

INTERVIEWEE: CLIFFORD GROH  
INTERVIEWOR: PAMELA CRAVEZ  
DATE FEBRUARY 1, 1982

SESSION #1, SIDE A, 45 MINUTES

- 000-018 BORN IN RAMAPO, NEW YORK.  
PARENTS ARE POLISH IMMIGRANTS WITH LITTLE EDUCATION.
- 018-033 HIGH SCHOOL IN TUXEDO, NEW YORK.
- 033-049 NAVY OFFICER'S TRAINING PROGRAM.  
COMPLETED TWO YEARS OF COLLEGE IN THIS PROGRAM.
- 049-055 WAR ENDED AS GROH WAS ON HIS WAY TO JAPAN.
- 055-062 OUT OF SERVICE, OBTAINED A DEGREE IN MATHEMATICS  
FROM ST. LAWRENCE UNIVERSITY.  
HITCHIKED TO THE UNIVERSITY OF MIAMI AND ENTERED  
LAW SCHOOL THERE.
- 062-079 WHY LAW SCHOOL? READ WHOLE TRANSCRIPT OF  
BRUNO HAUPTMANN TRIAL.  
GOOD FRIEND, ROGER CREMO, GENERAL COUNSEL FOR THE  
FIRST NATIONAL BANK, IS A LAWYER.  
UNCLE WAS A LAWYER AND ENCOURAGED BOTH CREMO AND  
GROH TO GO TO LAW SCHOOL.
- 079-086 I GOT THE DEGREE IN MATH BECAUSE EARLY TRAINING  
WITH NAVY WAS MATH ORIENTED.
- 086-091 GOT MARRIED AND MOVED TO ALBUQUERQUE, NEW MEXICO  
AND GRADUATED FROM THE UNIVERSITY OF NEW MEXICO'S  
LAW SCHOOL.
- 091-114 GOT MARRIED IN 1949, FINISHED IN 1949-1950  
SCHOOL YEAR.  
THE KOREAN WAR BROKE OUT IN JUNE 1950.  
I RECEIVED ORDERS IN JUNE 1950 AND RECEIVED  
DEFERMENT TO FINISH LAW SCHOOL.  
GAVE TWO MORE YEARS TO THE NAVY.  
OPERATIONS AND EXECUTIVE OFFICER ON DESTROYER.
- 114-142 TOOK NEW MEXICO BAR EXAM WHILE IN THE NAVY.  
MARCH 1952, SWORN IN.  
BACK TO THE DESTROYER.
- 142-150 WENT BACK TO NEW MEXICO.  
NOVEMBER 1952 CAME TO ALASKA.  
ROGER CREMO, JOHN CONNALLY WERE UP HERE ALREADY.  
BOTH ARE FRIENDS OF GROH.
- 168-176 THERE WERE ONLY TWO PAVED STREETS IN ANCHORAGE.
- 176-183 WENT TO WORK FOR MR. CREMO.

