THE ORAL HISTORY

OF

WILLIAM L. BEATTY
SENIOR DISTRICT COURT JUDGE
of the
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

AS TOLD TO

COLLINS T. FITZPATRICK,
CIRCUIT EXECUTIVE

June 19, 1997

We are indebted to Deputy Circuit Librarian Barry Herbert for his assistance in the editing and publication of this oral history.

CTF: This is an Oral History of Senior District Judge William L. Beatty. Today is Thursday, June 19, 1997, and we are in Judge William Beatty's office in East St. Louis, Illinois. I am Collins Fitzpatrick, the Circuit Executive for the Seventh Circuit.

Judge, maybe you can tell me a little bit about your family tree, where your ancestors came from and how they got to this area.

WLB: Well, let's see, starting on my father's side, my father was born in 1902 in Gallatin County, Illinois, county seat, Shawneetown. His parents were farmers.

CTF: What kind of farmers? I mean did they have cattle?

WLB: Grain farming, corn, wheat and beans in that part of the state. From time to time, depending on the market, they would raise some cows or some hogs. My grandfather on my father's side was an orphan and from what we know, he came from Canada. He was evidently born in Canada and came down here and was placed someway. Somebody in the family has suggested he may have come down on what they called the "orphan train." He came from Canada. They shipped orphans from Canada down to different parts of the United States and families would take them to work on the farms. That is how my grandfather came to Gallatin County. He lived with a family down there and worked on the farm.

CTF: What was his name?

WLB: William Beatty, same as mine.

CTF: But was that his original name?

WLB: Yes, as far as we know, that was his original name. He was not adopted. He lived – two versions of this: one, that a family named Cassidy took him in down there, and another version is that a family named Hanlon took him in. Based on what I now know, I think it was the Hanlon family because my father's name was Raphael Hanlon Beatty, and the Hanlon, I think, was after the Hanlon family that had taken his father in.

CTF: How old was he when he came here?

WLB: 8, 9, 10 or 11 years old, a young boy.

CTF: Any idea whether he would have come out of Ontario?

WLB: As far as the family tree is concerned, we have never gone past that he was an orphan from Canada. A relative of my grandmother's tells the story that his father was killed in a saw mill accident in Canada, but didn't know where. Now on my paternal grandmother's side, my father's mother, her name was Siebman, that is German. We have quite a bit – we can go back two or three generations with her. Her grandmother came over from France, her name was Philomean Brazier and her grandfather came over from Germany in the early 1800's. Apparently all of my ancestors wound up in Southern Illinois in Gallatin County, Illinois. They came from Pennsylvania, from Pennsylvania to Ohio, then down the Ohio River and apparently all of them got off the boat in what later became Shawneetown.

CTF: Were they Pennsylvania Dutch?

WLB: The Siebmans were, yes. The Collinses on my mother's side came the same route, they came through Ohio, down the river and wound up in Kentucky, right across from Southern Illinois, and came over into Illinois later on and settled there and started farming.

CTF: Now, the Siebmans, they came out of Germany. Do you know whereabouts?

WLB: No, I don't.

CTF: Did they come in the 1840's, so to speak, when there was a lot of turmoil?

WLB: Yes. It was early, I think they came over in 1842.

CTF: Do you know where in Pennsylvania?

WLB: No, no I don't.

CTF: What about the Collinses?

WLB: Well, let's see, on the Collinses side, that is my mother, the Collinses came over in about 1820. They came down the Ohio and they were in Kentucky for a while and then came over into the Gallatin County area of Illinois.

CTF: Were their families farmers too?

WLB: Yes. They were all farmers.

CTF: So everybody farmed?

WLB: Well, there is a doctor in there someplace. Basically, I mean that is all there was at that time, at least in that area, they were all farmers, basically. The Collins, let's see, Collins married an Ashley, going back on my mother's side. The other side of that family were Ashleys and I have no idea when they came over – I think it was the early 1800's. They came through Ohio to Kentucky, and then to Illinois, and they were farmers.

CTF: Any idea where in Ohio?

WLB: No. I haven't gone that far back with it. The Collins Family came from County Cork.

CTF: So they are all in Shawneetown, basically?

WLB: Yes. That's where they got off the boat, but actually they farmed where they all settled, they settled about 20 miles from the river in and around Equality, which is a small town down there and Eldorado. Those are all little towns down there, but basically in Gallatin County.

CTF: Do you have any relatives down there now?

WLB: Yes, in fact I ran for County Judge in Gallatin County in my senior year in law school. Back then you did not have to be a lawyer to be a county judge so my uncle who is still living down there encouraged me to run for county judge. He wanted me to come back there. So I did that, I put my name on the ballot in the primary and went down there once or twice and had a few brochures handed out or something. But the Shawneetown town barber beat me, he knew more people obviously. But I didn't do too bad, I don't remember how much I got beat by, but it wasn't a disaster. I still have a lot of relatives down there. This uncle I am talking about is about 94, I guess. He is still active and his mind is clear. I have a lot of cousins down there.

CTF: So your parents were born there, were you born there, too?

WLB: I was born in Harrisburg. I take that back – really, I wasn't. I was actually born in Mendota, Illinois. You know where Mendota is. Back in those days, doctors didn't deliver babies. They were delivered by

nurses or midwives. My dad was working in the mines at Harrisburg, Illinois and when it came time for my mother to deliver, she went up to Mendota where we had an aunt who was a nurse-midwife. I was born up there and after a couple of weeks my mother came back down to Harrisburg. Our home was in Harrisburg at that time. That was in '25.

CTF: When did your dad make the jump from being a farmer to being a miner?

WLB: As soon as he was able to get out from behind the plow. I think he made the decision he just did not want to be a farmer. There were two brothers, my dad and his brother, and a sister, and his brother liked to farm and took to it, but his sister and my father did not like farming. I guess they saw too much of it, so my dad went to work in the mines. He worked in the office actually, and then the mines closed down in '29.

CTF: Did he ever work underground?

WLB: He did some. I think he got out of that and got into the office pretty early on.

CTF: What was the company?

WLB: O'Hara Coal Company. The mine was actually in Harco, Illinois. It was just a little mining town. Of course, all the mines closed in '29. You were talking earlier about the mine strikes. During that period of time there were a lot of mine strikes apart from the Depression. That whole area down around Harrisburg and all of Southern Illinois, there was just open warfare at times, machine guns and everything else.

CTF: Was this the United Mineworkers organizing?

WLB: Yes, and the Progressive Mineworkers. When the mines closed down, my father came to East St. Louis because East St. Louis was always known as a place where you could get a job. He came up here and my mother moved back on her family's farm with her mother and father. I was 4 or 5 and my sister was 6 or 7. My dad came up here and got a job.

CTF: Doing what?

WLB: He was working for the Illinois Power Company, going door to door selling toasters. It was a round piece of metal about the size of a dinner plate, perforated with little holes in the middle and there were four wire frames coming up off the base that you could lean a piece of bread up against – follow me?

CTF: Yes.

WLB: You would set that on the gas burner on the stove, and it would get toasted on one side, you would turn it over and toast it on the other side. So he went door to door selling those for 10¢ a piece.

CTF: So at that point utilities were selling appliances?

WLB: Oh yes, gas stoves, and hot water heaters later on. Of course, we didn't have hot water heaters then, and he stayed with the Power Company up until the war selling appliances. We came up here, my mother got a job at Famous Barr over in St. Louis, and we lived here in East St. Louis up until 1952.

CTF: What was the name of the bar?

WLB: The bar? Oh, Famous Barr?

CTF: That was the name of it, Famous Barr?

WLB: Famous Barr is a major department store, May Department Store – Famous Barr evolved into May Department Store. In this area, Famous Barr is a big department store .

CTF: O.K. So she was a sales person?

WLB: She was a seamstress, she altered clothes for their clothing department.

CTF: Had she learned that on her own or been taught?

WLB: I guess young girls at that time learned how to sew – their mothers taught them, I guess.

CTF: How old were you when you came to East St. Louis?

WLB: Five. We first lived in two rooms, a house that had been divided up into little apartments. We had two rooms and it was about five blocks from this courthouse.

CTF: Whereabouts was it, the address?

WLB: It would be in the 1300 block of Cleveland Avenue, maybe 1310 Cleveland Avenue. We lived in that general area then up until the time I got out of grade school. We went to St. Joseph's Church and I went to St. Joseph's Grade School. St. Joseph's Grade School is still being used for a Headstart Program. A lot of kids go there now. The church has been torn down and they built a new church. I think it is only one of two Catholic churches that are still active here in East St. Louis. That is about 6 blocks away.

CTF: What was the population of East St. Louis then?

WLB: I guess in the early 30's – I am going to say 60,000 to 70,000. At one time I think the population here peaked out maybe in the – probably during the war years or shortly after the war – probably peaked out at around 100,000 to 110,000. I don't know what it is now. It is way down from that.

CTF: At that point the stockyards were going full blast.

WLB: We had Swift, Armour, there was another one – I can't think of it.

CTF: Wilson?

WLB: No. There were three major packing companies here plus the National Stockyards, then we had a big bottle plant, O'Bear Nester made glassware of all kinds. We had steel mills, American Steel. We had Aluminum Ore.

