

Interview with Alban Smith October 10, 1978. Mayor of La Porte

Conducted by John Brennan, tape #116 and #117

Transcribed by Laura Wadsworth

JB: Mr. Smith, where were you born?

AS: I was born in Albion, New York February 16, 1904.

JB: How did you happen to come to Indiana and LaPorte County?

AS: I left Albion after my graduation from high school, the year subsequent to my graduation from high school and attended the University of Notre Dame. I spent four years of undergraduate work and two summer schools and two years in the law school for graduate work and received an AB degree in 1927 and a law degree in 1929. In April of 1929 I came to LaPorte as an employee of the law firm of, then Osburn and Osburn, and I stayed with the firm Osburn and Osburn for a period of two years and then engaged in the practice of law on my own.

JB: Did you have any problems in your first year of practice? Did things go smoothly at the beginning?

AS: Well, the Black Friday occurred in October of 1929, and economically things got to be quite bad generally. Not only in LaPorte and the state of Indiana, but in the United States as well. It was a struggle to make ends meet practicing law. All businesses and professions suffered by reason of the depression of 1929 through 1933.

JB: Did the depression create any new jobs for lawyers?

AS: Didn't for me. I, perhaps generally, when the Roosevelt administration came into power, the liberal program they initiated created jobs for lawyers. For example the Homeowners Loan Organization lawyers were employed to examine, perhaps draft and close foreclosures and mortgages. And other facets of public life lawyers were employed. I didn't have any employment in the government service at that time.

JB: How did you get involved in work in the City of LaPorte's politics?

AS: Well, basically, I came from a democratic family in western New York. My father was very prominent in the Democratic politics in New York State, and my father was, believed in a liberal progressive policy and that fueled me and I just carried on when I graduated from Law school and when I came to LaPorte. I didn't think LaPorte at that time was, I learned, and still is a very conservative community and a very conservative county. I, having not been born and raised in Indiana, it took me some time to become fully acquainted with the philosophical background of the people generally. I learned that the Republican Party was a Conservative Party then, and still is a Conservative Party. The Democratic...the leadership of the Democratic Party has always been, in my opinion, was always progressive and had liberal leanings.

JB: How did you appointment to the Mayoralty...

AS: Well, prior to the time I was the Mayor of LaPorte, I was chairman of the LaPorte County Democratic Senate Committee and I had been appointed County Attorney, when the county commissioners came under the control of the Democrats I was one of their (indecipherable) county attorney. That was in 1934. In 1935, January 1, of 1935, Lemual Darrow, a lawyer in LaPorte, had been elected Mayor and began serving as Mayor in the city of LaPorte. One of the things he had inaugurated at that time was the 4th of July parade and celebration. And while he was on the platform reviewing from the reviewing stand in front of the courthouse, the platform collapsed and he had injured his, as I understand it, had injured his leg. It was while during this period that he was recuperating from his injury that he had a heart attack and died. And the law in Indiana at that time required the common council to fill the vacancy. There were several candidates; I was not a candidate for the office. I did not seek the office of Mayor at that time, and as County Chairman, I did not become involved for any one candidate. I never believed that the political organization ought to foster one candidate, favor one candidate. In my opinion they were all good and they were on their own. They...the county council was controlled by the democrats, there were five democratic councilmen and two republican councilmen. And the leadership of the Common Council at that time approached me and asked me if I would accept the office of Mayor if they would go along for me. There was some division in the office among the Councilman as to who should be elected Mayor; there were two members of the Common Council that were interested in being Mayor themselves. But the leadership of the Council, they were not acceptable to the rest of the members of the council who...there were several prominent Democrats that were being considered for the office of Mayor at that time when I was approached by the leaders of the Council that they would be for me if I would accept the office. Not having made any commitments to anybody, I (indecipherable) if they wanted me and would support me, I would accept it. As a result, I was selected by the council to be the candidate for the office of Mayor.

JB: Do you think that they were looking for a more liberal or progressive man to fill the vacancy during the depressing times?

AS: I think...they were apparently liked the cut of my jib, I suppose, at that time. I had appeared before the council on a number of occasions representing clients that were affected by action of the governing council and they apparently liked the way I handled myself and the attitude I had taken toward my clients may have influenced their desire to have me serve as Mayor.

JB: Did your term of office...did it run pretty much without controversy or was...