- 176-183 WENT TO WORK FOR MR. CREMO AS HIS LAW CLERK.  
HE GAVE ME \$300 A MONTH.  
THAT'S HOW I STARTED.
- 183-193 CREMO HAD PREVIOUSLY BEEN ASSOCIATED WITH  
WARREN CUDDY- CUDDY, CUDDY + KAY.  
THEN KAY, ROBISON + MOODY.  
HE LEFT AND ESTABLISHED HIS OWN FIRM.
- 193-210 ALASKA BAR.  
LEGISLATURE PASSED LAW SINCE THERE WAS A SHORTAGE OF  
LAWYERS, IF YOU WERE A CLERK YOU COULD GET A TEMPORARY  
CERTIFICATE. I GOT ONE.  
A.G.- J. GERALD WILLIAMS WAS HEAD OF INFORMAL BAR  
ASSOCIATION AT THIS TIME.
- 210-226 BAR EXAMINATION IN NOVEMBER 1953.  
BAR ADMINISTERED BY J. GERALD WILLIAMS.  
ARBITRARY IN MAKING DETERMINATIONS-- CASE AGAINST  
WILLIAMS.  
HE WASN'T GOING TO LET ANY OF THEM IN.
- 231-232 PASSED BAR IN NOVEMBER 1953.  
WENT OFF ON MY OWN AND IN JANUARY 1954 I BECAME  
ASSISTANT U.S. ATTORNEY.  
J. GERALD HAD NO CONTROL OVER THE D.A.'S OFFICE.  
YOU'RE APPOINTED BY THE ATTORNEY GENERAL AND YOU  
SERVE AT THE PLEASURE OF THE FEDERAL GOVERNMENT.  
YOU'RE IN D.O.J.  
DUTIES ARE TO ENFORCE TERRITORIAL LAWS.
- 250-254 FOUR IN THE U.S. ATTORNEY'S OFFICE: JUDGE FITZGERALD,  
U.S. ATTORNEY WAS WILLIAM T. PLUMMER, RAY PLUMMER'S  
BROTHER, LYNN KIRKLAND, WHO HAS GONE BACK TO FLORIDA,  
AND MYSELF.
- 263-272 SOME VISITING JUDGES WOULD COME IN- JUDGE FOLTA  
VISITING FROM FAIRBANKS, JUDGE PRATT ASSISTED  
JUDGE MC CARREY.
- 272-278 JUDGE FOLTA WAS A FORMER ASSISTANT U.S. ATTORNEY AND  
WAS EXTREMELY PARTIAL TO THE GOVERNMENT.
- 278-283 JUDGE DIMOND, WONDERFUL GENTLEMAN WHO WAS EXTREMELY  
FAIR.  
NEITHER DIMOND, NOR FOLTA HAD HAD ANY FORMAL LEGAL  
TRAINING.
- 283-289 CASES IN FRONT OF DIMOND WHILE WORKING WITH CREMO.
- 289-309 CIVIL CALENDER WAS ALSO BEHIND.  
MOST OF THE DEFENSE ATTORNEYS WERE FROM THE OLD SCHOOL-  
GRIGSBY, MC CUTCHFON, NESBITT, RENFREW.  
THEY WERE IN PRIVATE PRACTICE AND ALL HAD DONE  
APPRENTICESHIPS IN VARIOUS OFFICES.  
THEY WERE THE WHOLE BAR.

