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Kemper Campbell

REMINISCENCES OF KEMPER CAMPBELL

An Interview Conducted By

Corinne L. Gilb

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REMINISCENCES OF KEMPER CAMPBELL

A tape-recorded interview  
for the Bancroft Library

April 13, 1954

## INTRODUCTION

Kemper Campbell's present domicile, the Jonathan Club in downtown Los Angeles, is an exclusively male domain, so, with tape-recording equipment, correspondence files and old newspapers, we set up shop in a hotel room next door; and there, on April 13, 1954, the following interview took place.

Campbell first came to my attention as one of the two men most responsible for bringing about the organization of the California State Bar, which in turn was one of the first "integrated" state bars in the United States. He was an active participant in the good government movement in California which resulted in the sweeping statewide reforms of Governor Hiram Johnson. He has been a leading member of the Los Angeles bar for many decades. And despite, or even because of, his long and arduous public service, he has had a highly respectable and lucrative law practice -- an object lesson which young attorneys might well take to heart.

Campbell is a warm and charming man, a fighter for causes. This is his story, narrated in a single day. After checking through, adding to, and retyping the original transcript, he mailed to us the finished results; and this is his manuscript just as he sent it to us.

7 July 1954

Bancroft Library

Corinne L. Gilb

## TABLE OF CONTENTS

Early Background	1
Law School - University of Southern California - 1904-1907	8
Began Law Practice, 1907. The Future Mrs. Campbell.	10
Teaching Law 1908-1918. Injured in Elevator Accident 1914	15
Entry into Politics - A Progressive Republican	17
Attorney for the State Board of Health, 1915-1919	28
Political Views - California Governors	31
Friendship with Arthur Brisbane	35
Further Contact with the <u>Examiner</u>	40
Leader in Los Angeles Bar Association 1920 and After	42
Backed C. C. Young for Governor	46
Promoted Legislation to Improve the Courts and Bar 1926-27	53
Work on the Appointment of Judges	59
The State Bar since 1927 - Some Comments	63
Los Angeles Bar Association 1927	70
Bar Activities after 1927	71
Law Practice	72
Index	80

Early Background

Campbell: I was born July 5, 1881, at Adel, Dallas County, about twenty miles west of Des Moines, Iowa. My maternal grandfather, Joseph Otterman, came out from Indiana in the early 70's, and my father, Dr. Solon B. Campbell, came several years later.

After the Civil War, particularly in the 70's, a great many well-educated young men were going west, especially to the states of Iowa, Illinois, and Kansas, and during that migration my father arrived in Dallas county.

There were such men as John B. White and his partner, George Clark, who subsequently became Governor; White became one of the leading lawyers of the state. With J. W. Russell, S. M. Leach, and others they formed the nucleus of a group of young intellectuals in that little village of about 1000 or 1200 souls.

My father was a country doctor, and he was always interested in public affairs. He also had a flair for amateur theatricals, and he was frequently called upon to direct those attempts at furnishing entertainment, as we were not favored very often by travelling troupes. He had a very good speaking voice and fine address. He was a very well-educated man with a classical background and a fondness for poetry and good literature. As long as I can remember, he was president of the local school board. My mother was of Dutch, German and English blood, her father being a Dutchman. My father was half Scotch

and half German. His mother was a Vawter, a branch of the well-known family that now lives in Santa Monica, California.

During the flu epidemic of '91, we had an extremely cold winter and my father was kept very busy almost night and day driving through the snowdrifts to take care of his patients. One time his horse came home without him.

My older brother found him several blocks away, suffering from delirium brought about by fever. He had a long illness which finally terminated in tuberculosis. They brought him to Fallbrook, California, with my mother, my older brother and little sister. They didn't know so much about tuberculosis as they do now, otherwise he might have recovered. In a year or so, he came home to die.

In the meantime, I was about ten years old and was left with a friend of my mother's, who was the only daughter of a substantial farmer and miller, considered in those times very well-to-do. Her husband, Mr. Kenworthy, was the County Auditor. Having no children, they became very fond of me and they were very good to me. They dressed me well and offered me great inducements if I would stay with them and be adopted by them, college education and a team of carriage horses to drive, in those days the distinctive indicia of gracious living. My father, just a few days before he died, naturally counseled me to accept their offer of a good education and all the advantages that they could give me as

their heir and son by adoption. But I couldn't do it. I felt it would be a weak thing to do to leave my two brothers to support the family. (After the long illness of my father, there was nothing much left for the family.) My very courageous mother decided to take her children and move to California, which we did. We lived at Pomona. My brothers insisted upon my going to school, and my next older brother went for awhile but finally stopped to go to work. They were employed chiefly in the fruit industry, orange packing in the wintertime and fruit canning in the summertime, and both became quite proficient in the canning business and made it their life work.

I went through high school, taking all of the languages I could -- two years of German, two years of Greek, and four years of Latin. And after graduating, I went back to take whatever additional subjects the high school could give me because I thought it would save that much time in college. At the same time, I took a business and stenographic course at the local business college, and about the time I was ready to finish that course, I was summoned by a banker who was head of the American National Bank, Mr. G. A. Lathrop. He took me back into the directors' room. I had hardly been in a bank before, not having had any occasion to have a bank account. And he said, "You know my son, Frank?" I said, "Yes, very well." "Well," he said, "Frank will not be a banker. He does not like banking and

wants to do something else. I must train somebody to take my place. I have decided to give you that opportunity. I've inquired about you. I know all about you, and I'll advance you just as fast as you are capable of advancing. But I have other interests. I want to get out of here. Look around. All the employees are old, and we have to have young blood. So if you'll come in and begin at the bottom and learn the banking business, I'll teach you. You can sit in my seat eventually -- that's what you can look forward to."

I told Mr. Lathrop I didn't think I was qualified to be a banker or even to take a very humble position in the bank, because I hadn't finished my bookkeeping and stenographic courses, and I wanted to be more proficient. I didn't tell him that I didn't want to be a banker. I never have believed that "everything happens for the best," but I don't believe in thumbing one's nose at Providence. I thought there was no harm in finding out whether I had an aptitude for banking. It seemed like one of those success stories that were then much in the magazines. So I accepted the offer. I forget what the salary was, but it was very, very low, as salaries were in those days in all the banks. The principal compensation was the ability to wear good clothes and a white collar and have a certain amount of social prestige and short hours.

They treated me very well there, everyone realizing I was the boss's protege. But I discovered that I didn't



like banking. Perhaps that goes back to my upbringing, my father being an intellectual type and a professional man. I heard very little about business and had always naturally assumed that I would also take up one of the professions, postponing the decision as to what profession until I was more mature. But I had then, too, an interest in politics, from the cradle days, almost, because my father and my grandfather, also, were very interested in politics. They were progressives. We wouldn't call them progressives in those days. They weren't Democrats. I think there were only one or two Democrats in our county in those days. They were Republicans but they had rather advanced ideas with reference to the issues of those days. So I suppose it was natural for me to feel that political conditions could be improved.

Gilb: Did you ever read Henry George in those early days?

Campbell: Yes.

Gilb: I wonder if he made much impression on you.

Campbell: No. Personally, I didn't believe in the theory of Henry George, and I don't think my father or grandfather did either. But they had rather pronounced views about money and political control by certain powerful interests. They were in no sense radicals.

After we had lived at Pomona for about five years, and I had finished my high school, my brothers wanted me to go to Pomona College. In the meantime, they had launched a canning business of their own. It was a small concern

at Moneta, near what is now Gardena. And I felt that I should help them. So I went down, and the next year my older brother was called to Ontario to erect a very large cannery. He went from there to the American Olive Company. He was the first one to can olives in tin. He invented the process of making all the olives look black and shiny, whether they were black and shiny when they started out or not. It made them more attractive and more salable. His company was a pioneer in teaching the rest of the country to eat ripe olives. The first consignment sent back to St. Louis was thrown out because the buyers thought the olives were spoiled. All the olives they had had east of the Rockies were green olives, as the ripe olives -- processed as they were in those days -- would keep but a very short time. In tin, of course, they'll keep indefinitely. So my brother and his associates were pioneers in the canned olive industry. They furnished a market for olives which saved the industry from a ruinous decline.

The American Olive Company was backed by a group of very wealthy men who happened to have olive orchards: C. E. Sessions, C. H. Frost (owner of the Frost building), James Irvine (owner of the Irvine ranch in Orange County), and others.

My brother also initiated the procedure of buying olives at a great distance and, instead of shipping them in boxes, he put them in large tanks on flatcars and started processing them during transportation. This enabled him

to ship from Sacramento valley, Oroville, and various places where they had very fine olives -- shipped them to Southern California. He also was one of the pioneers in peeling peaches by the lye process; he had adopted that method over in Ontario prior to the olive canning venture. He was a very important witness in some litigation involving the lye peeling process which I handled years later because of my familiarity with the canning business. My brother Joe remained in the little cannery in which we specialized in canning peas by what is called the "viner" process. We'd raise them to a certain point of maturity and then mow them, bring vines and all into the factory and run them through a very large thresher. Then they would go into a separator or sizer and we would can them. My brother Joe did the farming. We farmed about a half-section of the land besides what the other farmers raised for us. I ran the factory. I was then 19 years of age and I operated the plant four years.

I had quit the bank and gone off to make my fortune or help the boys make a fortune. The oldest boy was really the genius of the family in that particular line of work. He went from our little plant at Moneta to Ontario, where he erected a large factory and then to the olive business for several years and then to larger cooperative enterprises in San Jose and other places up north, where he handled as much as four million dollars worth of

canned goods a year. He eventually procured a contract with Armour and Company to distribute them. It was very profitable for the farmers. But the government finally moved in with Francis J. Heney as prosecutor, under the anti-trust laws and made them give up their canned fruit sidelines. That ended that particular project. That was a number of years later, of course, At any rate, my brother Joe did the farming, and I had to run the "Moneta Canning Company" factory. I kept the books and acted as superintendent. We had from 75 to 100 employees. I got to be somewhat of a mechanic. I could line a shaft, install a pulley, lace a belt, thread a pipe and pack a piston box. I was up at four o'clock in the morning, fired the boiler and got up steam. I even did most of the soldering because it was an expensive job and we couldn't afford to hire anyone else. On the old "Groom" spool machine with the aid of two "solder monkeys" (boys who handled the cans) I am proud to say I often soldered by hand more than 1000 cans per hour. We did well in one respect, although we had a small outfit -- we got most of the local business in Los Angeles. So the California Packing Corporation decided they'd better buy us out, and they did. And the result of that purchase put me through law school.

