

ELIZABETH GRITTER: I just wanted to start out with some general questions in terms of background. I was wondering where you were born and when you were born.

H.T. LOCKARD: I was born in Lauderdale County, Tennessee. That's fifty-four or five miles north of Memphis. That's called northwest Tennessee. I was born at ten a.m., so my mother says, on June the 24th, 1920.

EG: I saw that you were in WWII.

HL: Yes.

EG: I was wondering when you were in WWII and what military?

HL: I was enlisted on April the 18th, 1942, and I was in the Army assigned specifically to the Medical Corps. I served six months stateside and the rest of the forty-three months was in North Africa, Italy, France, and Germany. I was discharged on October the 28, 1945.

EG: Where did you go to, well, I saw you studied at LeMoyne College.

HL: Yes.

EG: When was that and what was your--?

HL: On the completion of high school in 1940, I had a scholarship offer, and I accepted to attend LeMoyne College in the fall of 1940. I was there two years--that's preceding going into the Army. Following my discharge from the Army, I came back and finished [in] two summers and one full school year, and thereafter, with the lapse of one semester—. Think I'm loud enough?

EG: Yeah.

HL: With the lapse of one semester, I went to law school in February of 1948.

EG: Did you go to law school in St. Louis?

HL: I went to law school in St. Louis, Lincoln University's Law School, which was a law school mandated by the Supreme Court as a result of the refusal of the board of regents at the University of Missouri to admit minorities. They said prior to that time, the university was paying tuition and train fare or bus fare, whatever, twice a year [for blacks] to go to the University of Illinois Law School at Champaign-Urbana or such other law school that has its doors open. Of course, the Supreme Court in that decision simply said that the state of Missouri could not discharge its duties to its minority citizens by providing out-of-state tuition.¹

EG: So you graduated with a degree of law in--?

HL: Yeah.

EG: What year was that?

HL: That was in 1950. I entered in '48 and went two summers and two regular sessions. I graduated in June of '50, passed the bar, took the bar in June the same year, missed it. I took it again in October same year. I passed. I worked there in a job unrelated to law from October to December. I applied to reciprocity to Tennessee, and thereafter, I was moved back to Tennessee. I moved back.

EG: When did you first begin your involvement in the NAACP?

HL: Actually my involvement in the NAA actually started in St. Louis while I was in law school. For the lack of anything better to do--and that's not the way to word it--but the economic situation was very bad, and I just didn't have a lot of activity on Sunday afternoons. The pastor of the church that I attended was the president of the

¹ In *Missouri ex rel. Gaines v. Canada*, 305 U.S. 337 (1938), the Supreme Court struck down the part of Missouri's law that denied blacks admission to law schools in the state, but provided funding for blacks to attend law schools out of state. As a result, Missouri established a separate law school for blacks at the all-black Lincoln University.

NAACP. He periodically made an announcement to come to the NAACP meeting. They served a little repast and I found it to my liking since I was so strapped for cash other than necessities to make the NAACP meeting. From that, I would get some inspiration as well as some food and fellowship and that sort of thing. So I really got my introduction as to what it was like, what they were doing, and so forth in St. Louis.

From that exposure/experience, I came to Memphis to set up practice. Little did I know that conditions, I use the word, [were as] bad as they really were. Having spent my younger years at LeMoyne--which is just across the way over there, away from downtown--working at odd jobs at night, it wasn't a real opportunity to get a *feel* of really what the conditions were. As I said, being a student and strapped for time and studying, I just spent most of my time in the neighborhood where I lived and on my job and in school. As I said, little did I know when I got out of school and started to work in the community, encountering such institutions as the police force, city courts, all courts as far as that goes, there was just so much *blatant* discrimination until it dawned on me that maybe I might want to sort work on that in that area to make working conditions and the surroundings just a little bit more peaceable.

And it was from that I joined with the local branch, having gone first to my college fraternity. I wasn't inspired at all at what the regular chapter was doing. I went to the LeMoyne alumni, and they likewise were sitting around talking about fund-raisers and annual events and that sort of thing. So what I experienced didn't lend itself to the kind of thing that I was interested in. I went to the branch and found branch meetings. There I found very, very few people but a solid core of mostly men who seemed to be interested and determined to addressing some of the existing problems and in fact doing

something about it.

And the history of, () won't have time but just to touch on briefly how () the early fifties, I think it must've been in 1952, maybe. We had an election, and I ran for president. I lost the election by one vote. What had happened, the national office of the association through its youth director had written to all the local branches throughout—. If I get too far afield you just tell me and I'll--. But he had written local branches and state conferences throughout the country to seek some means by which we might get into the youth chapters, form youth chapters by going into the schools. To my surprise, when I made that attempt, I found that all African American principals, except one, were just a little bit hesitant. They promised to get back in the mail, something of that sort. They never did. Then I contacted this one principal. He leveled with me. He told me that the NAACP was controversial in its nature. But he said that if the superintendent agrees, I'll be to glad have you come into school and form a chapter. Well, I thought that was just more than helpful.

EG: More than what? Helpful, okay.

HL: Because the whole objective was to get into the school. The response I was getting from these others guys was kind of a subterfuge. They weren't saying yea or nay. They weren't saying anything.

What follows is what I have always found rather intriguing. I made an appointment with the superintendent, and he kept me waiting for, oh, at least an hour and a half. It was an afternoon. I don't remember now whether he or his administrative assistant said that the day had come to an end and that he wouldn't be able to see me. I then and there made another appointment to come back sometime subsequent. The date

arrived, and after a long, extraordinary delay of waiting I was able to see him. He was an old--. I guess nowadays we'd call him a redneck. Then you'd call him a reprobate. But he proceeded to lecture me as a young lawyer by saying such things that the NAA was for adults. It was a communist front organization. I, of course, was upon all the measures--what the NAA stood for. So, I engaged him, I think, rather effectively.

In conclusion, after admonishing me and attempting to embarrass and all, the answer was no. We had another African-American lawyer who had not been involved in the organization. He said simply this, "Young man, you would do well to follow in the footsteps of--" and he called this lawyer's name. So, but he didn't say why. I was, at that time, in this lawyer's office. So, after he had finished, I said, "Mr. Superintendent you mentioned a while back that I would do well in emulating my mentor and so forth and so on. Just what did you mean?" He said, "Well, he hadn't caused us any problems." So I guess, well, I knew what he meant--the white establishment had been left untouched and undisturbed. This lawyer was a very brilliant lawyer, much more than I or I will ever be. No criticism of him, but that was the observation the superintendent made. Next year I ran, was elected--.

EG: So you were elected in 1953 to be president?

HL: Yes, and served until the summer of 1957.² Yeah. Summer of '57 something came up. I don't know how much you're going into this. Something came up. All the Southern states and their respective legislatures were in the process of passing laws that were referred to as interposition.

