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Carlton-Anthony Tampa Oral History Project
Oral History Program
Florida Studies Center
University of South Florida, Tampa Library

Digital Object Identifier: U11-00069
Interviewee: Morison Buck (MB)
Interviewed by: Dr. Mark I. Greenberg (MG)
Interview location: University of South Florida Libraries Studio (Tampa campus)
Interview date: June 25, 2002
Transcribed by: Chelsea Tanner
Transcription date: May 10, 2007
Audit Edit by: Cyrana Wyker
Audit Edit date: July 17, 2007
Interview Changes by: Mary Beth Isaacson
Interview Changes date: September 16, 2008 – September 23, 2008
Final Edit by: Mary Beth Isaacson
Final Edit date: February 16, 2009

Dr. Mark I. Greenberg: This is Mark Greenberg, and I am the director of the Resource Center for Florida History and Politics at the University of South Florida, and we are in the library's studio at USF, and today is the twenty-fifth of June, 2002. And it is a pleasure for me to be interviewing Judge Morison Buck. Judge Buck, welcome.

Morison Buck: Thank you, appreciate you having me out.

MG: Glad you're here. Let's begin early, early, early, early. Tell me a little bit about your family's background. Where did they come from before they arrived in the United States? What's the family heritage?

MB: Well, my secondhand information is—and of course I have no direct knowledge, I've never been a real student of genealogy. But so the immediate family and their immediate ancestor on both sides are as far back historically as I can go. Of course, I was fortunate enough to have both set of grandparents living during my youth, most of it, and which was highly fortunate as far as I was concerned.

Buck is, of course, generally considered to be an English derivative, and as far as I know that was the case here. My mother had an old piece of furniture in her house in Memphis, the last house, in which I spent most of my youth in. There was an import from Britain, but it came from my father's side of the family. The Morison, incidentally—the biggest grief I've had in my life is getting my name spelled correctly. It is always spelled with double Rs, or they flip it around and call me Buck as a first name. So I'm used to it, but it still kind of rankles occasionally. It's not important to anybody except me.

But the Morison family, they were from southwest Virginia, a place called Scott County, and that was my father's parents. His name was James Morison, as well as mine, but they skipped the James with me and just placed a straight Morison on. His parents were from the—sort of east Tennessee, southern or southwest Virginia section, and I don't know; of course Morison essentially is a Scot name. You'll find if you go to any of these Scot shops they'll have a Morison crest, or a—what do you call these things?—it has the two Rs in it generally.

My mother was sort of a mountain country girl, she was born in Banner Elk, North Carolina, and spent a little of her youth in out in Oklahoma. Her father was an entrepreneurial type and out of a sales, patent medicines, sales type. A wonderful man, but you know, was a character; he had a candy place up in east Tennessee, plus a grocery store, a country grocery store. And he had an oil business where he bought Old Wintergreen Oil and sort of piddle that. You know they didn't have Internet in those days, but he put his own label on it and Proffitt was his name, P-r-o-f-f-i-t-t.

My mother was an R.N. [registered nurse] during the first war [World War I], and was not in the military, but she had private duty. My father was from extreme east Tennessee, a place called Johnson City. I've got a daughter that lives in Clearwater, and she's seriously considering selling out over there. She lives in the same place as Sophia from your department, or close to your department. Lives on top of the world, she wants to go to east Tennessee and build a house up there in the country. It's a relatively rural area. And we're not too thrilled with that. Her husband's older and it's a little rough on him, I think, to consider moving.

My father's father, he was one of five boys and four of them were certified Christian church ministers, preachers. They called him the father of preachers, and of course he was a preacher himself. And I told about my dad's grandfather, how it came on down through that line. He of course had some service during World War I, and happily he was gone over in combat in Europe. He had a smallpox shot, as I recall, and I was told, and he had such a reaction he couldn't go out with his regular unit, so he had to stay there. He was in the mounted cavalry—that is with the horse, of course; he grew up in an area where horses were the common way of traveling, his birth having been in 1892, or it was a couple of years younger. They eventually moved to Memphis after my father got out of service.

As far as the other ancestral roots are concerned, I'm not too clear on that. I have something in my file at home about the Proffitt family. But I think they were principally redneck hillbilly types, and they lived up in Carolina. That's where I was most familiar with, their beginning and their life. That's essentially the story. We all ended up eventually in Memphis and—

MG: How did that happen? How did the family end up in Memphis?

MB: I think it's because my father, of course, was—times were tough in those years. I was born in twenty-three [1923]. He had been in World War I, got out about, I guess, in

eighteen [1918], or late 1918. He went to work doing some things like selling, advertising, with cab companies. He was sort of an entrepreneurial person himself. But he ended up connecting with a company called—it's now Shearing Plow, if you are familiar with the market, but it was Plow Incorporated for many years there in Memphis. He was, I guess you'd say, serving an executive position with them. A job got on Second Street in Memphis, and I think he must have been there approximately twenty years, until he moved to Florida.

I'm not sure quite how they moved to Memphis. After they moved there my dad's parents, this one of the five, the family of children who were ministers—he was not a minister, by the way, but he did help form the first Christian church, organized it in Johnson City. That Christian church was a family connection with religious activity. But he got a connection with Plow Incorporated and of course lived there until they moved to Florida in 1945.

MG: Do you know how your mom and dad met? Where they met? How they met?

MB: You know, that's a good question. I think it was a social function there, probably up in Johnson City, because her parents live there. Those articles that I do¹, that's one of the first questions I ask people. I say, "Where did your parents meet?" Surprisingly, some of them don't know. And I guess I'm kind of losing in that respect too. But she got out of nursing and she started having a family. And they had one other child, my sister, who's five years my junior. But when they ended up in Memphis, my father brought his parents down and they'd kind of fallen on rather hardscrabble times. My grandfather was at one time pretty well known in business; he had a lumber company called A Snug Buck Snug Grass Lumber Company in Johnson City. But he developed nerve deafness, and after age forty he was as deaf as that as that wall is there.

So he had to provide there for them; they had a modest apartment over in an old neighborhood of town. And for some periods of time I was living there with my grandparents. And my grandmother particularly doted on me as the oldest grandchild. And they had a total of four children and all of them had their own families. And she was about a little less than about five feet. My grandfather—his name was Buck, James Madison Buck—he was about six [feet] six [inches], in his stocking feet. He could put his arm like so and she could stand under it without touching it. She was a wonderful person; she had been a school teacher in her youth in Johnson City. Very deep religious convictions and beliefs, and I'm sure she must have passed some of those along to me, somewhere along the way. She was a great reader. I remember some of the things I was reading even very young there, before starting school. She had things like James Fenimore Cooper, and she had some Zane Grey in the old bookcase. I can see it now, the dingy hallway; it was not a very fine apartment they lived in. There were four of them and she's merely the one who (inaudible) places. They were not uncomfortable.

¹ Judge Buck writes biographical articles about former Hillsborough County Judges, which are part of Special and Digital Collections, and may be viewed online.

My grandfather died about 1936 from the—as they call it, the big C [cancer]. In fact, on his side of the family, just about all of them, except one exception, all were victims of cancer. I guess it was in the genes, you know; there's a lot to that these days, I believe.

We later relocated; we didn't stay there fulltime. We lived about a block away from my grandparents for a time. And all these years, as I can recall, my father was with Plow. He set up the first stock market enterprise that Plow had, back in the very early thirties [1930s]. I felt proud; the man had a good mind. He later was sort of a public relations director; I think that was officially his title in later years. And back when the war came along—tell me if I'm running off too long about this—he was with some of the Food and Drug Administration people in the public arena; that is, public companies, proprietary drug houses particularly. That is what Plow did. And St. Joseph Aspirin and Penetrol Salve; later on they went into Coppertone and things of that kind. Then—I don't know when they became Shearing Plow, but they did eventually, after he'd gone. He left there in forty-five [1945].

My mother began to develop some high blood pressure problems. They thought maybe she had some coronary predisposition, to coronary problems. So they moved to Tampa over on Davis Island. They had an apartment over there, on Columbia Drive. That's how they arrived here. And actually they later went on to Tallahassee. My father had sort of a second career opportunity, which I was always very proud of. Because he went with the state of Florida when he was seventy-two; most people are ready to hang it up then. But they were of very modest circumstances and means, and because he you know he had no other income and such, except the old Social Security which came along at some later point. But—

MG: All right, well, let's go back a little bit.

MB: Oh, all right.

MG: You've given us a great path to follow as we move along. Tell me a little bit more about the side of the family that were ministers. This was on your mom's?

MB: This was the Buck side.

MG: Oh, this is the Buck side.

MB: The Buck side.

MG: Who were the ministers? And tell me about the church, a little more about that.

MB: Well, I know the name of the church. Upon starting it, it's the first Christian church in Johnson City. They built another church since. I'm told that either the new church or the old one has pictures of the former ministers, and they have these four Bucks whose names I can't give you completely now—could have made a note, but I didn't. David Mason Buck was the father of all of the ministers. He was born, as I said, up in

Tennessee, southwest Virginia, a corner there. His father was on a circuit riding junket down in north Georgia, really close to Dalton and Rome in Georgia. I can't recall the name of the town at this moment. That's one of the hazards of old age, you start forgetting things. That's where my grandfather was born, down there in north Georgia. And my dad was, of course, as I said, born and raised in Johnson City after they relocated up there.

The grandfather I mentioned, my grandfather was James Madison. And how he did—I think he was probably a Sunday school teacher and helped form that church. It's called First Christian Church. He was not an ordained or licensed preacher, as were his brothers. He was the youngest of those five. He was born right almost outside of the Civil War, to my recollection. I was going to say my mother had come down and her parents were living. I call them Granddaddy and Granny Proffitt, moved into Johnson City. I'm pretty sure that's where she met my father, because that's where his parents lived before they came down to Tampa. Now, I'm not certain about the exact period—first meeting, but in any event we know they met. They married in 1921, I recall that, August thirty-first. They married out of Memphis in some little small town there where they could spare a preacher. And of course get necessarily licensed. They lived there continually after that, as I did before I went into the military.

MG: Now did your dad have any predilection towards preaching? Or?

MB: No.

MG: Seems to have run in the family?

MB: He was a Bible student. He was not a big churchgoer. He, like my current wife—I said current; she's been my current wife for fifty-nine years in November. But he liked to smoke, and he'd go to church and you'd see him over there fumbling in his flat pocket on his right or left hand side where he kept his cigarettes. (laughs) This was during the sermon. I've seen him do that many times. He would tend, particularly when we were—my wife and I of course had our own children and we tried to get them started with some good habits in life, which includes Sunday school and that sort of thing. And my son has got the particular bent for serious deep thoughts along those lines. He's not a theologian, but he's very well read. Same way with my dad, he was a reader. And was very well versed in Biblical matters don't you know, by virtue of his own self construction. My mother, of course, would go to church. She was active, I'm sure, in some of the ladies groups and this kind of thing. We started going to Presbyterian Church in Memphis.

To me, the most interesting thing about my earlier life was—I mentioned my wife, she was Mary Virginia Martin, and I didn't know her until about 1939 or forty [1940], when her father, who was a new car salesman for Lincoln Mercury, moved next door in a little modest duplex. She was an extremely good looking girl, and caught my attention in a hurry, as you could imagine. I began to see her and show some interest, and it seemed to be reciprocated.

But we've come to find out we were in the same baby nursery at the identical time. She was born eleven days after I was in September of twenty-three [1923]. I kidded her about having a chance to peek at her diaper when we were in the same baby nursery. But then on top of that, it turns out we went to the Presbyterian Church kindergarten, before I even knew her, at the same time. She'd have been about, I guess, five or six at that time. We didn't go to any schools together. Curiously enough later on, after she moved next door it turns out that we were both going—of course we were in high school at that time. I was going to a place called Memphis Central High, and its most bitter rival in everything in Memphis was Tech, Memphis Technical High School. She went to Tech. We of course graduated the same time roughly, in June of 1941. As I recall she went to my graduation with my parents. I'm sure I went to hers as well, you know for my own protection. (laughs) She stayed there until we got serious enough.

While I was in the service—and I'm sure she had something to do with this, of course, perfectly (inaudible) above board but I was in California. We decided that we would get married. And I suspect because I was busy over out there in the so-called aviation cadet training, or about to start it, I had to leave all those (inaudible) little things to her. So anyways, we were married there in Memphis in the Presbyterian Church, same one that she and I had gone to the same kindergarten in without knowing each other at that time. So anyway, that is really about the most unusual extraordinary way to meet your wife.

MG: I want to bring you back.

MB: All right.

MG: I want to come back to childhood. I think we've done a nice job talking about your parents and your grandparents, and we'll come back and weave them in. But tell me about growing up in Memphis. What do you remember of early homes, neighborhoods, childhood friends?

MB: All right. When I was about six, we moved from the same area of town where my grandparents had an apartment; it was an older neighborhood. And of course a lot of fine people in there and zoning, I guess, was unheard of in those years. One of my teachers later in high school lived across the street from my grandparents in that old apartment on Belvedere Avenue. But frankly, we moved to north Memphis, in the location that was newer. Nothing fancy about it. It was not what you call a high ton neighborhood, but it was perhaps—out of a scale from one to one hundred in class, it was somewhere around a fifty-five or a sixty, you know, going up. It was a modest upper middle class, perhaps, neighborhood.