Law School - University of Southern California -  
1904 - 1907

I was 23 when I entered law school in 1904. I was

very fearful that being out of school so long and not having a liberal arts college education I'd have a hard time keeping up with the others. But I found it just the contrary. I found that practical experience is a tremendous asset to a law student and likewise to a lawyer in actual practice. A Dean of a Law Department of one of our leading universities has said something like this: "Law students are getting younger and younger. They can understand the theory of the law but cannot understand and visualize the facts because they have had no practical experience. All cases are factual. You first have a conglomerate mass of conflicting facts, and it's a secondary thing to apply the law. These students can understand the theory, but they don't know what the case is about. After their freshman year, they should all be turned out for a year and work at something, become more factual, see the wheels turn around, even if they work at a filling station or garage or behind a counter somewhere to get some sort of a factual background."

I don't think I was extraordinarily brilliant or had an unusual memory, but I had had so much practical experience in business and factory operation and all that, and contact with people, that it was not difficult for me at all to understand the facts of a case, what the case was about. In that way, and by studying very hard (which I did), much to my surprise I came out the first year with the highest grades in the class. And I thought, "Well,

that's interesting. I'll keep on and see what I can do." That year I got 94. The next year I got, as I remember, 96 $\frac{1}{2}$ . And the last year 98 and a fraction, giving me an average of something over 96 for the course, which I think stood as a record for many years.

I was the first one to win the gold Scholarship Medal in the U. S. C. Law School. True, I had a liking for the law and perhaps some inherited aptitude, because my father was a man who liked to argue, an intellectual and all that, so the atmosphere was something I was used to, and my older brother also while not contentious was very fond of discussion. But as I analyze it, I think my success as a student was due to this tough, hard, practical experience and my industry.

Began Law Practice, 1907. The Future Mrs. Campbell

Shortly after my graduation in 1907 I opened a modest office. It was during the depression of 1907 and I had \$40 in scrip. I had one or two other fairly good opportunities. One was with Judge Waldo M. York. He was a magnificent man, standing six feet three, and weighing about 250. He wore a light grey Prince Albert coat, dressed very well, and had white wavy hair that he let grow down to his collar. Very impressive looking and a very kindly man. The type of man who always got plenty of good business.

As soon as he retired from the bench, he said, "Well, I'll just take such business as comes to my home. I don't suppose I'll get very much." It wasn't very long until

a client who owned a building begged him to come down and take two or three offices. Then he asked me to go over with him.

I had a feeling that sooner or later one has to stand on his own feet. And I felt that I had such a regard for Judge York that I might become too dependent upon him. I had studied in his chambers when I was studying law. I had the idea that I could get along if I worked hard enough and applied myself diligently, and I'd probably get along better if I were alone.

From almost the very first, I realized that if you do the right kind of work, it's going to take a tremendous amount of reading and research that a man can't do himself if he gets any amount of business. So six months after I started to practice, I hired Fred Fellows, who subsequently became secretary of the Industrial Accident Commission, as a law clerk. And from that time on, I had somebody working for me who did nothing else.

It was my custom to pick out any bright student I could get to work for me as a briefing clerk and then graduate from my office into more profitable employment. I'd like to name those who served in my office, but some of those later attained very high standing in the legal profession, so I wouldn't like to embarrass them by mentioning them.

filb: Why would that embarrass them?

Campbell: Well, I don't know. I don't know why it should. One of

the most outstanding is Harold C. Morton of Hanna and Morton (Hanna recently deceased). He's one of the most prominent lawyers and one of the best lawyers, I think, in California. A very wealthy man now. William J. Palmer, who is one of the most erudite men on the Superior bench, was in my office.

Frank P. Doherty, who is a leader of the bar here now, was my junior partner for a number of years. He's undoubtedly one of the outstanding men in the profession in California today, marvelous political leader, and a wonderful business lawyer.

Then there were two or three others. One who served me the longest was Mr. Fred Fellows, the first one. He was a very solid man. He became one of the Industrial Accident Commissioners. And T. E. Owens, who as an Episcopalian minister when he was studying law, worked for me for many years and then was discovered by Meserve, Mumper and Hughes. They asked me if I would object to their making him an offer, and I said I would be very happy. What pleased me most was to have a boy leave my office for a better opportunity. Mine would always be a one-man office, and the only use I would have for anybody else would be to spend most of his time in the law library briefing. Another employee who had an exceptionally fine legal mind was Henry F. Walker, who was with me for eleven years. He is now a busy and prosperous "lawyers' lawyer," specializing in the preparation of briefs on appeal for other attorneys.



Miss Litta Belle Hibben (now Mrs. Campbell), also an honor student, was another. She came of an Adventist family, and as a group they believe in education. Their parochial schools are very thorough and very good. She went to an Adventist academy somewhere in Michigan, I believe. She was born in Sheridan, or some village near there, in Illinois. And she always characterized it as "the dead center of the world," about 100 miles south of Chicago, I think. Her family came out to Glendale, and she studied at the old Normal School which became the Los Angeles Branch of the University of California, and graduated from there.

Dr. Moore, I believe, was President. Dr. Loye Holmes Miller was head of the Department of Natural History. Through Mrs. Campbell's keen interest in bird life they became very good friends. After graduation she taught school out at Glendale. While she was teaching school, she took an evening law course in USC and that's where I met her. I was then teaching. I've forgotten how she became interested in law; I think through some friend who was a professional woman. But she was always a very bright student, and she did very well in her law classes. After she graduated, I asked her to come to my office. I thought she'd make a good briefing clerk. I knew her only from 1910 when she came to law school.

So I wrote her a little note and asked her to come and see me. She did. She was then undecided what to do. She didn't want to give up her teaching, but she wanted to start

some way. She was thinking about opening an office. So I offered her a small salary and an office, and she accepted. And she worked for me for a year or so and then we became interested in each other. I had great admiration for her. We did not want this personal interest to interfere with our work, so she took a job in the District Attorney's office. She was the first woman deputy District Attorney in the United States. I found, in going over my papers yesterday, a lot of clippings about her and pictures. She worked for District Attorney Woolwine. And at the same time, she wrote some very good law stories that were published in the Sunday Times Magazine. They were very clever.

I remember one time she was to make a speech. She was and is yet a very witty woman, very sharp person, a verbal cartoonist -- she'd say very startling things. She was asked to make an after-dinner speech before some organization -- I forget what that organization was. So she asked me if I didn't want to go with her. She had made her speech (it was really very humorous), and Judge Curtis D. Wilbur presided. He was always a very good friend of mine ever since about a year after my admission to practice I tried the Sig Barber murder case before him. That intrigued him very much. Sometimes Judge Wilbur was just a little blunt. He was so amused by Mrs. Campbell's (Miss Hibben's) talk that he look right at me and said, "If I were a bachelor, I wouldn't let that girl get away."

Teaching Law 1908-1918. Injured in Elevator  
Accident 1914

Then, as I say, I taught law from 1908 to 1918 in USC Law School. (I forgot to state that after my graduation in 1907 in order to support myself while waiting for business I started a quiz course for the bar examination. With the aid of Mr. Doherty and Mrs. Campbell this was continued for a number of years thereafter.) I had the subjects of torts, damages, real property, and I supervised and was presiding judge of the practice court. I had a very heavy schedule. We had three sections for almost every class. At the beginning of World War I we had some 500 students. In one section, we had 100 students. The Law School was larger than it is now. They had a night course as well as two sections of the day course. I worked very hard. I had my office about a block away and kept going back and forth. At the same time, I built up a practice. I always have had a general practice, but at first, I had some publicized criminal cases. I got away from that as soon as I could.

Then, in 1914, I was in an elevator accident at the law school, in the old Tajo Building, First and Broadway. There were some 22 students in this big, old elevator cage, and they very kindly made room for me. I got in, and just as soon as the elevator operator closed the door both of the cables broke and we travelled from the fourth floor to the basement. They were high-ceilinged floors, so it was equivalent to a fall, I would say, of maybe seven stories.

It just smashed that cage all to pieces, and there were quite a number of injuries. It happened that mine were the worst. Both of my feet were practically crushed, bones shattered. I was on crutches for two years. But as soon as I could get around on crutches, I went back to teaching and back to my office. Even argued a case or two in the District Court of Appeal. But I had to use a cane for about ten years. I finally got so that I could balance myself fairly well without it.

I had fortunately one of the best bone surgeons in the world, Dr. Fred Albee, who in the first World War was sent to France to teach the surgeons bone surgery. In 1915, a convention of the American Medical Association was held in San Francisco, and Dr. Ellis Jones, who was a famous orthopedist here, induced Dr. Fred Albee to come down and do about a half dozen operations. Mine fortunately was one of them.

In that case, Campbell vs. Bradbury, they raised a point which doesn't seem to be doubtful now but was new when Chief Justice Wilbur wrote the opinion. The property belonged to Simona Bradbury, an incompetent. The question was whether an incompetent could be guilty of negligence. Their argument was that if there was any liability, it was the liability of the guardian. But the court decided the estate was liable. The judgment was not a large judgment in terms of today, but at that time it was the second largest personal injury judgment ever had in the State of

California. It paid me with interest about \$42,000. But I wouldn't have had it happen for \$42,000,000, because even today I suffer pain if I walk any distance. I was represented by Mr. E. B. Drake, who was the foremost personal injury attorney in Los Angeles at that time, and my junior partner, Frank P. Doherty. On the other side was Joseph Scott and, I think, Isadore Dockweiler. I'm quite sure that Dockweiler and John Mott were in on the appeal and also the firm of Gage and Foley (Gage, the ex-Governor).

It was stipulated that I had a net income of at least \$10,000, which in terms of 1914 was not so bad because the compensation of professors was very meager. Most of them serving then were downtown lawyers in active practice and they did it largely to help the school and for the prestige of being on the faculty. We had, aside from one or two of us youngsters who tried to make up by hard work what we lacked in experience, eminent leaders of the bar on the faculty. From that point of view, it was a very fine faculty.

#### Entry Into Politics -- A Progressive Republican

I first became interested in politics in California when I was a law student in Judge Waldo M. York's chambers. He felt very much disturbed by the absolute control that the Southern Pacific had in politics at that time. The Southern Pacific dictated every nomination for the bench, and the Judge's activities caused the Southern Pacific to prevent his re-nomination. Every dogcatcher, every minor

office, every precinct committeeman in Southern California had to be approved by Walter Parker, who was Tax Attorney for the Southern Pacific. Up north, it was William F. Herrin. He was a Democrat. Parker was Republican. So they had statewide control of both political parties. Judge York went right ahead very quietly discussing these matters with other attorneys of like mind, and he got out a little pamphlet which had my name on it as "Secretary" of an organization called "The Republican Alliance." It was pretty widely distributed.