CTF: You had a lot of railroads?

WLB: At that time, East St. Louis was the second largest railroad interchange in the country. Chicago was first, East St. Louis was second. That's why you could always get a job here.

CTF: The river traffic was pretty busy?

WLB: No, it really wasn't. At that time the river traffic wasn't the big thing it got to be later on. I mean, there was river traffic but it was nothing compared to what it got to be in the 70's and 80's.

CTF: Were the locks and dams in place?

WLB: The lock in Alton was the only lock here. There was no lock in Granite City and I think, I am not too sure about the ones above Alton, Winfield and those, I don't know when they were built. Railroad cars were loaded on barges to cross the river to St. Louis and on West. There were two or three railroad bridges so I don't know why they still hauled them across on barges, but they did. I guess the traffic was so heavy that the bridges couldn't accommodate all of it. I don't know.

CTF: You mentioned on another occasion about the corruption in East St. Louis. I remember you telling me that the penny candy store near your school had slot machines for kids.

WLB: You have a good memory. Yes, it was Norton's Confectionery, right across the street from St. Joseph's Grade School and you know, maybe my dad had a good day, sold a few toasters, why my sister and I would get a penny to spend at recess, and we would go to Norton's Confectionery. Most of the time, instead of buying candy I would put it in a penny slot machine. This was a regular slot machine, you know, pull the lever just like any other, but it took pennies and that was in the early 30's. The slot machines, you know we were just talking earlier about this Venezia trial and the slot machines, there have been slot machines in East St. Louis as far back as I can remember, and they were illegal then just as they are illegal now.

CTF: Were they more open then?

WLB: Oh yes, they were, in East St. Louis they were wide open. Every bar had them. As I said, the confectioneries had them. In fact, they were so common you didn't even notice them. I mean, it was just an accepted thing. When I was in high school about a block, two blocks down the street, the building is still there, I think it is empty right now, I went to high school about 3 blocks over here. We would walk downtown after school just to bum around and we would stand out on the street corner and we would listen to the races being broadcast. This was a book shop and they would broadcast the races. They had a speaker outside so you could stand outside. They didn't have air conditioning so you would stand outside and listen to the races.

CTF: The book shop in a sense.

WLB: A bookie. Betting on the races. There were probably two or three of those in downtown East St. Louis, wide open. There wasn't any secret about it. In St. Clair County, at least as far back as my memory goes, there has always been gambling and other forms of vice, I guess. We thought nothing about it. That says something too. I don't know why we didn't but we didn't.

CTF: Was there open prostitution?

WLB: Yes. Probably more of it then than there is now. There is not as much demand for prostitution now. But, yes, where the present City Hall is located on Third Street was the center of – understand I am going back to the 30's – I understand that is where most of the prostitution was located at that time.

CTF: What about political corruption?

WLB: Well, I guess the two go hand-in-hand, don't they? I mean corruption, gambling, vice of one type or another. I certainly have no direct knowledge of it, but I assume that somebody was being paid off.

CTF: Prior to the end of Prohibition would there have been also a lot of liquor?

WLB: I don't know. See, I wasn't old enough to be aware of that then, but I am sure there was. Probably no more than there was all over the country at that time.

CTF: Where did you go to high school?

WLB: Central Catholic, which has been torn down – no longer there. The successor to Central Catholic High School was Assumption, which was built out at what was then the edge of town, and Assumption High School closed down, oh about 10 years ago or so. Two of my sons went there. It is now a low security state penitentiary.

CTF: The high school?

WLB: Yes. The state bought it and they turned it into a penitentiary. I don't know how many people they have there, but you can drive by and see it. So they put it to some good use.

CTF: You lived in this neighborhood in East St. Louis until when?

WLB: Until I got out of grade school. I started high school and we moved out to 38th and State, which is 20 or 24 blocks out farther east, and I lived there until I got married.

CTF: You had streetcars to get you back and forth to high school?

WLB: No, I would ride the bus. Streetcars. I am trying to remember – by then the streetcars were gone in East St. Louis. They had buses. I used to ride my bicycle most of the time. If there was good weather I would ride my bicycle to high school or sometimes hitchhike.

CTF: You mentioned, obviously, one major impact on the family unit, how the family in the Depression was, your father losing his job when the mines closed and relocating here in East St. Louis. What other things do you remember growing up about the Depression?

WLB: Well, we were poor. I mean we didn't have money.

CTF: Did you know you were poor?

WLB: No, I don't think I knew. I knew we were poor, but so was everybody else. I mean, I didn't have any friends that weren't poor. When I say poor, they didn't have anything more than I had. In fact, maybe I had a little more than some of them had, some of them had more than I had, but we were all poor back then. I think one of the significant things is that my dad worked in the mines and he and my mother were living in Harrisburg and they were buying a house. I can still remember that house, we have pictures of it, and by today's standards it would not be much, but by standards then it was a nice, two bedroom frame house on a nice street, you know, and he was making payments on it and they lost that house. They came up here. They rented property, and the next time that they were able to buy a house was in the late 50's. I think it is difficult for the younger people to recognize that the people who came through the Depression had a tremendous fear of financial collapse. They weren't sure enough of their future that they felt like buying a house and doing things like that. They didn't have the money. If they would buy it, they would have to mortgage their house, they were afraid of what could happen, so to me that was the biggest impact of the Depression and it lasted for a long, long time – even into my generation. It lasted my parents' entire generation. They were affected by it, my generation, you know it still has an affect on me. I

have grown up thinking that you have to save your money, you can't spend it, you gotta save it for a rainy day. You can't do all of these things that the young people are doing today – go out and buy big homes and fancy cars and all that. Save your money.

CTF: Do you remember bread lines or people out on the street selling apples?

WLB: Oh yes. We would go to St. Louis, downtown St. Louis and there would be people on corners selling apples or a lot just begging, just sitting on the street corner selling pencils and yes, you would see people lined up at the welfare offices for food, whatever. East St. Louis was not hit near as hard though as other areas because, as I said, throughout the Depression, if you wanted to work, you came to East St. Louis and you got a job. Maybe you didn't make much money but you could get enough to survive. If you went to places like Granite City and some of your other towns around here, everything was shut down. There weren't any jobs in Granite City. That was one of the hardest hit towns around here. The thing that kept East St. Louis going was the packing houses because people were still eating so the packing houses had to operate, and at one time they had 5,000 to 6,000 people working in the packing house. I worked at Hunter's, that's the other one I was trying to think of, the name of the other packing house. There was Swift, Hunter and Armour. I worked at Hunter's for a while and I worked at Armour's for a while.

CTF: What did you do there?

WLB: At Hunter's I worked in the bacon house. We would hang slabs of bellies on these big racks, put them into the furnaces and when they got through, we would haul them out, take them off and run them through a device that skinned off the crust with salt at the bottom. At Armour's I worked in the maintenance department. I was a machinist's helper. Just for a short time, at both places.

CTF: Did you have the background to get your job there or were you hired to that job?

WLB: The job at Hunter's was in the summer between the school years. I just went down and said I wanted a job and that's what I got. And then at Armour's, I worked at Armour's during the time when I was waiting to get drafted,

CTF: When did you finish high school?

WLB: I was a senior, I should have graduated in '43. They had a program going at that time that if you were in your senior year and if you had a certain grade average you could skip your last semester of your senior year and start college. This was because all the kids were getting drafted. They wanted them to get some college in before they drafted them. So I did that. In my last semester I started at Washington University and I went one semester at Washington U, no two semesters, then I was drafted in December of '43. I turned 18 in September and I was drafted in December, but I got my high school diploma in June of '43, although I had not finished up the four years.

CTF: When did you realize what was happening in Europe and Asia? Prior to Pearl Harbor?

WLB: I think I was to a certain extent conscious of it because I can remember in '41, even before Pearl Harbor, they started building up the Armed Forces and they started the draft. I don't know exactly when they started it, whether it was '40 or '41, but I was aware that people we knew were going into the Army; they were getting drafted. I remember there was one young man who was in high school with us and he graduated the year before, then he was drafted and he was transferred some place. So we were aware that this was going on, but why and what it was all about, I don't think at that time we were aware of how much was really going on. I figured there was something going on in Germany.

CTF: What about after Pearl Harbor?

WLB: Well, that's when it really got tight. Yes, we knew what was going on after Pearl Harbor. We were very much aware of it. Like the Depression it was an overriding event for that generation. I guess my age group – we were very young when the Depression started but we lived through it. The Depression was still in full force and effect even in the 30's and actually, this country did not start coming out of the Depression until the war came along. And if the war hadn't come along we might still be in the Depression. So, we had two big overriding events, the Depression and World War II, and both I think affected our lives and ideas, everything we did. It certainly did me.

CTF: What other jobs did you work growing up – other than the packing houses?

WLB: The first job I had was when I turned 16, I sold papers. I used to sell *Liberty Magazine* and *Saturday Evening Post* when I was maybe about 9 or 10 years old. We used to go door to door selling these magazines and you would get a penny, maybe a penny and a half for each one you sold, plus you would get some coupons that you could redeem for premiums. You knew when you got enough coupons.

CTF: Baseball mitts.