The thing that I remember starting out in addition to going to the local elementary school—I didn't meet my wife, so she didn't go to that school at all, until much later. We had a drugstore, a neighborhood drugstore, a cluster of a couple of grocery stores. One was a Kroger, down about—just a half a block from our house. My earliest memories, and all of them very pleasant to me, very warm and fuzzy.

I started working in that drugstore, you know, [as] a very young guy in my early teens. They had a soda fountain and I'd go in there and of course take care of those things. Handling old cash registers, then CR, was about as big as a television, an old fashioned type. That made a big noise when you rang it; it took two hands to operate it. Later Mr. Bailey, he and his wife—it was called Bailey's Drugstore—and I did everything but fill prescriptions there. You know, I could tap some aspirin or something out of a bottle, but obviously I couldn't do anything more legitimately, and I didn't. I had a bicycle and I delivered stuff when someone called in and wanted things. I would deliver it. The most embarrassed I ever was one time delivering a box of sanitary napkins to a lady. (laughs) In any event, I got over that, but it was a wonderful experience for me and I did that on even until I was in the Army in the early forties [1940s]. When I'd come home or get a leave they would want me to come back there and work. You know they didn't have to ask me twice, I was just thrilled to do it.

And I of course I had the usual things of most young people. And Memphis was like most towns. We had a modest sized population, probably a hundred fifty or hundred thousand or something like that, but it was growing rapidly. I had a newspaper route. I tell you, I was the only one to get up early enough to take the *Memphis Commercial Appeal* on the run. So I had the afternoon *Memphis Press-Scimitar*, and as it soared. I even did that while I was going to college at Southwestern. I think the year before we had some extras come out, because of when France fell, the *Press-Scimitar* put out an extra. So I would go over in that neighborhood where I delivered, one of the two or three neighborhoods I was in over the years, and sell those extras. That was the only time I had that experience. It was right just a few blocks from Southwestern, now roads.

MG: Elementary school—any teachers stand out in your mind? Tell me about where you went to elementary school and memories of any childhood friends. Have any of those folks from elementary or grammar school stayed with you?

MB: Yes. Yes, they have. I still got a picture of my second grade teacher in the class. Of course I was in it, rather innocently in those days. Some of those that are in that same picture were with me all through high school. We were in the neighborhood, but of course they'd send you to neighborhood schools. This was called Vollentine Elementary, and this lady's name—she was a wonderful woman—Miss Pease, P-e-a-s-e. I think she was, of course, unmarried. She was tall and not very attractive lady, you know, as far as her appearance was concerned. But just a wonderful disposition, and I can remember her better than I can those who came later on in the same school. I had one [teacher] in the fourth grade that asked to see my mother one time; she said I talked too much. And you got to appreciate that, (laughs) the variety of that fact. Miss Russell, her name was. And I had several others that were awfully good.

My sister, who was five years younger than I, also of course went to Vollentine. And also the same junior high, which was a place called Snowden. Snowden was quite a walk from where we lived—really, it was more of a drive; it was probably about three miles. So I didn't have to walk to school. I can't give that kind of Lincolnesque story about my early schooling.

But one of the funny things that happened—we had a dog. My sister had a white Spitz, she called him Pooch. Pooch was a female, and one day we found out—of course it turned out that it was her time of the season, and there was this black and white kind of a pit bull looking dog over there, a bulldog. Turns out we found he was over there around where Southwestern was, the owners. He had come all the way over there to search out, you know, his paramour. (laughs) So I don't know whatever happened to that. That was my sister's dog, we didn't have a lot of—I've become a cat person since then. My wife weaned that into me.

Memphis was a warm wonderful place, I thought, to grow up in. Curiously when I was in school at all levels, even through Southwestern for a year and half before the military, we had no integration of any school, anywhere in Memphis. I'm not suggesting that that was necessarily good. But that was the fact of life. I never did see, or have occasion to see, any persons who were not Caucasians, you know, in schools, whether it was junior high or high school or earlier, in elementary. That was essentially the thing that I—like I said, I sold magazines around—usually in the neighborhood, I didn't go very too far. And of course I didn't have any transportation but a bicycle. I had one route, one newspaper route, right on our street, running past the drugstore and on back about three blocks, two or three blocks. But there were the most wonderful people in there. When you're young, you know, everything seems to be rosy and wonderful.

MG: Now let me ask you though, you were born in twenty-three [1923], correct?

MB: Nineteen twenty-three.

MG: So the Depression comes along when you are still entering in—well, before you enter into your teens—

MB: That's right.

MG: How did the Depression affect your family? Do you have any memories of things that you did and didn't do as a result of the Depression?

MB: You know, I really never felt anything, any deprivation of any kind. We had, my mother was a marvelous cook, as was her mother before her. Growing up in the small section of east Tennessee, they made a serious business, a project over cooking, particularly Sunday dinner, things of that kind. I have—you know, every time I sit down to a big dinner, I think of my mother and her mother and how wonderful they cooked. We never had any shortages in that area. I'm sure the income was tight. And my father got a job just about—I suppose probably somewhere in midway, starting in between twenty-nine [1929] and thirty-one [1931], is when he went with Plow, is my best recollection. I never wrote any of those things down don't you know.

But we had—we were comfortable, we had a nice brick house. A small one story brick and there were three bedrooms in it, small bedrooms. We had put in some paddle fans.

My father was a close friend of the man who started the Hunter Fan business, Bob Peoples was his name, P-e-o-p-l-e-s. They were very close; he was raised in Johnson City, as was my dad. We had also one of these attic fans with a big mesh thing in the hall, with a let down with stairs if you had to get up there. And we had a paddle fan in at least two, maybe three, of the bedrooms. Two of the bedrooms—I'm sorry; I don't think I ever had a fan. I don't know why they gypped me in that respect. But it was a well built house; a man named Jacobson built it, I can remember that.

Next door, as I say, my wife had this one side of the duplex; it was all yellow brick. It had a basement and it continually had rainwater—just flooded that basement, which is very unhealthy, I'm sure. But they were of very modest means, her family. Her mother had to work a good deal of the time. Her father died; he was in World War I for a time in the Navy. Poor devil developed a terminal condition and died in 1946. Just not long after—let me take that back, it was 1944, not 1946. We married in November of forty-three [1943]. And he'd been up in Chicago getting treated and he died in about March of [1944] in Memphis. But happily my father knew the man at the V.A. hospital. This is a little digression, but the doctor Chester Allen was the director there at the veterans' hospital in Memphis. My father-in-law—his name was Fred Martin—didn't have any record of service or nothing to probably get in. But my dad was able to importune Dr. Allen to get him in there. And of course he died there, and my wife and I were out in California in the service.

Went to Central High, Memphis, which was some distance south. It was a definite car drive from where we lived. We were in north Memphis, this was south. The most famous thing that ever happened in Central was that Machine Gun Kelly attended high school there for some period of time. How long, of course, I don't remember. Of course he was before my time. There was also a place called Leonard's Pit Barbeque, which was fairly decent, just a short distance away from the high school. And anybody that has ever had any Southern, the old fashioned kind—they didn't slice barbeque pork. They'd cook it in bulk, and then they would lay out a piece and they'd bang it with a back bottom of a Coke bottle and mash it, you know, and then put coleslaw in it. The best—I can still taste it. (laughs)

I took pretty much conventional courses there. I did take one course that was clearly and easily the best thing I ever did; that was in the—of course it was ten, eleven and twelve, junior high being seven, eight and nine grades. I guess it was in the first or second year, I believe it was the tenth grade—I took a course in typing and I use that even now. You know, I hadn't been out retired from my regular work for over eleven years; I do it (inaudible) every day. I'm working on a particular piece for the library right now, and I got them in, one of—page two is still sitting in the machine. I'm gonna write the rest of it out and then hopefully put it together.

But in any event, that's the most practical thing I ever took in school. I was never a good student in math. I didn't take anything that I didn't have to in the mathematical area. I did start to take chemistry there. I took it for about three weeks and then I got a chance to get this afternoon newspaper route. I told the teacher I needed to get off a little early so I can

drop the chemistry in a hurry. Because it was clear to me even then that I had no ear or eye or capabilities or whatever in chemistry—no future in it, much less present. So anyways, that's what happened. I got that newspaper route, which was a blessing. I was able to escape the chemistry.

We had, I guess you'd call it—where most of the fairly decently affluent people, youngsters, went to high school. Tech was more of the hard, blue collar class. Of course it was called Memphis Technical High School. I never, of course, was there except for that one function when my wife finished. I went by there a few years ago when I was visiting the house and the whole school had become a warehouse. It was a great big enormous school, probably about a good size like Hillsborough High School is in Tampa. A long spread out affair. Central's been around for a long years. I'm not sure—I don't know when it was found. We had a Dr. Miller, who was the principal when I was there. He was well known for always having peanuts in his mouth. He loved to eat peanuts. (laughs) You could—of course, there was a subject of fun and joke around the school. But it didn't cloud their ability to put up some pretty good students there, in the academic work.

I was never an honors student, probably got somewhere between a late B or C average in that range. In those days they didn't worry about the tests, which seem to be the focal point of education these days. I just say that parenthetically. But the most fun I had in high school, frankly. I was a little light and I wanted to—I was always involved in athletics, but I didn't want to go out and get have some 230 pounder hit me with a block. So I didn't want to play football. I was, I guess, too cowardly for that. I was playing tennis even then. And also of course—softball, I played much later, but tennis. But in order to watch some of the football and also to play on a twenty-five dollar trumpet that my dad and mother bought for me, I guess it was around 1940—or maybe it was earlier than that, it must have been thirty-nine [1939], maybe thirty-eight [1938] or nine [1939].

I got interested in music. I still am close friends with a man in West Memphis, Arkansas, just across the bridge from Memphis. He's a professional drummer. He and I were friends. We finished high school together and were also in junior high together. He was about a six [feet] six [inches] guy, a great tall fellow. He pitched baseball, so I tried to play a little baseball. I had some athleticism, but I guess I'd rather deliver newspapers than play organized ball. So when I did—had a man called, I'm trying to recall his name. I can see him right now if he walked in here, the band director at Central. We all were all playing marching music. What the military called a blow band. Playing, you know, "Washington whatever," I'm trying to think of some of those tunes. "Washington Post" is one of the popular marches, of course, "Stars and Stripes," et cetera. When I started playing, I wasn't playing I'm sure the lead trumpet. But I was in the section that played it.

We were a marching band. We'd get to go to all the football games, wonderful seats, and then we'd march at half time. The next time I had a chance to do that was on the Coliseum in Los Angeles in by 1943 or forty-four [1944]. That was an experience. But that's, you know—of course I was acting in Boy Scouts. The same man I mentioned to you, his name was Hitchcock. He and I still correspond. I'll send him some tapes, traditional jazz tapes, one of our common interests together. He played in some big

bands, but largely smaller groups, like the one in Memphis called Hot Cotton Jazz. But we were in the Boy Scouts as well, while we were going over there to junior high.

I wasn't a big joiner or anything else. I did join a fraternity; I think it was called TDP [Tau Delta Phi], at Central. But I wasn't active, there wasn't much going on in there. Of course nobody my age was doing any drinking, any spirits or liquors in those years, at that age. So it was kind of a non utilitarian operation as far as I am—my recollection.

I did have one good friend in there who was also in the band. We double dated some. My wife got him a double date one time, a nice looking gal. He, about 1940 right after the—no, forty-one [1941], before—no, he left the year before he graduated, which was in forty-one [1941]. He didn't even graduate; he went on into the Navy. His name was Larry McSwine. He had a pretty rough time. His mother'd had to raise two sons. Larry was a cut up, a real fun guy, and I don't know what happened to him. He later became president of Conn Music Company in Elkhart, Indiana, by the way. He called me one time from Gainesville, Florida, and said, you know, he wants to see us, and I said, "Well, come on down and I'll take you to dinner." We did, out at the Peppy's out on West Kennedy [Boulevard]. He'd been married but was divorced. I think he had a new wife. And of course I didn't know anything about his history since he went off in the Navy many, many years before. But he was one of the good things about that band. We had a lot of fun.

MG: Where did you all play?

MB: We played largely at—we didn't play concerts. We played at the old Crump Stadium, it was called, Crump being well known as a boss politically in Memphis for many years. I think they may have changed the name now, probably now like they did here locally. They don't call it Raymond James Stadium. They call it something, probably, you know; it may be Thomson McKinnon or something Stadium. But in any event that's—we had a lot of fun, because you could see the ball games. Probably the most fun we had.

But as I say that in a little bit of trying out in the baseball area, and still playing tennis, and of course the older I got the more tennis I played. Never a stylish player but I was speedy on foot. But in any event, that's my main recollection there. And of course my wife was going to a bitterly rival high school; we didn't go to any social functions together. She didn't know anybody that went to Central as far as I know. I take that back, I think there may have been one. But some of her classmates were with me back in Vollentine Elementary. They ended up going to Tech. But as I say, Tech was a dirty word in Central High. (laughs) Like Hillsborough [High School] and Plant [High School] used to be.

