

Harold Paulk Henderson, Sr. Oral History Collection
OH Vandiver 07
Griffin Boyette Bell Interviewed by Dr. Harold Paulk Henderson
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EDITED BY DR. HENDERSON

Side One

Henderson: This is Dr. Hal Henderson interviewing Judge Griffin B. [Boyette] Bell at his law office in Atlanta. The date is December 8, 1993. Good morning, Judge Bell.

Bell: Good morning, sir.

Henderson: I appreciate you granting me this interview.

Bell: Good. I read your book on Ellis [Gibbs] Arnall.

Henderson: Well, thank you, sir.

Bell: I enjoyed it, thought you did a good job.

Henderson: Well, he was an interesting person to do a biography on.

Bell: That's right.

Henderson: Let me begin my questioning by asking you to discuss your relationship with [Samuel] Ernest Vandiver [Jr.] prior to his becoming governor.

Bell: Well, I met Governor Vandiver Actually he made a little talk at my seventy-fifth birthday party recently and he gave that background himself. We need to give you a tape so you can play that and you'll see it. He and I became friends right after World War II through a mutual friend, Judge Bob [Robert Henry] Jordan, from Talbotton, Georgia, who was later on the Supreme Court of Georgia and the [Georgia] Court of Appeals before that.

Judge Jordan and I went to went to Georgia Southwestern College together and were

friends from the time we were young boys. He and Vandiver later roomed together at the University of Georgia, and they were friends, and I met Vandiver through him and we became friends, and sort of for years the three of us were very close friends.

That meant that I got to know him before he ran for lieutenant governor, helped him in that campaign as best I could. I was just an Atlanta lawyer, wasn't much I could do, but I did help all I could. Then I knew him while he was lieutenant governor and then helped in his governor's race, became his chief of staff, and went through all of the integration crisis with him.

Henderson: You said you supported him in his campaign for lieutenant governor. What was the extent of your support?

Bell: I can't remember. It wouldn't have been much, maybe gave him a little bit of money.

Henderson: He is elected lieutenant governor and [Samuel] Marvin Griffin [Sr.] is governor. What is your impression of the Griffin administration?

Bell: Well, the Vandiver forces were in sharp conflict with the Griffin administration from the beginning 'cause Ernie was lieutenant governor and he was running for governor. What was going on with the Griffin administration didn't suit him very well. They had the big fight over the rural roads bill. And that was the biggest fight, I think, as far as between them. Then, of course, Ernie had a special investigation of the Griffins after he became governor [about] some of the things that had gone on over there. But I would say that, the best I can remember, the big fight was over the Rural Roads Authority. That was one of the most colorful things that ever happened in Georgia politics, I guess.

Henderson: Were you involved in that fight?

Bell: Only on the periphery. I was always more Vandiver's lawyer than I was a politician. You know, if you lived in Atlanta, you were not thought to know anything about politics in those days. It was the days of the county unit system so Atlanta. . . . I guess it traced back to the time [Eugene] Gene Talmadge said he didn't want to carry any county that had streetcars. That's sort of the way people thought about Atlanta people, but they would use the lawyers in Atlanta and that sort of thing. Jack [Johnson] Spalding was Gene Talmadge's lawyer, for example, way back; that was in the '30s.

I didn't do much in the campaign, but in the rural roads fight . . . I knew about it, knew what was going on. And I remember George [Talmadge] Bagby was in the legislature and his brother was a sergeant in the State Patrol. He was afraid he was going to be fired if he supported Vandiver against Marvin on the Rural Roads Authority. He got up on the floor of the House and made a speech saying that they had plenty of flour in the bin, meal in the bin, or something, and for his brother not to worry. They'd take care of him at home. So Marvin called him on the phone after he'd made the speech and told him to get the flour ready, whatever he was offering to give him, 'cause he's on the way home. [Laughter]

Henderson: You said this was one of the most colorful fights in Georgia politics. Why was it so important?

Bell: Well, I don't know how it became such an issue, but you had to have some kind of a fight between the Vandiver forces and the Griffin forces because they were on opposite sides politically, and if he [Governor Griffin] had been able to expend that he would've had money to spend in all the little counties over the state, paving rural roads.

A hundred million dollars, that was a lot of money at that time, and that would have been one big pork barrel, one of the biggest you could imagine, and all those two unit counties would have been getting that money, and they would have been lined up to vote for whoever Griffin wanted to run for governor. So the governor's race was over with, in a way, when the rural roads went down.

Henderson: But you were not involved per se in the lobbying over the legislature against. . .

Bell: Oh no. I've never been a lobbyist.

Henderson: Governor Vandiver carries all but three counties in that election. What do you attribute that overwhelming victory to?

Bell: The opposition never could build anybody up. He had such a head of steam on that nobody wanted to run.

Henderson: In that campaign Lieutenant Governor Vandiver made a speech called the "No, Not one" speech. Did he consult with you prior to making that speech as to whether he should make it or not?

Bell: He did not.

Henderson: If he had, what would you have recommended?

Bell: I would have told him not to do it. There again, I don't think anybody would have paid much attention to me. I was not thought of as anybody who knew anything about politics. My advice would have been that you have to follow the law, whatever the law is. I've advised people many times over similar problems since then and have always told them the same thing, whatever. . . . The first thing I tell people, like integrating a club around here or something like

that, whatever we're going to do, you can be sure of one thing, we're going to follow the law.

That would have been my advice: follow the law, whatever it is, and later he did that.

Henderson: Why do you think he made that speech?

Bell: I think somebody thought that it was necessary. I never have known the origin of that line, but, you know, right after he got elected, the Supreme Court handed down the second Little Rock [Arkansas] case, which wound down most any defense you might have.

Henderson: Did you play a role in his campaign for governor?

Bell: Not much. I was around if he needed any help with anything. Mr. Jim [James Lester] Gillis [Sr.] was the campaign manager, and it was essentially run by the county unit people, people who knew all the county leaders, that sort of thing. Politics then were totally different from what it is today.

Henderson: Who were his major advisors in that campaign?

Bell: There was his brother-in-law, Bob [Robert Lee] Russell [Jr.], Judge [Robert Lee] Russell [Jr.], and Peter Zack Geer [Jr.], [Curtis] Dixon Oxford; and Mr. Gillis, of course, was the head man; and a lot of people in the legislature, Frank [Starling] Twitty, Carl [Edward] Sanders, Roy [Vincent] Harris, George L. [Leon] Smith [II], who was speaker of the House. [William Turner] Bodenhamer [Sr.] was the opponent. I don't know who financed him.

Henderson: Well, he [Bodenhamer] is a weak candidate. Does Governor Vandiver run a serious campaign as if this a major threat to him?

Bell: Well, he must have. I guess he must have thought there was some threat out of it. I never was in any strategy meeting about anything like that. It was like having two different groups. Have you read this interview I gave with *Southern History* about Georgia politics and

Vandiver?

Henderson: No, but I'd like to get a copy of it.

Bell: I gave a long interview. Vandiver had a group of friends. I was in that group, but we were not politicians. Jim [James Anderson] Dunlap in Gainesville later became chairman of the Board of Regents; Bob [Robert Claude] Norman in Augusta, just a lot of people he went to school with--Bob [Robert Henry] Jordan. But we never were in the campaign business. We were just friends. Our group later had a lot to do with the Vandiver administration but not with getting elected. I'll try to find that for you, yeah.

Henderson: Okay, well, that leads me to my next question: what was your position with the Vandiver administration?