WLB: Yes, things like that. I was selling both *Liberty Magazine* and the *Saturday Evening Post* and since I lived in this area I had a route that I covered that included Collinsville Avenue, which is the main street in East St. Louis where all the office buildings were, and I had as customers there, I guess, of the big law firms at that time. I used to sell magazines to the different lawyers in those offices.

CTF: Was that your first exposure to lawyers?

WLB: I don't think so. I don't think that made any impression on me at that time other than they were just customers. This one guy always tipped me a nickel for the magazine and I thought that was the greatest thing in the world. But later on when I started practicing, this is interesting, some of those guys were still around and I would tell them that I used to sell them magazines. Later on, contact with lawyers did have an impression on my going to law school. I don't think that selling them magazines did. After I sold magazines, I then got a job as a bag boy at the A&P Grocery Store which was not too far from here. Then I worked nights as an usher at the old Majestic Theater on Collinsville Avenue.

CTF: The theater downtown, is that it?

WLB: Yes, that was it. A big beautiful place, it was a beautiful theater. Long closed up but the building is still there. I also worked in a filling station. This was all while I was in school.

CTF: In college or high school?

WLB: High school, college, both. I had a job when I was at Washington U. I worked as an orderly in the operating room at Barnes Hospital. That was an interesting job. These were all part-time jobs.

CTF: Did you bring patients in and out of the operating room?

WLB: I would go to the room with the nurses, help get the patients on the gurney and then take them into the operating room, help put them on the operating table. And when they got through, I had to clean up all the mess, the dirty laundry, stuff like that. That was an interesting job. I used to stand on the side and watch all these operations, it was fascinating.

CTF: Did you ever think of being a doctor?

WLB: No, not really. I never thought about it. I was probably about 18 at that time, it was while I was going to Washington U waiting to get drafted.

CTF: So you were drafted in December of '43.

WLB: Yes, December of '43.

CTF: Drafted into which service?

WLB: The army. I went to Fort Sheridan, which I guess is where everybody in the Midwest went to get in the army. From there I went to Fort Benning, Georgia for basic training, infantry. And about the time we got through with that they decided they did not need that much infantry, they needed more field artillery so they transferred a bunch of us into the field artillery, so then I went to Fort Riley, Kansas and did field artillery basic there. I stayed in field artillery until I got out. I was what they call a fireman, a switchboard operator, a telephone operator, a radio operator, all kinds of jobs.

CTF: Did you ever go overseas?

WLB: Yes. I went overseas in, let me think, gee I should be able to tell you the month we went over. We got over there about four or five months before the war was over in Europe. I can tell you where we went, the boat we were on and all that. We went over on the Bremen. It was a German cruise ship that was captured in South America when they sank the Graf Spee. We went over on the Bremen. We landed in Le Havre and then we went into Germany. An interesting thing just came up in the last couple of weeks. My sister took a trip, a tour into Switzerland and parts of Germany. When she came back she was telling me about the sights that she saw, and she told me about the cathedral in Cologne. I slept one night in the cathedral in Cologne in '44 I guess it was.

CTF: After it had been bombed out?

WLB: After it had been bombed out. We were on the way up into Germany after we landed in Le Havre. We then got to Cologne and for whatever reason we stopped there and the whole outfit slept on the floor in the cathedral which was severely damaged at that time but my sister said it was pretty well restored now.

CTF: Were you over there at the time of the Battle of the Bulge?

WLB: At the end of it. It was pretty well over at that time, I wish I could tell you what month.

CTF: Well it was in the winter I know that.

WLB: Yes, the first town we were in was Eigeroverstein.

CTF: Did you see any action?

WLB: We never saw any action, they just kept moving us from town to town. We fired several practice missions, but the war was winding down at that time. When the war was over in Europe, and this is where I lucked out, we were the 394th Field Artillery Battalion which was attached to the First Army and we were part of a group, an artillery group, which consisted of several regiments. When the war in Europe was over, they divided us into two groups, one of the groups they put on boats to send them to the Panama Canal Zone on the way to the Pacific. The other group which I was in, were put on boats and they sent us to the United States. They gave us a 30-day delay en route and then we were supposed to report in San Francisco, get on boats and go to the Pacific. The idea being that we would meet some place in the Pacific to participate in the invasion of Japan. Fortunately for me, I was supposed to report, I think it was at Fort Bragg. We were all to meet up there, everybody was to report back from their delay en route to Fort Bragg and they would put us on a train to go to San Francisco. The day before we were to get on the train to go to Fort Bragg, the war was over.

CTF: Did you think that it was going to be ending?

WLB: No.

CTF: In Europe you must have had some idea while you were in Germany?

WLB: Yes. We thought it was obvious that the war was ending in Europe.

[Today is Friday, June 20, 1997, and we are in Judge Beatty's chambers continuing the Oral History started yesterday.]

CTF: Judge, yesterday when we stopped, we were talking about you being ready to be shipped to the Pacific and getting orders that you didn't need to go. Why don't we just pick up from there. You had a year under your belt at Washington U.

WLB: Right. Well, ultimately we wound up at Camp Jackson, South Carolina and we stayed there until we were discharged – I think it was about 4 or 5 months before I was discharged. It was '45, so I came back home and went back to Washington U to get enough hours to get into law school. By then I had decided I wanted to go to law school.

CTF: What brought you to that conclusion?

WLB: A lot of things. In my outfit there were three lawyers, two of them from New York and one from Washington and I got to know them. They were in their late 30's or early 40's at the time when I was 19 or 20. I was very impressed.

CTF: They were draftees, as privates?

WLB: Yes. You have to remember at that time they were drafting anybody and everybody. It didn't make any difference how many children you had, whether you were married, about the only people who weren't drafted were doctors. And they drafted some doctors, some enlisted and some were in the reserves. But anyway, I think the cut-off was maybe 39 or 41 at that time, I am not too sure. They drafted everybody up to 39 or 41, I forgot which it was.

I got to know these fellows and talked to them and they told great stories and it was kind of an interesting thing. There was a young fellow about my age that was with me from the time I went in. He was from Little Rock, Arkansas, and he wound up at Fort Sheridan the same time I was there. We stayed together through the whole thing, and we talked about the idea of being a lawyer, so we kind of mutually made up our minds that when we got out we were going to go to law school.

Another thing I have often thought, in hindsight, may have had some influence on me; was my Grandfather Beatty, the one who I told

you was an orphan. He was always interested in things that went on in the community and he used to talk about lawyers and judges. I can remember him talking about how some day I might be a lawyer, and he used to talk about how some day I might be a federal judge, which I think is kind of an interesting sideline. I never thought about that until much later when I finally decided to go to law school, but I guess in some way he planted the idea in my head.

So for whatever reason my friend, Frank Aldrich, who was from Chicago, and I lost touch, but we both went to Washington U to get the hours we needed to go to law school. At that time, for veterans, you had to have a minimum of 60 hours, 2 years to get into law school. I already had one year and St. Louis U Law School had not started up again from closing down during the war. Frank had to pick up the 60 hours, so I went and did another 2 years, and I ended up with 90 hours. We both started law school at St. Louis U in '47. I think we were actually the second class that graduated after the war. They had a class ahead of us that had already started before the war, so they picked up after the war.

CTF: In '45 when you were let out of the service, did it come as a shock that Japan surrendered? We know you were on your way, but people were talking about the invasion of Japan and that's what you were being prepared for.

WLB: Yes. It was a very pleasant surprise, I will tell you that. I sure had no desire to go to Japan. You know I had been away from home, been over to Europe, I came back and was home for 30 days and it was wonderful. I sure was not looking forward to going to Japan. It was a great surprise. Shocked? Yes, I don't think even we were aware that the first bomb had been dropped, but the people in this country at that time didn't appreciate the significance of the atom bomb. There were big headlines, "Big Bomb Dropped." So we were dropping big bombs. You know we dropped big bombs on Germany for years and nothing happened. I don't think anybody in this country other than the top brass really understood what the atom bomb was. We didn't understand, we couldn't comprehend it. So when it was dropped and the second one was dropped, they dropped a "big bomb," big deal, you know. Japan was not going to give up over a couple of bombs. We just didn't realize what the atom bomb was. I didn't, and I don't think anybody else in the country did either. So it was a big surprise.

CTF: Going back to law school. You finished law school in '50. Where did you go? Did you take the Bar in Missouri and Illinois?

WLB: Took the Missouri Bar first, passed that, and then took the Illinois Bar the next time they gave it and passed both of them. At the time I took the bars, I had no intention of ever practicing law because – again, it is hard to realize this now – actually the job market, particularly for lawyers, was worse then than it is now. I mean there just were not any jobs. Out of my graduating class – I think there were about 70 in the class – maybe 15 or 20 at the most got jobs practicing law. The majority of them went to insurance companies as adjusters. Back then, State Farm and all of the major automobile carrier's adjusters were lawyers. Another group of them went to private industries, Monsanto, different companies like that.

CTF: To be in house counsel?

WLB: In their legal department, yes. Very few got jobs practicing. I didn't know anyone so I had no idea of how I would ever get a job practicing law. So I didn't intend to practice. My father-in-law – I got married in '48 – operated here in East St. Louis a small business school, Summer's College of Commerce. Those schools were very common back then as I am sure they were in Chicago, too. College wasn't the big thing that it is now and we didn't have junior colleges as such. But they had these commercial schools where you took courses in typing, shorthand, secretarial, accounting, business law, this type of thing. So when I got out of law school I went to work for him teaching business law in his business college.