MG: Now tell me, as you graduated high school, what were you thinking about? Did you have plans to go on to college?

MB: Yes.

MG: Did you look at different colleges to go to?

MB: Well, of course there was always financial considerations. And I wasn't eager to leave home at that time. But I had—my father, I think, at least always sublimely wanted me to consider law. I think he always was sort of sorry he didn't go into it and instead started a business. So I was thinking along those lines. But you know, a lot of people talk about pre-law in college. I don't know of any such thing; you take some academic stuff like English, history and mathematics and whatever to get into law school, which mainly is half credits, credit hours. So I—that was at the back of my mind, I think. My main concern at that time was courting my wife-to-be, and working in the drugstore. And you know, just generally a young guy like a dog in a neighborhood, just wandering around.

MG: And how did you choose to go to—was it Southwestern?

MB: Southwestern at Memphis was the technical name at that time. Later it was Rhodes College, and instead of Mr., Dr. Rhodes—Peyton was his first name, P-e-y-t-o-n. I took physics the first year there with him, thinking I knew that I was going to have to go into the service. We were already in war and this was—I'll take that back. I finished in forty-one [1941], and while I was in the fall semester was when of course when we had the Pearl Harbor attack. Dr. Rhodes had me in there for a short while, and I'm sure he and I both completely aware of that I wasn't capable of absorbing any physics. I took that and trigonometry because I thought about the Navy B-12, they called it, program in those years. Leading to, you know, some naval service or aviation or something else. I got through the trig all right. I got a pretty healthy C in that. But in physics I just got the plain old F, meaning foolishness. So anyway, everything else worked out, I took some Latin, and some other things.

But I was interested in thinking probably the University of Tennessee, because that's again, my father had gone there. There's that family tie and bond that's always in the back of your head. But of course, meanwhile Uncle Sam had different ideas. I was not a big guy; I was only probably only a hundred and twenty, twenty-five pounds. And the whole as I say, active athletically and otherwise, but I didn't, you know, have any clear cut idea what I wanted to do. But I knew the military was coming. Because conditions were at that time, you know, we were at active war, declared by Congress, by the way. And so that was the way things went.

MG: And do you remember where you were, what you were doing on December seventh [1941]?

MB: I can tell you precisely what I was doing. My father introduced me to the wicked game of golf. Probably about 1939—I'd been sixteen—and of course when you're loose and young and limber you don't worry about anything like you do at my age, now when I try to play, as in the morning for example.

He and I were playing at the Vollentine nine-hole golf course, between our house and the Vollentine school. It had been a dairy farm, and they made a golf course out of it. Cattle there for, I guess, milk and dairy farm. And we were out playing and we played the nine; we usually just played nine and of course it was on a Sunday. And we were driving back from the golf course in his old—I think he still had a thirty-five [1935] Chevy at the time; that's what I learned to drive on. It had the news on the radio. So of course he immediately was a—I didn't worry about it. But I know he began to at that time. I later found out, later, you know, a very troubling thing for him. I was the only son and the oldest child. So in all events, we didn't give it a lot of consideration at that time.

MG: Yes. One of the things I haven't asked you, and I probably should have, is your relationship with your sister. Five years younger—

MB: Five years younger.

MG: Did you play much together when you were kids? Tell me about your relationship.

MB: No, the answer is no. But we would, we had certainly not an uncomfortable hard time in any fashion. She had her own activities and dolls, and [was] interested in her girlfriends and eventually into boys. I remember one or two of them. She had one party one time where somebody she was rather love sick with, some boy in her class. I'm not sure but I think he came over to that party. But I was an outsider in that respect. You know five years younger, I could hardly stand those kids. (laughs)

She now lives in Pinellas Park. Married a second time—her first husband was a well known Tampa personality named Jimmy Wilcox. He died probably about fourteen—a little over fourteen years ago, too young. He was two years younger than I was, and a little older than my sister. They have two boys, and of course they have grandchildren. She's living alone now; she remarried and that has not been very profitable or beneficial in my judgment. And she's living alone over there on a modest income in Pinellas Park.

Her husband Jimmy, his father was a probation officer, worked at the courthouse in Tampa; when I started practicing law he was still there. He died; he was only, as I recall, fifty-nine when he died, in my recollection. He lived over in the south Tampa area, off of Howard [Avenue] on Albany [Avenue]. He every now and then would introduce me to one or two better known lawyers around Tampa; one was the famous Pat Whitaker, Senior. He didn't have anything in the way of an opportunity for me, although I would have been tickled to death if I had had a chance to connect. He did largely these rather extravagant and high notoriety criminal matters; that was his long suit. He had two sons, one of them was deceased. One of them still lives, I know; Brett, who lives up in Homosassa Springs area.

My sister, she was married about forty years; they married in 1948 at the church where I used to attend, over at Hyde Park Presbyterian. I was an officer over there. She—of course, our family were all living at that time. I was in Gainesville, came down here, paid eight dollars for a new set of looked like patent leather shoes; they were too small and

just about killed my feet during that whole operation. Anyway, I was able to get through it, and they had a pretty good marriage. He was with Sears most of his working career, as an advertising sales promotion man. He was very talented with his—he could draw, particularly things like ads and things like that. He did some free hand artist work that was very good. She's getting along as well as she can now. She's not living with the man she's currently married to. I can't consider that I'm at all close to him. But that's of course not my affair directly.

MG: Well, let's come back then, because I guess we need to think about your military service. I had asked you just before talking about your sister about where you were on December seventh [1941]. Tell me about how your military service came about. You were drafted?

MB: I was drafted. I had considered getting into in this B-12. But like I said, I couldn't. I was drafted in about January, February forty-three [1943].

MG: That late?

MB: That late. Of course you see, I was only eighteen, and that year I was seventeen, my last birthday before the draft. Probably, as I say, I could not get along with Dr. Rhodes and his pitching for physics. He later became president of the college, by the way. He's now deceased. I was drafted there. I passed the routine physicals but it was (inaudible). I'll never forget it. They had a line over there: those interested in the naval—enlisting in the Navy, rather than being drafted, get in this line. So I got in it. Like my friend Larry McSwine had. Not for that reason, because I thought it might be a little better service and so on.

So they gave me a quick look, had somebody check me out, and they said no, we can't use you, not acceptable. I thought I was in reasonably decent shape. I was kind of puny you know, and slender—skinny, in fact. They said, "You got an open bite," meaning a reference to the mouth. I never heard that expression before or since. The ironic thing is I went on into the Army Air Corps as part of the cadet program, which I was able to finish through the end of the war. I passed at least two flying physicals to fly in the Air Corps. Wasn't the Air Force; we didn't have an Air Force until after the war. And they never mentioned an open bite. So I'm still baffled about that. I'm playing golf tomorrow with a formal dental oral surgeon, and I'm gonna ask him, "What in the world—" I guess it has to do with the teeth closing properly. But it never interfered with my appetite.

MG: It seems strange that it would interfere with you being in the Navy.

MB: Well, I don't know. I can't explain it. But that's what they told me. So I was drafted, went from there, Memphis, to Chattanooga. I'll try to make this short; you can cut it shorter if necessary. They had the so called reception center there, not for basic training but for processing. That was a fairly good—that was up toward east Tennessee; went up there by train. You remember your family, including your prospective bride, all weeping

at the side of the railroad, you know, because you're pulling off. It felt like an early Mickey Rooney movie.

We processed there and then they said, "You're going to go to Greensboro, North Carolina, for basic training." While I was there, by the way, I worked in the office. The "sandwich" office, I've forgotten whatever term they called it. A sandwich was in there. I was typing, same old stuff I'd been doing in high school and I've been doing ever since. I wish I could do most other things as well as I can type. But the arthritis somewhat slowed me down in that department.

So in any event I went onto Greensboro, we were there for the requisite time. You know it was hewed out of the countryside. They had the tar paper shacks and buildings; there wasn't anything fancy about it at all. Greensboro is a very nice town. The most vivid thing that I remember about the basic training is—I of course had a fare, they were paying us thirty dollars a month in those years, as privates. They had a couple of guys, mountain guys from Kentucky, started a crap game there in the barracks. And I of course immediately dropped all the money I had. (laughs) These were guys up there in the mining country. You know, around Pineville, or—and that section of the state, and pretty rough.

But we had some people in there, most of them I never saw again after basic training. Went from there to Camp Crowder, Missouri, because they told me that I was going to be—I had a little college, and they said, "We ought to make you—give you some responsibilities." So they made me a T-5 coming out of basic training, which is a corporal with a T under the stripes. So, "We're going to send you to Signal Corps school." I thought what in the world. You know, mechanical aptitudes, something I never possessed. So I went up to Camp Crowder, Missouri, which is a place called Neosho (inaudible) and we there about four months. My wife and mother both visited there at different times while I was there, because it wasn't too far from Memphis.

MG: Now you hadn't gotten married?

MB: I hadn't gotten married. So she just visited.

MG: Had you become engaged?

MB: Well, sort of unofficially. I think my wife had, you know—as I say, she had her own time table, her own plans. And I was off just, you know, trying to win the war. So anyway, after we finished, went several other places, I ended up headed for the West Coast. When they said I was out in Fresno, that's where I got involved in this band business. We had a little organized—they called them "Mount Owens Rifle Range Band." I met one fellow, one real close friend of mine that died here six, eight months ago, living in North Carolina. He played drums, and we had some kind of music interest. He was a big Stan Kenton fan. We had started this little group up there, we had about—I think there were two trumpets and a couple of saxes [saxophones] and drums, and we had a piano player out there.

We worked on Mount Owens, which is where they had a rifle range. That was just kind of little bivouac area, if you recall the expression. I haven't thought of it for a while. What short of that is while I was out there they had to put up a sign up on the bulletin board at the barracks saying, "Anybody interested in becoming an aviation cadet, sign below." So about three of us got the wild notion that we ought to try that. We got more interested than ever when we found out if you were accepted you got a fifteen day furlough. So that was an element in the decision. So I signed up. Apparently we got basic initial acceptance. We got the fifteen days, that's when my wife laid out the plans for the marriage for Thanksgiving Day of 1943. It took me almost five days, by the way, to come in by troop train from California back to Memphis; we made it all right.

MG: Tell me a little bit about the wedding and how that all went off.

MB: Well, I had as I recall, had a beginning of some kind of a little rhinovirus or a—as they call it, a cold or something. Most of it, of course, was not getting much rest. All that sitting up in these regular coaches is what it was, and of course when you're young you can put up a lot more than you think you can. My wife had helped with my parents, although I think the motivation to have a ceremony while I was still in service was largely with her. Happily, my parents had no problem with it, no objections. And of course so I was free, free of all the onerous details of the plans, the arrangements.

We had a so-called Evergreen Presbyterian Church there, where we both attended to some extent. She arranged with Dr. Millard, M-i-l-l-a-r-d, who was a pastor, to perform the service on the twenty-fifth, which was Thanksgiving Day as I recall, in the mid- to late afternoon. She had her closest friend there, as I say, stand up with her. I had a first cousin of mine, who was then in med school in Memphis, who eventually went up to Maryville, south of Knoxville, and had a very successful practice as an anesthesiologist. We were always very close. We used to work together with him and the stuff in Johnson City when we were up there in the summer. He had a friend of his that's in the wedding picture, I don't even remember his name, just somebody wearing a uniform, as he was. They were both in the service at that time, as was I. And I was of course not—I guess technically still a T-5, but I had a little Air Corps wing thing that you can put on your blouse and jacket.

We had to wear, you know, a jacket for dress purposes, but there wasn't anything fancy about it. And I wore that and my wife had on—I always kid her, they had—the newspaper said a dove grey dress, and of course a corsage of flowers. She looked lovely of course. She said she reached over and grabbed my hand at some point during the service and it was like grabbing water—ice water glass, except cold and clammy.
(laughs)

MG: Now one of the things I haven't asked you, had you proposed to her? How were you all settled on getting married?

MB: Very informally. We didn't have any official on your knee request or anything as romantic as that, I'd have to say. But I think it was more or less consistent with a mutual understanding and desire don't you know. And that was what it amounted to.

MG: But she picked the day?

MB: She picked the day. (laughs)

MG: The plans for the wedding were—

MB: And who's going to give, and of course we knew Dr. Millard—we always called him Dr. Millard. By the way, she had her employers who were a man and his wife, who had an advertising agency; she had worked since high school. She didn't have a chance to go to college. They both sang—Mr. and Mrs. Kelly. The name was Horace Kelly, and I remember talking to him before he went into the service, meanwhile I was there. This was after the war, of course, had started, was raging on. And even before that he had kind of in the camp of Charles Lindbergh. He believed in, you know, isolation theory. America ought to stay out of that business in Europe and so on. But as I recall I didn't—he was too old for me to take the issue with. Of course I was just an upstart. But I remember I didn't agree with his thoughts about that, and certainly I was not bellicose myself.