AS: Well, living in a small community like LaPorte, the office of Mayor isn't a bed of roses. There were constantly matters that were controversial that would come up, always. And we were in a period at that time of trying to aid our people and aid our community that had suffered by reason of the depression and Mayor Darrow had inaugurated a program of improvements in the city and I carried out his programs that he had initiated and initiated programs of our own that we felt was needed and was helpful to the City of LaPorte.

JB: Do you feel that the City of LaPorte sought to stir their own economy rather than to accept the WPA or federal aid, did they attempt to do that?

AS: Well, at that particular time, there was a great deal of unemployment existing during the very early '30s and then the period when I was Mayor. People were interested in jobs, they were interested in meeting the payments of mortgages on their homes. There were a great deal of foreclosures that had taken place in LaPorte, not only in LaPorte, but in LaPorte County generally, and all over. Banks and their committees, banks had closed and the accounts they had in the bank were tied up, they couldn't get their hands on it. There were mortgages that banks had on their homes were being foreclosed, the banks that had mortgages on farms were foreclosing them. The federal government initiated programs to alleviate that condition, and they created programs to put people, work programs such as installing parks and cities that were without proper sewage disposal, sewage disposal plants were being built to give employment to people. Not only to the common laborer, but to the engineers, and craftsmen, to get the economy, to get the economy moving....merchandising, material suppliers, and in LaPorte we wanted to take advantage of all of the programs that was available to us. There was some opposition to certain programs that were initiated that hampered its improvements. For Example, the city of LaPorte has a number of lakes around it and I had initiated a program of dredging the lakes in order to preserve them and maintain them. I can't tell you where this opposition came from, but it said that it wasn't necessary to deepen the lakes in order to conserve the water. It was said that they would overflow and that we would be injuring the lakes as a matter of fact. Why anyone would say that I'm not prepared to say except that they were opposed to the federal government coming in fostering programs such as that. Clear Lake is a very, very shallow lake. We did attempt to deepen that to relieve the wells, the flow of water into the wells. And, uh, we did have dredgers out there, and they worked, but we ran out of money for the hiring of equipment to contribute toward the project of excavating the bottom of the lake. We could have raised the money to do that, but there was opposition to it from certain forces in the community that created reluctance on the part of the members of the county council to appropriate funds for that purpose.

JB: Were you able to eventually dredge the lakes.

AS: No, we had to drop the project.

JB: Because of the opposition?

AS: Because of the opposition.

JB: The records show that the council was generally agreed with one another, the votes were 6 and 7 for and seldom....

AS: Yes. We went along, we went along....the council was a very cooperative body of men. We worked very close together. There were times we couldn't agree, naturally, on some things, but that didn't mean that there was heated political opposition. There were two members of the county council that were Republican. One of them was Howard DeMeyer who was the sculptor who designed and built.... was the sculptor on the Potawatomi Indian that was in there. And he was a lawyer. Both he and there was another member at that time by the name of John Martin. We had the best of relationships except when it came to

purely partisan matters where it was necessary for them to take...to show that they were not completely under the domination of the Democratic administration. You know, when I was county chairman in the campaign of 1936, I was naturally...the WPA was in existence at that time and was a very formidable force. We were interested in the voting and the registration, and I had devoted a great deal of time to this organization. What I accomplished, I got the organization moving, a very forceful organization, organized the WPA (indecipherable) on the payroll. And the Republican county chairman and his organization felt that I had apparently violated some federal law and they made an effort to impeach me. The members, the democratic members of the common council introduced a resolution to impeach me for violating, I don't know, something that they had conjured up together and enforced it. There was a vote taken at the council, the vote was....I was not in attendance at this meeting, one of the members acted as temporary, as the presiding officer. Of course, the vote was 4 to 2 in my favor, and I think even the presiding officer, who was a member of the council, voted to...made it 5 to 2. But we had, I would say, a very progressive program, trying to take advantage of all of the programs that was allowable to us (indecipherable)

JB: What bills and what improvements that you sponsored would you say that you look back on with pride?

