much money.

HENDERSON: Yeah.

ARNALL: He said that they'd throw it away. They'd all be up here with their hand in the till. My position was that it was regressive in nature. It was tax on poor people. They had to pay the same tax a rich person did. If they bought a pack of chewing gum, they all had to pay the same price, automobile, whatever it was. It was regressive, and I thought that taxes ought to be levied based on ability to pay. There's a biblical quote, you know, let every man do as God has prospered him. And I thought it would hurtful to the little people and the poor people, and I was basically against it.

HENDERSON: But, here's Ed Rivers who is trying to expand state services, and he says [that] you need the revenue and the only way you can get it is through the sales tax.

ARNALL: I took the position that during this great depression, taxes should be avoided. And second, I took the position that Ed Rivers, if we had to have another tax, it ought to [be] based on income or some graduated tax that recognized the disparity between the rich and the poor. And as a matter of fact, Ed Rivers withdrew his sales tax bill, and I commended him

heartily and said it had been the greatest step he could possibly take toward being elected governor, because it put him on the side of the poor people and most people and not just the privileged few.

HENDERSON: Let me go back to the three-dollar tag. How do you deal with the criticism that really the beneficiaries of the three-dollar tag were the trucking companies and the large bus lines, etcetera, and not really the average, working day person?

ARNALL: Well, that was what the opposition brought up of course. And to some extent, it's true. But on the other extent, if a man is so poor that he has a hard time getting up the three dollars, it was very meaningful to him. This is always true wherever you have a fixed tax, the same treating everybody alike. It favors the rich, disfavors the poor. But on the other hand, it favors the poor to the extent that the poor can do something. I noticed that they're about to raise the price here the inspection for emission control in these counties that have it. It would double the price. Well, of course that helps the big fleet owners as compared to the little fellow, but its gets back to Tweedle-Dee, Tweedle-Dum--you take a position. I've always worked on the theory that the tax structure ought to be so that everybody pays some tax, but those that are the privileged ones, the well-to-do ones, pay it proportionately more than the poorer citizens. But this is a debate that always has gone on and always will. Whatever you do is going to hurt some and help some, but you do the best you can.

HENDERSON: You were in the legislature for four years. Is it possible or is it fair to characterize you during these four years as a conservative, as a liberal, or a little of both, or is it difficult to do?

ARNALL: Well, of course, we would have to first of all define our terms. This is one the great problems we have in discussions. What are we talking about? Socrates said before he'd have any debate of any kind, said let's define our terms. People think there's a disparity between my view and yours and yet we maybe have the same view, but we misinterpret the terms we use. One of the simple things that I sometimes suggest is we take a term like art. A-R-T, art. What is art?

HENDERSON: Uh-hum.

ARNALL: Let's define our terms. To some people this may be great art and that may be no good and that may be great. What are we talking about? And yet we use such terms as "good" and "bad" and "right" and "wrong" and we have to get down to definitions. So, now when we get to liberal and conservative, my view has been this, a very simple one. I am an ultra-conservative in finance. I'm an ultra-liberal in social legislature.

HENDERSON: All right now—

ARNALL: And by that I mean, conservative means--in finance--means not throwing money away money, holding it, getting your money's worth. And in social affairs, humanitarian

things means to make every man a first class citizenship and give them all an opportunity to do with themselves what they will.

HENDERSON: All right, now let me get down to a specific with that in mind. You introduced a resolution in the legislature, I believe in '33, condemning the practice of hiring non-Georgians for federal public service jobs.

ARNALL: That's right and I did a lot of things in those days that were purely political, purely political. I will always and always have been and will be a politician on little things, and to get into the bigger things. For example, when there were not enough jobs to go around among Georgians why would we bring in non-Georgians? And people said Well, why do we? And that was purely political. Like at one time, I introduced a resolution to condemn and outlaw the Communist Party.

HENDERSON: Yeah.

ARNALL: Because people didn't know what communism was, but they were against it and I was against it, and I'm still against it, although I'm not quite sure I know what it is yet. I debated [Joseph Raymond] Joe McCarthy on that subject. Did I tell you that story?

HENDERSON: No.

ARNALL: We were on a national network out of Chicago [Illinois] and we were debating communism. And getting back to just what I've said about defining terms, when we started I said my position was that people ought to have a right to be whatever they want to. They can belong to any church they want, any political party, anything else. That's their privilege as an American. But he took that position that that wasn't right. But anyway, in defining terms, the first thing I said when I got to chance to say something to him, to interrogate him, I said Senator, before we start this debate. Let's define terms. I want you to define for me as you understand it, what is communism. And he said communism is anti-Americanism in that communists take orders from a foreign power, foreign dictator, and they put those orders ahead of what may be American. In other words, they're not taking orders from America, American laws, American Constitution, but they're taking orders from foreign powers. They're writing the book. And then I said something that I wouldn't say today. I asked him a question, as I've gotten old I've gotten more understanding, more compassionate. I said Senator, what is your religious faith? And he said he was a Roman Catholic. And I asked him to explain the difference in taking orders from one and the other. [HENDERSON laughs] And he never got off the floor, that was the end of the debate. But I wouldn't do a mean thing like that today.

HENDERSON: Yeah.