CONTINUED

- 289-309 THEY WERE THE TRADITIONAL DEFENSE ATTORNEYS.  
GRIGSBY WAS AN ABSOLUTE GENIUS.
- 309-314 IF YOU WERE A YOUNG LAWYER AND GOT INTO THE  
COURTROOM WITH THEM YOU LEARNED VERY QUICKLY.
- 314-361 EXAMPLE- CRIMINAL PROSECUTION BY GROH AND FITZGERALD.  
WE WERE CONVINCED THERE WERE RACIAL OVERTONES IN THE  
CASE- BLACK GUY BEATEN UP BY TWO REDNECK TYPES.  
THEY FLATTENED A WATER BUCKET OVER HIS HEAD.  
GRIGSBY AND HAROLD BUTCHER REPRESENTED THE DEFENDANTS.  
WE MAINTAINED OUR CLIENT WASN'T DRUNK,  
GRIGSBY GOT A PRIEST AND OTHER CIVIC LEADERS TO  
SWEAR THE BLACK GUY HAD SOMETHING TO DRINK.  
JURY ACQUITTED DEFENDANTS.
- 361-393 I SUBSEQUENTLY BECAME PARTNERS WITH MC CUTCHEON.  
HE DEFENDED A GUY FOR BEATING UP ANOTHER.  
MC CUTCHEON IMPEACHED HER WITH A HAND WRITTEN  
STATEMENT. (GIRLFRIEND OF DEFENDANT)  
SHE WOULDN'T INTERVIEW WITH ME.  
I WAS AFRAID TO ASK HER ANY QUESTIONS BECAUSE SHE  
WAS THE DEFENDANT'S FRIEND.  
I ASKED UNDER WHAT CIRCUMSTANCES DID YOU SIGN THIS  
STATEMENT.  
SHE SAID THE DEFENDANT HELD MY HAND OVER A HOT CANDLE.
- 393-442 MOST ILLUSTRIOUS CASE IS U.S.V. STRINGER.  
FITZGERALD AND I WERE ASSISTANT U.S. ATTORNEYS.  
STRINGER WAS A PROMINENT ATTORNEY.  
THE DISCIPLINARY POWER RESTED IN THE D.A.'S OFFICE.  
DAVID TALBOT WAS AN ASSISTANT D.A. PRIOR TO US.  
HE FILED THESE PROCEEDINGS AGAINST STRINGER.  
TALBOT FILED A NUMBER OF THEM.  
TALBOT WAS GOING TO CLEAN UP THE BAR.  
ARGUMENT WAS THAT STRINGER OVERREACHED A CLIENT.  
WHITE SLAVERY CASE.  
U.S.V. TALBOT ALSO INVOLVED.
- 442-443 STRINGER HAD BEEN INSTRUMENTAL IN HELPING MC CARREY  
REACH THE BENCH.
- 443-475 WE ASKED THAT THE CASE BE DISMISSED.  
MC CARREY WOULDN'T BECAUSE HE DIDN'T WANT TO SHOW  
FAVORITISM.  
GRIGSBY DEFENDED STRINGER ALONG WITH THE CREAM  
OF THE BAR.
- 475-483 MC CARREY DECIDED TO DISCIPLINE STRINGER.  
CIRCUIT COURT OF APPEALS REVERSED.
- 483-501 DISPUTES BETWEEN TALBOT, FITZGERALD, AND GROH.  
CONTEMPT CITATION RESULTED AGAINST TALBOT.  
MC CARREY ACQUITTED TALBOT, STILL CALLING HIM A LIAR.

- 501-531 OTHER DISCIPLINARY CASES- BAILEY BELL; JOHN SHAW;  
JIM SWANN DISBARRED; DRANK A LOT- STORY ABOUT DIVORCE.
- 531-522 CASE AGAINST JOHN SHAW- CLOSE QUESTION CASE.  
CHIEF JUSTICE BURGER WAS HEAD OF CRIMINAL DIVISION  
IN THE JUSTICE DEPARTMENT AT THAT TIME.  
WANTED PROSECUTION.
- 552-603 CONFLICT OF INTEREST CHARGE- EXPLANATION-  
POLITICAL- RAILROAD INJURIES.
- 603- TALBOT ACCUSED BAILEY BELL OF GOING THROUGH THE  
DISTRICT ATTORNEYS FILES- STORY UNFINISHED.

END OF SESSION #1 WITH CLIFFORD GROH

INTERVIEWEE: Clifford Groh

INTERVIEWER: Pamela Cravez

DATE: February 23, 1982

Session #1, Tape #1, Side A

PC: I'd like to start with where you were born and your early schooling.

CG: I was born in a little town 35 miles north of New York City called Ramapo, New York. My parents were Polish immigrants. My father came to this country when he was 17, my mother came when she was 14. My mother had received a very minimum amount of education in Poland. She was friend of another girl who had private tutors, and when they hired the tutors they wanted the girl to have a companion for going through school, and so she was educated in that manner. My father had no formal education at all. My mother taught me to read and write Polish (unintelligible) which we learned together, in this little town which was a steel mill town, company town. I went to grade school in Hillburn, New York, which was about 3 miles away. I went to high school in a place called Tuxedo, New York. I guess I was always at the head of my class. Tuxedo, New York was a very small high school, there were only 25 kids in the graduating class, but I was walking by the Principal's office and the Principal allowed as how she received some examinations for the Navy Officer's Training. You had to be 17 to take the exam. The exam happened to be given on April 2 and I was 17 on April 1. I was a senior in high school so I took the exam. In June of 1943, I received orders to report to the Navy (unintelligible). I went to New York City and took the examination and was sent to St. Lawrence University in northern New York State, in a Navy program called B-12, which was an officer's training program. I stayed there for approximately 16 months, which is the equivalent of