Bell: I was chief of staff, and the chief of staff is an honorary position. I don't know how far it traces back, but they used to have all these lieutenant colonels on the governor's staff, send everybody a certificate and that sort of thing. The chief of staff was in charge of all those honorary lieutenant colonel positions. What it came to over the years is it most always goes to a lawyer, and he becomes sort of an unofficial advisor, legal advisor to the governor. Now that's not always been true, but there's a great lawyer here in town named B. D. Murphy. He was Marvin Griffin's chief of staff. He was one of the best lawyers in the state. He's [with] Powell, Goldstein, Fraser, and Murphy, a big [law] firm here in this building. That's where he was. He lives in Fayetteville.

Carl Sanders had a lawyer named Robert Richardson, who's now deceased, and Charles Kirbo was Governor [James Earl] Carter's [Jr.] chief of staff. But the only one that was not a lawyer was Ivan Allen [Jr.], who was chief of staff for Governor Arnall. Mr. Spalding was

chief of staff for Eugene Talmadge. I've forgotten who Herman's [Eugene Talmadge] chief of staff was. There's a long secession of people and, nearly, with the exception of Ivan Allen, I believe they've all been lawyers. Now, I think Zell's [Bryan Miller] got a non-lawyer, Williams.

Henderson: How did you come to gain that position?

Bell: Because I was a prominent lawyer and about the same generation as the governor. He talked with Bob Jordan--at least Bob--about who ought to have that position and they thought they needed a lawyer, and that's how I was chosen. I fell right into the integration problem, that was the very next thing that I was in, what to do.

Henderson: All right now, once he is governor, who does he draw around him as his close advisors? Some of the same people that helped him with the campaign?

Bell: Not necessarily. He had two sets. They were by and large in the legislature or had state positions. And, of course, Mr. Gillis and Dixon Oxford were both at the highway department, and he got Dixon to go over and be the revenue commissioner. Dixon was not a lawyer and didn't know anything much about running all that, and I recruited a lawyer from LaGrange, Georgia, named George [E.] Sims [Jr.] to come be the deputy revenue commissioner, sort of back him up.

They put a number of us on the Board of Regents--not me, but this group I was in, and Jim Dunlap later became chairman of the Board of Regents. Jim [James Coleman] Owen [Jr.] from Griffin [Georgia] was on there. He put Bob Norman, who was another one of the friends on the port authority, and he became chairman down there. Bill [William Redding] Bowdoin, he got him to go in and be head of the purchasing department, to clean it up, and then Bill--he was with the bank [Trust Company]. He only wanted to stay a year. He was able to find

General [Alvan Cullom] Gillem [Jr.]--Fort Gillem out here is named for him--to come in--he was a retired lieutenant general--to come in and take that over.

So the government was staffed in quite an unusual way. There was a mixture of these two groups: what we call the political management group, I'll say, and the Vandiver friends. And the Vandiver friends like--I was a lawyer for Bill Bowdoin in the bank, Trust Company, and Mr. [John Adams] Sibley, the head of the Sibley Commission, was chairman of the Trust Company. All that sort of tied together. It became the business interests of Atlanta [that were] were very supportive of Governor Vandiver and Sanders after him.

Henderson: Is that more so than in previous administrations?

Bell: Oh yeah, more so. Before that everybody was always fighting, the line between the Arnall group and the Talmadge group. I would say Marvin was mainly the Talmadge group but he had some of the Arnall group, but the Vandiver group was like melding the two groups. That's when I contend that modern Georgia started, right then. And then the Sanders group came right behind and built, kept building on it, the same thing, like an extension of the Vandiver group.

Henderson: Is this, what is happening, is this by design on the part of Governor Vandiver or this something that just falls into place?

Bell: Well, it fell into place and I think it was probably a combination of things. I think he thinks that way. He's not a person that wants to be--he's not that partisan in his approach to things. He had a great vision for the state and had a big victory where he could pull everybody together. Everybody supported him. And it was also the time the Atlanta Chamber [of Commerce] had a big "Forward Atlanta" project going and people were thinking about how to

build a state, and it was just a different time. It was like the war veterans from World War II finally got a chance to have something to do with running the state.

Henderson: Does he ever seek on a regular basis advice from either Senator [Herman] Talmadge or Senator [Richard Brevard] Russell [Jr.]?

Bell: Oh, yeah. He talked with them. I don't think either one of them would've been trying to help with anything to do with running the state. They might discuss some big issue of some kind, but, see, Senator Russell was his wife's uncle, and then he was Senator Talmadge's campaign manager himself right after the war, and Talmadge made him an adjutant general. So he was tied in with the Talmadge group closely--and his father before him was a big Gene Talmadge supporter. But I don't think he sought much advice on how to run the state; he pretty well ran the state himself. All these appointees I'm telling you about, none of them would have been tied to Russell or Talmadge particularly, just his own generation.

Henderson: Did he ever have any disappointments with some of these people he brought in the state government?

Bell: I don't recall any. See, he had Bob Jordan at the highway department; he put him on the court of appeals. I mean, he had good, very good--these were the best people you could find in the whole state, he had in there. I don't remember any problems. You might remind me of somebody with a problem.

Henderson: It seems like governors from time to time have a conflict with some bureaucrat or somebody they brought in. . . .

Bell: Well, they put people in positions that are not qualified. These people I'm talking about were all super-qualified. They could have been governors themselves. In fact, Bob

Jordan would have been governor if he hadn't--he took himself out of the race because of his brother Clarence [Jordan] down at the Koinonia [farm] down in Americus.

Henderson: Which race was that?

Bell: When Sanders ran, Bob would have run. He was sort of next in line amongst all this group. And he said, "I can't run. I don't want to. . . ." You know, he was very loyal to his brother, and he didn't want to get into all that, so he said, "I'll be a judge. I'd rather just go be a judge."

But these were all well qualified people. You get somebody like Bowdoin from the bank, he was the head of the Trust Company of Georgia's banks outside of Atlanta at the time, and then you get Lieutenant General Gillem to come in there and take his place, getting this George Sims, who was the general counsel for Callaway Mills to come up here and be the deputy revenue commissioner, a lot of good people. I can't remember any of them going bad or being misfits.

Henderson: Did you ever get involved in the actual drafting of legislation?

Bell: The Sibley Commission I drafted.

Henderson: But besides that?

Bell: Well, I had something to do with what they call House Bill Number One, Honesty in Government.

Henderson: Would you talk about that?

Bell: Well, that was one of the things Ernie ran on. That was a big thing during the fight when he was lieutenant governor. There was a lot of skullduggery going on in the purchasing department and a lot of conflicts of interest. So he ran always saying he was going

to sponsor legislation to stop that sort of thing, and the result was House Bill Number One, dubbed by the press as "Honesty in Government." I had something to do with drafting that.

I think some four or five of us had something to do with drafting it. I used to get a lot of abuse about it. Politicians from the old school particularly would always kid me about it, "Trying to take politics out of politics," they'd say. I was thought of, unfortunately, as a liberal. I was once called over to meet with Mr. Gillis and Dixon Oxford and they told me I was ruining Governor Vandiver. I said, "In what way?" They said, "Well, you're so liberal that you're putting your liberal views on him"--this is about integration. That was the first time I ever knew I was thought of as a liberal. But people wouldn't criticize him. . . .

Henderson: They'd criticize you.

Bell: Or others. I'm sure other people got criticized besides me.

Henderson: His large victory in the campaign, does that make it easier for him to get his legislative program through?