ARNALL: But getting back to communism. I introduced a resolution I thought--but later on, when I was attorney general and governor I took the position that ideas are like McCauley talk[?]. We put them into bookstore and people can go pick out whatever they

like and read it, and if they like that, that's their right. And what's we mean by freedom. The strength of Americanism vis-à-vis communism is not in definition evil. It's not in what we are for or against. Americanism is based on the concept that every one citizen of this country has a right to freedom and to make their own decisions and their own choices. Whereas under totalitarianism or communism or call it what you will, a state, the power of the group is put on you to where you are not free to make a choice to do what you want.

[CD 1: Track 4]

HENDERSON: Let me go back to a couple of other resolutions and see if these would fit into the category of simply being political. You sponsored a resolution urging Georgia's U.S. senators to vote against U.S. entry in the World Court [International Court of Justice]. Was that political?

ARNALL: Purely political—

HENDERSON: You sponsored a resolution against a federal anti-lynching law.

ARNALL: Purely political. That was in step with what the people thought at that time.

HENDERSON: You sponsored a bill providing for the sterilization of criminally insane inmates.

ARNALL: Right.

HENDERSON: Which Gene Talmadge vetoed. [laughs]

ARNALL: Yes, it passed and it was modeled after the California law and the reason he vetoed it, you know, he told Albert [Sidney] Camp said I may go crazy some day, and I don't them working on me. Again, let me say this. My political life and motivation for these: To get to be governor, I had to resort to political strategy at times. You couldn't go against the wishes or feeling of the people of the state. You had to be in step with them, so they would approve what you were doing. Now, as long as I did that I was no problem, always won. But in my later political life, I got out of step with the wishes of the people of Georgia. For example, if I had, as governor and I was governor, when the Supreme Court held that the blacks could vote in the white Democratic primary, that I take the position we will not accept that and we will resort to all the stratagems possible to avoid it. I probably could have controlled Georgia politics for the next forty years. But I couldn't do that; it was wrong. I would do politics on little things, but on great issues I could never do politics. And the issue was we are bound by the courts. And I took the position that we're going to back the courts, whether it's popular or unpopular, because judicial determinations are the sinews that hold society together. And I'm not going to thumb my nose at the courts. I'm going to say we accept that and we will not be a party to any scheme or device that will undertake to delay it or destroy the opinion of the court.

HENDERSON: But were you not the only southern politician at that time taking such a position? I remember Claude [Denson] Pepper—

ARNALL: Oh, yeah, he, he—

HENDERSON: --he was saying let's fight it.

ARNALL: Even Claude, who was a good friend of mine. But he was against it--all of them. Look, they were in step with the thinking of the people, but I knew there would come a time where either the South had to be in the Union or away from the Union. And I wanted us readmitted to the Union on the basis of full fellowship, full equality, with the rights of all our people and to have the right to first class citizenship. But that was very unpopular, very unpopular when I did that.

HENDERSON: Now, let me carry this one step further. Your critics like Talmadge and Roy Harris—

ARNALL: Right.

HENDERSON: --would say what you did there was catering to the liberal wing of the National Democratic Party. You had national ambitions and you were turning your back on Georgia, etcetera, etcetera. How do you respond to that?

ARNALL: There was no doubt that they would say that and did say that. But the truth and the facts are [that] I did not see how this country could remain half slave and half non-slave. I did not see how we could remain a democracy and have in the state of Georgia a third of our people not permitted to participate in government. And while it is true that the northern and liberal press praised me greatly for that position, whether they praised or condemned had nothing to do with it. As a matter of fact, no one can get far in national politics who does not have the support of their home state. And I alienated, at that time, the support of political Georgia by taking the position that we were going to have first class citizenship for all of our people. However, I add, quickly, this: I'm concerned, greatly, about democracy in the United States. I am afraid today instead of having a majority government, we have a minority government. In all of our presidential elections, national elections, few of our people vote. As a matter of fact, minority government consists of organized groups whether it be race, economic groups, whatever it may be, if they organize and get their people out, they can control the government, because most people don't participate in suffrage and franchise. And in that connection I am a great believer in ultimately having all over America mandatory registration and mandatory voting and voting by mail. I think this is the only way we going to have a real democracy in our country. There are nine western democracies that have mandatory registration and mandatory voting, and they vote ninety-five to ninety-six percent of their people in national elections. And the reason they don't get a hundred percent is that four or five percent is transient, moving in and out and they can't catch them. But what they do, they require it--and Georgia, by the way, blazed a trail. I don't know whether you recall this or not, but it's referred to in [Ellis Merton] Coulter's [et al.] *History of Georgia*. When Georgia was first established, we were run by a counsel, belong to a counsel,

and they passed a law, for example, outlawing lawyers, outlawing rum, outlawing slavery. And for eight years you couldn't even have a lawyer in Georgia, but nine lawyers messed so bad they had to get the lawyers in there to unravel it. But since that time they've raveled it up a good bit. But they also had a law of mandatory registration of voting. And those days, to be a voter [telephone rings] in Georgia you had to be a property owner.

[CD 1: Track 5]
[Cassette: Side 2]

HENDERSON: OK.