They sang two songs in the wedding; we got about two pieces of sheet music, both of which I had framed with a nice frame, right over our phone at home. The two songs they sang was one, "The Greatest Story Ever Told," and the other was "Oh, Promise Me." We still have those every time we sit down and make a phone call as a reminder of that event. Not that I need to be reminded. (laughs)

We stayed there, of course, for a honeymoon. My dad probably couldn't afford it. But he put us up in the Peabody Hotel. We had a small reception there, you know, with the cake cutting and so on. I'm sure we have it somewhere, the picture of her. The two of us, hands on the cake situation. And we spent the night there. Then we came on back.

I was—my general physical condition sort of declined or degraded, and so we came on back home, and we piled up; I had to go in the old bedroom, where I think at that time my sister may have used that one. Or maybe she went to the back, and I stayed in the middle room, which was hers originally. But anyway, we made it through it all right, and I had to go on back, of course, in accordance with the orders giving that leave. And of course I was tickled to death to be able to get that much time. I wouldn't have had it otherwise. I was headed for an A.P.O.—or, what's it called, P.O.E.?—excuse me, a place called Hammer Field in Fresno, where you go from there to the Pacific. So I was in that direction, just fortuitously by getting into this program, I was spared that. Otherwise I don't know what would have happened to me.

MG: Now P.O.E.?

MB: Port of embarkation, for a foreign duty. So it was just pure circumstance and good fortune as far as I'm concerned, that I avoided that. So I went on back. That was in November, late, and she came out.

MG: This is in November forty-three [1943]?

MB: Forty-three [1943]. She came on out at the end of December, as I recall. She wanted to come out, and I was anxious for her to come out. So she found a little apartment there and shared the space with one of the other married gals whose husband was—I'm trying to remember the name, I can almost call it, but I can't immediately come up with it.

I didn't get a lot of time off, because we were in a training status and so on. But that's when we had this—a lot of fun playing, I guess sort of a morale builder, you can call it that. The most fun we had in that organized so called Mount Owens Rifle Range Band. It was hardly even called a band, a combo would have been better. We didn't have what you diagnosis as talent. (laughs) But we did get an invitation to—and we did, you've heard, one night stand expressions. We had a one night stand at the U.S.O. in downtown Fresno. We were reading sheet music; most of us could read, you know, simple arrangements. So we were playing some of the popular tunes of the time with whatever sheet music we had. Whatever we had, but we certainly, as I say, didn't have a lot of soloists. There was no budding Harry James in the group, I can assure you of that! But that was a lot of fun.

So after getting accepted in that cadet program, I started making several different stops. And meanwhile, as I say, my wife's father had died in Memphis; she had to come all the way back. I try to remember—I don't know whether she came by bus or by plane; I assume it was by plane. But I don't recall. But he'd been ill for a couple years or more. And [he was] a very interesting man. He was [with] a corporate motors there in Memphis. He was selling Lincoln Continentals which at one time asked him those Lincolns. No, I take that back, it was a Lincoln Zephyr. It was a twelve cylinder car; it was about as wide as from here to the front door.

Tape 1, side 1 ends; tape 1, side 2 begins

[Transcriber's Note: Interview continues in mid-sentence.]

MB: —door, and I asked him one time, “Mr. Martin, can I—let me drive this around the block?” He said no. (laughs) So I didn't get to ride it. He would take us out in it and I'm telling you, talk about a (inaudible), it really had it. The Lincoln Zephyr, I haven't seen one since. They have them there in museums now, I guess.

I'll just quickly say we went to Stockton, California, there, in training status. Before that I think—I'm not sure the order of these things, I went to Missoula, Montana, to Montana State University, for what they call a college training section of the cadet program; and also in between there I was at Stockton Air Force Base, which is not far from San Francisco. We were pretty well tightly confined in those areas. We didn't get a chance to go and do much in the way of, you know, fun or activity.

Meanwhile I had to go to Denver to take these tests to see if I was eligible to get in as either as a bombardier, navigator or pilot. Pilot of course being the top, navigator the second, bombardier third. Well, the short of it is I didn't make the grade as a pilot. You had to have at least a nine for that, on what they call stanine scores. But I had good ratings for navigator and bombardier. I was, you know, eligible to get in the program. After that we ended up going to—we went to Bakersfield along the way there, which was also a place where—that's where—I think I said earlier, Fresno, where we played on the Coliseum field.

That was in Bakersfield where I did that, because they had a regular band. A fine group there in Bakersfield, of musicians, and there were about a half dozen of us who were Air Corps trainees who were allowed to fill in. We played stuff, you know, for these big assemblies. And one of us go out and play retreat or reveille and this kind of thing by ourselves.

But then we went to—my wife and I got an old 1929 Model A. I bought [it] for a hundred dollars. We drove that out to Hollywood. That was one of the most exciting things that happened to us there. We went out to one of those weekend deals. I'm digressing from some of the trips on the Air Corps training, but this is kind of interesting. We made one trip out there in a bus, going to play on the field for one of the football games. I can't remember which one. And we played out there in half time, and of course we're sitting in the stands the rest of the time. There were probably a half dozen of us who were not in the regular band group like (inaudible). (inaudible) had some professional people playing in there before they went into the service.

One weekend we got in that Model A, we headed out over Route 66, I guess it was, headed for Hollywood, and we got in there and drove around. We parked once, went to eat in the Brown Derby restaurant, pretty famous at that time. We also went over to the Beverly Hills Hotel, riding the Model A, just when we came around the corner, the thing was—the side of it was about three connecting streets. And we saw a car come out of the driveway, it was a big Lincoln. And we looked and I said to my wife, "Who is that?" Turned out it was Xavier Cugat, and he had a chihuahua sitting on his shoulder. It was a convertible Lincoln, a great big thing, about the size of those Zephyrs, coming out of the Beverly Hills Hotel. So we were all excited about that. And we drove around in the area a little bit. We got to see the Harold Lloyd house and some of the other, you know, movie star places from the—so it was a lot of fun and a very inexpensive trip as it turned out.

Coming back we had—the car over heated. And I didn't know what else to do, so I stopped at somebody's house, went in the back and they gave me a bucket, put some—added some water. Started her up again and we came on back. I don't know if it was good enough. It was the only thing I knew to do was add water. Of course it was obviously pretty hot. We stayed there, and we ended up in San Antonio. I don't know what it was called. It's different then, it's different; they have an air base there now. And it's a training center; they called it S.A.A.C., "S-A-A-C" [San Antonio Aviation Cadet Center]. There's

a—I don't know what the name of the base is now. But San Antonio had a lot of air bases, like Kelly Field and one or two other very well known places.

Went from there on over to starting the training, which is basically the course first. Nothing about airplanes at all, never got up to where I saw the inside of one. We went to Montgomery, Alabama, which was the next stop, and the last stop where I was discharged. That was in the—oh, about June or July, I guess, of forty-five [1945]. While we were over at Montgomery, of course, they had the shocking news about President Roosevelt's death. My parents came down and visited once there, both of us. And we took all these, took a variety of what they call "pre-flight courses" there; that's what they called them, I guess still do.

My wife, as it turned out became pregnant, when we were still in Montgomery. That child is now fifty-six, was born in Tampa, what was then called Tampa Municipal Hospital. Her name is Dee-Dee. That's a nickname; she doesn't like her real name, Rosalie. So she was born. And all three of ours were born in the same place, although now they call it Tampa General.

We had one curiosity when I was discharged. About the third or fourth of December of forty-five [1945], third or fourth, somewhere in there, we arranged to get a flight on Eastern Air Lines. And we flew into Tampa at the famous international airport, which was on Davis Island, called Peter O. Knight. That's our first—that was the first time I had been in a plane in my life, had been in the Army Air Corps for almost three years.
(laughs)

MG: Now, why Tampa?

MB: My parents had moved down here about three, four, five months before. We had no roots any longer in Memphis. We were also short of wherewithal. My father was trying to get established in some kind of a business here. He left to Plow. Plow had no connection here at all. So he formed a—he got connected with a man named Byron Harless. Harless was a psychologist here, a former U. of Florida man. My dad went to a psychologist, so at least not officially, not licensed. He was kind of the business brains. They formed a company called Psychological Counseling, Inc. They had the small office down on South Franklin Street, where the Red Cross and where one of those buses go over to the—what's that place—Harbor Island Hotel and those things. They have an elevated station there where you can catch one of the trolleys. They're not a bus, excuse me. Right across from there on to Whiting, corner of Whiting and Franklin Street, there was an old Lucas paint company. And they had the building above, had offices, and that's where their offices was.

MG: What made your folks choose Tampa?

MB: Well, the best connection I can think of [is] my dad's sister, whose name also was Rosalie, she and her husband, her—I don't know, speculator types. They lived in Ocala. They've been involved in the tung oil business, t-u-n-g, tung. Actually, I think it went

into chewing tobacco, as I recall. Then later she got into the crop, the seed crop business, (inaudible) and some of these other crops that you see along the highways. Used to particularity before there's much paving. They can grow up stands and you have to cut them back with a big machine.

But she was a bright lady. They had moved to Ocala maybe a year or so before, and they had two sons, both of whom lived in our house in Gainesville. Part of the time we were up there, by the way, and I was in law school. They, I'm sure, had a good deal to do with it, because you tend to gravitate where your blood kin are. This was a younger sister, the only girl of the—my grandparents had three boys and a girl. They're all dead now. But at that time she was the younger of the bunch and lived in Ocala.

MG: So tell me about Tampa when you arrived. What was Tampa like? Where did you live, and what did you do?

MB: Well, Tampa was still, you know, almost like—we called it a village but it was certainly a modest sized place. All the activity downtown centered around Maas Brothers [Department Store], and then a block away was O. Falk's [Department Store]. And of course a couple of fairly large banks were there then, Exchange National and the First National. And the old courthouse, which of course had a lot of character and history, and tragically in about 1952, it was torn down. It was down there on South Franklin [Street], across from the First National Bank. It's the site now of the—it was the Marine Bank, I guess it's Sun Trust now; you know things have changed. And normally the structure of it and the arrangements have changed a great deal.

I needed some [credit] hours to get into law school in Gainesville; that was the ultimate objective. Again none of us, my father included, had any resources. And you know he was paying the rent. So I got on over at the auto tag agency doing my favorite activity of typing. They're over there across from the University of Tampa, which was the Lafayette Arcade building. They were on the old point which is a little west of the—they've got a restaurant there now, I've forgotten the name. And some other places; there used to be a lot of doctors in there. Plus there was a pharmacy, a drugstore. And a bunch of other doctors, a pediatrician—our pediatrician was in there. They have all died or moved or something else has happened.

But the old tag agency building, I'm not sure—I think it's still there. It's right across from the (inaudible) Snow Park, which was a little small thing, the smallest park in the world I guess they call it. And that was right out in front of this little pointed affair, which was the building, and I can't describe the configuration of it with any precision. And that's where they had the man who was the manager. And there were three other employees. I was added on—there were two and I was added on to the two ladies there. I did that even after I got out of law school, for a different man; the other one had died. And the tag agency was then out across from the back of the courthouse. And I had a fairly decent entrée in that field because I'd done it before. So the short of it is I worked out there and go into the University of Tampa, I picked up some hours.

MG: You had a full year at Southwestern?

MB: I had a year and a half.

MG: A year and a half.

MB: I went through the January semester of forty-three [1943]. Started in December—I mean the fall of forty-one [1941] is when I started. I didn't go to summer school there; I guess I was working primarily and kind of marking time.

MG: So how long did you stay at the University of Tampa?

MB: I stayed the winter and the summer semesters. I think they were full semesters. That was the beginning; that was in forty-six [1946] because I got out of the service in December forty-five [1945]. Doing this work over there and the whole time I was at U of T. And of course it's changed tremendously. I think the—Dr. Delo, the last well known president they had over there, is living over in Freedom Square with my close friend Mr. Angle, who's a friend of the library here. David Delo, I think he's still over there. He's pretty well disabled; he's got to be in his late nineties. And Angle, I talked to him later this morning. He's doing pretty good.

I got those credit hours. Actually I think I had—in terms of dedication I was much more ready just to get the job done. And, you know, get the degree and get in school. I made the dean's list in the University of Tampa, which was the only time I did that. I made some other lists, but not the dean's list. (laughs)

MG: Tell me, what was your wife doing while you were in school?

MB: She was looking after babies. Up through forty-eight [1948] we just had the one little daughter. She was born May 10 of forty-six [1946]. And of course we all packed up in the old car we had, thirty-five [1935] Chevy, and drove up to Gainesville. My grandfather—bless him—on the mother's side, Granddad Proffitt, was kind of a—he had heart as big as this building. He gave me I think it was seven hundred dollars to make a down payment on a G.I. house, up there in a little subdivision, built by a man named Kirkpatrick. One of those Kirkpatricks is still a state senator from Alachua County, by the way. The other one is long gone, the one that built the homes.

But anyways it was a small house. She was there, of course, looking after Dee-Dee, the oldest. We were on rather slim pickings in those years. So that's when I found out a newspaper route might be just the thing. So I was delivering the *Jacksonville Journal* starting the same year I got there. And I kept that route the whole time I was there, up until I left in September of forty-eight [1948].

MG: Let me ask you, so you were in—at UT in—

MB: Forty-six [1946].