four semesters of four months each of college, so I completed two years of college when I was 18. (Unintelligible). The Navy then sent me to a pre-Midshipman's school, and then they sent me to Midshipman's school at Cornell University. I graduated as an Ensign, and I was still 18, almost 19. The Navy then sent me to Harvard, to Cryptography school, and I was at Harvard for four months and then they sent me to a Destroyer school for another three months, and then they sent me overseas to Japan. It's my recollection that the war ended while I was on my way to Japan. I was assigned to a destroyer-minesweeper as a Communications Officer, and I stayed on board there until I completed a total of three years in the Navy, obviously most of which was in school. I came back, got out of the Service and went back to St. Lawrence University and attained a degree in mathematics. I then hitchhiked to the University of Miami, and in Florida decided to go to law school, at the University of Miami.

PC: Was the mathematics degree an undergraduate degree?

CG: Yes.

PC: Why did you decide to go to law school?

CG: I always wanted to be a lawyer. When I was a small child I'd go over to the neighbors and read the newspaper, and read the whole transcript of the Bruno Hauptman trial, which in those days used to show up in the New York papers on a daily basis. In addition to that, my good friend in high school was a lawyer, who happens to be in Anchorage, Alaska. We grew up together and went to high school together. His name is Roger Cremo, a Counsel for the First National Bank with whom I had (unintelligible). We've been friends for 40 plus years. His uncle was a lawyer, and his uncle was always encouraging both of us to become lawyers.

PC: This is back in Ramapo?

CG: He lived in Tuxedo where I went to high school. They had a place

about six miles from Tuxedo and two miles from Ramapo. So on the basis of those factors I decided to go to law school. The reason I got the degree in math was that Navy training was primarily engineering, math, (unintelligible), and it was easier for me to get the degree in math than it was to go into engineering, political science, or whatever. Although in my final year and a half at St. Lawrence, I just took one math course and concentrated in the liberal arts, sociology, philosophy, psychology.

PC: Did you graduate from the University of Miami?

CG: No. I got married. I decided I didn't want to live in the northeast or the south, so I moved out west, to Albuquerque, New Mexico and graduated from the University of New Mexico.

PC: How long did you stay there?

CG: Rather long. I got married in 1949, and I started in September of 1949 at the University of New Mexico, so I finished the '49-'50 school year, and then the Korean War broke out. I didn't have to have a Ph.D to figure out that the Navy had given me all this training, that they were going to extract something from me. The Korean War broke out in June 1950, I received orders to go back into the Navy in approximately September 1950. I got a deferment to finish no more than one half of my last semester of law school, and I was recalled to the Navy in November 1950. I gave two more years of my life to the Navy, which I guess I owed them, I was Operations Officer on a destroyer, and then Executive Officer on a destroyer, and was in Korea for eight or nine months. When I got out of the Navy, well, while I was in the Navy, I took the New Mexico Bar exam. I was relieved to fly back to New Mexico to take the Bar. So I took the Bar and passed it.

PC: What kind of exam was it?

CG: It was an ordinary Bar exam.

PC: You didn't need to take time off to study for it or anything like that?

CG: I was an energetic young guy and I had written to the University of Arizona. They had a bar review course which they wouldn't allow to be taken off the campus, but since I was on a destroyer off the coast of Korea, I guess that made a difference, so they sent me the course. I studied on board the ship. I guess I got about a 16 day leave and I flew back to Albuquerque, holed up in a motel and drove up to Santa Fe and took the Bar. They swore me in in March of 1952 while I was in the Service. I don't know if I had been lucky, bright or what, but actually the Supreme Court, because I was returning to the Navy, (unintelligible) and all kinds of things, they instructed the examiners to correct my paper and (unintelligible) the court swore me in immediately.