Bell: Oh, yeah, absolutely. I mean, think of what he did later when he got all the segregation laws repealed. That was a spectacular thing. I want you to interview Eugene Patterson in St. Petersburg [Florida]. He was the editor of the *Atlanta Constitution* at the time. He thinks that chapter that went on there under all of them in about week's time was one of the great things that ever happened in politics in the country. He's the retired head of the *St. Petersburg Times*, and he'll remember that well. It was a spectacular thing.

That period when the University of Georgia had to be integrated, from then to--you can figure out the date, it wouldn't have been more than two months, the most momentous time probably in the history of this state. It would have been like the legislative session on secession,

and this was the opposite, going the other way, and it took a very strong leader to do it. Ernie's really never gotten credit for that. It could be a book by itself, just that short period.

I got my secretary looking for a tribute I paid to him at a meeting of the law class of 1940 at the University of Georgia. I'm an honorary member of the class, and so I go to some of the meetings. This last one I couldn't go to and they had asked me to pay a tribute to Governor Vandiver and I wrote up just one part that, and that was the day at the governor's mansion when he called everybody over there to say he was not going to close the University of Georgia. It was a wonderful thing, a wonderful letter, a tribute to a person.

And he went on and got all the laws repealed. Lately they've been talking about this private school law. That was one of the ones in the package. He said he thought that had been struck down. I asked him about it the other day. That was some exciting times, and the newspapers were a 100 percent on board with the plan, what we were doing. We kept them advised, and I used to talk with Patterson a lot during that time about the overall plan, what we were doing. Instead of having chaos, we had a plan and we were following it, and the legislature was following him and everybody was going together. It worked out well for us, for the state. Put us well ahead of other states.

Henderson: I have several questions pertaining to that but before I get to those, let me come back to. . . . I'm not sure how familiar you are with this, but there was a special division set up in the law department during the Vandiver administration to investigate alleged improprieties in the Griffin administration.

Bell: Bob [Robert Howell] Hall.

Henderson: Are you familiar with the activities of that?

Bell: Vaguely. I know Bob Hall was head of it. Have you interviewed him?

Henderson: No, I have not.

Bell: He was the federal judge over here.

Henderson: I would like to.

Bell: He was in charge of that. And Ernie later appointed him to the court of appeals. But he'll tell you everything there is to know about that. I think they finally called Governor Griffin before the grand jury. You know, I have an odd mind, I guess, in a way, because I remember little things.

We had a law that you couldn't indict public officials without them having the opportunity to appear before the grand jury, so Governor Griffin, represented by Allen Polse, who was one of the best lawyers here in town, went in the grand jury and testified and they decided not to indict him. Judge Hall can tell you about that. That law, I think, is no longer on the books. They later repealed it, but I've often thought that must have been a spectacular thing. Governor Griffin was such a great storyteller.

Henderson: Well, I heard he was quite a communicator.

Bell: Oh, he was, yeah. There wouldn't be any chance on earth the grand jury'd indict [laughter] him if he could appear before the grand jury.

Henderson: In the 1960 presidential campaign. . . .

Bell: I want to tell you one thing here. This is interesting. Somehow or another Governor Griffin was not invited to the Vandiver inauguration. This is a footnote to history. And he called Governor Vandiver "Buster." For years he was out of office. He'd write about that in his newspaper. But he said, "Well, Buster didn't invite me to the inauguration." He

called me on the phone, and I said, "Well, that's too bad." I didn't know what he was getting at. He said, "You know, you can't be governor unless you get the great seal of the state, and the only way to get it is from the governor who's going out of office." He said, "I have it. So I won't be able to give him the great seal." I said, "You got to be kidding." He said, "No, no," but he said, "This is a strange thing that I haven't been invited to the inauguration." I said, "Well, you'll be invited in about an hour. Take about an hour for all that to get done." So they invited him. [Laughter]

Henderson: Did he give him the seal?

Bell: Oh, yeah. No problem. He was very much of a gentleman--they both were. Most likely the people who sent invitations out thought he would come as a matter of course. I never did know if he was making a joke out of it or if he was serious, you know.

Henderson: I never heard that. That's interesting.

Bell: I never told anybody. [Laughter]

Henderson: In the 1960 presidential campaign Dr. Martin Luther King, Jr., is arrested in Georgia. Did you play a role in securing his release?

Bell: I did not, and I didn't even know about it until it happened, and I was the co-chairman of the campaign. I was in Rome, Georgia, at some rally they were having up there. A reporter told me about it. And I says, "I don't know a thing about it." Bobby [Robert Francis] Kennedy called me up about twenty-four hours later and asked me how things were going down here, and I said, "Well, there not going too well. Everybody's very upset about this Martin King thing. Probably help you somewhere else, but it's not going over too big around here." And that was all there was to it. It turned out to be a big thing. People in Georgia at the time didn't

know what was going on. It was done in secret in some way. But Ernie knows. He can tell you all about that. He knows all about it. He really arranged it. Other people claim credit later for it. I think Morris [Berthold] Abram, Mayor [William Berry] Hartsfield, I've forgotten who all later took credit for it, but Vandiver was the one that was in full charge of it. He can tell you that.

Henderson: Were you a delegate to the 1960 convention?

Bell: I was, yeah.

Henderson: All right, now, when the Georgia delegation goes to the convention, does it go committed to Lyndon [Baines] Johnson? Do you recall?

Bell: Oh yeah. I know all about it. I was a [John Fitzgerald] Kennedy supporter. There was hardly any Lyndon Johnson supporters in the Georgia delegation, but Senator Russell asked Governor Vandiver to get the delegation to vote for him [Johnson] on the first ballot. Vandiver asked us all to do that, and we all agreed that we'd do it one ballot only. Well, it turned out there wasn't but one ballot.

But the delegation was badly split between Kennedy and [Adlai Ewing] Stevenson, and I don't know how they would've come out. I was a Kennedy delegate. I mean, I wanted to be for Kennedy, and I think we might've had a majority, but it would've been awful close. Stevenson was a keen man. They had a Hollywood director named Dorry Sherry, famous director at the time, and he orchestrated the entrance of Stevenson. They had the gallery full of people. Mrs. Eleanor Roosevelt, as I recall, was brought in, all for Stevenson. [It was] very emotional. They might've gotten a majority, but that's where the split was. But it turned out Kennedy won on the first ballot. So that ended it.

Henderson: When Governor Vandiver goes to the convention, is he a Kennedy supporter?

Bell: He was a Kennedy supporter, but he was. . . . Yeah, I think, I would say--I mean, I never heard him say, but I always thought he was, yeah. But this was something Senator Russell asked for, and it turned out to be harmless. Kennedy got it anyway. By that time Johnson ended up on the ticket as vice-president, and most likely the Kennedys probably thought that he had a strong backing in Georgia, but he didn't, in fact.

Henderson: How active a role did Governor Vandiver play in the 1960 campaign?

Bell: He did a lot, did a lot. He orchestrated the big opening rally at Warm Springs [Georgia]. He had a political writer working for him named Ed Len Bridges, who grew up in Americus [Georgia]. His father was a county school superintendent. And Ed Bridges had worked for a lot of newspapers over the country and was related to the Roosevelt era. He got up his all at Vandiver's speech which sounded like [Franklin Delano] Roosevelt, and we tied Roosevelt right around Kennedy at Warm Springs that day, and that was the beginning. And, of course, we had a huge victory. You know, we carried Georgia by the largest majority in the nation.