MG: Forty-six [1946], and you got accepted to the University of Florida for the fall of forty-six [1946]?

MB: Correct.

MG: And that's when you all moved up to Gainesville and bought the house?

MB: That's right, and we couldn't have done it, you know, they had what they call the (inaudible). I knew a number of people, friends who were up there with their wives. And most of them, I don't think they had babies in those years. It was probably just for a couple. But (inaudible) Village, but we were able to fortunately find this place. It was the last one on the block. The only detriment was it was down in a low area, and there was swamp all next door, going down into a swampy area. I came home one day up there and there was about a four foot black snake on our step going into our house, on the concrete step. I don't think he was poisonous but I didn't take any chances. Bid him farewell and went on in. But it had a screen porch on the side where the swampy area was.

We had three small bedrooms. We rented out one to both of these cousins, whose parents—my aunt—was in Ocala. Like I said, was a promoter and sharp business lady, and went into the seed and other business; ended up in Ocala and then later moved to Pensacola. But I have only one of those family still living; it's a first cousin who lives out of Gulf Breeze, out of Pensacola. I talk to him frequently. But we stayed there for two years, met some fine people. My neighbor across the street, he was a professor at the University of Florida. I've forgotten his field. But then next door was, I believe, a history professor at the University of Florida. He and his wife, they had one child while we were there, a little boy and—

MG: Do you remember who that was?

MB: The name was Arthur Funk, F-u-n-k. Her name was Jenny Funk, we called her. When I went back to—I think fortieth reunion of law school, I called her. She was in the book, and she said she and Arthur had been divorced for a long time. They had two children, and they were right on the opposite side; there was nothing but a swamp on one side or low area. Across the street was Dr. Gordon Browder, B-r-o-w-d-e-r, and sadly his wife, who's—they had two children up there—she's living but she's had Alzheimer's for a couple of years. They live in Missoula, Montana, curiously where I had gone to—my wife was up there when I was in Missoula. Of course she followed me wherever I went. And she worked on the cafeteria line up there, in the place they fed the college people. You know, dishing out soup or hot vegetables or something. So she never stinted, you know, in work and loyalty to me.

MG: Tell me about your University of Florida days, you were there for how many years in law school?

MB: Precisely two, going through the summer. Otherwise it's supposed to be about a three year term. But I was horsing to get out, not knowing what lay ahead.

MG: Tell me about those classes, did you enjoy law school? What were you involved in, if anything, besides classes?

MB: That and delivering the *Jacksonville Journal*, which is an afternoon paper. I was a Pi Kappa Alpha at Southwestern. And they had a very nice frat house; I was in there like one time. It was the first house on the corner of the highway that went out the direction where we went home. I'm not sure, I think it was Cypress [Street], it was a street, I'm not certain. I didn't take part in any other social activities, really. We would have a neighborhood party occasionally. And somebody might buy a few bottles of beer or something; that was the extent of it. You know, to be shared by those present.

We had another man down the street named Harty Mathison, from Miami; he's dead now. He was about a half a semester ahead of me in law school, as I recall. His wife was very nice. And they had—I'm not sure what, if they had any children or not, frankly. And there were several others in there that we—I won't bore you with all the details. One man across the street ended up in Tampa in the bank down there. And he is deceased now, as well. He lived in Freedom Square where Mr. [A. Bayard] Angle does. I can't recall his name at this minute. Of course all these things you know come rushing in your mind, you can't keep them all straight, I can't.

MG: While you were in law school, were you thinking of a particular field of law that interested you? Or was it more of a generalization?

MB: No idea, I just wanted to be educated in law and get out and connect somewhere. Being just an average student—I'm being generous, probably, when I say that. But I was not able to catch on in Tampa. I went to three offices of the larger firms. Frankly, the general rule is—I think it still is, you know—if you don't get all A's you might as well not even bother to stop, except maybe get a drink of their water fountain or something. And so I wasn't in that class.

I made some decent grades. As I recall the worst grade I made was in evidence. I didn't flunk it, but I think I came out with a D. I always said that was darn good. (laughs) But in any event, most of the stuff I was—particularly, looking up the law was one of my favorites. I think I may have made a pretty high grade in that. I took whatever was sort of prescribed towards contracts, procedure and some evidence and so on. Of course you find when you get out how amazingly little you know that you really absorbed and learned. You got to get involved and you know dig it out and experience the work before you can feel like you know anything at all. But anyway, we got through it.

MG: So you sold the house in Gainesville?

MB: Sold the house to a lawyer who was in Tampa. His father was a meat market owner named Hyman. I think it was Jake Hyman; this man was Sam. Sam and his wife bought

the house. Paid us—we got a little margin on it over and above what we paid. I think they paid nine for it and we paid seventy-five hundred or something like that.

Sam later sadly—he was a little portly; he went over to Russia on a visit and died over there; coronary. But his brother David is just recently retired. He was a lawyer and a very capable guy in Tampa. Dave Hyman; I knew him very well. You know, we were always friendly. He came in a few matters that I had [that] were civil. But he had begun to slack off some and I think he is, I believe the—I'm not sure whether Dave's living or not; he may be. But he developed some kind of physical disability. I think that slowed him down; he was using a cane last time I saw him.

MG: Now why did you decide to come back to Tampa when you finished law school?

MB: Well, it was the only place I had any roots or connections at all was Tampa, because I lived here before. And we came back here and stayed for a short time over on Davis Island, on Columbia Drive with the parents. Then we went and rented a house over in the old Palma Ceia section on Angeles [Street]. Turned out it was right down, about a half block down the street from a man who I became very friendly with and close. His name was Robert W. Patton. He was one of the most celebrated judges we had here on the circuit court. And he died about four years ago.

He used to take me to work in his aunt's old Studebaker. I didn't have a car. I was practicing down at the old Stovall Professional Building. It was razed a few years ago to make room for the county center. In fact most of the back area of the county center by that is vacant now, just open space. But that's where the old seven-story Stovall Professional Building was, red brick. We had another Stovall Office Building over on Tampa Street, behind Maas Brothers.

MG: Tell me about this, you were—did you go into practice on your own?

MB: I didn't have much choice. But I did open—I shared an office with another lawyer there, of course, who's a friend. He used to teach Sunday school where we went over at Hyde Park Presbyterian. I mentioned earlier that church, close to where I lived. And his name was Laban Lively. He went back into the military and retired. Decided he didn't want to practice law. But of course he was pretty older than I was. He and his wife are both deceased now.

He had one room there. And I think his rent was forty dollars a month for this one office. And he said, "I'll share you half of this for twenty a month," and that's all I could do. And he had a little young secretary in there, who's I guess still living; her name was Thelma Cona. I remember her very well; she married a man named A.L. Greco, we called him Al Greco. He's a chiropractor in Brandon; he's still living, as far as I know he is. He was a good chiropractor, by the way. Same profession my son is now in, up in north Georgia. She was in there typing. And if I had to see a client he'd step out, and you know they were scarce, I didn't see a lot of clients.

After doing that for some months—obviously it was not how you say a very happy arrangement in some respects. So he and I got along fine. But it's not just professional to have everybody—like you're living in one house of the bathroom in the same room. So I went around the corner and rented one office over there, which I guess was about forty a month. Mr. Angle was next door at that time, with a fellow named George P. Raney. And the short of it was that we got to be very good friends. And starting about fifty-two [1952], and Raney had retired and then died. He and I started sharing the space.

I had a woman across the hall, I'll never forget her. She was a lovely lady, she worked for Reynolds Metals. She agreed that I could put a phone extension over there and she'd answer the phone for me. And I don't recall—I don't think she didn't charge me anything for it. And you know she knew I was up against it. So her name was Nadine Walters; I'll never forget her. She was a pretty girl, large—but very pretty, from Arkansas, which didn't hurt. So I stayed there I don't know how long, probably for a year. Finally saved up to buy a Mitchell air conditioner; when I moved over to that little single room I didn't have any air, except the open window. I bought a Mitchell for a hundred and a quarter, hundred fifty, whatever it was. Put that in, we're in the (inaudible) office but again I was doing all my typing.

I associated with a man named—very interesting man—and again, curiously enough when I bought a house over in Hyde Park thirty-six years ago, it was across down just slightly down and just across from his house in Hyde Park. His name was Tom Watson. J. Tom Watson, he went by Tom; his friends always called him Mr. Watson. He died in 1954. But he used me on stuff, mainly to look up some law and research and drive him around; his eyesight was bad. And he was a campaigner type. I think he ran for three offices that very year, in forty-nine [1949], when I met him. He ran for the Supreme Court of Florida. Ran for governor and ran for Congress. He came close on the Congress, as I recall. And he of course didn't have much money, but he had some. But he had a burning desire to serve. And he was very aggressive and he had a reputation of being of anti-labor. So we called him—you know, I remember there's a lot of stories about him in those years. He had a lot of litigation. He represented the management, you know, the lawsuits they had with their labor union or union members. So there was a clear cleavage between Mr. Watson's views and, you know, and labor.

MG: So those first years practicing law sound a little bit lean. Not a lot of clients?

MB: No, no, there weren't. I didn't have any—I had no connections here. And you know I—that's why the fall of forty-eight [1948] when I got out of school I went over and worked for, during the rush season, about two weeks at the tag agency over there. You know, pick up some extra bucks. No pun intended. But that was just the sort of thing I knew how to do. And I was able to do it. Fortunately my wife was very considerate and thrifty. And you know, not a demanding person in any way, still not. So she helped, we helped and we got through that all right.

MG: Tell me about things picking up, because I know you're going to go on to do some really—

MB: Things got a little better, hopefully. I had—let me see—in 1956—in fifty-six [1956, I had been out of it about seven or eight years at that point. I found out that there was opening in the federal court for a magistrate and U.S. commissioner. So I applied for that. The judge in charge at here at that time was by himself, as I recall. That immediate time was Judge William J. Barker, a piece on him being in the collection that's here, that I started way back, five years ago approximately.

Judge Barker appointed me to that job. I thought, you know, that my ship had arrived. As it turns out that job was paid on the five—two, three, five dollar fee basis and the annual income on that was about three thousand per annum. Not a month but per annum. Consequently, it was supposed to be—it was part time. The problem was, a lot of people thought I was working full time. You know, as a magistrate and commissioner. And of course made some friends and I enjoyed the work. All your primary duties were to have—type up stuff, which I was again able to do. I had a portable machine that I would carry over there to the federal marshal's office. And set it up on a desk, they provided a desk for me. Nothing fancy, no bailiff, no flag, no courtroom. And of course they've made, currently now those people are called magistrate judges. And they, of course, are a lot better compensated now. And also have much broader duties not just—mine were at the kind of rudimentary stage.

MG: Tell me about what you did, what kind of—

MB: All right, somebody—an FBI agent would call me. I would form friendships with particularly one, who's still living here. A man about eighty-one or -two, and they call and say we got a complaint. Hopefully not about me, but they said we got to file interstate transportation stolen motor vehicle. And then I sort of said, "I'll be right over." So I walked about four blocks or so. I didn't mind that a bit. Leaving the office I had in the Stovall Professional, I was still there in fifty-six [1956], toting my little small—I guess it was, I'm not sure, Underwood—I guess, whatever. I'd go over there and I'd have the forms, supply the forms and stuff that I kept at the marshal's office. I'd type up—that was the main thing, again to get a prosecution started; they'd sign a complaint under oath. I'd have to swear them of course and then I'd issue a warrant for arrest. Sometimes they'd have a warrant for a search to be made. And I'd have to find whether we'd had a probable cause for that with an affidavit to support it. Although most of those, I think all of those had to be supported by the U.S. attorney's office.

In fact my recollection is—it's going back a few now—they had to get approved by the U.S. attorney to file anything. So they'd call me, and it was based on a referral from their prosecutor. We had some interesting prosecutors here in those years, a lot of them of course gone now. I replaced an old gent named Mr. Pinkerton. First name Paul, I believe. He was about as tall as that door there, about six or seven. A big old man where his hand would make about four of mine in one hand, he's that big. But he was a nice old guy. He'd had that job for a long time, and I don't know if he needed it for a livelihood or not. But it was hard—tough times trying to get by on that.

But in all of it, getting back to what we were doing. Issuing these warrants and complaints, I'd give it to them, except for the complaint which would be filed. They'd take the warrant. And anything else that papers were involved, and then they'd go out and of course make their case. I mean make their arrest. And they'd arrest somebody on whom a warrant had been issued either here or anywhere in the United States. But they were found or arrested here. They'd bring them before the nearest magistrate. And of course the federal rules covered the procedures.

A person would come in. When I was first over there they would bring a man in, flop him down in a chair about like this little sitting chair. And I said, you know, I wasn't trying to create any high hat condition. But I said, I told the marshal—the deputy in charge, Walter Crumbley—I said, “I think these men ought to stand up while I'm reading them the charges, telling them what their rights are and their entitlement.” This was before all the Miranda business that I've heard of. But I said, “I'll let them sit down later, but let me just take about five minutes to do this a little more, you know, professionally, maybe,” so in any event they agreed with that. They thought it was kind of silly, I guess. But Walter Crumbley was an old timer here, had been here for many years. He also went to that same Hyde Park church, an officer over there.