ARNALL: In those days if you owned the requisite land and did not register to vote, you were fined five pounds, and then the next time you were dealt with more severely. So, we were the first state that ever--first area in this country on this continent--that had mandatory registration of voting. And I think that's the solution, and I think voting by mail will help. Four states have voting by mail and I think it's so difficult that they--particularly the cities to get people out to vote--rather that they send you a registration card, you put your thumb print on it and register, and then each election they send you a ballot and you put your thumb print on that and name and send it in. That way you get heavy voting. But today it's so very difficult. They change voting precincts; we're a nation on wheels; it's hard to park; and it's just more difficult all the time.

HENDERSON: Governor, why did you decide after two terms to leave the legislature?

ARNALL: Purely economic. [HENDERSON chuckles] I was practicing law in Newnan and the first year I made three thousand dollars. That was a lot of money, but even then it was difficult because most of your people, your clients, in those days had no money. They'd get me to represent them in a justice of the peace case and give me a dozen eggs or two chickens or something like that. And the assistant attorney general paid five thousand dollars a year, and I thought it was good economically. It opened more doors. Being in the legislature required me to spend a great deal of my time doing favors for constituents for which there was no compensation. That was my duty to do. So, I think that I accepted the assistant attorney generalship when Ed Rivers got to be governor because of the economic situation. Things were still mighty bad economically and in the small towns people didn't have much money.

HENDERSON: Now in '34 you've already said that you supported Talmadge's reelection.

ARNALL: Right.

HENDERSON: In fact you made some speeches on his behalf.

ARNALL: Right. That's right.

HENDERSON: OK.

ARNALL: In getting back to why I got out of the legislature, let me add one other footnote. I'd gotten out of legislature about all that it could offer me toward my ambition. I'd met people from every crossroad in Georgia, had a nucleus of a good organization, and when Rivers was governor I was very active in his situation. And by being a lawyer it was natural that I'd like to be the state lawyer. I kind of thought some day I'd be attorney general as a stepping-stone to the governorship, which culminated truthfully and correctly.

HENDERSON: Well, now, did you ever have any ambition to be speaker of the House?

ARNALL: No, I did not.

HENDERSON: It did not fit into your plans for the governorship.

ARNALL: No, no, I had no ambition to be speaker. You see, to be an effective speaker, you got to make a career being in the legislature pretty much. We've got one now, [Thomas Bailey] Tom Murphy, who's great as a speaker. But he's been there; he's a fixture; and he's kind of--that's it. But I wanted to move faster. Time was running out. I was getting older all the time. I wanted to get out of the legislature I'd served.

HENDERSON: All right now, Talmadge appoints you special assistant state attorney general in '35.

ARNALL: That's correct.

HENDERSON: I got the impression that you're drifting away from him politically. Why would he turn around and reward you? I would think this would be a rather reward?

ARNALL: Well, that's not always true in politics. There are two things: you appoint someone--for example, when I was running for governor and would jump about, I would find out in some county--we had the unit system--who was a Talmadge leader, the most popular man there, and you'd think that the average fellow would avoid him, but he'd be the first fellow I'd go to see. And I would say this to him, for example I'm talking to you, I'd say Hal, I know you're for Talmadge. I understand that, but I want to tell you this, you have so much influence and you are so highly regarded here, if I could just get you to slow down and not be so active for him, it would help me a lot. [HENDERSON chuckles] And you'd still be for him. And I would brag on him and appeal to his ego so that damn, if he wouldn't slow down and help me. [HENDERSON laughs] So you see when you appoint somebody, this doesn't mean always a reward but sometimes it's the leverage you need to either get their support or not have their violent opposition.

HENDERSON: Well, now, did you go to Talmadge and seek this appointment?

ARNALL: Yes, because this bank in my county had gone bankrupt at Grantville [Coweta County]. It was in my county and naturally he was going to have to appoint somebody there, he couldn't appoint somebody from another county to go over there and help the liquidator. So, I knew it would be a local person, and since I had probably the best connection with him

of anybody in Georgia--I'd been for him and against him and for him and against him--it was a natural thing to do.

HENDERSON: So, now this is not like being an assistant attorney general, where you came to Atlanta—

ARNALL: No, no. I stayed in my office in Newnan—

HENDERSON: Oh, OK.

ARNALL: And watched over the bank and saw it was proceeding properly in the liquidation—

HENDERSON: Temporary and then once the bank—

ARNALL: That's right, then I got out of there.

HENDERSON: All right now, what role did you play in Rivers' '36 campaign?

ARNALL: I was very active for Ed Rivers in '36. I was extremely active for him. Let me think, when did Hugh [Hawkins] Howell [Sr.] run? Was that '36? Who was the candidate against Rivers?

HENDERSON: Wasn't it, was it Redwine?

ARNALL: Yeah, [Charles Davenport] Charlie Redwine from Fayetteville [Georgia].

HENDERSON: Right.

ARNALL: Yeah, I was very active Ed Rivers because we were very close. We'd worked together four years and Charlie Redwine was very active for Talmadge. There was just a natural... You see, when we finished the legislature, Roy Harris, Ed Rivers and I were head of the anti-Talmadge party, I mean call it what you will. And it was no choice, it was just a natural thing. We stood together for Rivers. And the Talmadge, Redwine, [James] Wesley Culpepper and that crowd were for Talmadge. But I was very active for Ed Rivers, very active for him. And he carried Coweta County too. I was very active for him locally as well as statewide. I wrote letters, called people over the phone, all my legislative friends and whatnot.