AS: Well, we initiated and organized one of the, the sewage disposal program. Our waste matter was being dumped into a creek that flowed into the Kankakee River. And, uh, the...naturally it was odorous, all the many dairy farms would take their water from this creek, and in my opinion it was not a healthful situation. The Department of Health of Indiana had made a survey and said that we had to have a means of correcting that situation. We initiated a works project, and the WPA, which was the public works program, we built a sewage disposal plant. The...we enlarged our sewer system, we electrified our water works system, we pumped our water by wells with diesel engines. They were pumped right directly from the wells to a distributing plant here in the city of LaPorte which was a place where they could...well, it was pumped from the wells and it was delivered into the city of LaPorte into a distributing plant and then it was distributed to the homeowners. We electrified the plant, we built new wells, we got into the city here and we built a high service station, in which we filtered the water and purified that water and installed methods of purification that had not existed before. I wanted to, after the program had been initiated, I wanted to install a water-softening program, and that was opposed. Not by the council, but by a group of remonstrators who had been politically organized when it was done, against the organization. We had dissidents within the Democratic party that were out to relieve me of my position, which they finally did, for which I am now very grateful. I was a little bit disappointed, I was greatly disappointed. It was a hard fought campaign, I didn't lose by much, not a great deal. But, uh, it was...this is where the progressive and the conservative, where the sheep and the goats were being separated. I wanted to....our administration wanted to buy the utility, the municipal utility. The Federal Government passed the utility holding bill in which all these small utilities were owned. Now this utility, the LaPorte Gas and Electric Company at that time was owned by the United Life Power, and this was one of 4 or 5 hundred plants that they owned. They were located in one of the western states (indecipherable) The Indiana legislature adopted a bill authorizing communities to buy and participate in these purchases, and we wanted to buy that (indecipherable) to put up the old cry of socialization that we were...that the city was becoming socialized.

JB: Are these businessmen?

AS: Oh, yes. Businessmen, the businessmen, the newspaper, and the utility organization came in. NIPSCO. That's the reason that they bought it, they had their forces in here and they put big ads in the Herald-Argus, now...this I can't prove, but I was reasonably sure, when we came up to a vote in the council, there was one lone councilman who was very, very much in favor of it...

JB: In favor of the city owning the utilities?

AS: Yes, very, very much in favor of it, and came up to me privately and was rather proud of the thing and all of a sudden, all of a sudden he was against it. I know that he was heavily in debt...he operated a little, small business here, he was heavily in debt with the First National Bank and his mortgage, and I would swear up and down that they got to him and he went along with this thing, because they were going to foreclose his mortgage or something like that. This I can't prove, and I ...I knew something happened. I know... I know that they accused me of being a communist and Russia was moving in, as a result I was defeated.

JB: How did the vote go finally?

AS: I, umm, the two republican candidates, they...oh my god there was one republican councilman, Althea Jones who was the county assessor, her husband was a member of the council, he was a lanning type operator for the Herald Argus and he was threatened to lose his job if he went along with the (indecipherable) as a matter of fact, he left the Herald Argus after that and operated, owned and operated a bowling alley in Michigan City on Second Street. It's gone now. So we had some rough tough going, but this is where I say that LaPorte was a...this was...they were opposed to the Federal Government coming in and doing anything. And that, even back in those days, because we had that...they were afraid of the encroachment of, of liberal policies. Now, I never considered myself, personally, I... there are things that I'm conservative about, there are things that I'm...

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JB: Continued interview with Mr. Alban Smith October 10, 1978.
(indecipherable) Now, Mr. Smith, I'd like to get into your defense of D.C. Stephenson, back in the '30's. Would you first explain who he was and how he came into prominence?

AS: Well, D.C. Stephenson, who's full name is David C. Stephenson, was a...started out as a (indecipherable) from Evansville, Indiana. The head of the Ku Klux Klan in Indiana. As a result, being the head of the Ku Klux Klan and as a feeling generally, that not only existed in Indiana, but existed all over the United States, 100% Americanism, felt that Catholics, and Negroes, and foreigners, were not good Americans and they engaged in a program of discrimination. The Ku Klux Klan in Indiana was powerful. And they carried out their feelings with minorities and those with different religious affiliations, they entered into the political field. They, the tenets of the Ku Klux Klan was a Negro, or a Catholic, or a foreigner was not eligible to

hold public office. They used their numbers and their strength to oppose anybody for public office that fell in the minority categories. D.C. Stephenson, who I felt didn't have any personal feelings against Catholics, or Jews, or Negroes, or foreigners...saw some ways of using these hate feelings in order to advance himself politically. As I recall, he never sought any public office himself, but he used the power of his position as head of the Klan to influence the board to vote for individuals of his choosing.

JB: How do...what would you attribute his rise to power to.