² Branch records indicate that Lockard was elected branch president in January 1955 and stepped down in March 1958. However, branch records for the early 1950s are spotty. H. T. Lockard, "Letter to Walter White," 17 Jan. 1955. NAACP Branch Files, Geographical File. Box C186, folder: Memphis NAACP

EG: Oh yeah.

HL: You familiar with—.

EG: I've heard of that. Um hmm.

HL: It was to interpose the state against the federal government and all those that espoused to the tenets of the federal government and so forth. Not in this state, but we feared it. I know in North Carolina, possibly Virginia, maybe both of the Carolinas--.

But it was pretty widespread throughout the South. That as a result of passing these laws, the law enforcement people were invading the NAACP branch offices. Are you aware of all this?

EG: To some extent but not the invasion.

HL: I don't want to duplicate something that you already know.

EG: Right.

HL: But they were raiding NAACP offices.

EG: Including the Memphis branch?

HL: No, they didn't get to us. But we having heard that was going on, in 1957, that was the year we didn't conduct a membership campaign.³ Incidentally, the office of the NAACP was in my law office.

EG: Oh it was. Okay.

HL: So I carried all of the old membership [files] and so forth home. But what we did [was] we conducted a life membership drive. Life memberships, I think, were \$500 or so. But mainly, we solicited professional people, except school teachers. School

1951-55. Papers of the NAACP, Group II, Manuscript Division, Library of Congress, Washington, D.C. See also: "Lockard Is Named Head of Memphis NAACP, *Memphis Press-Scimitar*, 3 Jan. 1955.

³ As a result of the official attack on the NAACP, no Memphis branch meetings were held from March 1957 to February 1958. W. C. Patton, "Memphis NAACP Campaign Moves Forward," Mar. 1958.

teachers felt vulnerable.

EG: Felt what?

HL: Vulnerable. As a consequence, they wouldn't join. All the physicians, doctors, dentists, other businessmen, undertakers, insurance executives, and all that. We did real well on our fund-raising that year. As a consequence, we were able to convince Thurgood Marshall to come here in the spring--I think it was in the spring of 1957--to speak to a mass rally. We had all these people stand up who we had already solicited. These, of course, were announced at that meeting, very memorable occasion. It started raining early afternoon. The downpour increased with the passage of time. By the time, we were to assemble in this church, which seated about 1,800, you couldn't see your hand before your eyes. People [were] just coming and coming and coming. We brought in chairs to put in the aisles.

It might be interesting to know--I don't do a good job of talking about myself--we had legal clinics throughout the the South and Southwest.

EG: During what time period?

HL: I started in 1955. I attended my first NAACP convention in Atlantic City, New Jersey. From that meeting, the powers [that] be, I guess, kind of evaluate you and see that you have interest and all that. So from Atlantic City I got invited to various seminars and meetings and so forth. So, beginning in 1955 and continuing on ad finitum I was invited.

EG: Continuing on until when, until--?

HL: Well, possibly up in the '70s.

EG: Oh okay.

HL: Yeah. The organization out of a () that's an entirely different thing had to separate corporate-wise. At first, it was all under one umbrella--the Legal Defense Fund and NAACP. They separated. I don't remember when that was, but it must've been late '50s or early '60s. The Southern Congressman and Senators who were opposed to the organization-- See, we maintained a lobby in Washington. The first lobbyist I remember [is] the person of Clarence Mitchell. I guess you've run across him.

EG: Probably. It sounds a little familiar.

HL: He was a very effective lobbyist. The way the organization was structured you could make tax-exempt donations to the NAACP. Well, engaging in the lobbying part of it made it soliciting. At least these Southern gentlemen so convinced their colleagues that to allow tax-exempt statements to NAA was in effect financing our lobbies in Washington. So we contained our lobby, but at the same time we structured a separate corporation. It was known as the Legal and Educational Defense Fund. That was the umbrella under which donations could be made. That was when Roy Wilkins was on the side of the NAA, and Thurgood was over on the side of the—.

EG: Oh, of the Defense Fund. Okay.

HL: The Defense Fund. So I was invited and even we had several seminars on the East. Whenever something was brewing, something was afoot, and Thurgood could get funds with which to furnish our transportation and our lodging and all that, he would call a session. Being in an area where it was just fertile with civil rights problems, and I was the activist-- There were others, but I was the most active. I was privileged to be invited all the time. It was always my pleasure. I met such stalwarts as Wade McCree,

Damon Keyes from Detroit. Most of [the] guys who are federal judges now, especially on the East Coast, were very, very active in that. It was just an inspiration.

EG: So did you attend these conferences every year?

HL: Oh yes. Yeah. Yeah.

EG: These conferences were once a year?

HL: Yes. Annual conferences came in July. But at least throughout the year, there were at least two. For example, in 1960 or 1961, I am not able to picture that () I was in Washington at a meeting that Thurgood called to discuss strategy and how to handle the sit-in demonstrations. We met, oh, Thursday, Friday, Saturday. The Sunday paper, the Washington paper came out, with the announcement that the sit-ins had gotten off the ground in Memphis. Your former mayor was a student at Fisk University, Marion Barry. He came down and inspired some of the students here in Memphis, helped them organize and so forth. They started to sit-in. So we were discussing the North Carolina situation about the sit-ins. They were in jail, and we were discussing strategies for getting [them] out. I never shall forget--Thurgood said, "Boy, you better get out here and get on back home and go and get those people out of jail." I think I came back, the earliest I could get out was a Monday morning, and they were already in court. The first picture that was taken--I'm not on it. [Pointing to a photograph in his office of lawyers defending the sit-in demonstrators.] That was the second picture. All those fellows on there were lawyers at that time. The prosecutor [later] said, "You know, all you guys went on to become judges and here I am a poor prosecutor." I didn't tell him anything. I said, "Well, you were just on the wrong side of track."

EG: Did you defend then the sit-in [demonstrators] for that whole eighteen

months that that took place?

HL: Yeah, I along with some of the others. But I was--I hate to say this--kind of the lead counsel in it. Quite frankly, we had, there were considerable misgivings about getting involved in that even with lawyers.

EG: Why?

HL: It was just, people just displayed hostility toward you.

EG: What people?

HL: Some of the lawyers, white lawyers, European lawyers. Some of our own people who had what they termed or thought was good job security and felt deep down within that you shouldn't disturb the status quo. So it was just that simple.

EG: They thought you should work through legal means and not through demonstrations?

HL: They thought you should just let things be.

EG: Some of the black people?

HL: Yeah. Oh, yeah.

EG: Was it more the older black people?

HL: Yes. Younger people who were with city board of education--. I think it was just unanimous. Frankly, if there had been exposure, I think they would have lost their jobs. I really do.

EG: That they would what?

HL: Lost their jobs.

EG: I'm sorry.

HL: Lost their jobs.

EG: Lots of jobs.

HL: They would have lost—.

EG: Oh lost their jobs. Oh in terms of the young people. Yes. Right.