As I recall it, Judge York presided over a meeting in Oakland of the Lincoln-Roosevelt Republican League, which was the organization meeting of the insurgent Republicans in California. He told me about it. I can't recall the year but he was one of the pioneers. I think perhaps he risked as much as anybody in this movement. At least, he risked his place on the bench, which he would have liked to have retained. It didn't affect him financially, because he was fairly well-to-do. He was also a man everybody knew and trusted.

Then, there was a Good Government Organization formed here locally. I took an active interest in that. Here is an issue of the Los Angeles Tribune of Monday, November 20, 1911, in which George Alexander is running for mayor, John W. **Shenk**, for city attorney, (now Associate Justice of the California Supreme Court).

That was a situation which was interesting. The Good

Government people put up "Uncle George" Alexander. The Socialists had put up Job Harriman, and the regulars had put up somebody else. Alexander, the Good Government candidate (they called them "Goo-Goos" in those days), and Harriman survived the primaries. So the old guard had to get behind Alexander, albeit they did it very reluctantly, and he was elected.

Back before that, the first local campaign that I took part in, was a mayoralty campaign. Lee C. Gates, Chief Counsel for Title Insurance and Trust Company, was the reform candidate and a Mr. Harper -- I forget his first name -- of Harper and Reynolds, an old firm, and a well-respected man at that time -- and Dr. Lindley were candidates. Dr. Lindley was the old guard Republican, Lee C. Gates was the reform Republican, insurgent Republican and Harper was the Democrat.

The old guard were behind Dr. Lindley, a very prominent man and a very fine man. But they became alarmed that Lindley would be defeated and Gates elected. So a day or two before the election, the word went down the line in the Republican organization to vote for Harper, the Democrat, so all of these loyal old guard Republicans took the dope and voted for Harper in order to defeat Gates. And that's how Harper was elected.

You were asking about my early political activities, and I told you of the Republican Alliance, which was organized

by Judge Waldo M. York when I was a student in his chambers. And of the municipal campaign in which Dr. Lindley, Lee C. Gates and Harper were candidates. I was active in that campaign. In fact, in all of the campaigns of that period conducted by the Good Government organization.

In 1910 I was Secretary of the Lincoln-Roosevelt Republican League and in charge of organization affairs in Los Angeles County. I believe that our organization efforts in that campaign resulted in a victory in Los Angeles county sufficient to turn the statewide control of the Republican Party over to the reform forces. At the campaign headquarters of the Lincoln-Roosevelt Republican League from 40 to 90 people were employed. I circulated over 60,000 petitions for more than 40 different candidates in 14 separate geographic subdivisions, in the space of ten days.

In 1911 I was again active in the Alexander campaign for mayor, in which John S. Shenk became City Attorney. And I note in the issue of the Tribune (November 20, 1911) in a box under the heading "Alexander Campaign Meetings This Week" that I was scheduled to make speeches at Central Hall, the other speaker being Mayor Alexander, and at Alhambra Hall, 845 South Figueroa Street, the other speakers being Mayor Alexander and Alvin J. Curry; and at a hall on the corner of Adams Street and Central Avenue, the other speakers being Fred M. C. Choate and Frank G. Tyrell.



In 1912, I was not a delegate to the national convention but I went back there with our delegation. I worked under Mr. Brundige, Mr. Lissner and Mr. Dickson. I was not in the front line. They asked me to go back, so I went with them. I remember one experience. I told them that I would be glad to take notes for them or type anything that they wanted and so on. So they were drafting a very important statement, and Brundige told William Allen White, "Just dictate it to Kemper, and he'll write it on the typewriter." So he started in. And he backed and filled and repeated, and then he said, "Here, let me sit down. A newspaperman can't dictate anything. He thinks through his fingers." And he sat down and wrote it right out without any hesitation whatever.

I accompanied Mr. Brundige to several important conferences and roomed with Ben Heney, brother of Francis J. Heney, who I had known well for several years.

After the defeat of Roosevelt in the convention a meeting of his followers was called for Sunday morning. The feeling was very intense. Governor Johnson called the meeting to order and was about to state the purpose of the meeting when Judge Ben Lindsay arose and addressed the chairman, stating quietly and with suppressed emotion, "We should not forget that this is the Lord's Day. I think it would be fitting to open our proceeding with prayer." Governor Johnson hesitated, then looked out over the

gathering and asked rather falteringly, "Will -- someone -- volunteer?" Out stepped a colored man, as black as ebony, and as soon as I heard his marvelously rich voice and the perfect diction of his first words, I hastily took out my notebook and wrote in shorthand as much of it as I could. It was one of the most eloquent prayers I ever heard.

California was very strong for Roosevelt, and in order to aid his campaign the Progressive party was formed in California, after considerable debate and some differences of opinion among our leaders. That picture in the Express taken January 3, 1912, shows me. I was the first one to register as a Progressive.

Gilb: (Reading) "Well-known attorney, member of the Progressive County Central Committee, first member of the party to register."

Campbell: The year after that, 1913, there was an organization of Progressives supporting the candidacy of John W. **S**henk for mayor. This is the Los Angeles Daily Tribune of Saturday, May 31, 1913. A big picture. Judge Schenk is now Associate Justice of the Supreme Court and senior in point of service. He was then a young man who had served, I think, three years as city attorney, and was leading this campaign to redeem the city from the control of special interests. Organized the Taxpayers' League.

Gilb: You look all like very young men; must have been an organization of young men.

Campbell: Well, pretty much, except that this man, Dickenson, was

middle-aged. He happened to be a druggist, an old-time Progressive.

In 1912 the California Progressives organized for Theodore Roosevelt. And in the issue of the Tribune of February 29, 1912, my photograph appears among a group of Progressive leaders who figured in the convention at San Francisco the previous day. These photographs: Harley W. Brundige, managing editor of the Tribune; Chester Rowell, who was then editor of the Fresno Republican; Meyer Lissner, prominent Progressive leader; Willis I. Morrison, who became chairman of the Industrial Accident Commission; and George C. Pardee, a former Governor of California; A. J. Wallace, who became Lieutenant Governor; and Russ Avery, who became a Superior Court judge.

Gilb: Did you know Rowell well?

Campbell: Oh, very well.

Gilb: What did you think of him?

Campbell: A wonderful man.

Gilb: What about Pardee?

Campbell: I didn't know Pardee. Rowell, I think, had one of the finest minds that I ever came in contact with.

I have some publications that I brought back from the convention in Chicago, that were widely distributed there. Some of them have to do with the question of the alleged frauds in the election of delegates for Taft, and others were reproductions of speeches of various leaders, particularly Roosevelt.

In 1914 there had been a schism in the south, a disagreement between E. T. Earl, who was the owner of the only Progressive paper, and Meyer Lissner, who was one of the leaders of the Progressive movement and, I may say, took a great deal of the punishment and the woulds of battle. He was the one most bitterly attacked by opposition press as a little Napoleon and all that sort of thing. Lissner, the lawyer, got along better with Johnson than Earl, the capitalist, did. Lissner kept in very close touch with Johnson, and Johnson was greatly impressed by Lissner's loyalty and by his views. E. T. Earl was just as sincere a Progressive, but he was a very wealthy man of very dominating personality, and his personality clashed very strongly with that of Johnson, who was also a person who did not like to be dictated to or kicked around.

So this cleavage resulted in a situation in the south in which Lissner had very little support. Most of the Progressives in the south were frequently irritated by Lissner's assumption of authority, and the result was that most of us sided with Earl because, first of all, he was our only source of reaching the people and therefore meant more to us and, secondly, he had a degree of independence and an instinct to stand up for the south to a certain degree which we didn't feel that Lissner had. Lissner seemed only anxious to cater to Johnson. We all had a great admiration for Hiram Johnson.

Gilb :

What were the issues between the north and the south?

Campbell: Well, I think there were no important issues between the north and south except prejudice. Most of us felt that the northerners considered Southern California a remote colony of inexperienced Johnny-come-lately amateurs and all we were fit to do was to listen to the wisdom of San Francisco and take orders. This may have been true but, of course, we didn't think so.

One issue that came up later was the question of whom Johnson would appoint to fill the vacancy left by Eshelman's death in 1916. Johnson and "the North" preferred Carnahan, who was a very fine man. The rest of us felt William D. Stephens was a better vote-getter in the south. He had been a Congressman, and he'd been mayor of the city, and his name was a household word -- everybody knew Billy Stephens. And so we felt that he was the best choice. We believed, having been in organization work all those years, that our collective judgment was better than that of those who didn't know very much about the south, and that while we all had great respect for Carnahan -- one of the finest lawyers in the state and a wonderful gentleman -- Billy Stephens had a way of getting votes. That's what we were interested in. At the same time, Stephens had won his election at a crucial time, 1910, and back there in Congress gave a good account of himself. So we were for Stephens.

Of course, that caused a very sharp difference of opinion. Earl went for Stephens, and Earl's man Dickson

was Stephens' secretary back in Washington. So relations became very much strained. At the time of the campaign of 1914, under S. C. Graham, a prosperous oilman who'd been very active in the Good Government Organization as chairman, we organized without Lissner. He wasn't even invited to the committee, and he didn't come to the headquarters. We conducted the campaign. We worked very hard in that campaign, too. And, of course, because of Johnson's feeling that Lissner was a great organizer and a great little general, he was almost panic stricken. He was very much depressed about the whole thing. He thought he was certainly going to lose Los Angeles county. Lissner kept saying he was going to lose Los Angeles county.

(Speaking about Mr. Lissner, I found a rough draft of a letter which I apparently wrote about Mr. Lissner. It's not dated, but it was very early in the game. I don't even know to whom it was sent. It may have been sent to Johnson. I was trying to explain why Mr. Lissner wasn't carrying his associates with him.)

I was again campaign manager for the county. We had some activity in practically every precinct throughout the county. We managed the Governor's speaking tours and all of that, but he carried the principal burden of the campaign. A very dramatic, forceful and wonderful orator he was. There was nothing else for him to do; he just had to do the best he could without Lissner.