HENDERSON: All right now, after he becomes governor he appoints you to the position of assistant state attorney general.

ARNALL: Correct.

HENDERSON: All right now, is this the position that you solicited because of finances or is this a step toward the attorney generalship?

ARNALL: Well, it is a two, probably three-pronged thing. First, I was interested in the financial end of it--\$5,000 a year--which was big money then. It was more than I was making practicing law. And second, it was a stepping-stone toward the attorney generalship and a stepping-stone toward the governorship. So, it was natural that I, he asked me as I recall it, what I'd like. And I said I want to be in the law department. I want to be assistant attorney general. And that appealed to him very much because Judge [Manning Jasper] Yeomans was the attorney general who was pretty elderly at that time. And Rivers' administration was a New Deal administration. They put in all this New Deal stuff. We bought blueprints down from Washington [D.C.]. I would go back to Washington and bring it back. And it was quite involved and complicated, and Judge Yeomans was a gentleman of the old school and a lot of this stuff he did not fool with, so I began to do more and more and more.

But the reason Ed Rivers appointed me attorney general when Judge Yeomans retired, and I had created this Georgia hospital authority [State Hospital Authority], not created, but had come up with the idea, yes. This is where we would finance the Milledgeville buildings' new Central State [Hospital] with money that we borrowed, and that was a crazy thing. I went to New York and talked with the bankers, and they thought I was crazy—ought to be in Milledgeville [Milledgeville State Hospital]. But the way we worked it was the state couldn't guarantee or issue bonds. We couldn't guarantee the indebtedness. But what we did, we entered into--beyond one year--but we would enter into a yearly contract with Central State, but the state would pay them so much for each inmate that was not able to pay their own way down at Milledgeville. And then they renewed it every year,

so in this way it didn't get to be a long-term debt; it was just a local, one-year, annual debt. I devised that scheme, and they created a hospital authority, and I told you earlier, I think, they named one of the buildings for me. And they had to have a director. And I persuaded Judge Yeomans who had almost been defeated for attorney general by John [Stephens] Wood who was a former congressman that why didn't he take the directorship of this hospital authority. It paid more than the attorney generalship, and he didn't have to run for office, he could take things easier, so he was glad to get out of all this New Deal stuff and he accepted it. And Ed Rivers appointed me.

Now, the reason Rivers *said* he appointed me and I think this is an interesting sidelight that I've never seen referred to, but this is right. He said when he was governor he'd call on the attorney general or assistant or whoever it was he was writing to or talking to for an opinion about whether he could do this or that. And all of them would always say No, you can't do it, except me. [HENDERSON chuckles] And I would say Sure, you can do it. We'll figure out a way to do it. And so he said that he liked the fellow who was inventive and innovative and could come up with new a philosophy. As a matter of fact, I'm going to get off on something else now, but I'll kick it off. My success as a lawyer is due to the fact that I don't fool with law books because I think we change the decisions of the courts every day. I think we change the Constitution every day. Its integrity's different. And what I do is try to come up with something new, novel, unusual approach to a legal problem. And I've found that if you do this, the courts will buy your approach every time, the judge will, because then he'll be written up in the *American Law Review* or *American Law Journal* that this is a new, blazing of a trail. [HENDERSON chuckles] And that's true of the Supreme Court. If you come up with a new concept, and this is good, because unless the courts were

in step of the will of the people and the times so that they can change the Constitution through interpretation rather than changing it, we'd have revolution in this country, because if we were straight-laced and bound to certain things we couldn't do, why, you'd have to do it.

HENDERSON: Well, now, do I take from that you supported Roosevelt's plan to pack the court?

ARNALL: Well, I didn't participate in it, but I thought the president ought to name his own court. Yes.

HENDERSON: But, I mean, for political reasons, you didn't make any statements about it?

ARNALL: No, I didn't participate in it. But I felt that way about governor. Let me tell you this. As you know, I introduced and created many constitutional boards and whatnot because that's was what the people wanted. They wanted to get away from this dictatorship.

[CD 1: Track 6]

But on the other hand, it can be argued that the only fellow in Georgia that's elected with authority by all the people in the state is the governor. And they look to him for the administration, if it's a good one or bad one, he gets the credit. And to be impeded for the governor elected by the people or the president elected by the people, to be impeded--and

what they're trying to do is impede him--is quite a handicap. So, I felt that if you had reactionary court and you had a liberal, New Deal administration, that it ought not be possible for the reactionary court to kill off all the social and humanitarian legislation that was being passed.

HENDERSON: [Thomas Elkin] Taylor when he goes through his thesis and discusses your attorney generalship, he concludes that you had no readily, recognizable judicial philosophy. Do you agree with that? As indicated by your opinions as attorney general.

ARNALL: Yes, I think that's true at that time I didn't have. And I don't know that I do now, except this, as I indicated. I used to believe, when I went to law school--we had law books and taught you what they call the star indices. That meant if you had a question you looked in the law books and if this decision of the Supreme Court or whoever it was was against you, that was the law and you lost your case. My concept has always been that unless you keep the law and the court decisions in step with the wishes of the people and the will of the people as presently existing, and they change their views constantly, that you've got a terrible situation. And I felt that way about the national administration. I feel that way about the governor. I think the governor ought to be completely in control. As a matter of fact, when Rivers and I were in the legislature, we talked about an independent legislature. We wanted to be independent together, and we were. They're talking about an independent legislature now. The speaker of the House and the lieutenant governor control it; the governor does want anything to do with it. Oh, they get along but they follow suit. Yet, when I was governor I controlled the legislature on this very theory that they were looking to

me to do these things and, damn it, I didn't wanted to be blocked by the legislature. And I cultivated the legislature. I was nice to them but when it came time to be mean or tough, I was tough. As a matter of fact, every one of my points in my campaign program were passed unanimously by the legislature.