HL: I think anybody who was with a public entity--city, county--because although the powers that be were silent in terms of voicing any opposition to it, their very actions were indicative of how they felt about the NAA, what it was doing and the people involved.

EG: I heard that, I learned that Thurgood Marshall was opposed at first because-- he thought that you should, or with some of them-- you shouldn't [be] breaking law and you should go more toward legal means not through--.

HL: Well, now, I'm not familiar with that. There comes a point in this scenario when that did surface. It did surface. But I'm not privy to the real nuts and bolts of that. Let's see. You probably would remember it better than I. But whenever King came on with the theory of nonviolence, that's when I and Thurgood Marshall and his group sort of parted company. They tried to keep it subdued, but there was definitely some friction--considerable friction--right in the middle of t

he sit-in demonstrations.

EG: So, you parted company. Why did you part company?

HL: Philosophically at least, we felt that--. Well number one, the Legal Defense Fund was a defense outfit, just what it said. We were defending people for exercising what we called their rights. Martin King--I don't know this for a fact, but I've heard some stories that are pretty accurate--was raising money. Now my statement that he raised money doesn't carry with [it] the implication that he used it for himself. I don't know

what happened to it. But I do know he was able to raise money in large amounts very quickly. That was kind of foreign to the Legal Defense's way of doing things. We experienced the fact that in a lot of instances in the larger cities Martin King had gone before and collected [funds], but he didn't make available funds of any nature to help get the kids out of jail. He was exercising the theories and practices of nonviolence, but it stopped at the coin. He had friends on the NAACP board, real good friends. He was able to get legal counsel for himself, but a lot of people--any number of people--we had to go to their rescue for following King. It wasn't wrong to follow him. They were exercising their rights. But there seemed to be, in my opinion and Thurgood's opinion and all of our group, a corresponding duty and obligation to come to the rescue and make arrangements to see that these young people were let out and () their freedom.

EG: So, a lot of your work was doing that as well--getting the funds?

HL: Yes. Yes. Yes. Yes.

EG: How did you raise the money? Did they come from the national office or did you--

HL: All over. It was an effort--local effort, churches, sororities, fraternities. There were a lot of white people on the East Coast who made tremendous contributions—.

EG: Really.

HL: Tremendous contributions. I mean millions and millions and millions of dollars. They were on the national board. When the organization split up and the Legal Educational and Defense Fund was formed, there were some on that board. These were very, very wealthy people and dedicated and firmly and without equivocation believed in

what the association and the Legal Defense Fund were attempting to do.

EG: During this time did you have your own law practice in addition [to your civil rights activities]?

HL: Yes. Interesting that you would ask that. I had plenty of time for--. African-American lawyers weren't in vogue in this town at that time, which is to say I just didn't have much legal business. I had () but I had plenty of time to devote to the efforts to of the local branch, of the regional branch, of the state conference, and of the national office. So, I kind of got a good baptizing in what was going on because I had the time to do it. As time passed, my business picked up. Finally, I had growing pains. I had a little rift, I did, with the local branch. We, as a part of our efforts had promulgated some--. Some of our plans was to encourage voter registration and all that. So, about the middle fifties, we had kind of made ourselves felt in the political arena in the state. I was invited along with some others to become real active in 1960.

EG: You had been invited by whom to become active?

HL: By some state political leaders who were close to the governor.

EG: So state NAACP leaders.

HL: Beg your pardon?

EG: Some state NAACP leaders. What?

HL: No. No. My invitation came from a candidate [for] governor himself. He had been governor.

EG: What was his name?

HL: Frank Clement. So, four of us journeyed to Nashville in early 1960 to hold a conference with him. We discussed things, and he seemed enthusiastic. I certainly was

excited because this was the first time I got into that arena. So that by summer I was all off into it and worked in the campaign, helped in the selection process. We had a statewide organization, and we made endorsements. There were three major candidates. We had our managers, () managers and all that. We were able to kind of maneuver politically and get Frank Clement's endorsement. Even in Shelby County, we had the mayor, a candidate for () County who running in 1961 who had friends and supporters, and we had a little bit of a problem getting Frank Clement. But the grassroots were with him. We had an executive committee. We were able to get-- This would save the face of the people who were on the executive committee and who were friendly to the local candidate. I personally was able to get enough votes on the executive committee in support of the candidate from Memphis. But I assured the people, and one person in particular, that best he leave the meeting as soon as the executive meeting over because the grassroots was in another room in the building all prepared to vote for Frank Clement. It would be very, very embarrassing for him if he stayed. He took my word and left. That's the way the vote came out. Politics is part of civil rights too.

Several years later, I was invited back again. [Lockard points to a picture of Buford Ellington hanging on his office wall]. That was my boss for four years. I worked in the governor's cabinet. I didn't seek it. He asked me to serve. I met with him on several occasions. I said, "How can I be of help?" I had very well understood that I could not and would not have any inferior role in the campaign. It'd have to be up front () just like everybody else. He assured me that they would. He was impressed beyond measure. I found out all this later. The first night we met we met at the Peabody [Hotel]. I had learned by that time that you never go meet with a politician alone. You take

somebody with you. So, I took eight or ten, seven or eight people. So the meeting was over. I said to one of the staff people, "Where's the whiskey?" "Shhh," he said. "The governor doesn't drink." I said, "Well I do." They told [the governor] that. He said, "I like that man." I didn't hear that, but I heard it later. In my younger years, I liked to chase skirts around. So I picked up a phone. I just made a phone call. I called this young lady. I said, "Let's go and drink some beer." I didn't even know that they had their ears strained. The meeting was over. She said, "Okay." She said, "What shall I wear?" I said, "Wear something short and tight." They told [the governor] that. Later in the campaign, he started to call me "Short and tight." What the hell is he talking about? Finally, somebody said, "Didn't you call somebody when you were in Memphis?" I said, "Yeah." He said, "Well, so and so told him what you had to say." He was--.

EG: When was that meeting at the Peabody?

HL: That was in 1966. He was elected in 1966, and he asked me. I'm going to get off of me now. He had ninety-five counties. He told all his ninety-five managers that he wanted me to serve in his cabinet, but apparently he swore them to secrecy. *Nobody* told me. I didn't have that in mind. I said, "My people need jobs" and this sort of thing. When we talked about coming to the campaign, I showed him my income tax returns for the past few years. He looked at them, he said, "You make almost as much as I do." I said, "Well, I don't know about that. I struggled. I went nine years in the red, and things kind of turned around." So, when they asked me, I was just flabbergasted. Not knowing [the] protocol of that thing, when the governor-elect calls you and all that, you drop everything. He called me and said, "H. T., I want you to come up here."

END OF TAPE 1, SIDE A

START OF TAPE 1, SIDE B

HL: [I said,] "I'm busy I can't come the day you want." Somebody called me up and said, "Don't you know you don't turn the governor down?" I said, "Well, I was busy, and I couldn't go." To make a long story short, we got along fine. When we went into the campaign, I said, "When you ran before, you said you were an old-fashioned segregationist." Very quickly he said, "Times have changed, and the wise men change with the time." I said, "Can you say that publicly?" On his opening night when he made his-- He asked each cabinet member to make contributions [to] his speech. I wrote out some lines, and that was the first applause he got.