We began to take polls throughout the county (boxes with slots in them and little slips). District Attorney Fredericks, a very popular man of Lincolnian physique, was running against Johnson. Just a few days before the election, a couple of slick-looking men came in and said, "We'd like to talk to you privately." So we went into my private office, and they continued, "Now, we'll lay our cards on the table. We won't reveal what you say to us unless you want us to." I said, "Well, most everything I'll say to you, I've said publicly." They said, "What is your real opinion about how Los Angeles county is going? We've talked to Mr. Lissner, and he tells us confidentially that he thinks you're going to lose the county. We have a quarter of a million dollars up on this election, and it's against Johnson." "Well," I said, "I don't know anything about other districts except by report but I am pretty sure about Los Angeles county. You can make up your own mind. I'll show you the polls." We had arranged to have a pretty well balanced cross section of the voters, and based on those polls it appeared that Johnson would carry the county by 50,000 votes. They studied it over quite a while and finally said, "We certainly are indebted to you." They were big time gamblers. I was told that they "hedged" -- put an equal amount on the other side so they wouldn't lose any money. We carried the county by 54,000 votes. Then, of course, Johnson felt differently about the whole situation.

Attorney For The State Board of Health, 1915-1919

It was in the fall of the year 1914, just a little after the campaign as a matter of fact, that I had an elevator accident. Governor Johnson was very solicitous about it. He felt very kindly, and he asked me if he could do anything for me. <sup>In 1915</sup> I requested appointment as attorney for the State Board of Health which would enable me to remain in Los Angeles. So he promptly appointed me and I was attorney for the State Board of Health for four years. I didn't know what I was getting into, or perhaps I wouldn't have taken the place, because Johnson practically reorganized the entire executive department of the state government, and he was still in the process of reorganization at that time.

In the Board of Health he had built up a very fine group of specialists. He drafted his own physician, Dr. Ebright, a brilliant man of great executive ability, who had no interest in politics, to be Chairman of the Board, and he had various specialists; one man was a tuberculosis specialist, one a sanitary engineer, and so on down the line. Outstanding Pure Food and Drug, Venereal Disease and other departments were organized.

They had then been going just long enough to want to rewrite almost all the laws, and this we did. Then, they began to bear down and get results. I prepared and submitted 351 written opinions. I saw Lionel Brown a year or two ago, who is now assigned to that work from the Attorney



General's office. He said, "You've saved me a lot of work. I still refer to your written opinions, which we have filed and indexed in our office."

Almost every important statute was challenged. We had a law passed that fees under the Vital Statistics Act must be paid by the counties although these services were controlled by the State Board of Health, as a state function. They made the fees for certificates and so forth payable out of the county treasury, and immediately it was challenged by the County Counsel of Los Angeles County, in the case of Boss vs. Lewis. On the advice of the County Counsel, Lewis, the auditor, refused to approve the claim. In that case, the court held that the state has the power to make funds for state functions payable out of county treasuries.

We had a case in Sacramento county involving the validity of tuberculosis subsidies. That was challenged on the ground that the state had no right to make a gift of the funds, a gift to the county to sustain the wards that were devoted to tuberculosis patients. That case was Sacramento County vs. Chambers. Chambers, the State Controller, refused to approve the claim and Sacramento County sued to recover this subsidy. Chambers was represented by the Attorney General. I argued the case and wrote the brief for Sacramento County. The District Court of Appeal upheld the validity of the act,

Justice Hart writing the opinion, of some 16 pages.

The Pure Food and Drug Act was also challenged on the ground that we had no control over packaged goods in interstate commerce. It involved egg noodles. The State Board of Health had condemned some imported egg noodles on the ground that there weren't enough eggs in the noodles. Theodore Bell, I think, represented the manufacturer, but the federal court held that it came within state jurisdiction as far as health was concerned, that it had ceased to be in interstate commerce upon arrival.

The venereal disease statute was also questioned. I advised the board (during the war) that it had a right under certain circumstances to cause the arrest and quarantine of prostitutes who had venereal diseases. That was questioned, and the court upheld the power of quarantine, being within the scope of provisions for the quarantine of contagious diseases.

We also had cases involving the pollution of drinking water and so on. It was very interesting work.

Here's a letter of appreciation from all the members of the State Board of Health when I resigned in 1919.

Gilb: Did you know John Francis Neylan when he was on the Board of Control?

Campbell: Yes. I knew him. I had got acquainted with him when he accompanied Johnson in his first campaign.

Gilb: Oh, you did. He was a reporter then, wasn't he? Were you friends?

Campbell: Oh yes, and for some years thereafter. I have not seen

since I had a matter before the Board of Regents of the University of California about 10 or 12 years ago.

Gilb: What did you think of Neylan in those early days? Do you remember how he impressed you?

Campbell: I thought he was a very dynamic reporter. Of course, in those days I always thought of him in connection with reporting and the newspaper field. And as head of the Board of Control, I thought he did an excellent job. I used to meet him off and on. Later he became a very prominent lawyer. In going over my correspondence, I see where I had written to John -- addressing him as "Dear Jack," in connection with the publication of a comment upon a State Bar issue. I sent him something that I hoped he would publish. He was then running the Call. Of course, he got to be a very influential man, representing Hearst as he did.

#### Political Views -- California Governors

Gilb: Were you an isolationist along with Johnson (that's kind of a strong word); did you share his views after he became Senator?

Campbell: No, I didn't.

Gilb: Did you disagree with any of his views while he was Governor?

Campbell: Well, no. I never had occasion to disagree with his administration. I thought it was very fine, although there were certain things that he put more emphasis on than others. He was more acute on political reform. He was

not a radical, of course. He was just anti-Southern Pacific, and that was his chief concern, to keep government free from control. Reforms like the Industrial Accident Commission were things that he embraced, I think, after being informed by others in the Progressive movement. But after he made up his mind, he was a valiant supporter of such laws. For instance, as I recall the story, when this act was before him for signature they asked for a hearing, and the employers came up there in big numbers and made constitutional objections to the act. So he heard them, but they couldn't dissuade him from signing it. They couldn't really demonstrate to him (he was a good lawyer) that there was anything unconstitutional about it, which was their main point of objection.

Gilb: You think he was a good lawyer?

Campbell: I think he was but there was only one occasion on which I had a chance to observe his consideration of a legal problem. I represented the well-known Colonel French in an extradition proceeding brought on an indictment in Utah based on the "payment" of a large hotel bill by two \$1,000 drafts which were refused payment by the drawees. The charge was "Obtaining property by false pretenses." It was admitted that French had made no representation of any kind when he registered with a large party at Hotel Utah. Governor Johnson refused extradition, a decision which was confirmed by the Superior Court in a similar subsequent proceeding.

Campbell: I think Johnson was regarded by the bar as an excellent lawyer, at least that seemed to be the general feeling in Southern California.

Gilb: Do you have any idea why he stayed in office so long after he was elected to the Senate? Did he have any objection to Stephens' taking over? What was his motive?

Campbell: Well, it would just be hearsay. I have heard that he did. I think Mr. Edward A. Dickson could inform you.

Gilb: Let's see, now, to summarize: All during this period you were teaching at USC to some degree; you were conducting your own private law practice; you were running the Johnson campaign headquarters down here; that must have been the period you were courting your wife; you bought a ranch ...

Campbell: No, I got the ranch later. '23.

Gilb: Oh, later -- and you must have been also active in the bar association, or did you join that early?

Campbell: I do not remember but I became active in the Los Angeles Bar Association about 1918.

Gilb: So you were leading a very busy life. Did you keep up with your politics in the 20's?

Campbell: Let's see. In 1916 I helped in the campaign when we had Hughes, and that big fight came on, the Hughes-Johnson incident. But we made a vigorous campaign for Hughes, as best we could. At that time I was quite an admirer of Wilson, but I had grown up with this group of Progressive Republicans, and I felt that so far as California was concerned there was no real object in becoming a

Democrat. So I stayed with this group, and I did so until 1932, when I came out with other Progressive Republicans supporting Roosevelt. I also supported Olson.

I admired Warren very much, but I kept with my crowd. I felt that it wasn't so much Warren (I was for Warren) but the Republicans in Sacramento running things, so far as the legislature was concerned, were most of them stand-patters, ultra-conservatives. So I didn't feel that I should get on that side of it. I'm not comfortable with a bunch of standpatters. I would have been very comfortable with Warren, but he didn't need me, I knew, because there were enough progressive voters to keep re-electing Warren.

And I just couldn't bring myself to associate politically with that old guard crowd that I'd been against for so long. Fine fellows, but so short-sighted that I wasn't comfortable with them.

Gilb:

We've sort of run ahead of our story. I wanted to ask about Richardsoh -- did you have any actual contact with him? Did you know Richardson?

Campbell:

Oh, I knew him very well. He was with us at first when he became State Treasurer, and then he ran against Stephens and became just a thoroughgoing standpatter. Of course I was for Billy Stephens. He was a businessman type -- he wasn't a scholarly type of man. But he was a thoroughly honest man, a man of fine instincts. He wasn't widely known. You see he was typically a Southern California man -- he never wore the Southern California

characteristics off. He was more the Middle West type, you know, which didn't go so well up north. You see, most of us are from the Middle West, and we show it in some way or other. We have a sort of a naive look, I guess, and occasionally use some word that is more or less provincial. No use trying to deny it, we have certain revealing features. Down here we never notice it because the bulk of the people are Middle Western people. They're town people, not city people, and they're not sophisticated people, except for Hollywood and that sort of business. But I mean, there's just something intrinsically different in the atmosphere of Los Angeles from the atmosphere of San Francisco.

Stephens was an outstanding type of Southern Californian. On the other hand, take a man like Eshelman, or Carnahan and men of that type -- they were brilliant and adaptable and they became quite proficient in the San Francisco and Northern California thinking and dialect. Of course, I always very much admired Billy Stephens. I didn't think he was a great intellect or a shrewd leader. He was just a salt of the earth sort of man that everybody could trust and feel safe with.

#### Friendship with Arthur Brisbane

Gilb: Did you ever meet Hearst?

Campbell: No, I never met Hearst. But, speaking of politics, now we're getting into the things that count so far as the State Bar was concerned. And this background, I think,

all leads up to it.

I had a rather close relation with the Examiner here, rather strange, too, in view of my political affiliation. After I got my ranch out at Victorville, one of my neighbors was Arthur Brisbane. In my correspondence, I have letters and telegrams from Phoebe (his wife) inviting us to come over to their house. Our families visited back and forth because -- well, out in that part of the country, within twenty miles you're considered close neighbors. His boy, Seward, who was about 15 years of age, used to come with Mrs. Brisbane's cousin, Mr. Hodge, down to my ranch to hunt. Out on the mesa where they lived, they didn't have much hunting. But down on the river bottom, on my ranch, there was pretty good hunting. Seward was kind of a nervous, quick-on-the-trigger boy. Every time he raised his gun everybody fell flat on the ground. He put an eye out of one of my cows and killed a neighbor's bull, accidentally (of course, they made it good), but he got to be a very good shot. He would shoot at anything that moved. He was a nice boy. We all got to be very friendly.