In any event, they'd bring them in. We'd have them stand just a short while and give them their rights. Tell them the charges first. Then of course the magistrate has to, with the input of the U.S. attorney that would come by normally and be there, to fix a bond. And of course a bond, like most bonds there's a formula. Not necessarily a rigid schedule, or “schedule” [pronounced shed-yule] as the English say. There's a list. I don't recall whether we had one. I think a U.S. attorney recommended a bond, and by and large you followed that. And I always had a good relationship with those people. Plus with the Bureau—in fact I started playing golf with three of the Bureau guys back in about 1957, and one of them which is still here. We formed a good friendship, a man named Walker. A great guy, he was with the police in Chicago and then got with the Bureau, and was in the Marines—Pacific—during World War II. Lives over there off the El Prado [Boulevard] and Manhattan [Avenue] area.

MG: Were there any particular events that you remember in your job as a commissioner? Any famous folks come across your desk?

MB: One case I remember—and I can't remember the name, of course. I had a preliminary hearing on a case on a defendant. And he was arrested and they were having a hearing up in Chattanooga. And apparently this defendant had wanted me subpoenaed as a magistrate. To come up there to see whether I guess he could find some loophole or some flaw or defect in the proceedings, some way. So I went up there with a sheriff. I forgot his name; he was from Polk County. I think he later became sheriff. He was a deputy, I think, maybe, then. But he had some knowledge about this particular fellow that was accused. We went up there. I'm sure we flew. They put us up in a hotel and I went to the place the next day. I was talked to, I'm sure, by both lawyers, both the prosecutor and the defense counsel.

And you know, they never did call me. Never did have to say a thing. I told them the story. They probably asked me, you know, how I handle a proceeding, what did I tell him, what bond was set, any unusual events that transpired. I told them everything that I was asked. But there wasn't anything extraordinary about it. And of course you try to be careful and cover all the bases, as they say. That's the main case of any great interest I remember. I don't recall having any other—I haven't thought about it in a long time; I don't recall having any other major prosecutions initiated there. There may have been one or two but I can't recall them.

MG: What were you doing—you mentioned that the commissioner position was really part time, though you ended up doing it largely full time?

MB: No, it was still part time.

MG: So did you have other things going on as well?

MB: I was trying to practice law. But I felt like I'd taken kind of a hit in that department. Because I never forget somebody—happened to be, it was in the eyes in our administration that I got appointed by Judge Barker, who I at least liked in my recollection. His daughter still lives in Tampa. He was a Democrat, and I was—still happened to be a Democrat. Not on the podium or anything, that's just my preference. So a lot of people thought I was a Republican. And they chatted me about it. *La Gaceta*, the paper here, the man who was operating it—his son is doing it now. They were nice to me. Here, some months ago did a little silhouette story on me in that particular newspaper. It comes out once a week. But he thought that I had sold out somehow to the Eisenhower Republicans. But that's another story I'll tell you later about, in fifty-two [1952]. But I won't go into—

Tape 1, side 2 ends; tape 2, side 1 begins

MG: I was asking you about trying to balance your commissioner position with practicing law, trying to make ends meet. What else was going on the law practicing side of things?

MB: Well, people talk about specialties; of course, it's the age of specialists. I'm not the oldest lawyer alive by any means. But back in the year when I was practicing, particularly in the beginning years, there weren't any real specialists unless you were the big firm and you were handling a department like litigation, tax, probate, corporate, all those things. So you really hope to—it's no secret to get clientele; you got to have people say, "I went to old so and so and it looked like he knew what he was doing and he did a good job for me." Meaning that you get most of your practice—I won't say clients, well they are clients—but most of the people that come to you have had a good recommendation from someone else. You know, and that's the best advertising in the world I know of, and the safest. But you don't call out or screen people that come in.

There's some areas you can't go into. I was never—for example—never held myself out as having any ability to advise people about tax matters, or about a lot of corporate work. I did some modest corporations where you—it's largely a matter of form, but nothing heavy in that area.

You primarily get people who have either family or domestic relations matters. You get probate and guardianship people who have died, and of course you have to determine if they have an estate and if so how it has to be handled. Usually there is a secondary aspect to estates that is the tax matters. You have to bring in somebody who knows how to do that. And I never had any knowledge along those lines, no training in that area. And of course drawing contracts for sale or as I say family, family litigation or things of that nature, or personal injury work.

When I started, we didn't have any so called no-fault law here. Somebody could have an injury in a car and they wouldn't have to have a permanent injury, which is required now before you can proceed. And you've gotten so many people to do this, including those who advertise extensively on TV—something that's not to my liking, incidentally, but that's their affair and apparently they're very successful at doing it. But somebody would have a little so-called whiplash or cervical sprain, or they'd get hit while they're a pedestrian, or something else. Of course particularly if they had insurance coverage. Plaintiff's lawyers could handle those small cases. There was no personal, there was no statutory limitations as there are now on the so called no-fault. Consequently, I did as much as that as I could. I nearly always represented plaintiffs because those were the injured people. I didn't have business connections to represent. But I did handle some defense work.

A man comes to mind here, he had a company called Ajax Equipment. He was sued by somebody going over in a car, claiming that there was some shift to the equipment in there, it wasn't fastened down correctly. So he sued the owner of the vehicle plus the owner of the equipment, which was my client. And the other people had insurance and they had a lawyer here, a very capable personal injury lawyer. But he defends mostly. And he defended the owner of the vehicle, and I handled the insurance company. I handled the owner of the equipment, they had no insurance.

But most of what I did was modest size personal injury stuff. Most all of mine was in Tampa. Occasionally I'd have a little matter, a random case over at—Mr. Angle and I had case or two over in Pinellas County we tried, for Judge Bird over there, for example. And another one before a judge that later went on the second district court of appeals. Also Byard had a good friend down in Fort Myers, in Lee County. I had a case one or two, matters down there referred by this man Frank Alderman, who's of course long deceased. Tried one case down there in Ft. Myers for a jury. The judge happened to be a fellow in my law graduating class; wasn't any restriction because we weren't close friends. And nobody raised the issue whether or not he had some bias, which of course he didn't. In fact I remember his name was Archie Odom, O-d-o-m. Archie's been dead several years.

MG: Now let me ask you about the Judge Advocate General position. I understand you were a Judge Advocate General?

MB: That was a branch of the Army that I got into as a reservist in 1949. My friend Labon Lively, who I mentioned that I shared space with, he was a lieutenant colonel in the Reserve. And he'd been a full time guy and he went back in. He said, "Why don't you try to get into the Reserves?" They called it JAG; there's a TV program with that name. And the branch or the department handles legal affairs and provides defense council and prosecutors and this sort of thing in the military, particularly the Army. I think of course that was the only branch I was dealing with. So I applied for it. Back up, I think it's what Labon may have suggested. I applied in forty-nine [1949]; I didn't get commissioned till about March of 1950, as a first lieutenant. No sooner had I been given the appointment I was assigned out at the old Crew Field place, which is on Lois Avenue. And it was a reserve, Tampa Army Reserve Center.

I got there and the Korean War broke out. And here I was assigned to a unit out there, called an Aviation Battalion Unit and I didn't anymore know anything about aviation or battalion and the man on the moon. So that unit got activated, federally called. And I don't know by some kind of Providence, one of the men in the unit opted two or three of us off because he knew we had no business being in there. We had no assignment in there. It was just—some place to be attached while we were training. Later on in that same facility we had a JAG school for officers after I was doing Army, I mean doing legal work. We had the Army Reserve program that required you to go get promoted or stay active; you had to go two weeks in the summer and you had to take some kind of training during the rest of the year. So that's what we did. And we've had some good people in there in that program. One of them was a former justice of the Supreme Court of Florida.

MG: Now where we left off before lunch we were talking about your role as judge advocate general. Tell me a little bit about your responsibilities, how often you were called to serve in that capacity and what you did.

MB: As a reservist, I really never was put in the position to having to operate as a JAG officer, except to go to programs. And we of course had training situations locally. And then in the summer you'd go to usually a place like Fort McClelland, Alabama. Or we did one year; a couple of years we went to the University of Virginia to the Clark. It was Clark Hall; it's a place up there where they have a lot of history and stuff on the wall. And those again were just training programs put on by people who are in the field. Not necessarily active duty JAG, but there were instructors just like if it was any other academic process. So I, of course JAG officers so called JAG were involved in for example having a council, a court's martial and picking a president of the court and all these things. But my experience in that was pretty much theoretical and not as opposed to practical. Because we didn't get—we were the two weeks in the summer program for the reserve people which was where I was.

We had a group of lawyers; they were all from Pinellas County. One or two of which—one of which least is still here. I talked him not long ago, I call him Louie Adcock. But we had one or two others, one well known as Ben Overton, who was on the Supreme Court of Florida for some years. Appointed way back and is now retired. And a man named Gardner Beckett, who was a real gent. He was over trying a case in federal court in Tampa and dropped dead in the courtroom; apparently his heart gave out. And we had Dick Logan, Richard. He went by Dick—his name is Richard, of course—Logan; he was a lawyer in St. Pete, former bar president over there. Popular guy and very pleasant; he and I played some tennis back when we were going to these programs. Ones that come to mind especially, I guess around 1959 and sixty [1960], sixty-two [1962], in that period. And we'd go up to—one of the nicest trips we had—this is more of just covering some ground.

We flew from here to Philadelphia with about six or seven JAG reservists. Here we were in the jump seats in one of the transports. And we were given a box lunch each, which must have weighed twenty pounds. I don't know what it had in it, but we had something to eat. But you know everybody is pretty queasy because of this thing. We had a sergeant that went along on the trip, and he stood in the door of this transport with no protection, right at the door. Like he was standing at a door jam, you know, in a garage. And he stood there and I figured at anytime I'd see him sucked out or drawn out into, you know, space. But you know it didn't bother him. It did the rest of us.

While we were there we all had made it to the Supreme Court of the United States being lawyers and also the Court of Military Appeals. We got admitted there, and that was I say about 1960 or sixty-one [1961], somewhere in that period. So the JAG work was largely just getting identified with a commission in that department. And then not having any real occasion, and they're on active duty and they work; all we did was go to these two week summer programs. So there wasn't a great deal of substance to that. But it was pleasant we had some interesting people here, whose names I just mentioned for the most part. And that was about the extent of it. The last program like that that I attended was about—let me see, 1962 or 1963, somewhere in that period. And of course after twenty years of total service, even if it's inactive duty, you get—you're in a retired status. And then you start getting some benefits from that after twenty years and reaching age sixty. So that's about the way it works.

MG: Now back in your civilian life, tell me about your progression in terms of your law career. You were a magistrate.

MB: I was magistrate first for five and a half years.

MG: And what happened?

MB: I continued to practice law. And then in 1969 I had a chance to get on the legal staff of the city, again part time. A man named Henry Williams was a city attorney here for a good many years and of course I was—didn't have an office except for in my regular office. But I would get stuff I was largely doing, for example, zoning matters; I'd have to

attend zoning meetings once a month. And I would have to draw certain things up to submit to city council, because they were the ones that were getting advice by whoever was assigned to that department. So I was doing some of that and we had some litigation and zoning. One case, I recall went all the way to the Supreme Court of Florida.

MG: Dealing with what?

MB: It was a zoning issue. I'm trying to think exactly where it was. It had to do with as I recall—yes, it was a signage type problem. Where the city had allowed the sign to be put of course there had to be a ruling made based on whether that was an appropriate regulation or not. And the people that were arguing for it were represented by a very able lawyer, who is still here. And we appealed it to Lakeland, or they did. They did the appealing; I was just defending the appeal. But Lakeland wrote an opinion, as I recall, and we went and argued in the Supreme Court of Florida in Tallahassee. And one of the Gibbons firm, a man named Robert Gibbons, who's now a priest, a full time priest. He didn't like law practice much; went into priesthood. And of course a very famous name here, Sam Gibbons being well known out here in the campus grounds. And the Supreme Court sustained what the District Court had done.

So we had one fairly prominent result there as far as the city was concerned, in the sense that the position that was taken by the city legal department was upheld. So that meant something, perhaps. But I don't recall any other appeal cases off hand, except that one; there may have been one or two others. Most of it was somewhat regular work involving zoning regulations and drawing this and giving out opinions about that.

MG: Now were you still a magistrate at the same time?

MB: No, I left that job. I started this in sixty-nine [1969] and stayed on till seventy-five [1975]. Again as a part time assistant in the legal department and continued practice law as long as I didn't have any conflict.

MG: Was your law practice picking up in terms of—

MB: Yes, it was, it was picking up. And of course the pay and the compensation for the assistance attorney work was more beneficial than that little job as a magistrate. As I mentioned that was paid on based on quarterly fees, small fees. This was just a salary that we received from the city, plus an allowance for secretarial help. So I had a regular secretary for legal work, and then I had one assigned from the legal department who came to the office. The last time they came out I was out on Swan Avenue, just off South Boulevard. I had an office there from 1971 until let me see, seventy-seven [1977]. I went from there downtown to the courthouse in seventy-seven [1977]. So it was about five and a half years approximately in that particular slot.