EG: What year was this?

HL: 1966.

EG: Okay. What did you do as a cabinet member? What was your title?

HL: Alright. I was the liaison principally with the parole board, the whole prison system. I was his eyes, I guess you could say, at the prison meetings. I went with the board. I met with board right then and there and gave him the benefit of my observations on recommendations. The board made recommendations to him for parole or not many pardons, time cuts, and so forth and so on. I made a condensation of that action () each prisoner and had it for him to read. Then I was able to elaborate on it because I was there. He helped a lot of small counties who were economically deprived in federal funds. He had good contact in Washington.

This was during President Lyndon Johnson's [administration]. He had served, incidentally, with President Johnson in Washington, and it's amazing how he had become more sophisticated overall as a result of that exposure. He said all this. He told me how

he learned to pronounce the word "Negro." That was one of the first things that I asked him about. I said, "You got to get away from this Negra." He said, "Oh, that's no problem." He said, "Clifford Vander taught me. He said, 'It's Ne-gro, Ne-gro.'" Clifford Vander at that time was President Johnson's man to see in the White House, a black man, who went on to be, I think, named Secretary of the Army. He's in private law practice now. But Governor Ellington was brought to Washington to help President Johnson sell his Great Society program to the Southern governors. It facilitated that mattered greatly by having a former segregationist and former governor and former Mississippian to do that job. It was just--. Very smart guy. He wanted to be a lawyer, but he wasn't. He just, well, he didn't agonize over it, but he had high regard and respect for lawyers. Anything we brought to him, he did. Oh, he had about four lawyers on his staff doing different things. He said, "Don't y'all get me in trouble." () I've gone far afield.

EG: Oh, well, a little bit. How long were you in the cabinet?

HL: Four years.

EG: Four years.

EG: What did you do after that?

HL: Oh I didn't tell you. We helped, my job, I helped small communities, rural counties write proposals to get federal funds like for water, for roads. This man had so much contact in Washington. He would just say to me, "I've got some people who need some money to do this, that and the other." He said, "Take them to Washington and see Congressman" so and so. I just would make the plane reservations. We'd all go to Washington and of course he had called ahead. It was very obvious. The Congressman

or Senator or whoever it was involved would just bring their staff in and they would just literally walk the application all the way through. So in a week, ten-days time the money would be coming down. Now I enjoyed that. I really enjoyed that. The Watergate was my headquarters. I loved the Watergate. () and all the amenities, I could entertain friends and all that. That was fun. I made speeches all over the state. You were about to ask something. What did I do after that?

EG: Yeah.

HL: I came back to Memphis, and I threw a big party. He helped me. I think I had about a thousand people. I had it at a nightclub. I had some real good goodies. This was my announcement that I was back home ready to engage in the practice of law and everybody was ().

EG: Went back to your law practice. When did you become a judge?

HL: In 1975. September the 4th.

EG: How long were you a judge?

HL: Nineteen years.

EG: You've been retired since then?

HL: Since August of '94. I had a stroke on the 23rd of March, '94. I lingered from March until August. It *appeared* that I wasn't going to be able to return, which was a mistake, because I had four more years left on my term. We were elected to eight-year terms now. I had four years to go, but that's history now. So I resigned.

EG: Now--backtracking a little bit--after you were president of the NAACP, you said you were done with that in 1957. That was when, then what sort of role, you were on the legal redress committee.

HL: Yes.

EG: Did you have an office?

HL: That's a good question, no.

EG: () or—.

HL: During a seminar which we had, I believe, it was in Dallas, I'm not sure, but I had these people complaining about lawyers and stirring up litigation.

EG: What people?

HL: People that were against us.

EG: Okay. White people, black people? [Interruption].

HL: No, white people.

EG: White people, okay.

HL: The state legislature—. I believe it's getting a little warm isn't it?

EG: A little bit. Yeah.

HL: Will you step in there and cut--. [Break in tape]

EG: About after you were president of the NAACP, your role after that in the NAACP in terms of officeholder or—.

HL: That's a good question. I had to and well, out of abundance of caution, I served as the administrator or executive of the NAACP, and I also was head of the legal redress committee.

EG: From 1953 to '57?

HL: Yes.

EG: Okay.

HL: Obviously that was wearing two hats. The heat was turned up on lawyers

stirring up litigation. I'm sure there were some instances of it. But I never stirred up litigation, but it looked like--. People came to me and said, "I'm tired on riding on the back of the bus. Will you represent me?" I said, "Sure." "I want to play golf." This dentist came to me and said, "What do I do?" I said, "Go out on the golf course and attempt to play. If they don't bother you, you play. If they do, come back to me and tell me what happened." But it was () of people just looking, the powers that be, looking for the opportunity to strike out at lawyers. So, Thurgood Marshall and some of his colleagues at this meeting in Dallas and I was trying to get some direction--.

EG: At this annual meeting?

HL: No, this was a special meeting.

EG: What was it called for?

HL: For discussing legal strategies of cases that we had pending. So, Thurgood had said, "Lockard, you're in too many things." Well, it wasn't that simple because I had tried all along to get somebody to serve, but there was just no takers. People, () it might not be easy for you to understand, going back fifty years or almost fifty years, things were just different. People were losing their lives for nothing.

EG: You mean in terms of the violence?

HL: Violence and intimidation—.

EG: Right.

HL: And that sort of thing. It just so happened that my make up was such that I guess you could say, "Well, it can't be any worse. It can't. If I'm taken, if my life has to go for this cause, so will it be." I just willed it. I was going to stay with it. And I did. I don't know whether this is pertinent, but we had a young man who was conducting a

voter registration drive in Brownsville, Tennessee. Have you ever heard of Brownsville, Tennessee?

EG: Brownville, Tennessee. No, I haven't.

HL: Well, it was the worst county [Haywood County] in the state of Tennessee for race relations. It was tough. Incidentally, you had a majority of black people. But intimidation was as thick as that wall. The NAA sent a man down, Philip Savage in the early, '60, '61, something along in there—.

EG: How do you spell Savage?

HL: S-A-V-A-G-E. All he was doing was encouraging people to register to vote. To make a long story short, he got locked up for that. I was sent by the national office to represent him. It's just unimaginable the hostility that I encountered in that courthouse. Yes, ma'am.

EG: Describe that.