AS: He was just a good, high-class, not high-class, I say a high-class, but a very effective salesman. He had the idea and he was able to sell it. He was aggressive, I'd say he was arrogant, he was, in some ways, obnoxious, but he used these...his force of personality, he was able to engender support for the cause of the Klan. He surrounded himself with individuals who would follow his leadership. The fellow had leadership abilities. Of course, I became involved in it after he had been tried and convicted of murdering Madge Oberholtzer. He was charged, found guilty of second-degree murder for failing to supply medical attention for her, and they considered that murder and he was sentenced. On the theory that, as I was able to understand it, if you are on the 10th floor of a building and the windows open, and someone was there...some person was there and threatened to jump out of the window to kill themselves and you stood by, you were able to prevent it and you refused or failed to prevent that person from jumping out, on that theory that they convicted him, such a person would be convicted of manslaughter or second degree murder. They went on the theory, now first-degree murder is murder where there is premeditation, where you have to plan it, where you...where there is some plan. Maybe it doesn't require that there should be any deliberate... any time element involved in it but premeditation is one of the elements of first degree murder. Second degree murder you can be guilty of murder without premeditation. Of course they found that he did not premeditate her demise, he just neglected to furnish her medical attention and as a result of that refusal, she died. He had her housed in his garage in the city of Indianapolis. This is the allegation; this is the evidence that went in. This was the basis of accepting her dying declaration that he was going to be sentenced. After he was sentenced and went to prison, he didn't cease. He took an appeal and the Supreme Court, which was controlled, or which was in the hands of individuals which he was responsible for their election, and he accused all of them as being part of a conspiracy to see that he was convicted. He charged that the jury was fixed; there were many things that he charged that they were known. These things were...that I...the Supreme Court held...the upheld the decision of the lower court that the dying declaration that was allegedly signed by Madge Oberholtzer was a dying declaration and was sufficient to charge him, and....

JB: Where were you when you first heard of him?

AS: Well, I was a student at the University of Notre Dame.

JB: Did you take an interest in the case?

AS: No, I didn't, I never heard of him. If I'd heard of him, it was only by reading it in the newspaper.

JB: When you came to LaPorte and you began to practice, were you Mayor at the time that you became interested in this case?

AS: Yes, I was Mayor at the time and I became interested in it. He communicated with me through associates with him and I had apparently been recommended to represent him by acquaintances of mine who knew him, I had no knowledge of him, other than that he was in prison, there was common discussion on the streets as to who he was and what he did and what he was sentenced for. The same kind of knowledge that anybody else had at that particular time.

JB: Were you hesitant to defend him because of the nature of the case, because of the controversy?

AS: I represented him as a lawyer. Every man is entitled to have his day in court. I think is one of the obligations of an attorney. When he's employed, or when he's been consulted with, if he feels that there has been an injustice done, that there's an obligation on his part as a member of society and as a member of the legal profession to represent him...to represent that person. I felt that...in reviewing, before I accepted employment from him, I reviewed the case, I read the decisions, I read the dying declaration very, very thoroughly and I became convinced at that time that there was a conspiracy to convict him and to keep him in prison and that there were many things...possibly a man should be taken out of society for promoting feelings of hate and promoting feelings of distress and promoting discrimination between our peoples when our constitution provides that all men are born and created equal with the right to pursue happiness and one who promotes theories that deny that and oppose that might, might be subject to being incarcerated, but I didn't feel that he....I felt that he was not guilty of the crime for which he was sentenced.

JB: I didn't....what was his fall due to in the KKK?

AS: Pardon?

JB: Why...why did he fall from favor from such a high position in the clan?

AS: I, uh...as I say, he became arrogant, I think he was arrogant. He was...he was a very forceful individual and I think in the eyes of individuals, he had served his purpose and he was using it for...using the Klan for his own personal power, his own...using whatever it was worth for his himself personally.

JB: The story then that he was going to expose the Klan leaders nationwide...was that a fallacy?

AS: That...this, this.....well, I don't know whether it was a fallacy, but he was going to expose them all, and I think that was his undoing. I think if he had kept his mouth shut while he was in prison for a certain length, he might have been able to gain his freedom and then he would have been able. But he was advising them in advance while he was in prison, and to me that there...if he wanted to gain his freedom, that was a serious mistake. He, uh, he was going to expose Governor Jackson, and apparently had. I think he apparently showed that he was guilty of misconduct in office, I think he showed that he was guilty of criminal offenses and as a result of that Jackson was charged

with a crime and would have been convicted had it gone to trial and I'm not clear...I'm not clear at this time what the exact details of the crimes were against him, but he would have gone to prison.....with the exception...had not the statute of limitations prevented it.

JB: Jackson was put into power through D.C. Stephenson?

AS: Oh, yes, there was no question about that...no question.