As a matter of fact, I forget the year, but Mr. Brisbane was invited by the President of Mexico to come down there. You see, he wrote a column for the Hearst papers for which he got \$250,000 a year. And in addition to that he had a release to 2000 weekly papers for which he got additional pay. He and Mrs. Hearst had been college



buddies when they were young, and they were very fond of each other. He was a very able, brilliant man, no question about that. They were different, but they admired each other very much. Hearst would get bargains in real estate and turn them over to Brisbane, so he had a lot of New York real estate that was profitable to him. He bought this 5000 acre ranch out there on the desert under the impression that the aqueduct would come through there. He built a plain, long, rambling ranch house, and the family came out and stayed, I think, a couple of years. The children were youngsters. The Chief would stop there and let Mr. Brisbane off.

He invited me to go with them on this Mexican trip. The party consisted of a man who had been his secretary for quite a while, to whom he dictated the column, and the cousin, Mr. Hodge, and a lady who was a professional nurse, Seward, Mr. Brisbane and myself. I got on the train with the secretary at Los Angeles, and Mr. Brisbane got on at Colton with the others. I had bought from Pete Peterson at Bullock's a rifle with a telescopic sight. I was no sportsman, but I had to be properly equipped for this hunting trip. Seward spotted this rifle, and he began to tell his father about it. I think he knew more about it than Pete Peterson and far more than I knew. His father kept interrupting him, "Do you want one, son? We'll wire back and have it sent out. If you want one, we'll get one."

But Seward finally explained to his father, "You see, father, I have used my own rifle a long time and it would take me a little while to get used to a new one, so I'd better shoot with my old one." Well, that discussion was good for two-thirds of a column. This "rancher-lawyer," meaning me, had a marvelous rifle that would kill a goat a thousand yards on the level or two miles and a half away by an elevated projectory, if the gun were aimed properly and so on.

He would pick up any item which was unique and magnify it into a fascinating article. One time when he was at the house he was much impressed with some heavy furniture made out of Philippine mahogany. He was building a farmhouse in New Jersey. "Phoebe," he said, "Look at this. Isn't it nice? We should have this for our farmhouse. Where did you get this? We'll go there and order some." He did, and he had it shipped through the Panama Canal by boat all the way. And he earned a substantial part of the price of it by the space that his article about it occupied in his column. It was the pretext for a long discourse on transportation. "It cost more to ship that furniture from the factory to San Pedro than it did to transport it from San Pedro around to New Jersey."

The Mexican government and the Southern Pacific furnished two private cars and two of the best chefs on the road. We got off at Hermosillo, Sonora, and the mayor

furnished us trucks, hunters, bushbeaters and so on, to be sure that Seward would get some good shooting. They soon discovered that Seward was a better shot than these marksmen they sent along. These fellows got so they wouldn't wait for Seward to get the first shot because otherwise they'd never shoot anything. I stood the Mexican red pepper as long as I could (I've a rather delicate stomach) but I soon had to take the train and come home. Mr. Brisbane went on down to Mexico City to make the big speeches and write his articles about Mexico. This was after the first World War.

I just happened to pick up here my file of Brisbane's column, "Today." Quite a number of them mention my ranch. This one says, "This so-called desert is wonderful country. You should see the six thousand acre ranch two miles west of here, owned by Campbell and Sorenson, Los Angeles lawyers. From a dozen artesian wells, water rushes forth night and day, 25,000 gallons a minute without pumping. And where water refuses to come up of itself an electric pump brings it up, each minute ten thousand gallons." That's typical of the things he wrote.

Gilb:                   You were in his column several times?

Campbell:            I was in his column a number of times, yes. That indicates the close friendship between us and when I was President of the Bar Association he was kind enough to come to one of our meetings and make a talk.

Further Contact With The Examiner

Campbell: Well, getting back to the Examiner. I have told you about Mr. Brisbane. I had one or two other contacts. I knew George Young, who was the Managing Editor, very well. The Examiner got into a controversy with Bullock's. I don't know the basis of it -- whether it was failure to give the Examiner its share of the advertising or what it was -- but they were at sword's points. So, the Examiner found out that Bullock's had a permit from the city to build over St. Vincent's Place, which was really a public thoroughfare. If you know Bullock's, between the west part of the building and the east part of the building on Seventh street there is a dead end alley or "place" that dates back to a long time ago. That was a part of the old St. Vincent's College site, and was an area dedicated to public use. It was in fact a street. So they got a permit from the city allowing them to build or "bridge" over it several stories high. The Examiner thought that was probably a good place to start an investigation, because that was a very valuable permit for which the city had received nothing from Bullock's.

The City Attorney had advised the City Council that while the city had a right to grant a license, it didn't have anything to rent. They could forego the right to prevent a trespass, so to speak, but they had no right to rent; they could just give a permit.

It so happened that I had in my Real Property class

Mr. Sokolow, who was secretary of the Examiner. The result was that through a taxpayers' organization, which was financed in the main by Dr. John R. Haynes (but I think in this instance my fee was taken care of by the Examiner) I was asked to advise them as to whether or not the city could charge for that privilege. I made an extensive research and came up with the opinion that the city had the power to charge for it. Then, of course, the Examiner just went to town, on the strength of my opinion, that the city was donating something of great value to Bullock's.

Jess Stephens was then City Attorney. He eventually became a Superior Court judge and recently passed away. He was a younger brother of Albert Lee Stephens, now on the Circuit Court of Appeals. He submitted a copy of my brief to all his topnotch deputies and they all agreed with me. So Jess Stephens had the honesty and professional integrity to direct a communication to the City Council withdrawing his former opinion stating that he was in error. The result was the Bullock's was compelled to pay the city \$30,000 a year as rental. So, as I say, I came to know the head men of the Examiner pretty well and they were very friendly to me.

Then came the candidacy of C. C. Young, who had presided over the legislature for many years. He had started in as a teacher in San Francisco, and he was anything but a hail-fellow-well-met. He was a clean, honest, scholastic type of man, and he never could remember anybody's name!

Leader In Los Angeles Bar Association 1920 and After

Campbell:

Going back and filling in the background of my relationship to Governor Young, I began my activities in the Los Angeles Bar Association I think about 1918 or perhaps a little before. The Bar Association was more or less quiescent, had about 500 members, and held, as I recall it, two formal meetings a year, at which the Supreme Court was entertained (if I can use that word!). The trustees were all eminent members of the bar, and they held their meetings at the California Club. A new generation of young lawyers had come on the scene, and these young lawyers were anxious to participate in bar affairs and to initiate reforms that they thought should be made. We secured permission to conduct membership drive which I directed. We increased the membership from 500 to 1100, about one-third of the lawyers in the county. We put up four candidates for election to the Board of Trustees. These elections were held in open meeting. Enough of the adherents of the reform group showed up at the meeting to elect them. I was one of them.

While on the subject of membership campaigns, I might say I think it was in 1925 I conducted another membership drive and increased the membership from 1100 to 1700. When I was President of the Association, I conducted a third membership drive and increased the membership from 1700 to 2600, in 1927. I don't think the membership today is much in excess of that number, which was then two-thirds of the

members of the bar. According to our canvass at the time, the registration for the State Bar was approximately 4000. Of course, we invited all of the members of the bar to join us.

In 1920 I was also active in what we called the Movement For Better Judges. There were four judges who were disapproved by the bar. We had a meeting of some of the younger members of the bar, members who are now leaders of the bar, and they took a ballot on the qualifications of the judges who were running for re-election. Later, we called a larger meeting of representative lawyers, mostly young lawyers, however, and the result was just the same.

Then we appeared before the Board of Trustees of the Bar Association and persuaded the Board to take a plebescite of all the lawyers of the county with respect to the qualification of judges. The result was the same, the disapproval of the same four judges. So on that basis, some of us started what we called a Movement For Better Judges. Some of them who started out boldly faded away under judicial pressure or fear of retaliation. But we circularized very widely telling exactly why we were opposing these judges, and we defeated two of them, and elected in their stead the Public Defender and a former City Attorney. I'm not so sure that we greatly improved the bench, except in one respect. From that time on, lawyers -- young lawyers and all lawyers -- were treated with proper respect by judges, which wasn't true before.

That's one of the things we complained about. In the trial of cases, they were overbearing and sometimes when young lawyers were trying cases certain of the judges would embarrass them before their clients. They weren't at all considerate. Even with older lawyers they were dominating and to our way of thinking not conducting themselves as judges should. After all, lawyers are officers of the court, and they are entitled to respect, particularly when they are giving due respect to the court. That was in 1920.

When Stephens was Governor, the legislature increased our bench by three. This gave us some relief. Our courts were far behind. I had a talk with the Governor, and he said he would welcome a plebescite of the bar in respect to nominations for the bench. He had those three appointments to make. So we persuaded the Board of Trustees of Los Angeles Bar Association to take this plebescite, and the one who topped the list was Hartley Shaw, who is today one of our finest judges. He was not appointed at that time, however, because the Governor had a few days before the plebescite appointed his father as Chief Justice so he thought it would be too much Shaw and he'd wait for another opportunity to appoint Hartley. Another was Edwin F. Hahn of Pasadena, one of the leaders of the bar, who was a conservative Republican. Another was Victor McLucas of Santa Monica, who was professor of law for many years and a Progressive Republican. The other one was T. C. Tolland, who was attorney for the Union Oil Company, a conservative



Democrat. The Governor paid no attention to politics and appointed all three of those who topped the list, with the exception of Shaw, who was not appointed for the reason I stated. Of course, the members of the bar were greatly gratified by it because they did in that way succeed in having elevated to the bench three of the finest lawyers in the county. All of them served with distinction.

In 1921-22, I conducted a campaign for a reform School Board. I received this letter from Edgerton Shore, prominent real estate and oil man, who was one of the successful candidates, in which he, of course, was very grateful and said a lot of extravagant things.

I was interested in this fight through my old friend, Judge York. He had been in our progressive group, and after he was retired from the bench, he served as a member of the Board of Education for a long time. When he got tired of it his daughter, Jessie, became a candidate, and she was elected and served. I was also interested because I was for a while counsel for the teachers' association and they wanted higher salaries and better protection of their tenure. So we had to proceed to elect a board.

In 1924 Mrs. Campbell and I joined Judge and Mrs. Hahn in a trip to London to attend the proceedings given by the English Bar in honor of the American Bar. I was one of 25 of the 3500 American lawyers personally presented to the Lord Mayor of London and had the honor of a long talk with

Lord Beaverbrook at his apartment. He invited Mrs. Campbell and me to spend the week-end at his country home.