CTF: Were they from the East St. Louis Area then?

WLB: Yes.

CTF: Where did you meet your wife?

WLB: That's interesting. At the time I met her we were freshmen in high school, she went to the public high school and I went to the Catholic high school. The radio station here in town had a contest every year, a history contest, at which time they took kids from the different grade schools and high schools. They would have maybe five on a panel, and they would have a contest on the radio once a week on history, and the winner of that contest would go on to the city contest. My wife

and I were both in the finals for this history contest in that year. She remembers that, I don't, but she has reminded me of it since.

CTF: It must have meant she won.

WLB: We were both in the history contest. The next time we met we were seat mates.

CTF: Well, who did win?

WLB: Well, I think I won and she came in second. But we were seat mates at a child psychology class at Washington University after I come back from service. We started dating then and wound up getting married in '48.

CTF: Her maiden name being Summers?

WLB: Starnes.

CTF: Starnes, even though it was Summers College?

WLB: Her father bought the college from a woman named Summers who had founded the school and he kept the name. Talk about ancestry. The Starnes family, they were fortunate enough in their family to have someone who had the time and the interest to do a complete genealogy study, and they have a book about this thick. Her father's ancestors came over – I think it was on the Arabella. It was one of the ships that came over with the Mayflower. But back to this school. People would come into this business school to find employees. They would want a secretary or accountant, someone like that. So one day this fellow came in who ran an independent insurance adjusting company here in East St. Louis and he wanted to hire a secretary. I got talking to him, and told him I was a lawyer going to law school. He said, well you know, you should not be teaching down here, you ought to be practicing. You know there is a lawyer up in Granite City that has so much business he can't begin to take care of it. He needs somebody up there and you ought to go up and talk to him. He gave me his name and it was George Moran. I thought about it for a while and in a couple of weeks I went up to talk to George. I knocked on his door and told him this fellow sent me up to see him. So in about 20 minutes he hired me. I started working for him making $50.00 a week.

CTF: How old was George?

WLB: George is about 10 years older than I am. He had gone to law school before he went in the service, and after the war he was discharged and really had started practicing. He had only been out of the service about 5 years when I started working for him. I stayed with him up until the time he went on the Appellate Bench. And then about four or five years after that, I went on the state bench. But he and I practiced together for, I guess 17, 18 years.

CTF: What was the nature of the practice?

WLB: Eighty percent plaintiff's personal injury. We did a little bit of everything, you know more as a feeder for the personal injury business than anything else. We did some family practice. I was city attorney for a while. George was an assistant state's attorney. We did a little bit of everything but we made our money from the personal injury business.

CTF: You could be in those jobs and still – I mean, those were part-time jobs?

WLB: Back then they were part-time jobs. They still have part-time state's attorneys around here. Almost all the city attorneys are part-time.

CTF: What about politics? I assume both you and George were somewhat involved?

WLB: George was very active in politics. I wasn't really that active in politics. George was the politician and he worked the precincts.

CTF: Did you work the precincts?

WLB: Not really. At election time I would make all the rallies, things like that. No, I really wasn't that involved in politics, even though I had the city attorney's job which I got primarily because of George. George never really ran for any political office other than – well he did run for probate judge one time, but he didn't get elected. He ran for the Appellate Court in 1964 and won, but he was never a committeeman or anything. Lawyers at that time were all peripherally involved in politics, but not to the extent that they probably are today. I think we both got tired of practicing law, and for one reason or another we got out of it.

CTF: We talked before about the level of corruption in East St. Louis. Did that spill over in the other areas around St. Clair County or Madison?

WLB: Well, East St. Louis was always a wide open town. Venice and Madison which are right next to East St. Louis and the National Stockyards and Brooklyn, they were wide open towns. Granite City wasn't, not at least that I am familiar with. Madison and Venice were. There was always gambling in Venice and Madison. The gambling was out there where Monks Mounds is located. They built a fabulous night club out there. It was called "The Mounds Club" which was located on the state highway that the mounds are on. If you are on the highway, it was about 200 yards, maybe 300 yards east before you see the big mound , on the north side of the highway. There is an old abandoned shopping strip there now, but there was a huge, fabulous brick building, which they called the Mounds Club, where you could get booze, gambling and entertainment. High class entertainment. I don't mean prostitution. This was a high class place. They would bring in shows, singers, and music from New York and Chicago. Wide open gambling of all kinds, just like they have on the boats now, all the roulette tables, poker tables and slot machines, whatever. Wide open operation. It closed down at one time. I guess because of an unfavorable administration, but they opened up again.

CTF: Was that sort of unincorporated St. Clair County?

WLB: Yes. The Mounds Club was still operating in the'50's. The person who shut it down was Adlai Stevenson. Gambling was still going on down here in this area in the 50's after I got out of law school. Stevenson got elected and he locked it up. I mean he shut it all down, sent the state police in, raided a lot of these places and shut them down.

CTF: We also put on the record your talking about the cave-in of the area behind, or in front of, the new courthouse. I think that is pretty interesting about how you used to play ball around the area.

WLB: As I told you, I went to high school at Central which is about 2 or 3 blocks away. We didn't have a baseball field. We didn't have any type of an athletic facility at all. We just had an old abandoned Catholic grade school that they added on and turned it into the boy's high school. So if we played baseball or football we had to come over here. The block across the street from the courthouse, that whole block was empty, it had not been filled in and the surface of the lot was 12 feet

below street level. The streets were built up on the fill and piers and there were steps going down to those areas, and that was our baseball and football practice field. For our games we used the public high school football stadium. Now there is an abandoned Holiday Inn sitting over there. Even the surface that we played football on, that was fill, too, but I don't know how deep it was. All of East St. Louis, all the buildings and all the streets are built on at least 12 to maybe 18 feet of fill, and the fill was hauled in on the railroad. The Illinois Central ran the railroad trains from Chicago and they hauled all kinds of refuse and trash, but predominantly I am told, it was all cinders and ashes out of all the power generating facilities in the Chicago area. The railroad would haul it down here on these trains and dump it. They used it for fill to build the town on.

You said something the other day, yesterday, about the Depression and asked whether I remembered anything about it. I told you then that I thought there were so many things that went on during that time that the people who went through it -- that formed their personalty, their philosophy, and their whole life. We used to practice football over there, we didn't have uniforms, and we didn't have a field to play on and things like that stick with you. We were poor, there was no question about it, but we didn't realize it, we didn't think about it. I remember one thing that always made an impression on me. My mother had a statue, you probably have seen similar ones, it shows Mary and Joseph and the Child Jesus in between them. She had this statue sitting on her dresser in the bedroom and whenever she had a dollar here or a dollar there, she would squirrel it away in the inside of that statue, that was her little sugar bowl where she kept her money. When I wanted to go to Washington U in my senior year in high school, I had no idea how I was going to manage it, but she said, you go and we will get the money. At that time the tuition was a $100.00 a semester. So the day I was supposed to go over to Washington U to register, she went over to the statue and she pulled out $100.00. Those are the things you remember and those are the things you don't ever get over or ever forget. They stick with you. We still have the statue and there is still some money in it.

CTF: Still some money in it?

WLB: Jeanne and I always keep $40.00 to $50.00 cash in there – in case we run out of cash or something, we have it in the statue.

CTF: Was there much corruption in the state judiciary when you were practicing? Were there judges you specifically wanted to avoid?

WLB: Corruption in what way? Yes, there were judges we wanted to avoid.

CTF: They were idiots?

WLB: No, they were not idiots. They just thought differently than we did. They didn't agree with our version of the law, but that still goes on today.

CTF: Right. But was there anybody that you ever felt, we use the term in Cook County, that you could back door them?

WLB: Money wise?

CTF: If the right firm came in to appear before a judge representing whomever you were bringing your personal injury suit against, would you figure that you had an uphill battle and it was not because of the legal case?

WLB: No, no. You just said the magic words here. There was never, in the time I practiced here, there was never any judge that I felt would rule against me for any favors that he was going to get from some lawyer, political or otherwise. There were judges that I knew who held a particular lawyer on the other side in high esteem and figured whatever he said or did, that's it, that's right. That still happens today I think.

CTF: Right.

WLB: No, I never, there might have been a judge or two in St. Clair County who I felt, for political reasons, would pay a little closer attention to a particular lawyer. But again with the system at that time, judges were elected on partisan ballots, the judicial ballot, but the amendment to the Constitution was supposed to change all that, but I am not too sure it did. I don't know of any judge that ever, you know, overtly ruled for or against a lawyer for a favor or money or anything like that. Maybe I am an optimist, but I don't know of any.

CTF: What were some of the more interesting cases that you remember, bigger cases that you worked on as a lawyer?

WLB: We had one of the first cases in recent times involving the jurisdiction of Illinois and Missouri over the Mississippi River. We represented this guy who was a painter and he was painting the Old Chain of Rocks Bridge. He was out in the middle of the bridge, over the river, and a car came by and hit him and injured him. We filed the suit here in Illinois. The defendant came in and said it should have been filed in Missouri, but we contended that both states had concurrent jurisdiction over the navigable waters of the river. The state boundary is the center line of the channel. We took the position that we had concurrent jurisdiction and we went to the Supreme Court of Illinois and we were upheld.