But Vandiver took total charge. Then he put the whole governor's office . . . support. He had all his political supporters in these towns, and then he was able to work it so we got all of Russell and Talmadge's key people and all of the congressional members' key people. We organized every county, every congressional district, and then every county. I don't think there's ever been a campaign organized that thoroughly. But Vandiver was a banker, he picked George L. Smith and me to run it. George L. had an opponent for his House seat down there in Swainsboro [Georgia]. He couldn't spend as much time as he should have in Atlanta. The

other night I was interested, when Ernie made this speech at my birthday party, which was just a short thing, had several speakers, he said that I was in charge of north Georgia and Speaker Smith was in charge of south Georgia. I never knew we had a division before, but he said that. [Laughter] But he was really the campaign manager, Vandiver, and it was very well done, very thorough.

Henderson: Were Senator Talmadge and Senator Russell helpful in this campaign? Were they supporting the Kennedy ticket?

Bell: They were helpful, but they didn't do a whole lot. As you know from observing them over the years, they tend to their own politics. But they did ask Vandiver to get it organized. They came together, the three of them, the three people [unintelligible] appointed Smith and me. Vandiver talked with them, and there was a good deal of unrest in the state. Different groups were getting together to support the ticket. I think they decided--Vandiver told me this one time--that they decided it'd be better for the three of them to get together and support the ticket. Well, that was a rare thing in those days, you know. [Georgia] Democratic politicians never did support the national ticket. That was a first, I guess.

Henderson: There's talk that President-elect Kennedy will nominate Vandiver to the position of secretary of the army. Would you discuss that little episode in Georgia politics?

Bell: It was a surprise to me. I didn't know anything about it, but, you see, Vandiver had his own lines of dealing with President Kennedy and Robert Kennedy. A good example is the Martin Luther King incident. So I thought maybe--I read it in the newspaper. So I thought maybe there might be something to it, that maybe he was dealing directly with them, but I never have known any more than that. I asked him about it at the time. He said, "No, I don't think I'm

going to be appointed." He said, "I don't know how all this got started." I don't know whether that was all the facts or not. You'd have to ask him about that.

I dealt with the Kennedys, mainly because during the campaign I had to deal with Bobby Kennedy so much, but Vandiver had his own dealings with them. In fact, he had Bobby Kennedy's wife come stay at the mansion one time, two or three years before the election. They were in Atlanta and he had some thing for them over there. They could have spent the night at the mansion. So anyway, he knew the Kennedys.

Henderson: Let's go to the Sibley Commission. You mentioned it before. What was your involvement in the creation of the Sibley Commission?

Bell: As you know, this has been printed, [for] a long time. We kept this a secret. Governor Vandiver, in this talk the other night, told about it, but it's been printed by Bill Shipp several times. We agreed not to say anything about how it started. Vandiver didn't want to--it was part of his strategy not to take credit for that. He wanted to let the people decide. He appointed me chairman of a committee of lawyers to go into the Southern states and see what they were planning to do about integrating the schools, or preserving segregation as they said in those days.

And I went to Alabama and Mississippi and Virginia, and I talked with people in North and South Carolina. I reported to him that in [unintelligible], a lawyer in Albany [Georgia] named Holcolm Perry and B. D. Murphy, who I told you, was Marvin's chief of staff, were on the committee. I was the chairman and I reported to the governor that people in the other states didn't know any more than we did, if as much, that they didn't have any plans, and that we had to get up our own plan. We couldn't get any help anywhere else. I must have talked to him four

or five times about all that. He said, "Well, we got to figure out what to do 'cause the day is coming when we're going to get a court order."

Judge [Frank Arthur] Hooper had the case for Atlanta schools, and we figured Judge Hooper would probably give us maybe a year's delay if we'd get started trying to solve the problem ourselves, instead of the court having to do it. And that was going along pretty well. I thought of the Sibley Commission as a way to let the people decide if they wanted to have schools. At the time we thought we could actually close the public schools, just go out of the school business, but we didn't think anybody wanted to do that. We couldn't just go back to having no schools, but that's what a lot of people wanted to do.

So I thought of the idea of the commission. We could get it passed as a resolution of the legislature, create it, and have hearings over the state. I didn't know who to be--I didn't have any suggestions as who to be the chairman of it, but we had it fixed where everybody would be the head of some organization, like the head of the Farm Bureau, so forth, plus two or three from the House, two or three from the Senate. I've forgotten the numbers now.

I thought about it and one night at my house on a Sunday night I sat down and wrote it out. That turned out to be the resolution for the Sibley Commission. I took it to the governor the next day and he thought well of it, but he said, "Who's going to be the chairman?" Said, "The thing won't work unless we got a strong chairman. Got to be some respected citizen." I said, "Well, I don't know." He said, "You think you can get Judge Sibley?" They called Mr. John Sibley "Judge" because when he was a young lawyer in Milledgeville he was judge of the city court. [Laughter]

I said, "I don't know whether he'll do it or not." So I talked with him. He [Vandiver]

wanted me to talk with him. Then he [Sibley] said he might do it but he wanted to talk with the governor. So Ernie went to see him and talk with him, and he wanted to be certain that it wasn't a sham. That was the first thing he [Sibley] asked me, "Is this for real, or is this some kind of a strategy y'all have devised to delay things?" I said, "No, no, we're trying to get the answer."

So they were going to have hearings in every congressional district, and they had some rough hearings, had some good ones too. Ernie talked with him and he agreed to do it and then we. . . . The way the thing was structured, he had to be head of something, which turned he was head of the University of Georgia Alumni Society. [Laughter] So we put that office in. But Ernie had enough control over people going on the board to let the word go out that Mr. Sibley was supposed to be the chairman. He got his name in the Sibley commission because they had all these hearings, and they recommended in sharply divided votes, you know, we save the public school system, even if we had to be integrated. The vote was like twelve to eleven, something like that. John [Wesley] Greer was on it. I've forgotten some of the people on it. It was an exciting time, and it turned out to be a remarkable shift. That shows sometimes, if you can figure out a way to let the public speak--you know in those days we didn't have sophisticated polls. Nobody would've believed them anyway. This way people had to come to the rallies, and give their views. There was a great turn out. That was the beginning of the thing, and then just as luck would have it, about that time Judge [William Augustus] Bootle ordered the University of Georgia to take the two students.

Ernie had vowed he'd close any school before it would be integrated, "no, not one." And that's when he had the big meeting over at the mansion. You'd have to get the sequence of all these things. In my mind it's sort of all run together, but I think the Sibley Commission had

maybe already performed its function before Judge Bootle entered this order. Ernie, anyway, called that big meeting--I'm going to give you an account of that--he called this big meeting over at the governor's mansion in the middle of the afternoon, and had Roy Harris and Mr. Gillis and Frank Twitty, Dixon Oxford, Carl Sanders, [a] bunch of people, like twenty or twenty-five of his close political associates and legislative leaders, to advise them he had decided not to close the University of Georgia. [He] told them he knew he had brought great embarrassment on them for going back on his word, and he told Mr. Gillis goodbye and he started going around the room.

He said, "I know none of you want to say it with me. So, it's been nice. I appreciate everything you've done for me. I know you won't quit." He told Mr. Gillis goodbye, and he finally got down to Frank Twitty, and Twitty said, "Don't tell me goodbye. I'm not going anywhere. I'm following you." That just broke it. Just in a few minutes time the whole crowd said they'd follow him, and that was the beginning of the end right then.

Then we had this special call legislative session. Had a meeting at night, and Ernie got on the television, carried on every television station, saying that all these laws had to be repealed. And they were. You know, just a three-day session. They got them all repealed. Changed the whole course of Georgia, but that afternoon's what changed it.

Henderson: Had he already made up his mind prior to that meeting what he was going to do?