HENDERSON: Well, now, how does your strong leadership differ from Talmadge who you campaigned against in '42 as dictatorial?

ARNALL: Because that was getting back to politics. [HENDERSON chuckles] The public were tired of dictatorship. So, my campaign was based on getting rid of dictatorship in Georgia. As a matter of fact, when I was running for governor, Talmadge at one stage of the campaign said Aw, with Ellis Arnall--he didn't call me that, he said Aw, Little Boy Blue, that's what he called me--age group in the army, and he's not. Why isn't he in the army? And my response was that if the people of Georgia want me to fight the foreign dictators, defeat me, and I'll join the next day. But if you want me to stay home and fight homegrown dictators, elect me governor, which they did. But remember my whole campaign was built on a fight against dictatorship. My campaign was based on the concept to remove the withering hand of the politicians off the throats of the educators. We don't want politics, these dictators controlling education in Georgia. So, it was natural that that would be true. But when I became governor, I created all these boards and said don't you see dictatorship has been destroyed? Although some people may have winked and said I gave up all the agencies that didn't mean anything and I wasn't interested in but as far as controlling the money, I had a tight grip on that, which I did.

HENDERSON: I think that's the point Taylor makes.

ARNALL: Well, but this gets back to my--translated into my views about conservatism and liberalism. I've always been a conservative in finance and since I had promised to pay the state out of debt and not to raise taxes, I had to control the money and I did. But I did it in a way to where we had a committee and all that, but they couldn't meet unless I called them. It looked good on paper.

HENDERSON: Well, now, you're conservative in finance and here's the New Deal administration. A lot of conservatives complaining about the high cost and extravagance and the waste. How do you reconcile your economic views with Franklin Roosevelt's New Deal?

ARNALL: Well, of course, now we've got the get the economists involved, but the theory was--before your day, I remember it. We were in a terrible depression when Roosevelt went in [to office]. He defeated Herbert [Clark] Hoover who had talked about what, two chickens in every pot, something like that. [HENDERSON chuckles] But, we were stalemated. I mean there was no business; they were drying up. And Roosevelt's program gave a shot to business and it moved forward. And there were a lot of things that he put in that today we would question but they were good then and they helped. And so, I fail to see how economically the New Deal was anti-business, but while a lot of people thought it was and fought it, it did more to help business than anything else.

HENDERSON: Going back to you as attorney general, are these some things that you would put in that category of political? You wrote a letter to the Georgia congressmen asking them to amend the Constitution to withdraw from aliens privileges and immunities guaranteed to citizens.

ARNALL: Of course.

HENDERSON: And you—

ARNALL: People liked that, too.



HENDERSON: In 1940, you advocated to keeping the names of Communist nominees for president and vice-president from the Georgia ballot.

ARNALL: Right and people liked that. You see, let me stop you and say this. When I was running for governor, I'll get away from that a little, many of my friends came to me and wanted me to put in the campaign doing away with the poll tax. And I said Not on your life. That would defeat me because the politics on the other side, equally. But when I get in, I'm going to do it. So, it is you got to use political expediency to get in, but after you're there you can call the shots like you want to call them. Because I was at the end of my term and after four years I had no desire to be governor again. I really had no earthly desire. Only after nineteen years [was] when I thought it would be fun to be governor again.

HENDERSON: You were not opposed as attorney general in 1940, and there was some talk of some kind of deal between you and Talmadge. Was there any kind of deal?

ARNALL: That is not true. Never was true. As a matter of fact, John Wood ran against me, or ran for attorney general, at a time when I took the position the attorney generalship is not up at this time. It's at the next regular election. And he had about three thousand write-in votes ahead of him or something and then he brought a full [quo] warranto against me and it went to the Supreme Court of the state and the Supreme Court held I was right. That my appointment went to the next regular election then the other constitutional officers were elected. So, then in the meantime, as attorney general I used every minute to strengthen my political position, illustrated. We'll go get a sandwich and keep talking. [to Henderson about their lunch plans on day of interview] To illustrate it, each Christmas while I was attorney general I sent out at least five thousand Christmas cards. In those days you had penny postcards. You could buy them at the post office with a card and one-cent stamp and I would have them printed. And it would say Merry Christmas and Happy New Year to you and your family. Ellis Arnall, Attorney General of Georgia. [HENDERSON chuckles] I had a staff of people, not at the state expense, but I kept over in an office building, doing nothing. We took over a hundred newspapers, county papers, every time somebody got to be president of a bank, they got a letter from the attorney general congratulating them. Every time there was a death in the family, they heard from the attorney general. Every time someone had a baby, they heard from the attorney... And I still run into people who got those same—it appealed—I had strengthened myself so much as not only the attorney general but using that

title. And I paid for all this stuff, but it was done. But nobody could have defeated me for attorney general. And there was no deal with Talmadge; [it was] not necessary to deal with anybody. No, sir. I know that's been said. I've read that, but that's absolutely not true.