Well, my partner and I, we took a case up that revived the modern day Structural Work Act, but that Act has now been repealed. The Structural Work Act had been on the books in Illinois going back to about 1913 – I think that is when it was passed. They then came along with the Workmen's Compensation Act and that Act had a bar against third party actions. If you were covered by the Compensation Act and if there was some third party who was negligent and caused your injury, you couldn't sue that party. Somebody took that up in the early 50's and held that the Act was unconstitutional. That opened up a whole new field where you had these negligence cases, but hiding here in the dust is this old Structural Work Act which gave you a remedy apart from negligence. Well my partner stumbled on it some way and dreamed this idea up that if you have a workmen's compensation case but something happened that was under the Structural Work Act, you also had a Structural Work Act case. We filed the first case that had ever been filed. It went to the Supreme Court and man, once that case was affirmed, the structural work business just mushroomed in this area. It was a fantastic remedy for the working man.

CTF: So they had not only a workmen's compensation claim, they also had a Structural Work Act case?

WLB: And of course, most of the people we represented were construction workers of one type or another and even though there wasn't absolute liability, the case was pretty easy to win. So a guy gets hurt on the job, he is obviously trying to make a living, he is a hero, and a subcontractor goofs up and gives him a bum ladder or whatever – pretty easy case to win. Now in the last few years with the tort reform, they abolished the Act.

CTF: What other cases?

WLB: I can't think of much else. Our practice really was just a day-to-day operation, automobile accidents, construction accidents, anybody that walked in the door with an injury of some kind, why we handled it.

CTF: This isn't in your field, but you are obviously a knowledgeable person. At the time, this area had a lot of segregation and you are now in the 60's as a lawyer and the civil rights movement is just beginning to move. There is a lot of action down in the Cairo area. What is happening around here?

WLB: Not a lot really. Granite City was lily white up until the last few years, really. When I grew up here in East St. Louis, there was a substantial black population, and they always had a lot of racial problems in East St. Louis up until a major race riot in 1917. After that though, there weren't any racial problems in East St. Louis, it was really segregated: schools, residentially, and every other way. Everybody was interested in the civil rights movement and all the things that were going on in other places at that time. I don't really recall that there was any significant movement here, it covered gradual things. East St. Louis kind of desegregated on its own as the whites moved out to Belleville and other areas up on the Hill. The blacks then moved back into the areas that had been moved out of. The schools, of course, were desegregated at the same time here as they were in every other place in Illinois. I don't really recall any significant demonstrations or problems in the 60's.

CTF: My secretary Marlene came down to East St. Louis because her grandparents were here.

WLB: She told me about it.

CTF: She used to go down to Arkansas where part of the family was and I think when she crossed the river into St. Louis, she had to move to a different rail car.

WLB: I talked to her about her family here in East St. Louis, but I don't think we were really aware of all that going on. I don't recall anything of any significance happening here in the 60's.

CTF: What about going a little bit earlier. We have the Korean War, you didn't get drafted for that one?

WLB: No. I was in the reserves, but I got out. I didn't stay in the reserves.

CTF: We had going on over the country the post-Korean War Communist witch hunt.

WLB: Right. Joe McCarthy.

CTF: Joe McCarthy. Any effect down here at all?

WLB: Again, we were aware of it, but it didn't have much significance to us. Television was just coming in so it was something to watch on television. We were a lot more interested in the Kefauver hearings involving all the gambling and everything which did involve us. They had Senate hearings right here in St. Louis.

CTF: When was that? The mid-50's?

WLB: That was in the mid-50's. McCarthy was – everybody, at least of my persuasion at that time, was incensed about him and what he was doing, but it didn't affect us too much in any way.

CTF: Did you run for judge in '68?

WLB: '68. I was elected in '68.

CTF: '68 was not a great year for Democrats nationally and I take it that Madison County –

WLB: Every year is a great year for Democrats in Madison and St. Clair Counties.

CTF: I knew St. Clair County was that way, I didn't know Madison County was.

WLB: Madison was, too. On the Republican ticket was a lawyer named John Coppinger. I ran against him and, not to my credit but to the credit of the Democratic party, I got elected. If you were on the Democratic ticket and unless you had two heads, you were pretty much of a shoo-in.

CTF: Did you have any primary opponents?

WLB: No.

CTF: You were just selected?

WLB: You were nominated at the convention and had no opposition.

CTF: Was that something people talked to you about doing, or was it something you went out and sought?

WLB: No I didn't seek it. I hadn't thought too much about it, but a friend of mine, two or three friends of mine were lawyers and suggested it to me and I picked up on it pretty quick. I was receptive to it because I had been practicing for 18 years. A trial practice back then was a lot different than it is today in many ways. The entire time that I practiced law, I don't think there was a week that I didn't put in at least 60 to 70 hours a week, just routine. I would leave home by 8:00 a.m., go to the office and either go to court or do whatever I was going to do that day. I would get home around 5:30 p.m. and we would have dinner with the kids and I would stay home and help put the kids to bed. The kids got to bed and I went back to the office and would work until 10 or 11:00 p.m. Our office was open on Saturdays. We worked every Saturday. In the summer, I tried to get out of the office by 1:00 p.m. or 2:00 p.m. on Saturday. If I was going to trial Monday morning, I was there Sunday night. My kids were growing up, and by '68, I begin to realize that I was losing a lot of time with them and I didn't have much time left before they went off to college, and that was probably one of the biggest factors in making my decision to try to get the judge's position because I knew I would have a lot more time to spend with my family. I was going to take a hell of a pay cut, but I figured that we could make it. I had good years practicing, put a lot of money in the statue, so I figured I could afford to take the pay cut for a while and I never regretted it because it worked out really well for me. Otherwise, I would have missed the time with my kids, particularly the younger ones, when they were growing up. Bill was in high school at the time, the others were still in grade school.

CTF: When were they born?

WLB: Bill was born in '51, I guess, Steve in '53 or '54, Tom was in about '57, Mary early 60's. I don't recall the exact dates.

CTF: What are some of the big cases, Bill, that you remember, some of the more interesting cases that you remember as a state court judge?

WLB: I don't know. None of them were really significant. They were the typical mine run civil cases. We had a busy trial court. We rotated the docket. We had a civil docket for maybe a couple of years, and then

we would have criminal docket for a year or two, and then we might be in family court for six months or so. Most of your time was in the civil division. Routine personal injury cases. I don't recall any of them as being real significant. Being a judge is a boring job. That's why I wound up taking this job – because I was going to retire from the state bench. I ran in '68 and I ran for retention in '72, no '73, and I was going to be up for retention again in '79. I had made up my mind that I wasn't going to run for retention. I was going to get out and go back into practice, primarily because I was bored with the job. So about that time I was talking to an old friend who kept telling me that I ought to try to get this vacancy in the Southern District. I looked into it and I figured, if I get the position, it would be different, you know, great being a federal judge, so that's how I wound up with this job. If the appointment hadn't happened, I would have gone back into private practice.

CTF: You don't have real strong political contacts. You are obviously well respected by everyone who knows you, but that is pretty limited power. How did you get this job?

WLB: Well, I got it the same way I got the state job. I look at my life now and everything that has happened to me has been because I have been in the right place at the right time. Luck. I wound up getting a job as a lawyer because I just happened to be working at my father-in-law's school on the night this guy came in looking for a secretary and he told me about George Moran. You are just in the right place at the right time. There was a vacancy here, so I spent a lot of time talking, listening mostly, to a fellow by the name of Leland Kennedy who lived in Alton. He was a state rep and he used to be around the courthouse in Edwardsville a lot and, not for any political reasons as he couldn't do me any good, but I just enjoyed talking with him and he was so very interesting to listen to. I would sit around and talk to him. He was a good friend of Joe Barr, who was also a state judge in Madison County. We would have lunch together and I got to know him real well and I liked him and I think he liked me, even though he was quite a bit older than I was. He was the one that started talking about my being a federal judge. Well, he was a good friend of a guy who was one of Adlai Stevenson's staff members. So he touted me with him and that's when I decided to throw my hat in the ring. It really, again, was just being in the right place at the right time. There were a lot of people after the job at the time I got it that were certainly more qualified, from an intellectual standpoint and from a political standpoint than me.

I think, I really don't know how, but I look back and I can't really believe all the good things that have happened to me for really no reason. I had a very supportive family in whatever I wanted to do. Jeanne always encouraged me in whatever I wanted to do, we were just lucky I guess, really. I didn't know Stevenson, heard of him of course, but I had no contact with him, never made a campaign contribution to him, had always voted for him and his father. Sandy Korein, a lawyer here in East St. Louis, worked for me when I was practicing. When he was in law school, Sandy worked for us part time and Sandy had some contact with Stevenson and he was a big help to me. I think I started to say before that Stevenson didn't have a committee like they have now. Everyone that applied was rated by the Illinois Bar and Stevenson, as I recall, took either the top 5 or top 10 of the people who had applied for the job. He then interviewed us. That was it.

CTF: Now when you were sworn in, you went to work in Alton?

WLB: Right.