Bell: Yeah, he made his mind up he was not going to close the University of Georgia. He was going to let the two students in, and he told them that. He didn't ask them to say anything. He just started going around each one saying what a great friend they were and all

they'd done for him, what good things they'd done for the state. And he started out with Mr. Gillis, as I remember, telling him goodbye.

I mean, it was something else. It was the most remarkable thing I've ever seen in leadership, to have to go back on that pledge he made, but to do it in that way. I had nothing to do with that. I was just invited to be there, but I know he started out by saying he was not going to close the University of Georgia. He said, "I'm not going to do that." He said, "I can't do it. I prayed over it, and I just can't do it. I'm not going to close the University of Georgia," he said, "It means too much to our state. It's not right for me to close it." But he said, "I know that doesn't suit most of you. I know, it's going to be embarrassing to you." And so forth.

Henderson: Well, at that meeting did he have anybody expressing opposition to what he was going to do?

Bell: Not one, not a soul--Roy Harris didn't object.

Henderson: Roy Harris did not?

Bell: No, sir. No objection. They were just listening. I mean, they were shocked. They didn't know what to say. And when he was telling them goodbye . . . [laughter] suddenly they'd be leaving their jobs, their positions. . . . I mean, he just rolled it up to them. As I recall, it was Frank Twitty, who was the majority leader in the House at the time, a lawyer from Camilla. He was the one, either Twitty or Sanders, and I think it was Twitty. Sanders then spoke out, said he wasn't going [unintelligible]. [He] said, "We got to support you." And then finally everybody fell in. There wasn't any objection. I couldn't believe it. I'm just sitting there watching this thing.

Henderson: Peter Zack Geer is there?

Bell: Peter Zack Geer is there. He didn't say one. . . . [Cut off]

End of Side One

Side Two

Bell: He [Peter Zack Geer] was there. I don't remember him playing any part in it. He might not have even been there, as a matter of fact, but I think he later claimed that he was opposed to it. He told the press something. He acted like he was governor instead of Ernie. I remember some of us thought that at the time, but you'd have to go back and check the old newspapers to know what each one of these people had to say.

If you spent time just focusing on this short period of time, it'd be a remarkable thing because it's never really been pulled together and written up. It's, historically, probably the most important short period of time ever in the state except during the ordinance of the secession where they didn't. . . . The hotheads carried the day, you know, although about six or eight folks voted against it, including Alex [Alexander Hamilton] Stephens.

Henderson: Well, let me ask you this question. Here is Ernest Vandiver, who had been tied in with the Talmadge faction in Georgia politics, very segregationist. Here is a man who promised in '58 "no, not one." Why do you think, during this critical period, that he decides that he will not fight the federal courts on this?

Bell: Because the law was all against it. He had no way of winning, and the delay and the chaos that would be caused by fighting wouldn't be good for the state. You couldn't win in the end. It'd be like, "Why didn't the South settle the Civil War after Gettysburg?" Why did we go on another year, year and a half? Lose all those people? There's always a time to do things. Why didn't we not stop fighting in Europe in World War II a year before we did? The war was

over, but [Winston Spencer] Churchill wanted to destroy the Germans. Well, look at the Germans now. They haven't quite been destroyed. We went on and lost a lot of people after that.

There's always a time to do things, and this was the time to do it. He had really run out of any way to fight. When the Supreme Court handed down that second Little Rock case between the time he was elected and the time he was inaugurated--I forget the name of the case. It was the Supreme Court--it was the Arkansas case, second Arkansas. One of them was called *Cooper versus Aarron* and the other one's got one of those names in it. They said not even the threat of violence would avoid a court order to integrate. No way, you'd have to call out the National Guard to get the school integrated. That's what the law was. I've always thought it what he did was in the highest calling of a lawyer, a law-abiding people. Finally, you have to follow the law, and that's what he did.

Henderson: At that meeting, while you're watching him go through this process, do you think that this is the end of his political career in Georgia?

Bell: I didn't know, and I don't know that I thought about it that much. We were more dwelling on what we had to do than that. The people, you know, this was such an emotional thing that people could be destroyed just in one day over some of this kind of activity. I don't know. you know, I had a time--you probably read this somewhere--but I had to get George [Dekle] Busbee to introduce--he was twenty-nine years old--I got him to introduce the Sibley Commission resolution. Ernie told me he thought George would introduce it.

So I took it George to get him to introduce it, and he said, "This is going to ruin me." But he finally agreed to do it, and I said, "Well, George, you know, you don't know if it's going

to ruin you or make you. Who knows where all this is going to turn out?" Well, when he was running for governor, he went all over the state telling about introducing the [resolution creating the] Sibley Commission. [Laughter] That shows how you never know. You know, Busbee's here in this law firm, and he's always kidding me about that. [Laughter] I took advantage of him, and so forth. Nobody knew how any of this was going to play out.

Henderson: Prior to Governor Vandiver letting his decision be known, does he turn to you and say, "What do you recommend that I do in something like this?"

Bell: No, no, he didn't. . . . He made his own mind up. You know, I kept him advised on what the law was and on whether we had any more time for delay, and that sort of thing. And he was focusing more on the Atlanta school case and not only the University of Georgia case so much when that ruling came out of Macon. That's a different district. As I recall, that happened right after the Sibley Commission. It all sort of ran together. I don't think it covers ninety days.

Henderson: The night session of the legislature. Were you in attendance when he made his speech?

Bell: No. No, I wasn't in attendance. I listened to it on the television. I may have been off somewhere trying a case or something. I've forgotten where it was, but I don't recall having been over there.

Henderson: What was your reaction to it when you saw the speech?

Bell: Oh, I read the speech in advance. It was great. It was great, and it did just what he wanted to do; it got everybody--there wasn't hardly any votes against it. I've forgotten what it was but it was close to being unanimous. You ought to read all what the *Constitution* wrote

during those times about all that. It was momentous times.

Henderson: Do you recall who his principle speechwriter was for that speech?

Bell: Bee [Walter Odum] Brooks [Jr.]. Bee Brooks and Ed Bridges might have still been there. I think he was. That would have been sort of two opposites in a way, but they were both good speechwriters.

Henderson: Did you have any input as to what went into that speech?

Bell: No, uh-uh. I never got into speech writing. My principle role was to keep him advised on what the law was. I was sort of almost forced into coming up with the Sibley Commission resolution, because we had to do something. We had to bring it to a head. You know, this had been going on--I remember when Fred [Frederick Barrow] Hand was running for governor in 1954 against Marvin Griffin. I went to his opening day speech in Camilla--Pelham, somewhere down there. I think it was in Camilla . . . Albany, maybe.

Anyway, we were lawyers for Callaway Mills and that was his family. Fred Hand was related to him. His sisters were married to the two Callaway brothers. So we were supporting him, and his main line in his opening day speech was that he would go to the Fulton Tower, that's a jail in Atlanta, before he'd ever allow schools to be integrated. Well that sort of--I tell people this story about this history; that sort of starts it. That was right after the 1954 *Brown [versus Board of Education]* case. Before even they had the second *Brown* where they laid down the remedy, here was the governor, and I'm sure Marvin was saying something like it, he was ready to go to Fulton Tower. [Laughter]

So that's in '54. This all happened in '60. We'd gone through six or seven years of this wrangling and fighting and all the time the Supreme Court's handing down these rulings,

tightening it up, making it tighter and tighter. Now if the Supreme Court had not made a bad error, we'd never had all this problem. When they put in the "deliberate speed" in the second *Brown* opinion, in my judgment, it was a historical error.