We also made a study of the administration of justice in England. Reports of these and other public activities no doubt furnished a background for more effective efforts in behalf of the integration of the California bar.

1925 and 1926 were very busy years. In these years I was Junior and Senior Vice President of Los Angeles Bar Association respectively. In 1925 I conducted a campaign increasing the membership from 1100 to 1700 and in both these years devoted much time to the various activities of Los Angeles Bar Association, the California Bar Association, (State Bar bill and membership drive), and the American Bar Association in addition to my work for Governor Young.

#### Backed C. C. Young For Governor

Now this paper here in the file is a page of the Sunday Examiner August 29, 1926, which refers to the candidacy of Young. While my efforts for the support of the Examiner may not have been the controlling influence in the matter, I believe that the Governor thought so.

Mr. Young had come to my office, and as a result of that visit I arranged a conference with the Editor and the Manager of the Examiner. The result of this conference was the support of the Examiner, something which Mr. Young had theretofore been unable to accomplish. As this article

indicates, they published in a conspicuous place (a box, as they call it in newspaper language) a statement headed "Eight Republican Leaders Back Young And Clarke. Following statement on behalf of C. C. Young, candidate for Governor, and Judge Robert M. Clarke, candidate for United States Senator, was issued yesterday by the undersigned representative Republicans." Then follows the statement signed by Frank P. Flint, who was formerly United States Senator; Joseph Scott; W. B. Matthews, who was attorney for the water and power board; H. L. Carnahan, who was one of the leaders of the bar and Commissioner of Corporations for many years; George E. Cryer, who at one time was mayor of the city; Kemper Campbell; W. J. Carr, who was State Senator; and Dr. John R. Haynes, who was an old-time Progressive leader. I was active, of course, in the campaign. Active as I could be, considering other demands on my time, I did my share along with others in aiding him and getting support for him. William J. Carr, who was subsequently appointed to the Railroad Commission, was one of the most active supporters of Governor Young. Carr had been in the Senate when the Governor was in the Assembly, and they were old-time friends. Carr later supported the State Bar bill.

Here's a letter from Carr, May 25, 1926: "A very important meeting will be held at the Young For Governor headquarters..." Carr was primarily a policy man. Quiet sort of person but he was able to get the support of different people. Everybody greatly respected Billy Carr.

We all liked to work with him, and particularly he had the absolute confidence of Young, and so we just naturally worked with Carr because he really represented Young.

Then in 1926 I went back to the American Bar Association meeting and in this paper here, The Independent, is a paragraph saying "Kemper B. Campbell will give tonight at the Bar Association banquet, Hotel Alexandria, echoes of the American Bar Association convention. Thomas C. Ridgeway will give echoes from the State Bar Association that met in Yosemite." I had then been quite active in the American Bar Association, devoting quite a little time to it, and became Vice President for California of that organization, serving for two years. I have here voluminous files pertaining to the work of the committees on procedure by rule of court and bar organization of which I was a member.

Gilb:

In your opinion what were the various forces conflicting at the time of the Young candidacy for nomination?

Campbell:

You mean political? The same as they are today. It was a contest between the conservatives and the more liberal-minded Republicans. The Young type of Republican was pretty much the Warren type of Republican; the old guard Republicans didn't like Warren but they had to take him because he was so strong with the voters, and he stood on his own feet and was independent. It was the same cleavage you have today in both parties. Young had some appeal to our lawyer group aside from politics because we had failed under Richardson who was very much opposed to the State Bar Act and was almost

insulting about it. We had conducted a long, hard campaign in 1924 and 1925 for the State Bar Act and succeeded in having the act passed by the legislature. Governor Richardson vetoed it.

Richardson also was opposed to raising the salaries of judges. I went up with a committee of older members of the bar. John Mott, who was one of our finest lawyers and was of the old school politically, made the talk. I forget the names of the others who were there. They were distinguished men, all of them. The Governor hardly heard him through, and his remark was: "Oh, hell. If you'd reduce the salaries from \$7000 to \$5000 there wouldn't a damn one of them quit!"

Here is a 1926 letter from Charles A. Shurtleff, who was president of the California Bar Association. In that connection, it was decided that instead of going into another campaign for the State Bar with a weak California Bar Association we'd devote a lot of time to building it up numerically and getting the support of the organized bar. So I was asked to conduct that campaign for membership, particularly in the south where most of the lawyers were. And it resulted in a very warm friendship with Charles A. Shurtleff, who was President of the State Bar.

Here's another letter from Shurtleff asking me to be a member of the editorial committee of the California Bar Association along with Webb and Tom Robinson and Hugh H. Brown and Charles A. Beardsley.

In connection with the membership campaign, it seems that the letter I sent out produced several hundred new members, and the letter that was sent out from San Francisco produced less than 100. So to stir them up a little bit, they got out a letter using the result of my letter down here to sort of make the northern lawyers a little ashamed of themselves so they would join, because of the competitive feeling between the two ends of the state.

Gilb: Do you think the opposition of the trust companies and the banks to the State Bar Act played any part in the 1926 election?

Campbell: Yes, I think so. They were at that time very much alarmed.

Gilb: Did you talk with any of their representatives yourself?

Campbell: Any of the banking group? I don't recall.

Gilb: I have a copy at home of a letter given to me by Eustace Cullinan confirming a conversation between Cullinan and Bacigalupi, of the Bank of America, in which Cullinan said that the bank would have nothing to fear from the State Bar bill. Of course, I think right after the bill was passed, in the early 1930's, they did negotiate sort of a treaty. But you didn't take part in any of that?

Campbell: No, that was done through a special committee.

Here's a letter of 1926 from Shurtleff. He says:  
 "I must introduce this short letter with a statement that I have often made that I cannot tell you how grateful I am for the assistance you have given me during my term as

President of the California Bar Association. The drive for membership has been perfectly wonderful, not only in its net results so far as membership was concerned, but it has been a great benefit to the organization. It brought it before the public ...". Then he asks me to speak at a banquet to be held in San Francisco.

Here's a letter from Young with respect to his victory at the primaries. "This has been a long, hard fight, but I believe it has been worthwhile. If it succeeds or not will depend upon the backing I receive from you and other friends of progressivism all over California." He was a man of terse expression. He was not an emotional man. He made a very good Governor and should have been re-elected.

Gilb: Why do you think Rolph defeated him?

Campbell: Well, Young was not a glamorous man at all. Rolph certainly was. He was a man of the people. You would have to elect Young in a movement of some kind, you know, that would give the whole campaign momentum and he would be carried along with it. But he was not a leader in the sense of having personal magnetism or glamor. He could win against somebody like Richardson but not against somebody like Rolph. And, of course, by that time there were groups that were disappointed that they didn't get special consideration. There are always those, you know.

Gilb: Did you ever take any part in the public power fights that were going on in the 1920's or have any views on that subject?

Campbell: Aside from supporting candidates who were for public

Campbell: ownership of power, I didn't. That's one of the points we made in the support of Young, that he was an ardent supporter of Boulder Dam and public ownership of power. All those other letters over there have reference to the candidacy in 1926 of Justice Langdon, who was always progressive.

Here's a letter from Everett Mattoon, who was the County Counsel, congratulating me upon being selected as California vice president of the American Bar Association. "I feel that the members of the bar throughout the state should feel highly honored in having a representative of your standing and ability in this position." I just read that to indicate, because you inquired about it, the background which led up to, you might say, our success in Sacramento. All of these items are contributing factors, I believe.

Frankly, as I look over all this mass of stuff I don't know how I survived it, or how I found the time to write literally hundreds of letters. But the lawyers appreciated it, I'm proud to say. They really did. Here's a letter from a prominent lawyer dated 1926. He says:

"I do wish to say that I know of no other lawyer in Los Angeles who has so unselfishly devoted his time and effort in the cause of good government, general civic matters, and the matter of improving the character and standards of the bench and bar than yourself, even to the point of the expenditure and sacrifice of much-needed time and money."

This was written by Ernest U. Schroeter, one of our



leading bankruptcy lawyers. He lives at the Jonathan Club now, just a few doors from me on the same floor.

In all these efforts, the one thing that made me continue was that it was such an opportunity because we started from practically nothing and the lawyers were ripe for it. They wanted to do something for the profession. That's the reason why I took the attitude I did in the campaign for the State Bar. I knew from experience because I had secured over 2000 new members for the Los Angeles and California Bar Associations besides the large number that I got for the American Bar Association. And I never told any of them that they were going to get more income out of it, or that they were going to make things easier for themselves. I said, "Here's an opportunity to be of service. We are going to make ourselves felt in raising the standards of the bar and the bench. Do you want to help?" And that was the appeal that I insisted upon making when we took our bill before the legislature and before the Governor. I knew that was good psychology because I had presented it in this manner for several years.

For years I was chairman of the Judiciary Committee of our bar association, and I was particularly interested in the Judicial Council movement and also in the principle of procedure by rule of court instead of by legislation.

Promoted Legislation To Improve The Courts And Bar  
1926-27

By the time we went to Sacramento to get the State Bar bill passed (the second time), I had accumulated a considerable

background of experience which I think perhaps had some effect in giving the Governor the assurance that I was speaking for the bar -- that I pretty well represented the general bar, because I had been so closely identified with its movements. I finally had to give up some of those activities, and the first one I gave up was the American Bar Association because of the tremendous amount of time that was taking. But the American Bar Journal on two or three occasions referred editorially to the Los Angeles Bar Association and its success.

This document here is a report of the Committee on State Bar Organization by Clarence N. Goodwin, chairman, who was very active in the American Bar Association at that time. This report gives a survey of the bar organizations throughout the country. "California stands out as an example. Legislative sanction for an all-inclusive organization was not attained until the matter had been thoroughly discussed in all local associations, and the bar, after a thorough understanding of what was proposed, had become practically unanimous in favor of the idea. The newly-organized State Bar will start with the good will and support of practically every lawyer in the state."

That was true. As I have shown you, we had to lay a pretty broad foundation to do that, stimulating membership in local organizations and in the state bar association until we could really speak for the bar. Otherwise you are faced,

as we were in 1925, with the attitude of "Oh, well, your organization only includes a small percentage of the bar."