HENDERSON: OK.

[CD 2: Track 4]

HENDERSON: Did you consider running for governor in 1940?

ARNALL: No. Let me go back. When Gene Talmadge was governor, one of his terms--I would have to check which one--he got the legislature to pass two constitutional amendments. One was extending the term of governor to four years. Up until then you had a two-year term, and you could run to succeed yourself one two-year term. But he got the constitution amended to where you could serve one four-year term and he could be eligible because he'd just served two-years.

HENDERSON: That was in '41.

ARNALL: That's right.

HENDERSON: Yeah.

ARNALL: I used to say in the campaign that he made the feather bed and I'm going to get in it, which I did. [HENDERSON laughs] But the other thing that he passed, amendment that the legislature passed and he signed--the people ratified that fourth term--but this one created the office of lieutenant governor. There was a fellow named DeLacy Allen from Albany, Georgia, who ran as a Democratic nominee for lieutenant governor and won it. But then the people didn't ratify the lieutenant governorship. But, now, at that time I toyed with idea of running for lieutenant governor. And I wrote to every lieutenant governor, and I said how do you campaign for lieutenant governor? All you do is preside over the Senate and wait for the governor's heart to stop beating. [HENDERSON laughs] And what do you talk about? And I got worthy letters back from all of them, lot of them. The most interesting one I got back was from Coke [Robert] Stevenson who was lieutenant governor of Texas. And he ran for the Senate when L.B. Johnson ran, Lyndon [Baines] Johnson, and they allege that they counted Coke out in Ellis County, Texas. But in any event Coke wrote me a letter; I shall never forget it. He said of course you're right all the lieutenant governor does is reside over the Senate and wait for the governor to die. But the way I campaigned for lieutenant governor, I'd go all over Texas and if I'd get five or six people to stand around me, I'd talk to them. Ten or twelve, whatever it is, I just talk to 'em. And so what I talk about is taxes, and I give taxes hell. [HENDERSON chuckles] He said now, of course, they know and I know there's nothing I can do about it, but they like to hear it. [HENDERSON laughs] I'll never forget that. So, at that time, instead of toying with the governorship, I was toying with the lieutenant governorship. But I decided that I would not undertake the lieutenant governorship. It may be a blind alley.

HENDERSON: Now, that was in '36. That's when DeLacy Allen--you're talking about when DeLacy Allen ran?

ARNALL: That was right.

HENDERSON: Right. OK. Well, now, Governor, it's twelve [o'clock]. We can do whatever you want to.

ARNALL: We going to stop it there and get a sandwich.

[CD 2: Track 2]

HENDERSON: All right. [tape stops and starts] Going to back your attorney generalship, did Governor Talmadge ever request any opinions from you? And, well, go ahead and answer that one and then we'll go to another question.

ARNALL: Governor Talmadge requested opinions from me quite a bit his first term in office. Was I attorney—yeah, I was attorney general—Just a minute, I'm going to step over. [pause while HENDERSON readjusts microphone and ARNALL moves] In the period 1939 [to] '41, he requested many opinions from me. In the period 1941 [to] '43, he requested very few. [HENDERSON and ARNALL laugh]

HENDERSON: I see the difference.

ARNALL: One's thick and one's thin. But, you see, getting back to how the attorney general's office was staffed--back when I was attorney general, the procedure was and the rule was that the attorney general appointed so many assistants. Three, four, whatever it was, with the approval of the governor and the governor appointed three or four, whatever it was, with the approval of the attorney general. So, there were some of the assistant attorney generals who were my men and some of them were Talmadge's men. And the way I got into the governor's race was that my family and I we're down at Sea Island [Georgia]. We'd rented a cottage for a month. And we were down there in the summer taking things easy. I would come back and forth to Atlanta, but they stayed when I wasn't with them. And one morning while I was down there, we went over to The Cloister hotel and I bought a morning [Atlanta] *Constitution*. And this is in the period when there was great controversy between Talmadge and the Board of Regents. As you know, he contended they were teaching integration in the colleges at [University of] Georgia [Athens, Georgia] and Statesboro [Georgia Southern University] and whatnot. He went after Doctor [Walter Dewey] Dean Cocking who was head of the education department--graduate education school--and went after Marvin [Summers] Pittman who was president of Georgia Southern at Statesboro. All this was a controversy, but nothing was happening other than they were disputing back and forth. And he wanted to fire teachers and the regents wouldn't do it. But anyway, I picked up the morning *Constitution* and it was a big story in there, front page, that an assistant attorney general had given Talmadge an opinion that he could remove members of the Board of Regents who did not follow his recommendations and so forth. Well, I then was confronted with an issue. If I did nothing and that gave Talmadge a stranglehold on the

educational institutions by controlling the Board of Regents--which was a statutory board then and it had been created when [Richard Brevard] Dick Russell [Jr.] was governor--or else I had to repudiate that opinion of the assistant attorney general, which gave the regents the control of the education system. So, I immediately called my office and dictated an opinion and asked them to release it to the Associated Press, the United Press [Associations], and all the news media in which I said that the opinion rendered such and such a date by assistant so-and-so was erroneous, that under the constitution and law the governor was powerless to control the independent Board of Regents and so forth. So, this projected me immediately into the governor's race. I knew that I would be governor, but I had no idea when. But this was the great issue. And this issue overshadowed the segregation issue, the integration issue. Although Talmadge's position was that they couldn't teach certain things in school about the races and so forth, he was raising the racial issue. But due to the fact that we were able to overshadow that with freedom of education, the freedom of teachers to teach, made the race issue take a backside. Although all through the campaign, he was talking about you [were] either white or black. I said he trying to raise this hobgoblin, but the sole issue is whether we're going to have a dictator running the schools of Georgia or whether we're going to let the educators run the schools.