PC: Wow, such treatment.

CG: So then I went back to the destroyer and was engaged in a variety of training exercises on the destroyer.

PC: Did you ever get a chance to go to the *JAG Corps*.

I know it's not the Navy, but...

CG: Not really. I applied, I obviously speak, read and write Polish (unintelligible), so I applied to go into Intelligence on a number of occasions, and I also applied for the Jag Corps. What happens is that the Navy punishes competence. If you're a competent Naval officer, they won't let you go. (Unintelligible), whereas if you're not competent, they get rid of you. But the longer (unintelligible), they kept me on board each time.

PC: After the war, after your two years were up in 1952, then what did you do? Did you go back to New Mexico?

CG: I went back to New Mexico and was going to set up a practice

there, and then I decided that I would come and look at Alaska.

PC: Why?

CG: Well, I had heard and read a lot about it, I wanted to see it. I figured if my parents were smart enough to immigrate from Poland, I was smart enough to immigrate to a newer country. So in November 1953 I put my personal belongings in storage and came to Alaska.

PC: With your family or without?

CG: I just had my wife.

PC: Did she go with you to Alaska?

CG: Yes.

PC: Was Roger Cremo already here?

CG: Yes.

PC: Had he been practicing long?

CG: Yes.

PC: Did he tell you it was a good place to practice?

CG: Yes. And I had another friend who was already here, he's now deceased. His name was John Connolly (unintelligible).

PC: And he was already up here?

CG: Yes.

PC: Had they been in the Korean War(?)

CG: I was delayed two years to the extent that I was in the Korean War.

PC: When you arrived, what was it like here?

CG: Cold.

PC: What time of the year was it?

CG: November, of '52. My recollection is that there was only two (unintelligible) and two paved streets, Fourth Ave. from Gambell to L, and Fourth Ave. from south on Gambell to about 15th. The rest of it was all dirt streets. I was going to look around for a job once I got here. I worked first for Cremo as his file clerk, which job I didn't learn before I took it. But I guess I assumed that if I asked him

for a job he'd give me one. He paid me \$300 a month, I remember that. That's where I started out.

PC: Did he work with any other lawyers?

CG: He had previously been associated with Daniel Cuddy's father, Warren Cuddy, and I think the original name of the firm was Cuddy, Cuddy & Kay (unintelligible) which broke up when Cuddy and Cuddy left. And then I think the name of the next firm was Kay, Robison & Moody. Then he left Kay, Robison & Moody and established his own firm.

PC: So you worked with him when he was just alone?

CG: Yes.

PC: (Unintelligible).

CG: That's when I started out.

PC: When did you take the Bar?

CG: I can tell you I was lucky then. I almost didn't. Somebody passed a law through the Legislature before I got here that said that since there was a substantial shortage of attorneys, if you were a clerk in the office of an attorney who was engaged in the general practice, you could get a temporary certificate to practice. So I applied for a temporary certificate and got it. I'm not sure, but I think I'm the only guy that ever got one.

PC: Who did you apply to to get it?

CG: The Attorney General of the State (unintelligible) the Chief of the informal Alaska Bar Assoc., who in those days, his name was J. Gerald Williams. And then in November of '53, which was the year after I came here, I got admitted to the Territorial Bar.

PC: Did you have to take an examination?

CG: Yes I did.

PC: What was it like?

CG: I'm not sure I could remember that. It was just another Bar examination.

PC: It wasn't any different from the New Mexico Bar?

CG: No.

PC: Did you ever have to go before a court?

CG: For what purpose?

PC: For questioning.