So it was helpful and I enjoyed, of course, dealing with Mayor [Dick] Greco, who was still in office in his second term. This was his first term when I was there. And of course he had—he was easy to work with, and Bill Poe came on after that, and I had to work

with Bill Poe. Bill Poe was roomed at the University of Florida. One of these cousins that I mentioned from the Pensacola area, one of whom is still living, the one that was in school with Bill Poe is deceased. But that's about all there is of that.

MG: So tell me about going down to the courthouse in seventy-seven [1977]. What took you down there?

MB: Well, of course the first step is to make an application for appointment. Then you—that's a pretty informal thing, it's not like answering an ad or a job application. And I had tried and had some success in getting my name up to the governor, in earlier vacancies, probably about two before this. I applied—this is when Reubin Askew was governor. So I applied again. And of course you go before a screening committee here, called a nominating commission. And I had that routine again in this case. I had hoped to be considered earlier, frankly, but that just wasn't the way it worked out. But in seventy-seven [1977] I had—there were two other nominees who were on the list picked by the commission. And they—all three names went to the governor. I was happy and fortunate enough to be selected by them and the governor. I mean the governor made a selection of those three, and I was one of the three.

MG: And what do you think—had you had a relationship with Reubin Askew? What was

MB: No, I had not. No, I had three friends that I recall very vividly, who contacted them, probably all by phone. One was a man whose son is in practice now in Tampa. I've never met him. But he was much younger; this man's name was (inaudible). He was with the old Levin Rosenbloom Askew firm. I believe it was Rosenbloom, up in Pensacola. And Left I've known since law school, he and I were in the same class.

The second one was a fellow named Fletcher Rush, who was a past president of the Florida Bar. He was in the JAG program and was with me up at Alabama in one of those sessions in 1959, one of those two week programs. And a very bright man and he's still living, but retired, I believe, all together.

And Louie Adcock, who I mentioned earlier, who was in the original JAG school program with us and who's still practicing over in St. Petersburg in Seminole, Florida—actually, the same place Mr. Angle lives. The firm has an office over there. And I can't think of the name of the firm; it's a small one. It has the same lawyers by name, they're all deceased. But Louie is a senior partner in that firm. First name was Louie, L-o-u-i-e, as opposed to Louis. And I wrote and I called him, asked him would they mind trying to intercede if they could for me. Get a little political backing with Askew.

Evidently something worked or clicked. Because I got a call from a man named Bob Frank, who was an attorney for a long while and he's deceased. So many of my old contacts seem to be you know, "pushing up daisies" as they say now. But he called me, Bob Frank did, one Friday afternoon and said, "Well, the governor decided to appoint you this judgeship." And of course I was pleased as could be and particular to that.

I started juvenile for a year and a half after the short installation. I tried to make it quick. It started I think at 8:30 in the Courtroom 1 of the courthouse. And Judge Lenfesty was still living, a retired judge from down there, he was chief judge that year. So we finished the whole program and my late mother was there and my wife and my—both daughters; my son was enrolled in school down at Florida Atlantic, down in Boca Raton. And so he said after we finished it was nine o'clock. He said for me to go directly on over to the juvenile. So I went from a thirty minute ceremony on directly on the job.

So a year a half later then, about the rest of the time I was in general civil division, which was trying lawsuits. Except for one year when they started in 1983. The then-chief judge, a fellow named Arden Merckle, got in a little trouble later on when he was eliminated from the bar. He wanted a family law division. And he asked me to be the—what he more or less directed me to be the—what they call the administrative judge for the first year of it. And I of course took it with some apprehension. And he said, "I'll let you out after a year." And he was a man of his word and he did.

But then I went into general civil which is largely just lawsuits. I was interested in the probate and guardianship but that was already in the hands of a fellow named Sitwell who had been appointed probably within a year before my appointment, maybe a year and a half. So I was happy to get in there, whatever division I were in. I didn't have to go to criminal division, which is kind considered a jumping off place. But it's an early spot because of the tension and the stress of having to deal with people who charged with crime.

Of course, the juvenile had its share of moments too. One particular episode I remember, I was sitting up there with a black family. A lady had a son who had gotten in some kind of problem there. She and her—I think just her gentleman friend—came down from New Jersey. She was still married. I made decision on what was going to happen. It was probably a delinquency case involving an offense or a dependency meaning whose going to have custody of the minor, essentially. After we finished the case she and her friend, her male friend, went downstairs out to the parking lot. And her husband came by and shot and killed both of them. Right there on the parking lot in back of the courthouse. And of course I'm sure he was convicted. But it was somewhat of a scary moment for the rest of us who were there.

MG: Sure.

MB: And we had a few other little episodes. One fifteen-year-old who looked about like Mike Tyson, not as big, but big husky young kid, about fifteen. He was going to be held over for a detention on whatever he was charged with. They had the table in the room for family law. They had a public defender on one side and a prosecutor on the other. And of course whoever was there, there was also a bailiff in uniform standing by. So after once the decision was made that he was going to have to go back in detention for the requisite period, before getting accepted to the state whether to charge to him you know (inaudible) either as a juvenile or an adult.

This kid gets up, throws a chair back to the hard floor, gets up and pushes the bailiff away, and runs out in the hall. About that time the driver that brought him in from the juvenile detention facility, which is now out—still out in the Drew Park, I think, area. That plus the prosecutor who's a lawyer, still here, still practicing, and the driver of the bus plus two bailiffs out there trying to hold this kid. And they were, I reckon, bouncing off the wall out there in the corridor about fifteen or twenty feet down the way. And finally they got him under control. And nobody was hurt except there was some, you know, a lot of excitement. And (unintelligible) and of course I sat there the whole time and tried to look judicial at the end of the table. But the lady—there was a female public defender there. Very astute lawyer—and she of course and all the rest of us sort of had to stand by and sit and wait until they got everything under control and subdued this fifteen-year-old. But I said he was strong, you know, and was determined to get away. It took about four to restrain him. But in all events that was the main excitement as I recall we had up there.

MG: Now did you deal with juries or were you adjudicating on cases?

MB: No, in juvenile of course you have no jury.

MG: Right.

MB: But the juries came later in general civil, which followed the juvenile assignment. After a year and a half I started doing regular general civil trial work, some jury and some non-jury of course. And then with family law first; sandwich was sandwiched in between that for one year. But I was asked or rather invited to do. Indicating that if I didn't want to do it that's fine, they had they mentioned another name who'd be glad to come over and take the assignment. So I said, "No more," and went ahead, and we got through it okay.

I was out at the far end of the third floor of the main courthouse, the south end. Of course the courthouse was built in fifty-two [1952], as I recall, and occupied in fifty-two [1952], built before that, the so called new courthouse. And of course since then they built a county center, and moved a lot of the other ancillary officers out over into the county center, like the tag agency and the tax assessor, tax collector, everything else. But they kept probate and they kept the judges, except for criminal; they were over in the annex which they still are. And if—I'm not sure what year the annex was finished.

But in any event we—I was in the very end office down there. It had been occupied before by one of the older judges here, who retired in 1977, the year I went on. Nelson Spoto his name was, a fine man. And when I started practicing law over here we had two circuit judges. I think we now have sixty approximately. And then we have county judges in addition. So it's been an enormous increase in the quantity, the number. And of course that creates spatial problems and things like that. And of course there is one chief judge for a term. We had one recently who just—who was about sixteen years in the position, the longest I have ever heard or know about. And I guess his name was Dennis Alvarez.

But he's back practicing law now, as I understand it. So I stayed in there until January ninety-one [1991].

I would have had—fortunately I never had any accusation of, you know, malfeasance or nonfeasance, or any of those things. The courthouse has been plagued with some scandal here in the past few years. Hopefully, I think it has simmered down now and hopefully gone. But of course you find cases where you are affirmed and sometimes you are not. They say, “We don't care how hard you tried, you made a mistake.” So they reverse the trial judge, as you know. Of course that happens. But you don't keep score on it; you just plod away and do the best you can.

MG: Let me ask you a little bit about when you got involved with the Hillsborough County Bar Association. Where does that fit into the chronology we've been working on?

MB: Okay. All right, of course we all joined. When we—it was a voluntary association, unlike the Florida Bar, which is mandatory if you are going to practice. And I of course joined and we met at different places around town. I had of course—never with a firm, I had an interest in, I guess you'd say serving in some capacity. So eventually I guess about 1960, fifty-nine [1959] or sixty [1960], I decided I would run for the board of directors. I think even before that maybe one of the bar presidents asked me to serve as treasurer. That was an appointed thing, of course uncompensated, obviously. And I went ahead and took that.

And then in 1962, the same year I ran for criminal court of record judge, I decided maybe that it's propitious time, because I just dropped out of the magistrate's job. Maybe this was a good time for me to run for the Bar Association presidency. So I did. And I did what probably was somewhat unusual at that time. I circularized the active bar by mail, just individual letters. I think it was the same letter in each case. But, “Dear”—you know—“Lawyer Smith,” or whoever it might be, or if I knew them well I might call them “Dear Tom, Dick or Harry.” And I simply told them that I was interested in serving as president of the association, but in effect here's a brief statement of the reasons. And I would appreciate their support. And I don't know what the ballot results were. But I was elected that year.

MG: How long was the term?

MB: The term is for one year. And of course I had previously served on the board of directors, before the year. I guess I was still on the board the year that you had to decide about running and you had to announce. And that would have been very early in 1962. So I went in and took over that. And we had a little side issue there that came around. Early in the meeting of my term, probably the first meeting we had, a well known lawyer got up here. And this is a little secondary but relates to the Bar Association. I was running for criminal court of record in the primary. And I think we had non-partisan ballots at that time, although I had to have been still a Democrat. I had only run once before and that was for the school board in 1956, in which I was unsuccessful.

So in sixty-two [1962] I was presiding over the bar. The very first meeting I guess I had in the spring, the election being in the late spring or late winter. A well known lawyer in town got up and he'd called me about thirty minutes before the meeting. And he said, "I want to put you on notice," and he wasn't unfriendly or hostile. But he said, "I think I am going to move that you be required to step down because you are not going to be able to be bar president and still run for criminal court of record." He perceived some conflict there. So I listened to him politely and I told him in so many words that I didn't think those were grounds for me to step down as bar president. And I cited a case where one of our other judges, two or three years earlier, was running for juvenile court. It later became a circuit court spot; it was juvenile at that time.

So the short of it is, he made the motion, there was a second. And it was certain that all these people that were interested in the opposition that I was running against or competing against to be judge of the criminal court of record, one of those. This man happened to sign an ad or list his name in an ad, a bunch of lawyers supporting the incumbent, who had been appointed by Governor Ferris Bryant at that time. And there were two of us in the race. I was the ultimate winner, by the way. Beat the socks off of the incumbent. I was eliminated in the primary, although I had a pretty decent showing. I got 25 percent of the vote. I'd been endorsed by both daily papers, strangely enough.

That motion was taken under consideration. I had to step down as residing officer of the bar, that met at the old Tampa Terrace Hotel, which is of course ground, razed here years ago. A wonderful hotel, by the way; I hate to see it go. And the previous president, a man named John Trenam, who was with the Fowler, White firm, a big firm here at that time. Later formed his own firm. But he got up and took over the meeting. And they decided that they would have to wait until the next meeting to pass on the motion. Like I said, there'd been a motion made and seconded, that I'd be prohibited from serving. I never talked to Trenam later, between the meetings.

The next meeting the first order of business, old business was the motion in regard to me or my situation. And he got up and he said, he, John Trenam—the pro-tem presiding officer said he found the motion to be out of order. So he wouldn't consider it. And then he immediately called for anybody who wanted to take and appeal from the chair's ruling. Happily, nobody did. So the paper had a picture of me saying, "Relief!" So many words. Of course it was an uncomfortable situation in that regard. But you know, every now and then you get into a hot spot. And I had another one similar, I won't go into that. That's too far back.

But during the Eisenhower race against Stevenson, I was president of the Young Democrats Club here. We had a bunch of people who were nominally Democrats but wanted to go with Eisenhower. And we had a meeting over here at the old Hellenic Center on the river. The back of the Riverside, I guess Kennedy and Ashley [Street], there's a restaurant there. And they had a great big hotel/motel. But the short of it is we had a furor there despite over whether or not we should have to vote for Eisenhower instead of the nominee. I had to rule. I did rule that under the bylaws I had to support the nominee, who was Adlai Stevenson. I was going to vote for Stevenson.

These people got up in the back. Two or three lawyers here, one of whom just died not long ago, who was a friend. The other one was a big labor attorney here, did a lot of work with unions. And they were all smart guys and they had a bunch of—this was Young Democrats, mind you. There must have been sixty- and seventy-year-old ladies out in the audience who were interested in Eisenhower. So they all got up and walked out, and went to the very back of our own big meeting hall and had their own rally.