HL: Well, the judge was nice and professional. The prosecutor I liked. But there's something about lawyers in this whole thing. They stuck to their ethics. They fought hard, but they stuck to their ethics and common courtesies and all this. But the sheriff, deputies, and all that sort of thing--. For example, I was familiar somewhat with the jail in Brownsville because I was born some nineteen miles from there. So I went on the day the trial was set to the sheriff's office to find out where my client was. He said to me, "Get out of my office, nigger." He said, "I don't know about Savage." Well, I asked somebody, "Well, where's the jail?" He pointed the jail out to me, and I went to the jail. He said, "He's gone to the courthouse." I went back to this sheriff again. He said, "Nigger, didn't I tell you that I don't know where Philip Savage is?" I went upstairs in

nearby the courtroom, and there [Savage] sat. That's an example of just, he could have told me where the man was. I won the case.

I'm told and this () come up. I was in Brownsville six to eight months ago, and some of the people who remember that day of the trial and the incident and everything--. I had heard this before. They told me when the thing was over--we had a mass meeting that night--they said to me, "You can't go home tonight." I said, "What do you mean I can't go home?" Brownsville's sixty some miles [from Memphis]. I had a brand new Thunderbird that had 140 miles on it. () I was a young buck. [Laughter.] I said, "Oh, I'll go home." They escorted me to some friends' house. We had some drinks and some food and all that. They had me park my car behind this house. They told me the next morning that a posse had formed downstairs in the courthouse, was going, I guess, [to] lynch me or whatever. And that the sheriff and some of his deputies followed us to these homes. They showed me a different way to go out of town rather than take the whole thing. You multiply that times hundred. That's the type of climate that we were in. But I was afraid, no doubt about that. I was afraid. I tried other cases. I tried a case up in Humboldt.

EG: How do you spell that?

HL: H-U-M-B-O-L-D-T. I think () people plus their leader and minister who is president of the local branch arrested for using a public park. Roy Wilkins called down here and made arrangements. I wasn't president then I don't think. I know I wasn't.

EG: What year was this?

HL: In early '60s.

EG: Okay.

HL: It wasn't in the '50s. But I was provided with money by the local branch and—.

EG: From the Humboldt local branch or the Memphis?

HL: No, from the Memphis.

EG: Okay.

HL: Well, I think it was money from the New York office handled through the Memphis branch. That's the way I think.

EG: Sure.

HL: Of course I got a bondsman, two bondsmen, father and a son, and we went up and bailed everybody out and at trial, all the people, students, were dismissed. But there was this one case involving a minister who had a pistol. That carries eleven to twenty-nine [years?], and he wasn't about to take it and I wasn't going to recommend it. We went to trial on that. Are you a lawyer?

EG: No. I'm not.

HL: As a trial progresses one or the other or both sides will give in a little bit. I carried another lawyer up there with me to help me try to pick this jury and all. As the trial progressed, the offers for a guilty plea came down, six months, three months, thirty days. Finally they dropped all of the time and offered just to pay a fine of fifty dollars. I had some difficulty selling my client on that but he finally agreed to take it, [a] fifty dollar fine. We got ()

EG: Because he was, what was he charged for? He had a pistol.

HL: Carrying a pistol.

EG: Carrying a pistol. That was—.

HL: He had a pistol on him and while he went to the park. He shouldn't have had it. He shouldn't have had it.

EG: So you were head of the, you became head of the legal redress committee--

HL: Yes.

EG: From 1953 on to 1966, was it?

HL: Yeah. I filed a--. Have you heard of James Nabrit [Sr.]?

EG: No. How do you spell the last name?

HL: N-A-B-R-I-T.

EG: No.

HL: It would be well to look, to get some () on him.

EG: Okay.

HL: In my opinion, he was not as celebrated as Marshall—.

EG: He was what?

HL: He was not as celebrated—.

EG: Oh okay. Celebrated.

HL: But he was a brain. He was a brain. His son, I'm not sure, still might be with the Legal Defense Fund. But Jim Nabrit was a brain. He was a lot of inspiration to me. In that Dallas meeting--. The district judge here in Memphis would not *rule* on our cases. Number one we had difficulty getting a hearing--.

EG: For what cases, for the school?

HL: All of them. Every last one of them.

EG: Every last one of them.

HL: Every last one of them. We couldn't get him to rule. There was no problem if he ruled against us, you can always appeal. But he was a () master at putting off.

EG: Was this Judge Boyd?

HL: Yes. As such, we couldn't get anything to appeal from him. It was at this Dallas meeting that I raised the question about filing a show-cause order against a federal judge.

EG: Show-cause, okay.

HL: Show-cause.

EG: I'm not familiar with legal terminology. What does that mean?

HL: Why he should not be held in contempt by a superior court for his failure to hear and decide these cases that were pending. Marshall jumped up and said, "Boy, you are crazy." Jim Nabrit said, "Lockard"—some theory that Marshall and Nabrit and some of the others had on a case before the Supreme Court-- He said, "This was a wild, foolish theory, and Justice Frankfurter seemed to take an interest." Nobody until he brought up this wild serious notion had paid any attention to the whole argument. As such, he was saying to me, "If you *feel* it, I don't care *what* it is, how asinine it is, how wild it is, if you feel it, argue it! Do it!"

I came back home. I read the rules. I filed a show-cause order against the federal judge here, laid out my reasons for it, and filed it in Cincinnati at the Sixth Circuit Court. It was set for a hearing. The solicitor general--I had already been introduced to the Sixth Circuit—. He asked me to move his admission. He put the thing on () I told him () ba-ba-ba-ba and we argued that case. They decided against me. But listen to the

language they put in their order: "In the near future, no doubt, the learned judge will set these cases for hearing."

EG: Is that what happened?

HL: It did.

EG: Wow.

HL: It did. Then we started the appeal. Rule against me. Fine! But then don't not hear me! So from that, I just learned to have the utmost respect for Jim Nabrit, and it strengthened my belief in doing, I like to refer [to as] doing wild things! Doing unconventional things! To hell with what somebody says! If you think it has some foundation, file it! That's what happened in the Humboldt case. I filed an action against whatever government body, city council, county court, county commissioners or some thing and I named everybody in Gibson County that had a public office and got the U.S. Marshal and he served papers. You can just imagine how those people were shook up and asked for a temporary restraining order. That's to get the judge to impose an order on everybody to let these people out, stop harassing and so forth.

EG: In Humboldt?

HL: Yeah. But the judge was here in Memphis. That was a political--. Now I realize I was () a federal judge was tenured for life. He didn't want to do anything that revolutionary. I knew but he said oh yeah. Before I sign this, let me call up there and he called up there and they called, that's when I went to, got ()—.

EG: To Humboldt?

HL: Yeah.

EG: Okay, when you went up there.

HL: They let all of those people out of jail. But I enjoyed it.

EG: Yeah.

HL: I enjoyed it.

EG: The judge in Cincinnati, when did he rule that?

HL: I would say, they had an opinion down. The opinion was forthcoming, I'd say, in a week's time. They handed down the opinion. Now, here, it was about a month?

EG: What year was [it] that he handed down the opinion?

HL: Give me a minute. I've forgotten that. Possibly, between '58 and '59. I would say right in there.

EG: All right. Then was Humboldt, you went there and released the people. Then you had your incident where there was the one person who was still there. Then you had to go out of town just to—.