CG: No. The Bar exam was administered by Mr. Williams, who was the Attorney General. My suspicion is that he was quite arbitrary in making the determination as to who passed. Mr. Fink, Mr. Arnett and another person didn't pass, and I did. (Unintelligible) those SOB's for the rest of their natural lives. Arnett went and made peace with him somehow. Fink wouldn't give (unintelligible) admitted (unintelligible), and I don't know what happened to (unintelligible) Hermann.

PC: Hermann must have made peace with them sometime because he became a member of the Bar.

CG: Some of the guys who took the Bar with me were Neil MacKay, Gordon Hartlieb, Ed Merdes, and I can't remember too many of the others off hand.

PC: Do you remember some of the old members of the Bar?

CG: Certainly.

PC: Do you want to tell me about some of them?

CG: I'm going to go ahead with my story. I passed the Bar in November of '53. For whatever reason I made the determination that I would have to go off on my own, because of my long standing friendship with my (unintelligible) friendship, I ought to go my own way. So I left Mr. Cremo's office and in January of 1954 I went into the U.S. Attorney's office as an Assistant U.S. Attorney.

PC: Was this under J. Gerald Williams?

CG: No, J. Gerald Williams was the State Attorney General and had no control over the D.A.'s office. The D.A.'s office was a Federal post. You were appointed by the U.S. Attorney General and you served at the pleasure of the Federal Government, and you're in the Dept. of

Justice and you reported to the Dept. of Justice and your additional duties were to enforce the Territorial laws and Territorial crimes, and there were four of us in the office. Judge Fitzgerald. The U.S. Attorney was William T. Plummer who was Ray Plummer's brother. Lynn Kirkland, who's gone back to Florida, and myself. Consequently,

PC: What kind of cases did you have?

CG: There were only four U.S. District Judges and only one U.S. District Judge here. Most of the population was here, therefore, there was a substantial backlog of criminal cases, like three or four years. So, I lived in the courtroom trying murder cases, manslaughter cases, all kinds of cases.

PC: All before (unintelligible) Judge McCarrey?

CG: There were some visiting judges who would come in, Judge Folta from Juneau would come in and occasionally a guy from Fairbanks would come in, and occasionally we would have visiting judges from the lower 48, but the bulk of them were either in front of Folta or McCarrey.

PC: Who was the visiting one from Fairbanks, was it Hepp?

CG: Hepp was the State Judge.

PC: Was there a big difference in the techniques of the different judges? Was there any way you could tell how they were going to rule?

CG: Judge Folta, who had been a former Assistant U.S. Attorney, and he therefore was extremely partial towards the Government in the prosecution of criminal cases. Judge Dimond was a wonderful old gentleman, he was extremely fair. Neither Dimond nor Folta had had any formal legal training, they did whatever they could in law school.

PC: Did you have any cases in front of Dimond? Were you here at that time?

CG: Yes.

PC: (Unintelligible).

CG: I had cases in front of him when I was practicing with Mr. Cremo. (unintelligible) I wasn't certain of it, but Mr. Cremo and I tried some cases in front of him. The addition of his criminal calendar being, this may be an exaggeration, three or four years behind, his civil calendar was also three or four years behind. Most of the defense attorneys were from the old school, Grigsby, McCutcheon, Nesbett, Renfrew, all the old (unintelligible).

PC: Why do you call them the old school?

CG: Because they were in private practice and they had all performed their alleged apprenticeship as assistants in a various variety of offices, and they were the Bar, you know. In most instances they were the traditional defense attorneys. Grigsby (unintelligible). I don't think Grigsby had any formal legal training. I know McCutcheon never had any formal legal training. But they had been practicing law for a substantial number of years and if you were a young lawyer and in the courtroom with them, you learned very quickly.

PC: Do you remember any particular cases where you learned fast?