The plaintiffs in the *Brown* decision had only prayed to do the following: to be allowed to go to school nearest their house. It said they had to walk by a white school to get to a black school. They wanted to go to school nearest their house. That's all they asked for. If the Supreme Court had simply granted that, we would have had a neighborhood school system all these years. We would have saved public education. Instead of that, they put that "deliberate speed" in there, and I think they--nobody'll ever know this but it's pretty obvious to me--they did it to get a unanimous opinion, thinking that that would help the people to follow the law. Well, if they had not done that, we wouldn't have had this twenty years of dragging around and fighting and wrangling that we went through. At the time Senator Russell made a statement that he thought it'd take a generation to get the schools integrated. He was right, but the "deliberate speed" did it.

Years later, when I was on the court of appeals, the federal court of appeals, I wrote the Orange County, Florida, school case and held that the adequate remedy was that everyone be required to go the school nearest their house. The NAACP [National Association for the Advancement of Colored People] had the Charlotte case, and that case, and some of the black lawyers later told me that they decided to take the Charlotte case to the Supreme Court, which was busing to get racial balance. They took it to the Supreme Court and not the Florida case because they said the Florida case was too logical, and it tied back to what the *Brown* case said, what it was about. So we missed another chance.

After that the Fifth Circuit [Court of Appeals] had to do all the schools over after the Charlotte case was decided. It just sort of grieves you when you think about how errors can be made affecting children like that, parents and children. Think how much money has been wasted on busing to get racial balances, how many families have had to get up early in the morning to get their children on a school bus to go an hour just to get to a school to prove nothing.

So after that one, anyway, that was sort of the beginning of the problem. So everybody had some fault in it, starting with the Supreme Court of the United States, in my judgment, and coming on down the line. Finally, it came to a head, but it did a huge amount of damage in coming to a head. You know, all the time we went through. And we still wrangling now over school cases, still doing it. It's had a terrible impact on public education. All you have to do is look at the scores. We need to get back to the old system of going to the school nearest your house. That's what choice was about, and we'll see choice. That'll become the watchword for schools. The two best, probably the best school systems in the nation are Dayton, Ohio, and Cincinnati, Ohio, and they're both on choice now. Columbus, Georgia is considering it. I went over there to mediate, to try to help them out, and they're considering choice. They'll be the first southern school system ever to have choice.

Henderson: If I could get back to you serving as chief of staff. When did you cease or stop performing that function?

Bell: When I went on the court of appeals.

Henderson: What year was that?

Bell: 1961, in October. President Kennedy appointed me to the court of appeals.

Henderson: Well then, were you involved in any way in the 1961 session? There was a big fight between Governor Vandiver and some of his own leaders in the legislature over his power over the budget. Were you involved in that in any way?

Bell: Yeah, yeah. I was involved in it [unintelligible] know what was going on in the fight about it. He was taking power away from them, they thought. Yeah, but, you know, you'd have to be in the legislature, and I had a very close relationship with some of the legislative leaders over the years, like George L. Smith particularly, the speaker.

Henderson: Isn't this highly unusual for a governor's legislative leaders to challenge him on something like this?

Bell: Well, their position was that he was trying to take power away from them, and they had two loyalties, one to him and one to the legislature as such.

Henderson: Now is he doing something that previous governors have not done, or is this just a continuation of. . . .

Bell: I can't remember. I don't remember what he was doing. You'll have to ask him or somebody, but their position was that he was taking power away from them.

Henderson: Well, let's go

Bell: These people had been in there a long time. See George L. Smith succeeded Fred Hand. I mean, this a long--like a dynasty, these legislative leaders over there. Twitty'd been there a long time. They all had.

Henderson: Governor Vandiver not only has to deal with desegregation; he has to deal with the end of the county unit system.

Bell: Well, he also had to deal with this honest[y] in government. Don't forget, now--

that's the first bill, House Bill Number One, and that upset a lot of people because a lot of them, they did have conflicts. And so he starts out on that and they can't afford to say anything about that, but it was not well received by all people. So he dealt with that. He had to deal with the county unit system. I know nothing about that 'cause I wrote the county unit opinion. I hadn't been a federal judge long and I had to write the opinion knocking out the county unit system. You know, and I was always amazed at my friends who prospered under the county unit system, Vandiver, all of them, never really got mad with me about that. You know, as a judge, you have to make a lot of unpopular decisions.

I never had any doubt whether I was right about it. In fact, the Supreme Court knocked out some of the decision that we made. We said you could have a county unit system if it was based on what later became one person, one vote. You divided it on that basis. It'd be like the Electoral College, but the Supreme Court even knocked that out. So anyway, the demise of the county unit system was on account of the lawsuit, and the opinion I wrote.

Henderson: Why do you think the county unit system should have been done away with?

Bell: Under the equal protection clause people ought to have an equal vote. You said they didn't have an equal vote under the county unit system. They had--you know the ration between when Echols County and Fulton County, for example. There was no way it could stand under the equal protection. But before this case that I was in, the Supreme Court handed down a case saying that the county unit--questions like the county unit system were no longer exempt from jurisdiction of the courts under the political questions doctrine. That was Justice [William Joseph] Brennan's [Jr.] opinion. I've forgotten the name of the case, but, at any rate, that brought in legislative reapportionment, congressional reapportionment, the whole bit under

the equal protection clause, where it's always been carved out because of the political question.

Once that came in then it was simple matter of arithmetic to know you couldn't have the. . . . In the big argument on the reapportionment was where you had to do it precisely arithmetical [*sic*]--you could have some variances based on where the mountains separated places, that sort of thing, where you wouldn't end up with something like this thing, we got this congressional district that goes from Decatur to Savannah. That's another problem that came later under the Voting Rights Act.

But at any rate, the county unit system was an easy decision under the law, 'cause once the court had jurisdiction, you'd have to change it. So my opinion was written in a way--Judge [Elbert Parr] Tuttle and Judge Hooper were also on the case. It was three judges of different courts, but I wrote the opinion. It was written in a way, if they wanted to have a county unit system, they could have one, but it had to be based on population, and it [would have] ended up like the Electoral College. But to have the units, you had to have the population. So you'd have huge variance between one and the largest. But they probably would have done it, probably may have well done it, 'cause they were so use to having units, but the Supreme Court knocked that out, any chance of doing that, because the Supreme Court then said you can't have units. And it doesn't make any sense, because you have legislators and that's a unit. But they said in electing the governor, in elections you couldn't have units.

Henderson: Prior to the court doing away with the county unit system, had Governor Vandiver ever expressed to you any criticism or his reservations about the county unit system in private?

Bell: Yeah. I don't know for sure. I have an idea that the general feeling among the

more enlightened people was that it was unfair and needed to be adjusted. And I'm pretty sure that he had that view. Maybe we were in trouble because we never had adjusted it. For some years people thought it would fall, unless it was adjusted. Most people thought you could save it by adjusting it, so they put it off, put off the adjustment. But they put it off too long.

Bell: In looking back over the Vandiver administration, what would you rank as its major accomplishments?

Bell: Honesty in government was like jumping ahead, taking a great leap forward on what we call ethics in government now. That was one. Second was phasing and resolving the integration crisis, would be number two. Number three, I guess, would be dealing with reapportionment and the demise of the county unit system. And generally getting the state government in shape to go forward. And then when Carl Sanders came in. . . . Carl, of course, all the Vandiver folks supported Carl. He was able to start building up the university system and all the things he did for education, but he came in at a time when most all the bad, big problems had already been resolved, and he could then govern and make progress. So I think setting the platform for Sanders was another big accomplishment of the Vandiver administration.

Henderson: What do you think were its major failures?