HL: To try that case.

EG: () oh you went there. Let me get this straight. You went there to release the people and then, did you—.

HL: I came on home when they got out. They just went on home.

EG: Oh right.

HL: Then later, the charges were still pending.

EG: Oh it was later you went back.

HL: Oh yeah. I went back. That was an actual trial. We argued at trial and everything but at trial I think the powers that be had decided then and there that the law was on my side and [there] was no point in trying these kids. If they tried them on appeal, they'd get dismissed. So we had to go through a mock trial. I say it was a mock

trial. We had to try every one of them. But every one was dismissed but the Reverend [Freeman?].

EG: Okay. That was the only one. Alright. Well, I see that we're about up with time. Just kind of in conclusion as you look back, what are your feelings towards the accomplishments and just—.

HL: Well, if we could take a five minute break.

EG: Yeah.

HL: Then—[break in tape] Going during, during, during, I think this—. We referred to it as the bus case. The corporate structure was known as the Memphis Street and Railway Company. It provided bus service for the city. It was all rails like throughout the city. That's why I guess it was called Memphis Street and Railway. We now have buses, a few rail cars. But, that was the first suit that struck the nerves of the power structure here.

EG: When was that filed?

HL: That was filed 1953. No that was filed in 1952, best I can recall. Because after the case was set, and I believe shortly after the trial, the Middle District Court of Alabama handed down a similar case that was pending in Alabama, which settled the whole question of transportation throughout the country. But leading up to that, people were very irate. I think all the policemen were against it. But () everybody was against it, except black people. They made certain threats, and I will just tell you this one among many. Well, one, I got threatening calls every day.

EG: For how long?

HL: Oh six to eight months. *Every* day. Mostly in the evening around five or six

o'clock when you're having your evening meal and at around bedtime. So, we had two bedrooms. Whenever I wanted to talk with them--. We used foul language to each other. Very, very, very, very, very bad language and went on and on. [Laughter.] I have a pretty good vocabulary. These calls said one or two. But then I'd get tired. I'd take the phone in the other bedroom and sandwich it between the mattresses. I couldn't hear [it]. If I wanted to make a call or my wife wanted to make a call or whatever, we'd do that. Then I'd get a nap, get some sleep. I'd entertain them some at night.

It was something. It could have been from anywhere, but I always had a strong suspicion that these calls were coming from our daily paper, the *Commercial Appeal*-- people who were there. We had such stinging editorials against what I was doing. I'll have to admit I was one of the most arrogant SOBs that you have ever seen. Whatever came up, came out. I just didn't care.

EG: You mean in terms of talking to them, threatening people.

HL: Yeah.

EG: Okay.

HL: I just hate so bad that I don't have that I don't have that article. I was called by a reporter and it was an observation that I had made regarding some meager step that the school board was taking. They, of course, just thought this was grand. Of course, I took the opposite view. I just played it down. I said, "This isn't blank." They came out the next morning with a gift horse with his mouth open. [laughter]

EG: With your photo.

HL: Yeah. Yeah. It was a cartoon. This gift horse had his mouth open, long neck, and I was looking in there. [The caption was], "Don't look a gift horse in the

mouth." To me it didn't have any mean (), whatever the article was.

The next thing I want to tell you. () I think the worst thing that I experienced in terms of harassment was one night I could hear tires burning, automobile tires burning, speeding. So, I got up to look out and it was all police cars, just zooming and zizzing all around.

EG: This was outside your home?

HL: Um hmm. This is past midnight. I just remained in the window with my shotgun. So finally here comes about ten officers--all white--with their flashlights, [they] stepped on the porch. Before they had a chance to knock, I opened the door. They wanted to know, "We got a call down here that there's been a shooting." I said, "So?" "Well, have you heard any shots?" [I said,] "No." "Okay, we're just investigating." A few minutes later, after they had gone, here come the fire trucks, about two fire trucks, sirens running. "We got a call that there was a fire." I said, "No, no fire." [Pause]. I'm sure when you leave, I'll think of something more. () more meetings than I have told you. Throw me some more questions.

EG: So the fire truck, so that and just they left you alone after that?

HL: Yeah. Yeah.

EG: Dr. Vasco Smith was telling me about—.

HL: Oh you talked to him?

EG: Yes. I talked to him yesterday.

HL: How many duplications have I covered?

EG: Pardon?

HL: Have I duplicated him?

EG: Oh no, it's been different from the lawyer perspective. So this has been very good. But he—.

HL: Well, Vasco knows a lot.

EG: Yeah, I'm going to go see him again--.

HL: He knows a lot.

EG: After I'm--. Later this afternoon. He told a story about you about after the O. Z. Evers lawsuit and the KKK. I want to hear your perspective of that.

HL: I've asked Vasco over and over and he still persistently--. It happened. In terms of how it happened, he can tell it better than I can. I'm going to tell you. But somehow (). Well, I probably would do over just what I did, but I probably wouldn't tell anybody. [Laughter.] They told me, these callers, that they were going to burn this cross in my yard. They called O. Z. Evers too because he was the plaintiff in the bus case.

EG: Were you the lawyer in the bus case?

HL: Yeah. I told O. Z. I said, "I resent that somebody zooming around and going to burn a cross in my yard. I said, "O. Z., you ought to watch your yard." Of course you can't keep the people (). I was just *foolish* enough to go out and prepare myself to kill somebody. That's really what. Because if somebody had stopped to burn a cross in my yard, they would've been shot. I regret, as I said--. I ought to regret both the incident for saying it and letting it get out. You understand what I'm trying to say. It isn't as bad as I actually did do the preparation as it is that I told somebody about it. I told Vasco that. Recently () [I told him,] "Stop telling that damn story because it kind of makes me uncomfortable."

EG: Okay.

HL: But anyway, my brother had the shotgun. We were twins, born at the same time. We hunted rabbits and birds and-- [phone interruption].

They made this call. I felt frankly that the danger and the threat was impending. So I took them at their word. But I slept outdoors several nights besides the hedges with two shotguns. Nobody ever came, and I'm glad they didn't because I probably [would have] been locked up. I regret that. But, I know one thing Vasco told you about because he and Maxine came by to see me. About they came out of the house.

EG: No.

HL: Well, I thought that's what he told you.

EG: Oh yeah. That's right. He said that they came out and they saw you out there.

HL: At that time Vasco lived around the corner from where I did. He just gotten out of the Air Force, and they'd been married a short period of time. Then the word was out that everything was going on. He and Maxine were getting involved in the thing. I had been in college with Vasco. We were pretty much of the same mind, varying in degrees of participation and all that. So, out of interest and concern for me, I guess, he decided to walk around. There I was sitting up on the porch with a shotgun and a half a pint. That's what he--.

EG: Yep. Yep.