Getting back to the State Bar bill. I went to Sacramento. The Governor, of course, expressed himself as being very grateful for my help, and he asked me what I wanted. I said, "Governor, I don't want anything for myself. But I do want three things for the bar. I want you to have an open mind and let us be free to fight our own battle in the legislature, get the bills passed, and when they come on your desk give them as favorable consideration as you can. And if you think they are meritorious, I would like to have you sign them. One is our State Bar bill." He said, "I am more or less familiar with that. You passed it once, and Governor Richardson vetoed it. They made a very hard fight against it and convinced Richardson that the bill was specially for the benefit of lawyers and more or less special legislation and there was no reason in the world why lawyers should be incorporated any more than any other profession should be incorporated and so on. I'm familiar with that. There will be a good deal of opposition to it."

"Yes, I know," I said. "There'll be opposition to it. But all we want is an opportunity to present it to you for signature and I think by that time the issue will be so clear that you will agree that the bill has merit. And another bill we have is to increase by 10 the number of judges in Los Angeles County."

"They've never been increased more than --." I think he said "five," but it may not have been that many. "That's going to be hard for you to get passed." "I realize

that," I said, "but it's a subject that can be demonstrated mathematically. The courts are just so far behind. They only have a certain capacity. Our courts are operating on an average faster than any other courts per judge in the state. You can't expect them to do more. For the benefit of litigants and nobody else, for the proper administration of justice, we just have to have more judges. And I'm hopeful we'll get the bill passed."

"And the other one is to increase the salaries of judges. We want to get the very best men we can on the bench, and they ought to be paid more. We can make a good case on that, too."

He smiled and said, "You know if you raise the salaries of judges in Los Angeles county, we will have to raise the salaries of judges all over the state."

I said, "Yes, I know that. They ought to be raised all over the state."

"Well," he said, "this would cost the state at least \$350,000 a year."

"But," I said, "that's a small amount compared to the entire cost of the administration of justice. But we'll come to that when we get to it."

"Kemper," he said, "you're asking a great deal." And I said, "I don't quite agree there. I think that you've found in your experience as a legislator that if you are right and you really believe in a measure it's not so difficult to get it passed. It's generally good politics to

pass good measures and to sign good measures! And I think they're all assets and not liabilities."

He said, "Go ahead and see what you can do."

So we argued these things before committees. I remember one time arguing for additional judges and one member of the committee said, "Did you ever go around your courtrooms about 3:30 in the afternoon and notice how many of them are vacant?" "Yes, I have." He said, "The judges don't work. They play golf too much." I said, "I'm not going to argue that. But if you can frame a law to compel our judges to work, I'll spend the rest of the session here trying to get it passed. I'm for it. But if you can't, in the interest of litigants (and you may be one tomorrow and you won't want to wait a year and a half or two years to have your case tried), in the interest of litigants we'll just have to get more golf-players!" We got it out of committee, and then a flock of telegrams came from the Los Angeles judges opposing the increase in the number of judges, representing that they were making inroads on the accumulated cases and protesting that they would be able to dispose of the backlog.

Immediately, of course, I got a call from the Governor's office. The Governor, with kind of a twinkle in his eye, said, "Did you see one of these telegrams?" "Yes." "That about kills your bill, doesn't it?" "No," I said, "the legislators may be dumb, but they're not that dumb. They resent it because it is so obvious. We have undertaken to pass three very important bills and the judges figured,

just as you have figured probably, that it will be very difficult for us to get all three of them passed and signed. Of course, that's the one that they can afford to sacrifice because they're principally interested in an increase of \$2000 in their salaries. The members of the legislature understand that, and they're mad about it, those that I've talked to. It might defeat the salary bill, but it won't defeat the judges bill."

So we succeeded in getting them all passed regardless of those telegrams, and he signed them all.

He was slow on the State Bar bill, probably due to the influence of Senator Jones. The principal reason I think for that was his great confidence in Senator Jones. Jones was a wonderful man. But somehow or other he didn't like the incorporation of the bar. Subsequently he became a member of the Board of Governors. All bar groups had the greatest respect for Senator Jones. He was a fine man, and, of course, the Governor loved him as a brother. They'd been in the legislature together and fought hard for progressive legislation.

Gilb: Did you know he felt this way -- Jones, I mean?

Campbell: I didn't know that he would actively oppose us. Until the very last few days I didn't know that he had the Governor's ear. Then we decided to persuade the Governor that his friend was wrong about it and that the bar of the state wanted this bill and that it would give them the ability to clean up the bar and have a beneficial effect upon the transaction of

the courts' business. We might be able to speed up the slow grinding wheels of judicial administration. Finally we got it passed, and with the aid of Senator Carr we persuaded Governor Young to sign it.

Of course, under all circumstances, frankly the Governor was very anxious to do something that I wanted because he felt obligated to me. He had said, "What do you want?" thinking I'd want a judgeship or something, which would be perfectly proper if he felt I was qualified and he was frankly willing and anxious to do it. But I told him, "I want nothing for myself, but I want these things for the bar." He was put in a position, you know, where he would do it if he possibly could because it was an unselfish request. Fortunately, he did. I have a photograph of him signing the bill in the presence of Joe Webb and myself.

#### Work on the Appointment of Judges

Then, afterwards, after this bill was passed and we got the ten new judges, I asked him then if we couldn't have a plebescite of the bar and recommend to him proper material. He said, "That's fine, although I wouldn't like to have you publicize it. The bar association can do it provided the ballots are sealed and they are delivered to me at Sacramento. I don't think that I should agree to be bound. I personally have the responsibility of appointing good men. I don't think I can really shift that responsibility wholly, but I would be glad to have, naturally, the advice of the bar."

So we conducted such a plebescite. There were 80 candidates. And the good ones came to the top just like cream by the vote of the bar. We sent up the results. If you will get one of the 1928 volumes of the reports (which have the Superior Court judges all listed in one of the front pages) and pick out the ten names that weren't there in the previous volume, those were the ones appointed.

I would say that he appointed -- out of the ten -- I think he appointed eight out of the top fifteen. He made two exceptions, men that he happened to know and personally felt that they would make good judges. He said, "Well, maybe the lawyers don't know them as well as I do." There was one who was a very close friend of Justice Langdon, Joe Sproul. And, of course, Young had a great deal of confidence in Langdon. If Bill Langdon told him this lawyer was a fine lawyer and would make a good judge, that was enough for him. So he appointed Joe Sproul, who may have been about number 30 on the list. And another man, who has since died, Tom Gould of Alhambra. He was well-known to Carr, who lives in Pasadena. He thought Tom would make an excellent judge, and he did. Both of those men -- perhaps they weren't so erudite from the standpoint of law, but they had fine judicial temperaments and they were in that sense very good judges. Men might be learned in the law or brilliant in the trial of cases and still make very poor judges. Sproul and Gould had the rare judicial temperament that fully qualified them. But the others were practically chosen by



the bar, and that was a great victory, too. And Governor Young did it because I asked him to.

Gilb: Warren began referring names to the Board of Governors of the State Bar, but there's no plebescite on judges, is there?

Campbell: Not for appointment and for election it's held too late to be of any consequence. After the time had closed for filing, they used to (I think they've sort of discontinued it now) go through the form of having a plebescite and of course the incumbents were always endorsed with but one exception after 1920 that I can recall and in that instance the unendorsed candidate won. We did succeed in electing a former City Attorney and the County Public Defender whom we "drafted" with promise of support before filing and our fourth candidate who failed by a narrow margin was subsequently elected and served with distinction many years.

What I advocated and still favor and what I accomplished with both Stephens and Young, was to make bar endorsements or recommendations before the appointment, not merely pass on it after it was made. Make nominations to the Governor, giving him the benefit of the bar opinion. And I think the electorate's entitled to the very same kind of help, prior to filing for nomination. For instance, in the movement for better judges way back in 1920, we induced men to become candidates with the pledge of our support if they would run. We got some very good men to run -- Cryer, who had been Chief Deputy City Attorney and Chief Deputy United States District Attorney, a scholarly man. He would have made an excellent judge.

But while he did succeed later in being elected mayor of Los Angeles and made an excellent one, he didn't succeed in being elected judge.

The Bar Association should induce outstanding men to run for the office or, if they like, have a plebescite in which various names are submitted and recommend the ones which have the most votes from the bar. There are lawyers, fully qualified to be outstanding judges, who are very sensitive about active candidacies and they don't like to have the embarrassment of possible defeat. Excellent material, but they feel that they may not be well enough known, among the members of the bar, to get endorsement. There's no way of the bar being influential in building up the bench unless, as in the civil service, they can have a standing list of qualified candidates. It would be a compliment to any member of the bar if he were on the available list of recommendations. And so the Governor would be confronted by this list of recommendations and feel compelled to consider it. All of the State Bar members in the county should participate.

Governor Warren, who was a thoroughly good lawyer, may have made some mistakes in appointment but they were not serious ones. Every time he made a judicial appointment, you could see that he had some ground for it. I don't think Governor Warren ever appointed anyone whom he didn't conscientiously feel to be well-qualified for the place. That is not always possible, if you have a Governor who is not a lawyer and who is a political type in the sense that he would appoint

merely to reward supporters. (Of course, I think that where all other things are equal and a supporter is well-qualified, that shouldn't be held against him. Perfectly proper for a Governor to appoint a supporter, if he's qualified for the position.)

The State Bar Since 1927 - Some Comments

Gilb:               What do you think the State Bar has done since 1927 to improve the administration of justice?

Campbell:           I think that they have lent aid to the Judicial Council for one thing. I think on the whole they've been favorable to pre-trial procedure and many minor procedural reforms. They have had excellent study programs of recent years, where they have panels and discuss problems out in the open, and I think it's been very educational to the rank and file of the Bar.

The Judicial Council has the power to prescribe certain procedural rules, and of course, they take the advice pretty largely of representatives of the State Bar. The Board of Governors of the State Bar is always consulted by the Governor with reference to the appointment of judges but this many lawyers believe is more or less a pro forma procedure.

I think the most potent effect of the State Bar is the general consciousness of its power for constructive procedural reform and its effectiveness in the disciplinary field. California lawyers have a sincere and deep-seated respect for the State Bar.

filb: In the new State Bar, did you have anything to do with the drawing up of the Rules of Professional Conduct?

Campbell: I had a great deal to do with the disciplinary system. We had, in the Los Angeles Bar Association, developed the examiner system of handling disciplinary matters, and when it came to the organization of the disciplinary procedure for the State Bar, we practically adopted the system we had in Los Angeles county. It has been very workable, <sup>very</sup> successful.

Here are letters -- correspondence between Hugh McBeth and myself. He was one of the leading colored lawyers. I explained to Hugh, whom I knew very well, the basis of the Los Angeles Bar Association's attitude with reference to exclusion of the colored race. He wrote me too, December 10, 1926: "My dear friend: Your letter of December 6, which has just reached my hand this afternoon, has caused me more pleasure than if you had forwarded me your check for \$100. I agree with you absolutely there are two sides to this question and that our discussion should be carried on with patience and tolerance toward each other."