CTF: Did you practice in the courthouse much before Judge Poos as a trial lawyer?

WLB: I had a very limited federal practice. We would wind up there once in a while, some type of a case that got removed or a maritime case. I tried one case, one maritime case in front of Poos in Alton. I think I maybe tried 2 or 3 cases in Alton when I was practicing.

CTF: What difference did you notice immediately between the federal and state courts?

WLB: Well, the difference in the size of the docket for one thing. We did not have near the caseload that I had in the state court. I guess the real, the biggest change was the staff though. In the state court we had no staff. You had a court reporter who was assigned to you and did a nickel's worth of secretarial work for you if you really had to have it done. Other than that you had no staff. So I get this job and I get two law clerks, a full time secretary, plus the support from the clerk's office, so man that was like dying and going to heaven.

Of course, because of the staff you had to operate a lot differently. It took me a while to catch on to that because in the state court when we ruled on something we just wrote out an order. You know, motion denied or motion allowed. If it was a post-trial motion,

we might use three or four sentences instead of one. Motion denied because that's the way you think it should be. That was it. Or we would rule orally from the bench. Well, I felt that had worked all right in the state court and didn't see any reason why it shouldn't work as well in the federal court so that is the way I proceeded until the first time I get an opinion back from the 7th Circuit stating that "the learned trial judge did not see fit to give us the reasons for his rulings." It suddenly dawned on me that "aha, I am supposed to write all this stuff out."

CTF: Nobody liked those decisions that referred to the "learned trial judge."

WLB: No. More recently they talked about the "seasoned trial judge." How about that? What's that mean. It means you are old. That just happened. I am trying to think of who it was that called me the seasoned trial judge.

CTF: It was Judge _____.

WLB: I don't think it was.

CTF: It wasn't? He uses that term.

WLB: He was, it was a concurring opinion, the seasoned trial judge. I think those are the biggest changes I noticed. Gradually then, as time went on, I began to realize a lot of other changes. The limitations on your activities, the isolation, much more than we had in the state court. I was out of everything. Of course, I had never belonged to organizations to start with. As I told you before, when I appeared before the subcommittee in the Senate, at that time membership in discriminatory organizations was the big thing, so they asked me – I forget whether it was Senator Heflin or who it was – asked me what organizations I belonged to. Well, I belong to the Catholic Church and something else, I have forgotten now. Other than that I don't belong to any organizations. Never had. I never belonged to a country club. It was very isolated. You can't do anything. I see the wisdom of that now. I still belong to the bar associations and I go to the county bar meetings and the Tri-City Bar meetings, which is the local bar. I try to make a couple of meetings a year. I go to the yearly events, but I don't belong to anything else.

CTF: What are some of the cases that you remember from federal court?

WLB: Well, one, I think primarily because of the size of the case and the publicity it got at the time – and this was at a time before drugs became a big thing in the federal court system – it was a marijuana case in which they were flying plane loads of marijuana into airfields in Florida, Georgia, Missouri and here in Illinois and distributing it all over the Midwest. Some of it would go into airfields in Georgia, then they would transport it by truck into the Midwest area, and some of it would land in airfields in Missouri and be transported by truck. The marijuana would come straight from Columbia. There was some even being delivered at a small airport on the outskirts of Alton. The organization went by the name of The Company. There were, I guess, 30 or 40 defendants. In fact, there are still a couple of fugitives that show up on my docket. I tried three or four of them, the rest of them all pled guilty. That was an interesting case. I still get a lot of action out of it. I still get some 2255's and various other matters that come up in connection with it.

Another case that was interesting was the abortion case. We had an abortion clinic in Granite City that was operated by a doctor by the name of Hector Zevallos. It was the first one in this area; there were none in St. Louis and he opened it up not too long – I am not sure what year it was, but not too long after the Supreme Court upheld the abortion law. He had people coming in there from all over, hundreds of miles around, big operation. There were the usual demonstrations and things of that type.

CTF: It probably was in the backyard of Phyllis Schlafly, too.

WLB: Yes.

CTF: A well-known Republican woman.

WLB: As far as I know, there was no violence at the clinic, but the doctor and his wife lived, coincidentally, about two blocks from where I live now. I lived in Granite City at the time, but moved a couple of years ago within spitting distance of where they lived at the time. He was kidnaped. He and his wife were both kidnaped and the group that took credit for it labeled themselves "The Army of God," which is the same name that is taking credit for a lot of activities of that type that are going on now. They kidnaped the doctor and his wife. It turned out there were three people involved: a fellow by the name of Don Benny Anderson, he was in his early 40's as I recall, and then there were two young men in their early 20's that were helping him. They kidnaped

the couple and took them to an ammunition bunker about 100 miles from where they kidnaped them. It was a plant where they stored ammunition, gun powder and things of that type for Olin Western Cartridge. There were some abandoned concrete buildings, small buildings that were storehouses for this ammunition. They had them secluded in one of these buildings and kept them there. I don't remember now how these three guys got caught or what happened at the time, how their capture came about, but anyway the authorities caught them. The doctor and his wife were released and they were not harmed. I tried that case, all three of the defendants. It was a very interesting case. The first case, at least in the Midwest, that involved abortion.

CTF: What other interesting cases?

WLB: As you know, I am sure, ninety-nine percent of the business that goes on in court is routine. People who watch all that stuff on television, I think, feel that every day in court is like the last day of the O.J. Simpson trial. Well, that's not true. Most of it is just day-to-day usual things.

CTF: During the 80's, bankruptcy on the farms – it was a highly emotional time, family farms being lost. The appeals of the bankruptcy decisions come to you as a district judge. Do you remember any of those?

WLB: Yes. We had some of those, but none were really too significant. We didn't have as much of the foreclosures, at least in this area, as they did in other places. I think that was because of the quality of the farm ground, the Illinois area and the stability of the farm family. They were all pretty solid, stable people going back generation to generation.

CTF: Did you have any of the litigation involving the Army Corps of Engineers where they were building some of the big reservoirs?

WLB: I had some of the litigation. I had a case in Alton when they were going to build the new lock and dam in that area. That was an interesting case because of what we got into. The government had to condemn and buy a big chunk of ground that was really part of an island opposite Alton, and so the question was whether the land was in Illinois or Missouri – same as the painter's case I told you about earlier. We had maps and we had experts come in. They had dozens

of maps going back to the late 1700's, and to the time of Lewis and Clark. They showed the channel of the river which was an island at one time, but another time it wasn't an island. All came down to –

CTF: You mean at one time it was part of the land?

WLB: Yes. The question came up as to whether it was in Illinois or Missouri. This question was in the Corps of Engineers suit, it was an ancillary question, but later on it got into the question of what union had jurisdiction over all the jobs that were going to be available out there. Was it the Illinois Local or the Missouri Local? Well, the unions were a lot smarter than the government and they came up with an agreement, deciding they would split the jobs.

CTF: Share the jobs in certain ways?

WLB: In connection with that case we had old logs of ships, you know, tow boats going down the river, and we went through all these logs. It was fascinating. Real interesting.

CTF: So Alton is the classic Mississippi River town?

WLB: Oh yes. More so than East St. Louis and any of these other towns. Alton, for whatever reason, was where all of the tow boat captains lived, that's where the money was.

CTF: Because of the locks, right? They had to stop there?

WLB: They didn't have any locks in use at the time. Alton became the river town and when all of these beautiful big homes of all the ship captains were built, there were no locks. Those locks were built, I guess in the 30's sometime, late 20's, 30's. But there was more river trade in Alton than any place else except St. Louis. I don't know why. There is a lot of activity here in East St. Louis because of the river crossings, but all of the commerce and money as a result of that went to St. Louis. But Alton really has more of the flavor of a river town than any of these other places.

CTF: Did you see many of the admiralty cases?

WLB: Yes. We had a lot of admiralty cases. Interesting ones. I am trying to think of anything particular that stands out. I had, oh, a half a dozen

cases where tow boats would run into bridges, locks, or whatever. Those were interesting.

CTF: You haven't seen a lot of copyright litigation?

WLB: No. Copyright cases, we would get a significant number of them but they would never go to trial. There were violations, you know, when the bars play this song and this song and that song, and they would owe $4,000.00. Now, patent cases, I think I had three of them, and they varied. One of them involved some type of a point on a farm implement machine. Another one involved a cushion which was a combination of air and foam for people to sit on them to rehabilitate themselves from various operations connected with their rear end. That's about the extent of our patent business. If there was a third case, I don't remember it. Nothing very interesting in the patent business. I would say up until about four or five years ago, our docket here was very similar to the make-up of the docket I had in the state court. Personal injury cases, criminal cases in which there were bank robberies, a lot of interesting cases there, but the one significant difference is I handled more cases. I tried more automobile cases in the federal court than I ever tried in the state court. In the state court, we just didn't have that many automobile cases, they were settled or removed to the federal court or disposed of. I think in the last three or four years that I was in the state court, I never tried an automobile case. When I got to federal court, I started trying the cases. Our docket here – the change now is that we don't have as many personal injury cases. Two reasons for that: one reason is the defense lawyers are not removing as many cases as they used to, and two, there aren't as many personal injury cases in state court because of the tort reform.

CTF: Why wouldn't they remove the cases?