Now, strangely enough, Hal, Talmadge has always had what we call the "wool hat boys," the country folks, the farmers and whatnot. That was his strength because he came up through the commission of agriculture's plate. But strangely enough, his own crowd turned against him on the university issue--many of them did--because their children went to one of the universities or one the schools in the system and when they lost their accredited rating then their diplomas were not recognized for doctorates or other schools. So, they were

financing their children and this was a slap at them and the grandparents of children and the uncles and aunts of these. So, he really played havoc in getting on to that issue. That was the worst mistake he ever made. And all during the campaign I was concerned that he was going to make a confession to the people that he was wrong, and he wanted to ask [for] their forgiveness and apologize, that he would take his hands off the schools. And had he done that, he would have won. But the more the campaign went on, the more I baited him. I said You watch. He's going to back track. He doesn't have the courage to stand up to his convictions. And that made it impossible for him to do that.

HENDERSON: Why did you wind up being the candidate of the anti-Talmadge faction in 1942? How were you able to maneuver to get that position?

ARNALL: Well, as I just explained to you, when I issued this opinion for education against the governor, I was projected into the governor's race. Although Roy Harris was very anxious to run and others. Columbus Roberts [Sr.], for example, would announce. He had taken ads in all the papers.

HENDERSON: What about Ed Rivers?

ARNALL: No, Ed Rivers couldn't run then.

HENDERSON: Well, let's see in '42—

ARNALL: No, you see, Talmadge had just been in two years.

HENDERSON: Yeah, but couldn't Rivers run in '42? He had been out. Well, no, let's see. He went out...no, you're right.

ARNALL: He couldn't run.

HENDERSON: That's right, that's right.

ARNALL: But, Roy Harris was going to run and quite a few, but my theory was—see, I ran over a year. It cost a lot of money because most people just run during the campaign, but I was out making speeches, announced on state network, and all that stuff a year in advance. As a matter of fact, I announced on the same day [December 7, 1941], officially, that the Japs [Japanese] bombed Pearl Harbor [Hawaii], and it kind of pushed me off the headlines.

HENDERSON: Uh-huh.

ARNALL: But it was the same date, and I just set out to do it. I mean, it was my time. I had the issue. How could they take it away from me? They couldn't. So, it was no inside maneuvering, no commitments, no promises. Mine was just the fact that immediately I became the champion of the schools and the young people... It was just one of these things. Just that luck. Talmadge called on this assistant to render the opinion, and he said the

governor was in control and I repudiated and said that the regents were in control and that threw me into the race.

HENDERSON: Did Roosevelt assist you in any way?

ARNALL: Yes, he did. He and I were very good friends. As a matter of fact, on many occasions, oh, not many, on some occasions, the secret service would call me and say that Roosevelt was going to come into Newnan on such-and-such a train 9:30 tomorrow morning or something. He wants you to meet him and [to] ride down to Warm Springs [Georgia] with him, which I'd do. And we were very close. I conferred with him frequently down there at the Little White House [Warm Springs, Georgia], sit out on the porch. And we'd talk. And he liked me, and I liked him. I'd visit him in Washington. We were good friends, and he was very anxious to get rid of Talmadge 'cause he fought his New Deal. And he was very anxious to help me, which he did. And he did what he could with the project to help the rest.

[CD 2: Track 3]

HENDERSON: This is mostly behind the scenes, making telephone calls—

ARNALL: Right, talking to his people to pass the word.

HENDERSON: Uh-huh. Did anybody in the Georgia Congressional delegation help you with your campaign? In particular, I'm thinking about Carl Vinson. I think he and Talmadge had clashed frequently.

ARNALL: Yes. Most of the delegation was either actively or passively for me. That is true. Carl's crowd helped me a lot in Baldwin County; we walked away with it.

HENDERSON: Roy Harris once said that there were any where from fifty to sixty small counties that could be bought in any primary election. How honest was the '42 election?

ARNALL: Well, I don't know what you mean by honest, but let me tell you this. The '42 election--at that time you had the county unit system. And under the county unit system, of course, modeled somewhat like the electoral college, you get at that time, I believe the nine largest counties got six votes and the next twenty-five got four votes and all the others got two votes--no matter how many people or voters they had in the county or how big it was. For example, Fulton County got six votes.

HENDERSON: I believe it was the eight largest counties.

ARNALL: Eight largest.

HENDERSON: Eight.

ARNALL: Was it twenty-five or thirty?

HENDERSON: I think it was thirty.

ARNALL: Well—

HENDERSON: It doesn't matter.