JB: When did you first meet Stephenson?

AS: I think in 1935 or 1936.

JB: Was it at the prison, or here, and what were your impressions?

AS: Oh, it was at the prison. After I...after some period of interviews with friends of his, and reading the case and becoming convinced in my own mind that there was merit to what his contention were, I then went over to see him at the prison.

JB: What were your first impressions of him?

AS: I was really impressed with the fellow. I was impressed with his...he was...he apparently was not the same fellow when I met him that he was during the time of his leadership with the Klan. I think...I gathered that if he hadn't been placed in prison by...in Indiana then he would have become, undoubtedly, the leader of the Klan in the entire United States. I think that...I think the individuals that influenced the Klan movements in the United States participated in his demotion and his.....

JB: Do you think the Klan was planning to make a nationwide political move back in the '20's?

AS: There was no question about it.

JB: Why did it fail?

AS: Well, I think there were just too many good people. The Klan had a great influence on the election in 1928 between President Hoover and Albert Smith; he was the Governor of New York and was the Democratic candidate. The Klan, they used a subterfuge of the prohibition. The Democratic Party favored a repeal of the 18th amendment. They used that against Smith, but the real underlying cause...working against Smith was his religion and that was...that was conjured up and, uh, by the Ku Klux Klan. It goes back originally to what I had told you, they might like Smith...he was a great man, but they were afraid of his religion. They didn't want Catholicism to have anything to do with this country (indecipherable) They accused him of being a bead rattler and if he was elected President of the United States, the Pope would be over here running things. They're still doing that. It would have gone if it hadn't been for...Kennedy sort of broke that down.

JB: How did you....once you met him is that when you decided to take the case, or had you decided before you met him?

AS: We, I had not decided that I was going to take the case prior to the time of meeting him. I was satisfied in reading the case that there was some merit in my handling it, so when I talked to him, I got his story, which...so to speak from the horse's mouth and weighed it out and then determined to accept employment. Now I didn't have...he didn't have any money. The money that he got to take care of expenses, and I worked very...I spent a lot of time and I wasn't even paid for it. I got so enraptured in this thing that I started to spend my own money. The...as I say, all of the money he had he had already used up and some of his friends sold him on the idea that they were doing him a lot of good, they were using his money and they weren't doing him any good at all. There was a woman down in Seymour, Indiana, I don't... I think Steve subsequently married her...I don't recall what her name was, but she was a...she was a...she and her husband were very true, devoted friends of Steve and her husband died and I think after Steve got out of Indiana State Prison, I think he married her.

JB: Could you speak up a little, sir?

AS: I say Steve had some very devoted friends from Seymour, Indiana and I don't recall what her name was, but she and her husband were very devoted friends and they spent a lot of their own money for Steve. Her husband died and then subsequent to Steve getting out of the Indiana State Prison, she married...they married and then I heard, and I'm not sure, but subsequent to that they were divorced, and I don't...I think she's deceased now, and I heard recently that Steve is deceased and died in 1966.

JB: How did the trial go? Did you first try to get a writ of Habeas Corpus?

AS: First, we filed an application for writ of Habeas Corpus in the Circuit Court. I think...I think there was some attempt to get a writ of Habeas Corpus prior to that time and I think he went to the Supreme Court on it and he was turned down. We went in on another theory and we got to file the writ and were ready to go to trial and the Supreme Court issued a writ of Probation against the LaPorte Circuit Court from hearing the case and that stopped it.

JB: Is that rare to have a writ of Habeas Corpus denied?

AS: No, it's not...it's not unusual for it's denial. As I explained to you, the office of a writ of Habeas Corpus is to test the legality of the commitment and Habeas Corpus means produce the body, and then the court is to determine whether the...whether his confinement is legal or not. Now you can go in on many theories on the thing, they got many reasons, I would be entitled to a discharge from the custody of the warden of the prison under a writ of Habeas Corpus if I could show that the jury actually convict me, but through a subterfuge they said that they convicted me and I would raise that question through the offices of a writ of Habeas Corpus. If the court found such a fact to be true, he would order my discharge. Now, that's one. I might subsequent...they might find that everything was alright, that the jury actually did have a finding of guilt, and actually did and that the allegations that I set out in my application was not...was not sufficient to warrant a discharge. I could...there was a rule that you could only file an application for writ of Habeas Corpus within 6 months after denial of one was rejected. Before you could file another one, you had to wait 6 months.

JB: After...after the writ of Prohibition was placed on that did you have to wait 6 months before you could act again?