WLB: You get different stories on that. I think one thing is, number one, there aren't as many personal injury cases. Number two, it's too expensive in the federal court now and the insurance companies are telling them, hey look, this isn't that big of a case, so it stays in state court. The way we started doing business in the federal court is we run up the costs.

CTF: So the active management of the case is letting the lawyers just move it through at their own pace?

WLB: The active management plus the paper work. We had a drastic change in our method of operation here in this district five or six years ago. Time gets away from me, maybe longer than that. But up until that time, I ruled on routine motions that came across my desk. I wrote out an order. These were motions I knew would not get reviewed so I used this form that I brought with me from the state court. An attorney has a motion, it comes across my desk, I look at it and I mark it "Motion allowed" or "Motion denied." No paperwork. If it was a motion that was of any importance at all, I set it for oral argument. There were no briefs. I didn't require briefs. If the lawyers want to send them in, fine, but after the first six months that I was here, they found out that they didn't have to, so they didn't write briefs. They filed their motion.

CTF: Pretrial, post trial or both?

WLB: Whatever. Any kind of a motion. They were set automatically again, which is a system I brought from the state court. You filed the motion, you set it on the first or third Thursday of the month which were motion days. The notice of the setting had to go out at least 15 days in advance. The attorney filed a motion to dismiss for whatever reason, he looks at his calendar to see if it has to be set on Thursday the 20th, he then sends the notices to the other lawyers and sends a copy of it to the court. My clerk would put it on my docket. Very little paperwork for anyone. On that Thursday, the motions were all set at 9:00 in the morning, and at 9:00 in the morning on that Thursday, there would be 20 to 25 lawyers there, and in the space of 2 hours, we would dispose of all the motions. Now, in maybe one or two cases I would have a brief, but usually not. The lawyers liked it that way. They would come up here, and of course we would get the same group of lawyers involved most of the time. They would always set other cases with this attorney or that attorney and they would talk about this case and they would usually work the case out. It was a great arrangement for us.

CTF: How did you handle TRO's?

WLB: I heard those too. I never issued a TRO without a hearing, never. I don't care if the sky is falling, you get on the phone, call the guy and we would have a hearing. I have seen too many judges getting in trouble.

CTF: Listening to one side of the story?

WLB: Yes, and they issue a TRO. Those you have to hear. For whatever reason, we changed our set-up here and we wrote a bunch of new rules. I was outvoted 2 to 1, Judge Foreman and Judge Stiehl wanted to do it one way, I wanted to do it another. They won. What we went to was a system where everything was done on paper. We didn't have oral arguments, we didn't have hearings. You file a motion, you have to file a pleading, the other side files a brief, then a reply brief is filed. It is a defense lawyer's dream as far as running up billable hours. We never see them – all the discovery is handled by the magistrate judges. They just crank out briefs and, of course, they have those little elves that stay back in the law library just cranking out all these briefs and charging so many hours for them. We have classified all the cases. We have a fantastic case management program and we got it all on computers. You see, I am way behind the times – the computer cranks out all these lists for us, they all go to Washington, and Washington runs them on their computers. We get a print out of these reports every two weeks. Anyway, I think that is one reason why it's just too darned expensive for the company. I will say one thing, it has gotten a lot of cases settled, they figure it is cheaper to settle them than to stick around and try them.

CTF: You wear them down?

WLB: Wear them down.

CTF: I can remember when you were in Alton, visiting you in Alton and you had what I used to think of as a really easy way to do business. Everybody had lunch together, the defense counsel and the government, your secretary, the court reporter, the law clerks and yourself.

WLB: We still do that.

CTF: I thought that was great. I just think there was something about the professionalism that I liked. You can go in and everybody does their work professionally.

WLB: See, you could do it professionally. You see, during a jury trial everybody, including the lawyers, is always welcome back here, people come and go. It is just a lot easier way to get through this stuff – the job of trying cases for a lawyer is hard enough without making it any harder. The first thing I tell any lawyer who comes up here before me is you do whatever you want to in the courtroom. I don't care

whether you stand. They always ask, do you want us to stand up, Judge? Do you want us to sit down? Do we get permission to approach the witness? I say, I don't care what you do, within certain bounds of decorum, you do whatever you want to in the courtroom. You are out there to win your case. If you think that you can win your case by spitting on the floor or making me look like a fool, or whatever you want to do, it's all right with me. You can do whatever you want to do. And I mean that sincerely. It is an adversary procedure within certain limits. I don't care whether they stand up or sit down, or whether they use the podium, and this business of "Judge, may I approach the witness." Once or twice I said, "Ask him, I don't care." That's what makes the job enjoyable.

CTF: It's got to be hard then on you when there is a weak lawyer or a *pro se* in the courtroom, which happens in this adversary system.

WLB: It doesn't work then, not in those cases.

CTF: Do you tend to become more involved?

WLB: I try not to. If I have a weak lawyer, I think I have the responsibility at a certain point to intervene, maybe try to help, but I really try to stay out of it. We don't have too many cases where we have lawyers who are not competent. They don't get to the federal court unless they have reached a level of some expertise.

The problem is when you have the *pro se* cases. The *pro se* cases are limited to prisoner cases and you have to take care of them. The only other *pro se* cases we get are the ones where you have exceptions. At any given time, every court in the country has a significant number of those cases – more today than we ever had before. People are litigating over cutting down trees, whether they pay their taxes in silver or gold.

CTF: Do you have any *pro se* who repeats so it is the same case?

WLB: No, not necessarily.

CTF: You might want to consider that.

WLB: You have the same kind of case?

CTF: There are some *pro se* parties that benefit, I mean generally there is a linkage in their cases, some underlying theme, and this is a lot easier for them. And there is a random assignment in that the first judge who gets it, gets it randomly.

WLB: Then you are stuck with him.

CTF: Yes, you are stuck with him, but it's a lot easier being stuck with just one.

WLB: If we do get them, we transfer them at some time. If it is something, the same point exactly, we will transfer them to that judge. But they are the ones that really scare you. I think that is what Judge Gilbert's trouble was all from. No one knows which *pro se* and they have never come up with anyone.

CTF: The one whose house was taken – not by Judge Phil Gilbert actually, by Judge Jim Freeman, and then the house burned?

WLB: Yes, they can't make the connection.

CTF: They haven't connected them?

WLB: You see, there are an awful lot of people like them down in Southern Illinois. If you get south of here, I have had several cases with people down there over that type of litigation. They have a fight with the IRS about paying their taxes, all kinds of things. It seems like there are more what I call 'eccentrics' when you get down to the rural areas. I don't know why. I don't know what it is. Most of the people we get up from this area are people who have been aggrieved by something that has happened in the work place. You know workmen's compensation, they get injured, maybe they figure they should have gotten workmen's compensation, they don't, you get into these long drawn out *pro se* cases. At any given time I probably had ten or fifteen of them.

CTF: A big part of the explanation of the rural area is that you can't live in this area, here in the Metro East and St. Louis, and not follow certain rules of decorum, you have to live your life that way. If you live out in the middle of nowhere, you can do that.

WLB: Yes, you can make your own rules.

CTF: You make your own rules. There are no stop lights and stop signs to keep you in check.

WLB: Of course, I guess those people either stay there for that reason or they ultimately gravitate, they move out. They can't survive in the urban life so they wind up moving to the rural areas where they can live in a shack by themselves and they don't have to answer to anybody or follow any rules.

CTF: That is probably true.

WLB: The guy who is supposedly the bomber, he lived out in a shack out there in Montana.

CTF: Ted Kaczynski. He grew up about a mile and a half from where I live.

WLB: This guy is certainly very brave or just crazy.

CTF: One big, judicial administration issue that came up in your tenure as a judge is the closing of the courthouse in Alton, which was not, obviously, well-received by the city folks in Alton, but was seen as a judicial economy move from the court's standpoint. What can you tell me about that?

WLB: Well, I could see the wisdom of it, certainly, from a financial standpoint, but I would have stayed there for personal reasons, and for other reasons I felt that we should have kept that courthouse open. There had been a federal court there for some period of time and, even though there was no historical significance, it should have stayed opened. In fact, I belonged to the Madison County Bar Association which was the prime mover in getting that court set up in Alton. I was practicing at the time and was very active myself in getting it established. We had a significant docket up there. It certainly was a significant factor in the economy of the area. The lawyers liked it there and I don't think that it was that expensive to keep it operating. Because of the fact that they built the new addition here and they had the space that was going empty, I can see why the powers that be thought they had to close Alton down and move us down here. I didn't make an issue out of it.

CTF: Do you find any benefit from the closer contact? Or is there a closer contact with your colleagues here? Is there any difference?

WLB: Yes. We have the collegiality now with all the judges here in one courthouse.

CTF: One of the questions I wanted to ask you is what makes you tick? What motivates you?

WLB: Work, I enjoy working. I don't have any hobbies, except, of course, my family. I don't play golf. I like to hammer and saw, do odd jobs around the house, but no golf. I don't belong to any other social organizations. I don't really enjoy social life that much, and other than being with my family, I like to work. That is what makes me tick.