Bell: I don't really know. I don't recall one. I just was so proud of the way the state leaped forward, got all these good people to take public offices and all that sort of thing that I thought, you know, I thought it did a good job. In fact, I've always thought it didn't get near enough credit for the job it did.

Henderson: How would you describe his stewardship of the government of Georgia?

Bell: I think it was excellent. I've rarely known anybody in public office that was able to accomplish as much and to be more devoted to what he was trying to do than Ernie was. You know, nobody ever went in government facing the odds he was facing in the integration question. To do that and to do all these other things at the same time was great.

Henderson: How would you describe his political philosophy?

Bell: He's a moderate to conservative. He's no liberal at all, but I never thought of him as being right wing or anything of that sort. He believes in fiscal responsibility and I know he believes in the justice system. I'd say he's a moderate to conservative. He probably thinks of himself as a conservative, and oftentimes I think I am, but I think I'm more moderate to conservative.

Henderson: Was he a person you could describe as a workaholic? Was he a hard worker?

Bell: Yeah, he worked hard, but he wouldn't be a workaholic. In fact, he was governor at a time before we got into what I call the [unintelligible] frenzy period, where everybody wants to be a workaholic. We've come to a time where there's very little thinking going on. You see that in Washington now. Everybody's working, busy, tilting at windmills, got a sort of chaotic atmosphere. And it's spread into the law business; it's spread into all kind of business. I don't know if it's hit education yet or not, but people just think they're not really doing anything unless they're in a frenzy. The quality of life has been adversely affected by it, I think. It worries me that people don't take more time for thinking.

Henderson: Would you describe him as a strong governor?

Bell: Yeah, oh, yeah. He was strong. [He] couldn't have done all he did if he wasn't strong. When I say strong, I'm thinking in terms of leadership. I think he was a strong leader. I

don't know what a strong governor is. I'm not saying I'd want one. I want somebody who's got some humaneness about them, you know, is fair-minded and all those sort of things. But I don't think you can be much of a leader unless you have all those other qualities. Vandiver has very little bad thinking in his persona. He thinks good about things. He's not suspicious of people. [There are] not too many people like that. He's what I'd call a good man, good in the sense that he's got good traits about him.

Henderson: Did he have a laid back style of dealing with people, or was it a very aggressive type of style?

Bell: More laid back, more laid back. He doesn't give you the appearance of being aggressive. He's very fair in his approach to things. I'll never forget: he ran--one of his opponents for lieutenant governor was named Bill [William Thomas] Dean. We were trying to pick somebody to be appointed to the superior court out in DeKalb County, and he asked me for a list. I inquired around, got some names. One of them was Bill Dean, and he said, "Bill Dean? I'd be appointing a man who ran against me for lieutenant governor." And I said, "Well, what's wrong with that? He's got a very good reputation."

He thought about it a while and he called Bill Dean and told him to come over to the governor's mansion. He wanted to see him. In those days he did a lot of business at the mansion, over in Ansley Park. He told me later that Bill Dean wept. I mean, tears started coming--he didn't weep, but tears started coming down out of his eyes. He said, "I can't believe this. I ran against you for lieutenant governor and you appoint me judge." Ernie said, "I'm appointing you because everybody says you're the best person available." That's pretty big, that sort of thing. He's got a magnanimity to him that probably most folks are not aware of, never

seen that side of him, you know. Of course, you don't know that about a governor, unless you're close to him.

Henderson: Did you ever see him express anger at a legislator or somebody who he disagreed with?

Bell: Yeah, but it wouldn't be anger, and it wouldn't be what I call outrage. I have a high sense of outrage, I think. Some people do more than others. He would not be pleased with what somebody had done, but he didn't blow up or anything like that. He got a very level temperament.

Henderson: Would he be the type of person that would get somebody on the phone and, as we say, chew them out for something that person did?

Bell: He might, but it wouldn't be a chewing out. I mean, he'd said, "What do you mean by this? I don't understand it." You know, something like that. He'd call for an accounting, all right, but it'd be in a nice way.

Henderson: How would you describe him as a politician?

Bell: Well, you now, I never thought he was all that great a politician, but I'm not a good judge of who's a politician. He's the kind of person that I would like to have in a public office, but I'm not certain in today's politics, he'd make it. He wouldn't promise things he couldn't do ordinarily. He wouldn't be giving away a lot of things, you know, because he's too fiscally conservative.

And he wouldn't be unbalancing the budget, because you can't unbalance the Georgia budget. You got to raise taxes. George Busbee had to face that as soon as he got elected. He had to either cut expenses or raise taxes. So you can't do that. I don't know. . . . And he

wouldn't favor the lottery, for example. That wouldn't be something he'd be in favor of. I mean, I don't think he would. I've never discussed it with him. I know I don't favor it. It's really oppressive to not protect people from their worst instincts. It's like a special tax on people with the least control over themselves, terrible. But anyway, I don't think he'd be much for a gimmick. So I don't know he fits in to what we have going on now. The world's changed a lot in thirty years.

Henderson: We've heard of, in the past, governors doing such things as trading roads for votes or jobs for votes. Is this the nature of the beast? Did Governor Vandiver engage this type of activity?

Bell: I'm sure he did. That was the county unit system. Oh yeah, see, you couldn't keep the county unit system going unless you could do something for the local leaders, and there's not a whole lot you can do for them 'cept give a few jobs on the highway department or build some roads.

Henderson: How would you describe him as a speaker?

Bell: He's a very good speaker. He's not a extemporaneous speaker and he's not of great wit--you know, humorous, not a wit humorous, but he makes a good, solid speech. He's got a good voice, good presence about him, and I always thought he was a very good speaker. I mean, he had to make some dramatic speeches.

Henderson: Did he usually speak from a prepared text?

Bell: Yeah, he did.

Henderson: Now how would his style of speaking differ, say, from Marvin Griffin's?

Bell: Marvin was more a raconteur. I don't know that much about him; he may have

had prepared speeches, but he told an awful lot of stories. I think he worked them in. He was colorful, much more colorful than Ernie in that respect. Well, you know, when Marvin was old, ill, *Atlanta Constitution* had his picture on the front page one Saturday, on the front page in living color. And the whole thing was about his storytelling ability.

Henderson: How would you compare Governor Vandiver's speaking ability with, say, Herman Talmadge's?

Bell: To some extent they spoke the same way, but Herman--well, Ernie had more variety in his than Herman's. Herman's were pretty stock. I mean, he'd done said them so many times that it was more of a recitation of things that he generally said than Ernie. Well, they were different. I mean, Ernie . . . he was addressing himself to the current problem.

Henderson: How would you describe his personality?

Bell: You know, not all public officials were great speakers. Senator [Richard] Russell wasn't any great speaker, for example. Senator [Walter Franklin] George was a great orator. He was one of the greatest. I was in law school at Mercer. He used to come visit with us. I'll never forget him, how he could just get up and start talking, great head, big head of white hair. We don't produce that kind of speaker much anymore. See, they didn't have to worry about television, soundbites [laughter], that was nothing. A soundbite, they never heard of such a thing as a soundbite. Things are just changed a lot.

Henderson: Do you think television has corrupted the political process from that standpoint?

Bell: Well, I don't know. I wouldn't use the word "corrupt," but every generation has their own taste. People have different tastes now, young people in particular. Television's had a big impact, caused a lot of this here.

Henderson: How would you describe his personality?

Bell: I think he had a very warm personality, but if you compared him with Marvin . . . not as colorful. He's very serious. He's a serious-minded person. You know, he's got a lot of farms he farms. He had a bank--he sold his bank, but he's a serious businessman, and he's just a serious person. You know, he has not developed a colorful approach to life.