The rest of us went ahead with our regular meeting. After having to make the ruling, as I had to, I felt obliged to do. Eisenhower may have been wonderful, but I was committed to support the nominee. And I was going to do it. But that created substantial attention. WFLA Radio across my old office building, in the *Tribune*, the then *Tribune* building, had both Harry Hobbs, who was the other lawyer who was opposing me on this. And we were pretty good friends. Harry died recently, not long ago. That is starting a debate live on the radio there. And he was pretty interesting, as I say; there was no hostility or unfriendliness about it. We liked each other. Harry's a good guy, and did very well here in his practice. He'd been a prosecutor at one time. And somehow he wanted to go with Eisenhower. Never did find out what exactly what motivated him. A lot of him did because he beat the socks off of Adlai, badly. That was just another episode that I thought was kind of interesting.

MG: Now what made you run for school board? And when was that?

MB: That was 1956, I believe it was fifty-six [1956] or fifty-five [1955]; perhaps it was fifty-six [1956]. Because I had a picture of my son, who was just a toddler then, in diapers. And I usually—and of course I thought he was a pretty nice looking kid. And I had a picture of him with a diaper on saying, "Please vote for my pop." In an ad, you know, I didn't have any money. But I ran that one ad. And I was running against a man, a nice old man named Clyde McLeod from Riverview. But he had the backing of J. Crockett Farnell, who was the superintendent and very politically in tune with everything that was going on. And they could carry the ball and run with it in local politics. So I didn't get anywhere with that. Actually I had children in school already.

MG: Were there any particular issues?

MB: No not any particular issue, I just thought I just had an end, I guess, somewhere inside for public service. And of course I still feel that way. That's the reason why I got in the fields that I did, starting with the attorney's job and magistrate and then the judgeship business. Not so much to have pride in being called somebody with a name but doing the work. As a professional accomplishment that was my feeling and rightly (inaudible). But I didn't succeed with it. And there wasn't any hostility or bad feeling in that race. But he and I'd go to the rallies together and, you know, appear. The school bus drivers were a huge factor of force and they were all pretty well a bloc vote, as I recall, in that thing. So I didn't scratch too well in that race. But it was just an experience you know. I was just trying to get off the ground.

MG: Okay. “Flea in Your Ear,” that’s a funny name.

MB: The name itself came out of some publication I saw somewhere, either a book or an article—probably an English thing because I do a lot of reading. And I decided that it might be helpful, it might liven up our *Bar Bulletin* to have a section in there with a lot of clips and snippets of information. Some humorous and some more practical application about law and lawyers, curiosity is in the law. And I did that for—golly, about four years, I guess.

MG: When did you start writing?

MB: Golly, that was before I went into anything at all with the bar magazine itself. That started about ten, twelve years ago. I guess I got into that. I was still sitting down there in the lower end of third floor. So that had to be around probably the mid-eighties [1980s], I got into that. And some of the neighbors down the street (inaudible) was editor of the *Bar Bulletin*. And of course they generally—those things tend to expand and enlarge and it became the lawyers to the *Bar Bulletin*. And I continued those. They were in the bar association, nice enough to recognize me at a bar meeting, give me a little—you know, a kind of plaque that you often get on something. It’s not compensated otherwise.

And of course I fairly enjoyed the writing. And then I started doing some—putting some of the—what I consider kind of Ogden Nash’s type free verse at the bottom of these “Flea in Your Ear” things. And I did a bunch of those. And I did one or two for a newspaper here, called—I have forgotten the darned—the *Tampa Bay Guardian and Paper*; it was called. It was one of these throw aways and he ran several of those. And then I think they folded up and went out of business. And anyway, I did some of those.

And then I got involved in with, after the “Flea in Your Ear” thing, I did an interview with Judge Bucklew—one of our federal judges, Susan Bucklew—that went in the bar magazine. And then somebody suggested that I wanted to do an article of some topics of interest. So I got hit on the idea of about—this was while I was still in the courthouse. I left there in January ninety-one [1991]. Of doing a so-called “Chips Off the Old Bench,” a play on the, you know, the phrase about the old block. It became a series, and I did those for about perhaps a year more or less a year and a half. Then the rest of them I started thanks to Mr. Angle, I think, chiefly. I had an opportunity over here to go through the Special Collections. And they collected all those including the ones that were in the magazine. I recall the lady that preceded, I can’t think of her name now, but I’d know it if I heard it. The one that we saw this morning—

MG: Kimberly.

MB: Kimberly’s predecessor.

MG: Liz (inaudible).

MB: Liz, that's right, Liz (inaudible), came out and picked up the old magazines that had the articles in there, the so-called "Chips Off the Old Bench." And they again use those in this collection basis. So I was always highly satisfied, or at least should say gratified, and flattered that they would want to use them at all.

MG: Well, let me ask a little bit about the latter phase of your career, and in particular January ninety-one [1991], you retired from the bench.

MB: That's right.

MG: What motivated you to retire?

MB: I would have had to retired due to the term limits or age restrictions. I could have run in ninety-one [1991]. I would have had to have served only until around somewhere around mid-ninety-three [1993]. And I had a friend of mine named Patton that I mentioned earlier, a former neighbor. He left with a couple of years remaining, because of course he was so highly popular he got the honor of having the first so-called outstanding judge award, the Robert W. Patton award, named after him. That was because of his popularity and his skill and technique and knowledge as a judge. So I decided that, you know, you make enemies, in (unintelligible). And sometimes they get vocal or they carry some weight. And I didn't feel like I wanted to get in a contested race. I figured there was probably a pretty good chance somebody might run against me.

MG: Now I hadn't realized that you were—how many times did you stand up for election as a circuit court judge?

MB: The first time would have been right after appointment in seventy-seven [1977]. I think twice, I never had any opposition.

MG: Okay, so you ran uncontested.

MB: Never had any opposition and I was just, I guess, cautious about the act of doing the best I could in the assignment in the job. It was not worth having to become obligated to spend money. And you know, I never liked the idea of contributing, taking contributions from lawyers. I never had to do that, fortunately. But you hit seventy, you had to retire, unless you could have completed half of your term before seventy. I could have not have done that.

So in January ninety-one [1991]—or actually, the very end of ninety [1990]—I thought it was a good time to get out. I'd already had one judge, Judge Barbara Fleischer, came around and said she would like to run if I was not going to. And I said, "I don't plan to run." And of course she knew that she could rely on that. And she did and she won and I don't think she had any opposition. I don't mean that opposition per se is to be feared. But it's a practical matter. I approached it and my time's almost up.

And we had one other experience with another judge I mentioned, Ben Sitwell, whose piece I did here in this collection. Sitwell ran and Judge Susan Sexton beat him fairly well, handily, when he had two years left to run because of age. And he had been very popular with the bar, with lawyers. Sitting in probate (inaudible) of generous old fees his reputation was. But he was beaten of course, this was a lady; there weren't too many lady contestants back in those years. But he never got quite got over that. And he died here about two years or so maybe two and a half years ago I would guess, two to three years ago. I saw his former secretary at some function not long ago, very nice lady, Betsy Martinez. She called me about something and I gave her this Web site, the information on these stories so she could look it up. I think that was it. So I was privileged to serve as long as I did.

MG: The last ten years or eleven years now you've been retired.

MB: Right.

MG: But as I understand it not fully, you still do some adjudication work?

MB: Well, what happened—you have usually two choices, if you badly want to work and you are not out of favor with the chief judge, you can become a senior judge, which just barely signifies you having no problems and you are eligible for it after retirement and a member of the bar and so on. And I did that for about two years because I had a case or two to clean up. And I did that and then I decided well, I don't think I want or need it for any more of that. It kind of works, so I gave that up.

But I did get certified taking a course, I think it was about thirty hours or something like that. After I retired, I didn't want to take it while I was in the courthouse or on the job. And as a certified mediator and of course then you were able to pick up that qualification in the federal court. I did a little of that. Still doing some mediation, not a big volume of it, some of the judges are doing it. And it pays pretty well. It's a lot better than the ordinary judges get paid frankly. Or they used to; they increased the salaries. When I started, that job paid about in the mid-thirty thousand dollar a year, circuit judge; now they get a hundred and thirty, in those many years since. I served 13.5 exactly, because I got out on June first seventy-seven [1977], finished through the end of ninety [1990], so I had 13.5.

There are arbitrations available for retired judges. You kind of automatically qualify for that. And I do more of that, frankly. Lawyers despise the process, they don't like it. Because it's got some complexities or some consequences if you don't take the arbitrary award, you might have to pay the other side's fee, attorney's fees. So it's got some built-in risks that generally lawyers don't like, has been my experience. Although it helps speed up the docket, and if somebody that the arbitrators pick and they don't like them, that helps expedite, settle the case sometimes. I'll have to say that too.

But I've worked well with the ladies who are down there, most of them ladies, in the mediation and diversion office. And I get some referrals from them, periodically, if

they're asked to pick the mediator; they don't do arbitrators from there. Sometimes they do, but most of them are mediations. And I still charge the minimum fee. Frankly, some of those who are kind of a high roller types have increased their fees, rather substantially. But I have stayed with the fee that the chief judge approved just to keep from getting, you know, giving the appearance of being greedy, wanting more fee. And I do all my own, of course, all of the typing and whatever else has to be done in that regard. I've got a bedroom upstairs with all that equipment, including a fax machine. So I got all I need, you know, as long as I can type. Get these gnarled old fingers to do it. (laughs)

MG: Now let me ask you, if you look back on your law career in particular, and your career on the bench are the some ways in which the law has changed, or the courthouse has changed in Hillsborough County, that really strike you as critical to understanding the legal profession in this area, as you sort of ruminate on the last forty or fifty years?

MB: I'll "rum" [ruminate] a little if I can. Of course the laws have gotten more complicated. And the proliferations of opinions by the appeal courts, which of course control what you can do at a lower level. And that affects not only the judges but the lawyers as well. All that has become intensified and more problems, I might think. The bar generally of course, I've been out of touch with them for now a good many years. But having seen the spectrum of things starting way back fifty-what-four years ago approximately.

I think there is a general there has been this heavy increase in TV advertising. Specifically TV, some people think it's good. The lawyers, you know, say how much they are for the people and all. They've been very successful; they spend more on advertising than I made in a career in law of any kind over the years. Eight to ten, six, eight, ten million dollars a year for advertising, believe it or not, if you consider the statewide TV spots. And there are a lot of others; some are local, some are out of town. And they have offices in numbers you see them where some particular lawyer is in New Jersey and here's a 1-800 number. And he wants to have you if you have been exposed to asbestiosis [asbestos] or metothemaloma [mesothelioma] or one of those diseases involving breathing apparatus or pulmonary system.

People in general—the public—find I think, lawyers more objectionable than they did in years past. I play golf with a one man who's an oral surgeon here and dentist, very prominent. And he can't stand lawyers for some reason. But somebody else said on the other side of it lawyers can be despised until you need one. Then there is nothing more important than your lawyer. And that's a lot of merit and truth and poetry in that. But the advertising has certainly drastically changed things.

But I think it also has—the bar's lost a little of the edge it had in professionalism and confidence building with the public. Because of the idea that they're all—my dad one time in jest said that he always considered lawyers to be bounty hunters. And when you see some of the ads he spoke to a bunch of our Sertoma Club—I was a member of, a charter member here, been out for years—I had him speak there one day, and I was proud of what he'd done. And he speaks (inaudible) at the old Hillsborough Hotel for lunch.

And he made that sort of a crack over there, introducing himself as a redneck and a hillbilly from east Tennessee. But it was a pretty well received talk, I guess.

But I think that's the primary difference, besides the complexity of things, plus the proliferation of lawyers. You know we're building a new law school out here where the old P.D. was, out on Tampa Street. Tampa office or Tampa campus, and I sure hope it succeeds. But you wonder about do we need all these lawyers, compared to other nations like Japan? I think a while back we had one lawyer for every eight hundred people. And I think obviously that has gone down. The number of lawyers is per capita, you know, has been reduced. I don't know what it is now; I'm not seeing the figures. Those are the main changes that I can see. You know just as a kind of run of the mill lawyer with hopefully average ability. But at least a perception about what is going on.

MG: Well, tell me a little about your plans for continued retirement. What have you been doing to keep busy that's non-professional?

MB: Well, you said the key word is keeping busy. I don't have any trouble. The only thing I don't like is that I have to wake up so early now. That happens with old men, especially. But I'll continue doing some of this, these sessions. Mediation I'll probably cease doing assuming, I'm still here and fit and able to do it. To sit up without age, you know and hear things. But I have to renew this schooling program after aught-three [2003]. And I don't plan on having to do that and go to sessions and take courses. So I'll probably, if I'm here and doing anything at all, as I said I'll be seventy-nine in September if I'm lucky.

So the main thing to me is activity, whatever it is. I don't have to—I'm not doing it for the money or the income. But when I write people about doing their relative or ancestor for these articles that I'm still sending out here, I tell them this is something I wouldn't do for money. It's because it's something I get a huge pleasure out of doing. And as long as I can sit up and type and you know try to assemble something that makes some sense that might appeal to some person or student of history who is thinking about Florida history and politics in this area. If they have any use in the future I'll be repaid many times over.

MG: Well, thank you. I'm glad you sat with us today. And I really appreciate the opportunity to talk about your life and your legal career.

MB: It's good of you to ask me, I'm pleased and complimented that you did.

MG: Thanks.

MB: Thank you.

End of interview