ARNALL: In any event, Coweta got four votes and Heard County [Georgia] over there next to us got two votes. Now in those days, unlike today, today if you want to lose an election or lose the vote in a particular county, although we don't have the unit system, you just get the prominent leaders for you and you lose it. In those days you got the leadership for you, three of four of the kingpins, maybe the mayor of the town, the chairman, the county commissioner, the courthouse officers, maybe the bankers, the leading farm people, whatever it was, you got them for you and you carried it.

Some of the counties were machine counties, like Richmond County [Georgia], Roy's county. They had a fellow over there named John [B.] Kennedy, who was head of the department of safety that included the fire department, the police department, all that. I remember I called John Kennedy and I said John, I want to know something. Do I need to come over to Richmond County and campaign or are you going to be for me in Richmond, and I'll carry the county? He said I'm for you. [HENDERSON chuckles] And he said No need you wasting your time coming over here. He said Let me ask you a question. What if I

said I'm not for you? I said Well, I wouldn't come over there anyway. [HENDERSON and ARNALL laugh]

But the same is true in a county like Chatham. We had a key man down there named John [Joseph] Bouhan, B-O-U-H-A-N, Bou-han, who was a lawyer, but he was very popular and into everything. He was active in politics and government. And they had a machine in Augusta or Richmond County; it was a cracker party [Augusta, Georgia]. Over in Chatham County, [there was] the Bouhan machine. And if they were for you, you carried it, they were not. And the small counties were that way. You could get the leaders pretty much. Now, the leaders of these small counties or the counties didn't have too much concern about what you for in politics. They were concerned about getting things for their county and their people. Because that would be[?] to their benefit and assisted them greatly in their position of leadership. And that meant such things as roads, such things as jobs, such things as appointment to state boards, recognition, public officials...

Now, what we did, we always tried to select the key people in the campaign and their campaign, and they would come to see me. Roy, Ed or somebody would bring them in and I'd listen to what they wanted and if I could do it, I would commit myself to do it. If I couldn't, I didn't do it. It was right interesting that sometimes you worked it differently. For example, there was a county, Pickens County, up here in north Georgia. My close friend was [Steven Clayton] Steve Tate, of the Tate marble [Georgia Marble Company, Tate, Georgia] people. Steve and I were in school together at [University of] Georgia Law School. And I wanted to carry Pickens County and Steve said Well, now here's the way we're going to do it. I'm going to come out for Talmadge, 'cause I'm so unpopular up there [HENDERSON laughs] and I'm going to make speeches for Talmadge and that will give you the county,

which it did. But you see, you still those key centers of influence back in those days. It doesn't work that way now, doesn't work that way. And second, the poll tax in those days, the bosses would pay the poll tax for people, poor people, they'd vote within the machine. So, when you say Did you do it honestly? Yes you did it honestly, politically or expediently. I used to, when I was governor, have people come in to see me, a delegation. I used to say that I made money for the state every day I was out of the office, but all it amounted to was sitting there around the clock seeing people who came in and they had some plan or scheme. All they wanted to do was reach over into the state treasury and get a little money out. And I said when I'm out of town I save a lot of money. But what I used to do, they would come in and have some scheme and want me to agree to this scheme which, ultimately, the bottom line was they got money out of the treasury for themselves or their county or their party. And I said Look, I can't do that. And they said Well, we carried the county for you, and we contributed to your campaign and we were strong for you. Why can't you do it? I said Well, I'll tell you. I'm going to make a confession to you. You didn't know it, but I'm going to tell you. I'm most the selfish man you ever saw, and I will do anything for my political friends who helped me as long as it doesn't hurt me and my reputation. [HENDERSON chuckles] And if I do, this it will hurt me and my reputation. So, I'm not going to do it. Do you blame me? And they'd say No, we don't blame you.

HENDERSON: Governor, you had gained the reputation of being progressive, liberal, however how you want to define that. But I'm wondering in certain areas where you're not relatively traditional. In particular, at the commission to rewrite the constitution, to revise the constitution, there was a woman member there—

ARNALL: Be [Beatrice Hirsch (Mrs. Leonard)] Haas.

HENDERSON: Be Haas. Yes.

ARNALL: I appointed her.

HENDERSON: Yes. She made a motion making it mandatory for women to serve on juries.

ARNALL: Right.

HENDERSON: And this is a quote you had from the record.

ARNALL: Right.

HENDERSON: "I'm old-fashioned, but I think the place of the woman is better in the home with the children than serving on juries." And you and she had a great row about that.

ARNALL: Do I shock you when I say I still feel that way?

HENDERSON: No.

ARNALL: I don't think the place of women is on a jury. I think that's a man's job. I think their place is to be a good homemaker, a mother, and a wife. If that's old-fashioned, I'm still old-fashioned. But, Be, I appointed her because she represented the Atlanta League of Women Voters [Georgia], I believe. And we were good friends and still are. But remember in that constitutional thing--these things you got to keep in mind, I don't know whether it's ever been said or not. First of all, I was afraid of a convention, because I could not control it and it might get out of hand because the powers that be, the big utility companies and whatnot, would get their people in that convention. They'd get them elected. I was afraid of it. And therefore I was afraid that I couldn't write the constitution like I wanted to. In view, not always like I wanted it, but in order to get it enacted I had to be sure and it'd get enacted—

[Interview continued on OH ARN 12]

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