Henderson: In 1966 he enters the governor's race, but has to withdraw due to health reasons. Prior to his withdrawal, did you support him in that campaign?

Bell: Oh yeah, yeah. I supported him. He was well ahead in the polls. He's had heart trouble since he--I was with him when he had his first heart attack. I'm pretty sure it was. We were going over to Augusta [Georgia] with Carl Sanders. We were going to play golf over there, and he had an attack, and they had to get the doctors in Augusta to. . . . I think they may have taken him to the hospital.

That was the beginning of that heart problem he had, which was something like angina. So now they go in and do the balloon. In fact, he had the balloon two or three times, I think. I know he's had it once. Anyway, yeah, I was supporting him. I supported him also when he ran for the Senate. I always would support him. I mean, he was my good friend. He did a lot for me certainly. I would try to reciprocate all that.

Henderson: In the Senate race in '72. He is un. . . .

Bell: He didn't get in the run-off.

Henderson: Why was he unsuccessful do you think?

Bell: *The Atlanta Constitution* endorsed Sam [Samuel Augustus Nunn, Jr.], and that was just enough. You know, people didn't know any of them, and that was just enough to tilt

the scales. And Ernie called somebody, whoever was running the *Constitution*, and told them they'd done that, said, "Y'all just tipped the scales." And they said, "Well, we don't think so. We had a meeting about it and we want Nunn for governor. We wanted to start building him up to be the governor." [Laughter] [Unintelligible], that's the quirk in politics. Anybody that would base their life on being a politician needs to be examined mentally, you know. Just little things like that can happen. I think that's what happened. Ernie thought--that's what he told me that, and I suspect that's about the way it happened. You know, he'd been out of office a long time then.

Henderson: Do you think that was a contributing factor?

Bell: It had something to do with it. His base would have been the old people that remembered him. We were in the second generation since he had been governor, if you figure a generation is twenty years, twenty-one years. I think, Thomas Jefferson figured the gap of a generation.

Henderson: Let me ask you the final question. What do you think Ernest Vandiver's place is in Georgia history?

Bell: I think it should be very high, and I think it is. I think when somebody finally sits down and writes a history of Georgia beginning with the Ellis Arnall administration during World War II and up until maybe '85, about a thirty-five or forty year period in there when we went from the old Georgia to the new Georgia. During that time the population of Georgia more than doubled.

We got all sorts of changes in the state, and I think if you take that period of time, Vandiver has to be number one because of the problems he faced and the problems he solved

during his four-year term of office. You know, [you're] the biographer of Arnall, what he was able to do. Herman made a great contribution when he was governor because he got the sales tax passed, all devoted to education. And then Marvin came along, after Herman, and then-- 'course, [Melvin Ernest] M. E. Thompson was governor about a year and a half too, but the big things that happened: the sales tax, Arnall bringing us into a more liberal outlook on things, in a way he started the modern era, and then Ernie facing the integration crisis, putting ethics in government, I would say were maybe the two [three] biggest contributions, although the other things I told you were important.

I don't see how he could not be almost number one in that whole period of time. The Georgia I knew when I was growing up during the depression doesn't exist anymore. It started changing about the time Arnall became governor, but he was a wartime governor, and, you know, a lot of people were gone. My generation never really knew what he did. We read about it, heard about it. But then, in a way, M. E. [Thompson] came in--he was more of an interim man 'til Herman got in there, and he was really the first post World War II governor, and I'd say getting the sales tax through was the main thing he was able to do.

Other than that, things just were status quo. And the fight kept going between the Talmadges and the Arnall faction. And then Marvin [Griffin] was more of the Talmadge group, I'd say. And I don't really remember a whole lot that Marvin did because it was always in controversy about his government. Who passed the first rural roads? Herman had one, and then Marvin was getting the second one?

Henderson: I believe that. . . .

Bell: I think that's what it was. When Vandiver got there, there were a lot of problems

on the plate, and he started dealing with them, and methodically went through one after the other. It would have been good if we'd had an eight-year law then. Suppose we'd had him eight years and then Sanders eight years. We'd have been pretty good, but we had some good governors since then. But they all had to build on what Vandiver did and Sanders did.

But Sanders was repeating, built on what Vandiver did. I always figured I was in an eight-year group. A lot of my friends that were Vandiver supporters that were not politicians were just the same generation, you know, like these fellows that went on the Port Authority, Board of Regents. Many of them were reappointed by Sanders, sort of the same group.

Henderson: Let me add one postscript here. A question does come to my mind. I said that was my last question, but let me go back to the 1972 senatorial campaign. Are you aware of the controversy--I know you are--that Ernest Vandiver felt like that Jimmy Carter had promised him the position if Senator Russell had died, and there's some dispute about whether there ever was a commitment or not. Are you familiar with that? Do you have any personal knowledge?

Bell: I'm very familiar with it. Yeah, I did have firsthand knowledge. The commitment, I don't think, was ever directly between Carter and Vandiver. I think . . . the governor [Sanders] was running and they needed some help, and they wanted to get Vandiver's endorsement. I may have this confused between, but I think the commitment was made through Judge Jordan. I think he represented--and Kirbo, maybe Kirbo and Jordan interfaced. One representing Vandiver and one representing Carter. I think that probably was the way the commitment was made. I know at the time Kirbo and Jordan and Vandiver all thought there was a commitment, I think. Kirbo'll have to speak for himself, but I know Judge Jordan thought there was a commitment.

Henderson: Why do you think the commitment was not carried out?

Bell: I don't have any idea. I don't have any idea. You know, from the first day Governor Carter was governor, he started changing. . . . People thought he was changing his ideas about--he said, "the day of segregation is dead," whatever it was. Which is true, but a lot of people thought he was getting ready to run for president. I never did know. See, I was a judge then and President Carter asked me if I wanted to go to the Senate. That was the first time I knew of something--that Vandiver wasn't going to get it. I always thought Vandiver was going to get it, and then he was just dropped off the list.

And he had two or three people, others: David [Henry Gambrell], Phil Austen, I heard he was on the list, but the governor actually asked me. And I gave an interview not long ago. It was in the newspaper or in a magazine here. I said, "Well, would I be expected to run for re-election?" And he said, "Yeah." And I thought about and I turned it down on that account.

I didn't figure I could get elected after all the school cases I'd been into. See, at that time, the school issue was hot, and I'd been in more school integration cases than any judge in the United States, including about eighty-five or ninety in that statewide case in Georgia. I couldn't get re-elected, and all I would do is give up my judgeship, go in debt. Everybody I'd ever seen in politics, almost, borrowed money. I couldn't do all that. I didn't want to do it. So whether he'd appointed me or not, I don't know, but that was the first time I had any knowledge that he wasn't going to give it to Ernie. I always thought he'd give it to Ernie.

Henderson: But then, it's your recollection that the two principals, there was not an understanding per se between the two principals, but it's between their intermediaries?

Bell: That's what I think, but you can flesh that out. I'm pretty sure. The way I heard it,

at the time, not later, but at the time, there was something going on between Judge Jordan and Kirbo, 'cause I remember, at the time, hearing something about it. I may have had some role in it, but I can't remember it. I was on the bench, but Kirbo and I had been partners. We were close friends. Jordan and I were close friends, and, of course, President Carter, I had been knowing all of his life, being from the same county. And I'd been knowing Vandiver all the time, sort of a natural thing. And he did then endorse Governor Carter, candidate Carter, and it was on the front page of the Sunday paper.

Henderson: Well, Judge Bell, I want to thank you for this interview. It's been most informative. Thank you very much.

End of Side Two

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