CG: I can name a lot of them. There was a criminal case that Judge Fitzgerald and I prosecuted which we were convinced had racial overtones. It was a community just south of 15th, where the lake is now called Westchester Flats, and then up the river was Eastchester Flats. Eastchester Flats was a black area where all the nightclubs were. If you had a criminal case, everybody lived at 17th or 18th and Karluk and I always envisioned a monstrous skyscraper there, and there wasn't anything there, they just used that as an address. In any event, there was a guy who was beat up, a black guy who was beat up by two redneck types. They beat him so hard with a water bucket that they flattened it over his head. It was absolutely flat. We charged them with assault with a dangerous weapon, the water bucket. Grigsby

and Harold Butcher defended the two men. The prosecutor witnessed(?) this black guy who'd been beat up, he testified that he hadn't had anything to drink prior to the fight, so they took off on that issue and produced a Catholic priest, Dr. O'Malley who was one of the most famous doctors in town at that time, and one or two prominent businessmen, all of whom testified that the black guy was drunk at the time he got beat up. So, the jury acquitted them. I guess that was a kind of a lesson.

PC: What did you learn from it?

CG: Well, I guess I learned that you had to examine your prosecuting witness sufficiently so that he doesn't make errors of this kind. He obviously had had something to drink. He denied it to both Fitzgerald and me. We obviously didn't sufficiently prepare before going into the courtroom to try the case. If he had said he had something to drink, and that's where the smell came from, that would have been the end of it I guess, but he absolutely swore he never touched a drop.

PC: Do you remember any other cases? Like that?

CG: I remember lots of them. I subsequently became partners with McCutcheon years later. He was defending a guy for seriously having beaten up another guy (unintelligible), and the only independent witness to the fight was a young lady, a Native lady who happened to be in the cabin with him. McCutcheon, who impeached her with a handwritten statement, signed by her in which she said the defendant didn't really beat up the prosecuting witness. Obviously the defendant was friendly with her and she wouldn't interview with me - - - - sort of an off hand question. I was afraid to ask her a question, I didn't know what the heck she was going to say since I never interviewed her, and she was obviously friendly with the defendant. I badgered her a little bit and I finally asked her

under what circumstances did she sign that statement, and she said the defendant held her hand over a hot candle. But probably the most illustrious case, and you probably ought to go and read this, was the United States vs. Stringer Fitzgerald and I were Assistant District Attorneys, and he was a prominent lawyer. The disciplinary authority rested in the D.A.'s office and David Talbot was the Assistant D.A. prior to us, he was one of our predecessors. He filed this disciplinary proceeding against Stringer.

PC: Could anybody file disciplinary proceedings?

CG: Any D.A.

PC: Did they have to have a complaint from somebody?

CG: No.

PC: So anyone off the street could file them with the D.A.?

CG: Talbot filed a number of them.

But in any event, the charge was, and Stringer had been very prominent and he had been a Republican National Committeeman, and Talbot was going to clean up the Bar. He was sort of a young crusader. I'm not suggesting that he didn't believe that Stringer had done any wrong, but the argument was that Stringer had overreached a client. The client's name was Kemp, a cab driver, and the charge was that Stringer had charged him \$2500 to get a criminal complaint for white slavery (unintelligible) the D.A. prosecuting cases (unintelligible). The thing really got, well you have to read the case file of the U.S. v. Stringer, and you have to read the case file of the U.S. v. Talbot.

PC: Why?

CG: Well, because the story is related in those two important cases. In any event, Fitzgerald and I made the determination that we didn't think that Stringer had overreached the client. Stringer had been instrumental in getting McCarrey appointed to the bench, so we went to

court and asked that the case be dismissed. McCarrey wouldn't dismiss it because he didn't want to be accused of favoritism. He said, I want you to go ahead with the trial anyway, and I will make the determination of whether he should be dismissed. So Stringer got the cream of the Bar, anybody who was anybody in the Bar came and registered and we had a whole collection of defense attorneys. Fitzgerald and I prosecuted (unintelligible) although we had previously recommended to the judge that it be dismissed. But he insisted that we go forward with it, so we presented the case. He had, incidentally, previously disqualified himself, but then he went on to hear it so there wouldn't be any charges of partiality.

PC: How can he disqualify himself and then go hear it anyway?