AS: Yes, if you were going...if you were going to act again. But you couldn't act on the same theory.

JB: Was your evidence...was your new evidence...was it strong enough to...

AS: I felt that it was.

JB: Wasn't there anyplace that Stephenson and yourself could appeal to after the first one was prohibited?

AS: Yes, could have appealed...could have appealed to the Supreme Court, but it would be sort of moot, wouldn't it, if they denied...that they would review the application for a writ and say that this court is not...no basis for the (indecipherable)

JB: Do you think that the Supreme Court was also...were also placed in position by Stephenson and turned on him once he was in prison?

AS: This...this...this has always been...now I won't say...I wouldn't want to say that, but I...this had been a possibility.

JB: Did you file again in 6 months?

AS: Well, we exhausted what we felt was our means of redress on the basis of Habeas Corpus. We then went into the Noble County...or to the Hamilton County Circuit Court on an application for a writ of error Coram Nobis, which was in the nature of a motion for a new trial for newly discovered evidence. Now, Habeas Corpus is an error that has committed...been committed somewhere along in the proceeding that renders the commitment under which the warden holds the person in custody, that there is an error that's a ...a fatal error that entitles the person to be discharged from the custody of the warden...that his holding him is illegal. Error Coram Nobis doesn't have to do with an error, that's newly discovered evidence.

JB: Did you have new evidence?

AS: Well, we went on the theory and we felt that we were able to show that Madge Oberholtzer did not sign this dying declaration, that it was a forgery.

JB: How did you prove that?

AS: As I told you before, we took her dying declaration in the custody of the sheriff and the clerk of the Hamilton Circuit Court, under an order from the judge of the Hamilton Circuit Court to the City of Chicago, had it placed in the office... with the Chicago Tribune, in a room provided by the Chicago Tribune. We had an expert out of Washington, who's name I do not recall now, I had nothing to do with his employment. We took a series of photographs of that dying declaration large enough to put on this wall.

JB: About 10 feet across?

AS: Large, I don't recall exact dimensions, but it was blown up...her signature was blown up so it showed every little thing, not only in her signature, but in the paper. And it revealed to me that that could not have been anybody's signature.

JB: Why was that?

AS: Because the very characters of the writing. Now if you write...if you make an M, and you start over here and her signature, she wrote in a fashion...her...her own personal signature, her name was Madge Oberholtzer. So the word Madge, if you started out with the word Madge, and the M, your first line would be here and then the one that would come down over the actually...it would be on top of the line that went over the bottom. We showed that this was done backwards, because the line, the M that was on the bottom, actually appeared to be on the top.

JB: So it was written in reverse?

AS: It was written in reverse.

JB: Who did you present the evidence to?

AS: Well, we didn't present the evidence to anybody. We were going to present it in court to show this, and when we got to the date of hearing...the date of hearing, the Indiana Supreme Court issued a writ of Prohibition against the Hamilton Circuit Court to prevent us.

JB: What did you do then?

AS: Nothing. That was the end. We...I still had, we were still discussing what we could do...

JB: But the State Court was the farthest you could go with something like that?

AS: The Supreme Court, the Indiana Supreme Court was...we stopped there.

JB: What did Stephenson do in prison?

AS: Well, he...Stephenson, in prison, well, he was a clerk and a... sort of ran things in his own...his own cell block. In prison, they have society in prison. He was in the upper echelon of the society, he was associated with the con artists and maybe some doctors and the lawyers that were sent there. You know, a society like you'd find in the outside world. He wasn't...he wouldn't associate with rapists or child molesters or murderers in the sense that he...one time, for example, I got a letter from an inmate who wanted to talk to me. I had a policy that I wouldn't talk to an inmate unless I was advanced a sufficient sum of money to take care of my trip over to the prison...(indecipherable) a small retainer, and I wasn't the only...all lawyers did this that had any...that went in the employ, and so I had a...I got a letter from this inmate and...asking me to come over to see him and I wrote back to him telling him that it was my policy that I would talk to him if he'd send me a retainer of \$50, I think, to cover my costs. There was a...talk that'd killed his mother, and in talking to him he said he was there for murder, and

I said well, what are you here for and he said for killing my mother. I said well, did you do it? He said sure and he was....I betcha he would do it again, you know. So, I would represent...no use in representing a guy like that.

JB: Do you think that your defense of Stephenson affected your career in any way.

AS: I don't think so, I don't think so...I...those that.....

Tape ends at this point - remainder of interview lost.