HL: At the civil rights museum, about the 20th of July maybe, July, August, we had this overview of (), which you covered, and he decided to tell that thing. He said--if you don't know about liquor--the Rolls Royce of bourbon is Jack Daniels. So,

Vasco said, "He had this half a pint of Early Times." Early Times is the Volkswagen. I said, "No, Vasco, you got that wrong." I said, "That was Jack Daniels." [Laughter.]

EG: Funny. So what other suits in Memphis were you involved in the '60s?

HL: We had a lawyer named A.W. Willis. You've heard that name?

EG: I've heard that name.

HL: He and Russell Sugarmon and Ben Hooks to a limited degree. Ben Hooks got out of school a year before I did, and Russell and A.W. give or take a year, possibly got out of school in the mid-fifties. That's the best I can recall. Immediately, [they] joined with me and helping to push things along. A.W. was more business oriented.

END OF TAPE 1, SIDE B

START OF TAPE 2, SIDE A

HL: As these cases were forthcoming, we sort of divided out the responsibilities. We all worked on them but as I recall we sort of--. Like Russell was assigned--. Well, I remember what I was assigned to [more] than I do them. But I had the library case involving Jesse Turner. I believe I had the, umm, the bus case, the library case, the bus case. But the biggie, the big case was the Memphis State case, which was in litigation for six years.

EG: Wow. What years [were] that?

HL: Okay, we go 1953 to September of 1959. I don't know whether you are interested and you can stop me because if you have no interest--.

EG: Oh I am.

HL: Going back to the governorship, starting in 1952, Frank Clement was elected governor. Two years later, that man there was elected governor.

EG: His name again was?

HL: Ellington.

EG: What was his first name?

HL: Buford, B-U-F-O-R-D. They called it leapfrog. They just exchanged places every two years. In about the middle-fifties—I can't remember, about '56, could've been '58, no later than '58—they passed a law that the governor would have four-year terms, but you were limited to two terms. In the process, that suit lasted so long [through] both governors because anytime you are challenging a law of statewide application, the governor automatically has to be sued. We sued Buford Ellington once and sued Frank Clement twice. That's to me significant if for no other reason that it shows how long it lasted.

Can you imagine what the real big hold up was? The real big hold up was a man named Jack Smith, who then was the president [of Memphis State]. [He] had decided in his own mind for his narrow-minded reasons--.

EG: He was NAAC president of the state?

HL: No.

EG: He was what president?

HL: He was president of Memphis State.

EG: Oh of Memphis State University. Okay.

HL: He had decided for his own selfish and personal reasons that he was just a diehard segregationist. "While I'm president, I don't want to see minorities matriculate in this university." That word was out. I think that case [was] argued before the Supreme Court three times. Three times. A whole two sets of plaintiffs. People who started off in

that case in '53 had gone on to other things. We had to recruit--I use that word loosely-- other people. I believe there were nine people, but Jack Smith was--. His retirement eligibility came in September of 1959. The solicitor general--that's the lawyer for the state--called me and said, "Well, we are going to admit your clients to the university beginning in September." No mention was made of Jack Smith, but it was universally known that these were his feelings. So Jack was retired.

The kids didn't have any money. There were other people who were interested in going too. So the NAACP and the business community, most of the business community, came together, raised tuition money to provide--. I wasn't in on that. I knew about it. I knew money was being raised. I knew what it was being raised for. But I tried to stick and did stick pretty much to the legal aspect.

To tell you another little story aside from () negotiate, oh, this was the negotiation with the then-mayor of Memphis, Henry Loeb.

EG: Okay. What year was this?

HL: Hmmm. This had to be 1960 because what it was about was the sit-ins. The sit-ins didn't get started until '60. So it was in '60 or '61. Somebody had the bright idea. I don't know who it was. It wasn't me. We ought to go and talk to the mayor. He [the mayor] was an A-H.

EG: He was what? Oh okay.

HL: I said, "Fellows, let's don't go up there and dignify that man. He's going to embarrass us all." I said, "Tell you what. In case he locks you all up, call me and I'll get you out. I'm not going." They went to a meeting. We had five city commissioners, one police, one public works, one finance and administration and on down.

EG: These were the lawyers?

HL: No. No. These were—.

EG: People that went to the meeting.

HL: No. No. Those were the--. Lawyers went but they went to talk to the mayor and the city commission about stepping in and trying to give some relief and all that. I'm told that when they walked in and they were facing the city commission, the mayor turned his chair, like my chair, and scooted all the way to the back of the room--turned his back to the lawyers who were addressing the () commission and remained there until they left. I just laughed and laughed. I said, "No matter ()." His name is Henry Loeb.

EG: Did they talk though to the commission at all?

HL: Yeah, they talked. That's another thing. Once the--. I think two things happened. There was a showing of determination on the part of the minority community, and there was equally affirmative action on the part of the majority community, but in between reason stepped in and was able to get people to talk. We had two people on the city commission. Of course it takes three out of five for () to vote on anything. We had two. We met with the *Commercial Appeal* paper, the editor, who was a powerful figure in the community. Newspaper editors always are. The police commissioner went down with us. To my surprise and to everybody's surprise, he made this announcement, He said, "I'm a lawyer. Give me something to hang my hat on, and I will enforce the law. Whatever the law is, give me some laws that I can see, and I'm convinced that that's the law, and I'm ready to go."

EG: This was Claude Armour?

HL: Um hmm. You've been doing your homework.

EG: Yeah.

HL: Claude Armour. Incidentally, he served with us when I went to--. Yeah. About halfway through or maybe the second year we were there, [Governor Ellington] wanted somebody up there to spread the word about law and order. I said to the governor, "How about adding a little justice in that? Let his title be Commissioner of Law, Order, and Justice." He did it. Claude did a real good job. See, we had unrest in spots all over the state. Even during, you know about Stokeley Carmichael's—.

EG: Oh the riots.

HL: Yes, in Nashville.

EG: Oh they march or his—.

HL: Stokeley came to Nashville at or around the time that the sit-ins were taking place and sought an audience with students at Tennessee State University. The students had a fund now [for] activities which could and should be used for the purpose of paying a fellow like Carmichael to come and speak. It's the student money and you'd probably know all that [more] than I do. But it's an activities, it's a fund and () discretionary but the president and all that. But being a minority school and the president being appointed by the governor (). So Dr. Davis, the president, turned the students down. Stokeley went out to Vanderbilt and spoke and he didn't even charge them. He just went out there and spoke. And, little lady, he raised some hell. He was warned by some black members of the legislature there to deny him the opportunity was going to lead down the line to some trouble. That's exactly what happened. He went to Vanderbilt and spoke and it was all on television. Stokeley was an excellent speaker. Those students

converged on the campus and demanded that man right there. He'd left the office. He said, "Boys, I've got to go." [He] told Beau Roberts, Dick [Barry?] and myself and one or two others said, "Y'all meet with those students and work out something." I told him, "It's nothing to do but have gone and let them speak. There is no choice. Those kids are going to tear that campus up." They had some violence out there.

EG: What year was this?