CG: That's what the Circuit Court of Appeals said. I think maybe he heard the case. I think he finally decided that Stringer should be reprimanded. And then of course they appealed it and the Circuit Court of Appeals reversed the (unintelligible) that he had previously disqualified himself when he couldn't hear it and they (unintelligible). In the meantime, there were substantial disputes between Talbot, Fitzgerald and Groh. That all culminated in a contempt citation against Talbot for not testifying truthfully.

PC: Not testifying truthfully in the Stringer case?

CG: In the Stringer case. And then McCarrey by this time was furious with Talbot, wrote a long (unintelligible) in which he acquitted Talbot of not testifying truthfully, but called him a liar.

PC: Did you feel that you won the case anyway?

CG: I don't know. There were a number of other disciplinary cases that I inherited from Talbot. One of them was Bailey Bell who was Marge Bell's father. Another one against a guy named John Shaw who got disbarred. I never disbarred John Shaw, it was Jim Swan that I ended up disbarring.

PC: How long had he been here?

CG: A number of years. He had some games. He drank a lot, didn't pay a hell of a lot of attention to his work. A guy came to see him for a divorce and he says, okay I'll represent you, but I have to get an appearance + waiver signed. He gives the appearance + waiver to the client. The client went downstairs to a bar, finds some girl, she signs the appearance and waiver <sup>the client</sup> brings it back to Swann and Swann notarizes it. He goes ahead and gets the divorce for the guy, the wife who is back in Minnesota, Wisconsin or someplace, she doesn't even know she's divorced, she comes back and says what happened. He had a number of cases where guys signed complaints and he never filed them, the statute of limitations would run and he never filed the complaints. But anyway, he got disbarred. Another case that I had that I inherited from <sup>Talbot</sup> was against John Shaw, who practices in Palmer.

And it was a really close question, but I wrote the Dept. of Justice and asked them to let him plead nolo. Chief Justice Burger was then Head of the Criminal Section of the Justice Dept. I still have the letter from him (unintelligible). But in any event, I was forced to try it because the Justice Dept. wouldn't let me dismiss it - it was a fascinating case. He was convicted and I think, fined \$100.

PC: What was the charge against him?

CG: Conflict of interest and I had some terrible doubts about it.

PC: What were your doubts? What was the situation?

CG: Well, this national administration had changed and the Republicans had come to power and they were interested in establishing some precedents like conflicts of interest. John Shaw was Dispatcher for the Alaska Railroad. He was on the north board Anchorage to Fairbanks, and the guy on the south board was somebody else. There was a terrible accident down around Indian where people who were working on the railroad, obviously never got the word. A locomotive came in and

hit them and I think there were 13 people injured, and six or seven of them (unintelligible) were killed. The guy on the south board got physically sick. Shaw went over and helped handle the rescue operation on the south board. He performed his duties in a tremendous manner. He subsequently left the railroad and went to law school and then he worked for Harold Butcher. Harold Butcher had a case against the United States for the injuries to the workmen. Shaw had been assigned work on the case. Talbot decided he was using information he had obtained from his employment, and therefore charged him with the seldom used but nevertheless statute of conflict of interest. And that was the case. From my standpoint, Shaw's conduct was impeccable. I don't know whether he obtained any information that would have been of any assistance to him in running the rescue operation, but the U.S. Government thought he did. I tried to get them to agree to get rid of it, but they just wouldn't do it and they directed me to prosecute him (unintelligible).

PC: And Bailey Bell, what happened with him?

CG: What is the case?

PC: Yes.

CG: I don't know what the heck happened. Talbot accused Bailey of going through his files.

PC: The District Attorney files?

CG: Yes. They were in the old Federal Courthouse and Bailey, I don't know, I wasn't there. I didn't prosecute the matter and I think it was disposed of before I got to the D.A.'s office. I'm not certain what happened. But as I understand the facts, Bailey was in the court during the recess (unintelligible)