CTF: There is more to it than that. One can do a lot of different kinds of work. One can work in the steel mills that are still there in Granite City. I mean all kinds of various work, but you wanted to be in the law, you stated earlier an explanation of why the judicial career appealed to you, then you explained why the federal judicial career as opposed to the state appealed to you. But there is more. You gave a little bit of your judicial philosophy in the sense that you really like to see the adversary system work and stay above it.

WLB: I am a firm believer in the jury system, first of all. I am a firm believer in the justice system as we still have it. I don't like some of the changes that are going on. I would prefer to go back about 20 years and lock things in there. I believe the system we have is the best system. I like to work in it; I like being a part of it. I think probably the biggest thing that motivates me is that I like my job and I like to work this way, and I really like the people that I deal with. I enjoy dealing with people and trying to help them or straighten them out or do whatever I can for them. I like people. Other than that, I can't think what else motivates me. What are the alternatives?

CTF: These people like to be fair and they like to have a role in making sure things are fair, although you don't have a perfect role as a judge – making things fair – because you don't control everything. A judge is fair because he has to input fairness into the system, you know, some people like to see problems resolved.

WLB: I like to resolve problems so that everybody is happy, if I can. That's probably one of the more distasteful parts of being a judge. It is pretty hard to get everybody out happy.

CTF: Judge Fairchild is fond of quoting a judge who came from the North Woods in Wisconsin. We each have our own corollary today. His statement was that "It's a damned awkward judge who can't please one side of a lawsuit!"

WLB: Judge Fairchild was at my swearing-in ceremony. I think of all the judges that I have come into contact with, he is one of the finest gentleman I have ever met. A wonderful man. I really am impressed with him. He is a gentle person. A great guy.

CTF: Did you practice before Judge Juergens?

WLB: Yes, I had cases in front of Judge Juergens. I also practiced in front of Judge Wham who was here before Juergens.

CTF: What was Wham like?

WLB: Typical federal judge for that time, nice person, pleasant, ran a tight court, very dignified, conservative. I liked him. I didn't do that much in front of him. I practiced in front of – before Poos, what was his name?

CTF: Wally Ackerman?

WLB: No, Ackerman was after Poos – before Poos, was it Mercer? I had a couple of cases up there in front of him. I don't know if it was Mercer or who it was.

CTF: Mercer is definitely from up there at that time period.

WLB: Yes. He was, I think, from Peoria or maybe from Springfield. I don't remember now. Poos was an interesting, real interesting character. He was a good lawyer and ran a tight court. His jury would travel with him. Back in that time the petit jury was called for usually six months or longer, and if he would come from Springfield and hold court in Alton, he would bring the jury from Springfield, they would come down with him. They would all stay at a hotel in Alton and the attorneys would pick the jury from that panel and the ones that weren't picked went back to Springfield. The ones that were picked stayed while the case was being tried.

CTF: A panel would stay the same for a six-month period, no matter where the trial was going to be held?

WLB: Yes. Right. After the first couple of months, the Judge would get on pretty good terms with that jury. If you were a social person like Poos was, why you got real close to them because you ate together, you drank together and you talked together, they were just one big happy family. The problem with that was that as the trial started and the jury had been picked, they continued to do that, have lunch together, a little drink together, so you have to believe that they had to pick up some of his feelings about the case. But it was one big happy family, and the jurors – they loved him.

CTF: I remember Judge Poos just a little bit, a very dignified man, but a very folksy person.

WLB: Oh, yes, he was. I had a case before him one time. It was a products liability case. I know which one it was. This fellow was welding and he was using an acetylene tank and an oxygen tank and doing some welding. Some way or another one of the tanks blew up and this guy was hurt. We had an expert in the case, and what had happened was that, if there was just a tiny bit of grease on the fittings that screwed on to the tank, and if the oxygen comes into contact with the grease, it will cause an explosion. So we had this expert from St. Louis U come over to testify, and I am going to demonstrate the explosion to the jury in the courtroom. He had this oxygen tank in the courtroom and a little fitting that he would screw on, then he would just crack the valve, and the oxygen would come out, and hit this fitting which had just a little grease on it. And wham it sounded like a 12 gauge shotgun going off in the courtroom and the smoke would fly. We tried it once or twice, you know early in the morning before court opened just to be sure that it worked. So we got the Judge's permission to demonstrate this thing. He had no idea what it was going to be. After about the third time we did it, he said "That's enough, that's enough." The place was filled with smoke so he took the jury out of the courtroom, but he didn't get too upset about it. Yes, he was a real character. He mostly represented railroads.

CTF: He represented railroads before he got on the bench? Did he come from Springfield?

WLB: No. Hillsboro. His home was in Hillsboro. He still lived in Hillsboro all the time he was on the bench.

CTF: Kind of interesting. Circuit Judge E. Earl Major came from Hillsboro.

WLB: I didn't know that.

CTF: I wonder what the relationship was, do you know?

WLB: I don't know.

CTF: What about Judge Juergens in Chester?

WLB: Nice guy, a gentleman. Good to try a lawsuit with – he kept control of things. He was a good judge. He was on senior status when I came on and I think he lived maybe three or four years after I came on the bench. Real nice fellow. When he was on the state bench, I tried a lot of cases in front of him before he went on the federal bench.

CTF: So he would have been on the state bench down in Chester?

WLB: He was up here.

CTF: So he later moved to Chester, is that it?

WLB: No. Chester was his home. Let me think. Oh, I can tell you how. I had forgotten this bit of history. At one time, Randolph County, which is where Chester is located, Washington County, St. Clair County and Madison County were all in the 21st Circuit, State Circuit, so he tried cases here. He was elected to the 21st Circuit. I think there was another county in there. Well, along about the late 60's or early 70's, they split the circuits and Madison County became part of the Third Circuit along with Bond County, so that is how I was in front of Juergens. Yes, he was from Chester. He was on the state bench. Everybody respected him. He was a good judge.

CTF: At some point I am sure that your grandchildren will look at this oral history, so it might be a good idea to name them.

WLB: My children, I have my son Bill, he is a lawyer. My son Steve is a doctor in Anna, Illinois. My son Tom is a pharmacist, and my daughter, Mary, is a CPA who is taking time off for her first child who is about 3 years old now, and is my youngest grandchild.

CTF: What is her name?

WLB: Mary's daughter is Claire. My oldest son Bill has four kids – Elizabeth, Bill, Mark and Daniel. My son Steve has two children –

Steven and Rachel. My son Tom isn't married. My daughter Mary has one girl, Claire. Those are my grandchildren. They are all up there on the shelf.

CTF: Yes, I noticed the pictures up there. You have a nice looking family. We talked about them yesterday, and also talked about your river boat which was made by. . . .

WLB: There is a sad light on that too. It was built up in Alton.

CTF: It is a paddle wheeler steamboat.

WLB: I guess you called it that back then. It was built piece by piece, a beautiful job. It took this guy about a year to build it. In Alton, we had a desk right there at the elevator where we had one CSO sit all the time, directing people where to go, information, that type of thing. So he spent a big part of his time while he was sitting there building this boat. When he got through with it, he gave it to me. The sad part of it is, the same CSO, the man who built the boat, when we closed the courthouse in Alton, all those people had to be moved down here. They were all very unhappy about it for obvious reasons. Ray – who built the boat – was moved down here, and I guess about two years ago, he was on the door here with the magnetometer. We had, for whatever reason, two or three people here from Washington – they were government agents of some type. I wish I could remember all the details, but they were here for about three or four days. They were coming in and out with briefcases and whatever, so this one particular morning they came through the magnetometer and I guess it buzzed and Ray said, hi, how are you, go on through because he knew they were going up to the United States Attorney's office. He knew them. He knew they had been coming in and out for a week, so he waved them on through. Well, they got bent out of shape about that and reported him. As a result, he lost his job. Of course, this was at a time when we have bombings going on here and there, everybody is hyped up on security. I mean, now they have tightened things up. Like they stopped you with your microphone. It was unfortunate.

CTF: Is there anything else that you would like to talk about on your oral history? As I said, you can add to it.

WLB: I can't think of anything. Nothing I can think of offhand. As I mentioned to you earlier I have looked at this thing on Judge Parsons.

You know he had a fascinating life and fascinating career. I don't. My career is, I guess, outstanding because of its normalcy.

CTF: You get no complaints. You have done a nice job as a judge. You have obviously done a nice job as a father and grandfather.

WLB: I hope so. You know, I have one thing I want to mention though. All of these accomplishments and things, it is not the result of just one person. You have to look at all of your friends, colleagues and your family. You know I talked earlier about how the big change from state to the federal court was the staff that we have, and that goes along with what I have been saying about the people that help you. My secretary, Mary, went to work for me when I was practicing, oh, I think I had been practicing maybe three or four years – something like that, and then she stayed with me all through the time when I was in practice. Of course, when I went on the state court bench I didn't have a secretary. But then when I got this federal appointment, I persuaded her to come back and go to work for me. She has been with me ever since. So she probably has been closer to me through my career as a lawyer and a judge than anybody else. My courtroom deputy now also worked for me as a courtroom deputy a big part of the time in the state court, and the same thing happened. When I went on the federal court, I talked her into leaving the state court to come up here and she has been with me ever since. So all these people that help you and work with you, they really make your career.

CTF: Judge, we are done with the oral history. If there are things that you can think of to add to the transcript, just add it to the transcript.