HL: In the middle '60s, middle '60s. It was while I was in Nashville. Now I was there from '67 to '71. So it was and I would say it was on the front end of that period of time.

EG: By the way, I talked to Senator Steve Cohen—.

HL: Did you?

EG: And Bill Roberts was there and he said to say hi to you.

HL: Oh is that right?

EG: I called him on the phone and he said—.

HL: Yeah our offices were adjoined.

EG: Okay. Sure.

HL: At that capitol. What's Beau done now?

EG: I don't know. I mean he just said to say hi and I didn't talk to him.

HL: What was the occasion for you to talk to him?

EG: Oh [tape break] Also I was wondering [about how] your decision-making process was in terms of how you decided what cases to do with the legal redress committee?

HL: Quite honestly and as far as I know--. I know I didn't--. I didn't solicit one

client to file a suit to get involved. I didn't. I have no reason to believe that any other lawyer did. That's the truth, the whole truth. The thing took on, I guess an example would be kind of like wildfire started. People started doing things. They started to get the feeling, "I'm going to do this." Once they got the hang of it, they just got involved. They knew that I was involved as far as the legal side of it. They knew that Jesse Turner was a leader in it. They knew that Vasco was a leader and some of the other lawyers to a lesser degree. So they would come to it. Phone calls, whatever. We would invite them to a branch meeting or a board meeting or committee meeting, listen to them. If this was an area--. I don't remember anything that we turned down because everything was segregated. Even the Dobbs House restaurant at the airport.

EG: Yeah, that's horrible.

HL: So, people--. I don't remember who the person was. I do remember Hank Watson filed a suit in the golf course--. The Overton Park Zoo--. Somebody filed a suit against that because of the one day a week for minorities.

The Overton Park Shell, which was sort of dedicated to religious activities. Students went out there and they went [Laughter] so I'm told--. Picture's up there too. He was the little fellow was the leader.

EG: Who was?

HL: Evander Ford. Have you heard that name?

EG: I think I recognize--.

HL: Well, he was the leader and they went to the Overton Park Shell. At the trial, they were accused of trying to incite a riot. But, allegedly, when the group walked in to this religious assembly--. Of course, that's public property. So even if it's a private

organization, but they were on public property. That was theory of their having a right to go in. Word is that when they walked in, Evander said, "Scatter." You know, spread out. For a long time, every time I'd see him, I'd say, "Scatter." [Laughter.]

EG: Were you involved with that, those charges against them?

HL: No, I probably helped with it. This is and I'm a little fuzzy on that. All of these lawsuits, I would give credit for the most part, almost exclusively--. The sit-in demonstrations settled everything. The lawsuit root served as a good preamble, a good foundation, but when those young people from high schools and from LeMoyne College, Owen College, and there were groups and the city police, I think, had called us in and asked us, "Will you all see if you can stop them?" We said, "Mister, honestly, we know no more than you do." And we didn't. Well, these kids are going to (). They had organized. They had their minds made up. Looking back on it, what they did, they'd be going to the Cossitt Library. Tomorrow we're going to the zoo. Tomorrow we're going. We didn't know. When we knew anything, they were in jail. Some of the powers that be asked us if we would try to dissuade them, but in my judgment that disruption that was caused by these students in a large measure contributed to the finale of this whole thing.

EG: Could you expound on that some more. Tell me.

HL: Well, I guess, take the buses. Take anything that, any institution that lend itself to the common people, ordinary people. The zoo was a people's issue. Doctors, dentists and lawyers don't care anything about the zoo. Don't care anything about going to Memphis State. They've got their degree. But all the bread and butter types of instances got sympathy from the whole community. I think with the passage of time the

powers that he became aware that this was something that was going to be but that wasn't going away. To the degree that they were able to work with people of reason. I was never on the negotiating team. Negotiating is all right, but I enjoyed turning the heat up. I just enjoyed that. Even now, I like to see somebody else (). I just like to persevere until it hurts, and I just got the feeling if you keep the heat up, something will happen.

EG: So you weren't ever part of any negotiations?

HL: Not that I can recall.

EG: Did you feel any pressure from the people that you were working with to be part of negotiations at all?

HL: No, no, no. For example, speaking of turning the heat up, during the pending of the trial to get the kids into Memphis State.

EG: To integrate Memphis State.

HL: Yeah, we sought--. They were saying, "We don't have space; we don't have any slots; we're full. We just don't have any slots." So the question rose, "How many out-of-state students do you have? How many foreign students do you have?" I submitted that question, and they said in effect, "None of your business." You can't get by with that. You've got to tell me how many out of state students that you've got. Don't you know that? Don't you know that I have a way of finding out and you have to tell me? So I wrote the president, [got] turned down, [and then I] took it up with the solicitor general. The solicitor general is the attorney general's assistant--who tries cases who actually goes in the court and tries. So George McCanless was solicitor, no, Humphries was solicitor general at that time.

EG: What was the first name?

HL: Last name is—.

EG: Humphries.

HL: Humphries. He later became judge but I don't remember the name. But George McCanless was the one who argued the state's case in Cincinnati against the judge during the one I told you about.

EG: Oh yeah. How do you spell his name, George McCanless?

HL: M-C-C-A-N-L-E-S-S.

EG: Okay and is the second C capitalized?

HL: McCanless, I'm not sure.

EG: Okay. That's all right.

HL: Where was I?

EG: Let's see here. You were talking about the solicitor general and—.

HL: Oh yeah. So I said to myself I guess that's what I said, "Well I'll show him." My little cocky self. I got out what's a--. I'm sure you know that's called a *subpoena duces tecum*.

EG: A what?

HL: A *subpeona duces tecum*.

EG: *Subpeona duces tecum*.

HL: S-U-B-P-E-O-N-A D-U-C-E-S T-E-C-U-M. It's a paper writing signed by the judge, served on you by the sheriff telling you to be in court on a certain day with all your records pertaining to blah, blah, blah [the order].

I thought I'd turn the heat up. So, I said, "I want these records for out-of-state students for the past fifty years." George McCanless [of Humphries?] called me up, "Lawyer, I hear you issued a *subpoena duces tecum* for the records of Memphis State for a fifty-year period." I said, "That's right, general." [He said,] "Do you realize that this would take literally truckloads to bring those records down there, and it would take months and years to examine them." I said, "General, I don't have much to do," and I said, "Getting them down there is your problem."

In two or three days I got a call from Memphis State, "When would you like to all come out," and they showed us around. I don't know whether and it doesn't matter too much but () too many instances in human endeavors you have to take extreme positions to get what is right. These guys could've let us come on out there. They just thought that they were just adamant and all that. So I said, "We'll see." What we did, we went there. We checked back for three or four years and saw that there were in fact out-of-state students. No school can probably function without out-of-state students. I think there should be, but by the same token don't discriminate against your local people.

Tell me what you're going to do now in life? Are you going to be a--.

EG: Sure I—.

END OF INTERVIEW