This is from my letter of December 6: "Personally, I am in favor of admission of reputable members of the bar of all races. In fact, I am in favor of an all-inclusive bar organization, and the incorporation of the bar of the state will bring this about. However, there are many men who, while entertaining no prejudice against the colored race, have a sincere feeling that the best way to avoid embarrassments and

to maintain good feeling between the races is not to permit too close a contact and intermingling. I am not prepared to say which of the two attitudes is preferable. I happened to have been born in the north and have had very little contact with people of other races. I confess to a lack of personal experience with racial problems. For this reason, I have not too great a confidence in my viewpoint, which is strongly in favor of the admission of every member of the bar regardless of race or creed. In other words, what I am trying to say is this, and I think you realize the situation as clearly as I do, that there are two sides of this controversy, both sustained by idealistic objectives. I might illustrate by citing the marital relation, which we all believe theoretically in sustaining. However, if through the fault of neither party or the fault of both parties, husband and wife cannot abide together in peace then I certainly am not in favor of compelling them to abide together at all. So, if in an organization a considerable percentage of the membership either rightfully or wrongfully object to the admission of certain members or feel that such admission would lead to lack of harmony, it would probably be a mistake to insist upon such admission, both from the viewpoint of the organization itself and from the viewpoint of those seeking admission. On the other hand, I am not sure that it is the attitude of any considerable percentage of the membership to exclude applicants of certain races. If it is, it should

perhaps be written in the bylaws in order that the organization's conduct can be properly governed thereby. In conclusion, let me suggest that we all endeavor to carry on this discussion with patience and tolerance towards each other. All changes come slowly. Let us work together to bring about a solution of the problem which would be as nearly right as may be possible under all circumstances of the case."

Gilb: My goodness, that was a controversy for another two decades, wasn't it -- that controversy?

Campbell: Oh, yes. And it fell to my lot to defend this position in 1946 during the State Bar convention. The Los Angeles Bar Association group was very much disturbed by a lot of publicity about the matter all over California. The colored members, aided by other minority groups, raised the point that the Los Angeles County Bar Association delegates were not entitled to participate in the State Bar Conference because of this unlawful exclusion of qualified applicants for membership. And so they had a caucus of the Los Angeles Bar Association delegation and they didn't know what to say. They thought they were licked. I told them what I thought about it, the proper approach to the controversy, so then they designated me to answer Hugh McBeth.

Gilb: The same man!

Campbell: The same man. A very eloquent speaker -- he was a graduate of Harvard. So I answered him in this wise, I said

that I happened to be a member of the Commission that put the State Bar Act in effect, in fact, I helped to draft it. I said, as far as I personally was concerned, when we organized the State Bar I argued for an all-inclusive organization, locally as well as in the state. I didn't think we should combine the two, have representatives of volunteer groups speaking for the bar of the different counties. It seemed to me very illogical, but I was over-ruled, so we have this illogical mixture of the two systems. And I said this is the effect of it. I said, "As you all know, a voluntary organization can make its own rules of admission. That's the difference between a public corporation such as the State Bar and a voluntary group. In a voluntary group the courts have no control over admissions or expulsions. For expulsion all you have to do is have a hearing, let the man get up on his hind legs and make a speech, and then vote him out. I know that because I've handled some litigation involving that exact point. You all know it. So, essentially, we have representatives here of voluntary groups. Now, I think that you're on very dangerous ground. I sympathize with you, but you can't afford to succeed for the reason that the result will be that the State Bar Board of Governors will be forced to set up a different type of representations. If you are going to destroy the principle of voluntary membership, then voluntary organizations serve no useful purpose and we might as well have countywide sections of the State Bar instead. Now, the minority groups

after the formation of the State Bar, too, it took them quite a long time to get functioning because they were sort of feeling their way and it wasn't easy to get a state-wide group into a frame of mind of carrying a banner for a continuing crusade.

When the District Courts of Appeal (particularly this district, the Second District) got away behind, we went -- several of us -- before the committees of the legislature and asked for an additional appropriation for the District so that the justices could have law clerks to aid them in their work. One of the divisions, particularly, was absolutely opposed to it -- the judges were horrified that they would be asked to have law clerks. They considered that it was a reflection upon them. They intended to do their own research and write their own opinions and so forth, and they were up in arms.

I got the Director of Finance to include an allowance in the budget, and the budget went through but they never used the money. They just wouldn't hire the clerks. So then we had a bill to create these clerkships. It was very widely debated. But, of course, with the opposition of the judges it didn't get anywhere. Now they all actually have research assistants. Our efforts probably had educational value. It's now the conventional thing. The Supreme Court of the United States and practically all appellate judges in America have good research clerks.



I think, in matters of that kind, the organized bar (because we came up representing the bar here) has had considerable effect.

Gilb:           You mentioned earlier something about a list of experts some group had drawn up for the courts. Can you tell us about that?

Campbell:       Oh, that was, of course, a private, individual fight. But it had the effect of abolishing that loaded list of experts. The defense lawyers had furnished the Presiding Judge a list of experts for use in personal injury cases, including some that were unbiased but who wouldn't ever come even if they were asked. So, the only ones who would consent to come were those who were regularly engaged by insurance companies. When the defense lawyer with a sanctimonious air of fairness would request in the presence of the jury that the court appoint an impartial expert, why, the court would take out this list which had been furnished to all the judges and in all innocence he would put his finger on one and that one would be appointed, until one time my opponent asked the court to make such an appointment, and I requested a conference in chambers and exposed the origin of the list and its true character. The court didn't make the appointment and investigated the thing, and the result was they did away with the list.

Los Angeles Bar Association, 1927

The momentum and example afforded by the activities of Los Angeles Bar Association were of such influence in the

formation of the State Bar that they should have special mention.

In 1927 I published a brochure entitled "The Year's Work" and again in 1928 an elaborate issue of the Los Angeles Bar Association Bulletin contained the reports of committees and a review of accomplishments. I shall be glad to furnish you copies of these as addenda to these notes if you desire them. I am quite sure that we had at that time the most active and effective bar association in the United states. At our regular monthly meetings we often had speakers of national reputation and the average attendance has never been equaled since.

#### Bar Activities After 1927

You inquired regarding my bar activities after 1927. In 1928 I served on the first Board of Governors of the State Bar and at various times since have served on special committees of the State Bar the last of such appointments being in 1950-52 on Special Local Administrative Committee No. 3 for Los Angeles County, which was directed to make an investigation of unlawful practice of the law. Among other efforts were trips to Sacramento in aid of increased salaries for judges and the creation of a third division of the Second District Court of Appeal. During the years 1949-1952 I devoted a great deal of time to the contest over the location and design of the new courthouse. As the result of the publication in the Los Angeles Times of a statement by me,

an organization of 2000 lawyers was formed and the aid of potent business and taxpayers' groups was enlisted to oppose the erection of two extravagant, medieval buildings and their location at Temple Street and Grand Avenue. The outcome of this acrimonious and long-drawn out fight was the utilization of the Temple and Grand site as a parking lot and the choice of First and Hill Streets as the location for a single courts building which will result in added convenience to lawyers and litigants and a saving to the taxpayers of at least \$12,000,000.

#### Law Practice

You expressed surprise that I had any time left for law practice during the years of my bar activities. I worked very hard. For one period of ten years I had no vacation. I was fortunate from 1918 to 1936, and subsequently, in having a considerable number of professional employments involving large interests and resulting in substantial fees.

To allay your sympathetic concern on this score I am impelled to reveal that prior to my retirement I had saved from my earnings over \$700,000 which was invested in securities and real estate which have since materially increased in value.

The details of my practice have no proper place here but in retrospect I find many of these employments very interesting to me.

For example, from 1918 to 1923 as a result of my

cannery experience and connections I represented the principal fruit cannery interests in the state against the Dunkley peach peeling patent asserted by Libby, McNeill and Libby, a subsidiary of Swift & Company under which royalties of \$2,000,000 per year were claimed. A victory for Libby would have meant its monopolistic control of the California fruit canning industry and the ruin of all other California canners.

U. S. District Judge Van Fleet had upheld the validity of the Dunkley patent and decreed accountings in suits against seven large canning concerns and a canning machinery company in the Northern District of California when I entered the case. I defeated the patent in the Southern District, and in the accountings in the Northern District, by showing the "prior art" by actual demonstration and the testimony of 100 witnesses, I reduced the award to the nominal amount of 13¢ per ton for a period of the five years prior to the invention of a non-infringing device. For this I received fees amounting to about \$100,000.

In 1919-1920 I recovered for Louis Phillips, Jr., property worth about \$1,000,000 and for 30 years thereafter represented his widow in various matters involving substantial fees, including the successful defense of an action brought by the firm of McAdoo, O'Connor and Neblett representing subdivision purchasers who demanded damages aggregating nearly \$2,000,000.

My old Pomona banker friend and patron, Mr. Lathrop, showed up with some fascinating problems arising out of his sale of the Consolidated Water Company, in which Lathrop owned the bulk of the stock, to the City of Pomona for \$800,000.

First was the issue of income taxes. In this matter we showed a high actual value of the water rights as of 1913 and a low rate of depreciation of waterpipe due to purity of the mountain water and lack of alkali in the soil resulting in a substantial reduction of the tax in "conference."

The second issue was raised by two suits by stockholders demanding the distribution of the \$800,000 on the ground that the stated purpose of the corporation had been abandoned. However, the articles of incorporation had been amended to state new purposes, the name had been changed and the principal place of business shifted to Los Angeles. Both the U. S. Circuit Court of Appeal and the California Supreme Court upheld Lathrop.

Another fascinating case (about 1925) involving large property interests was a will contest in the Estate of Ruggles. Dr. Ruggles was the first woman physician in the City of Chicago. She had made several wills but in the last one left practically all her property to the Christian Science Church.

I represented Madame Dorré, a onetime noted opera star who was born in Indiana but had her entire career in

Europe. She claimed that the bulk of Dr. Ruggles' fortune consisted of remittances from Mme. Dorré which she held in trust. Collateral heirs also filed a contest. This case involved the doctrine of "dependent relative revocation," the ancient rule in *Onions vs. Oyer*, and such a mass of conflicting evidence and heavy costs of trial that we finally by stipulation divided the estate three ways. Dorré received a very substantial amount of assets which in true prima donna fashion she proceeded to dispose of in deals with city slickers. In one such fraud case I recovered property for her worth some \$40,000.

During this period (30 years all told) I represented the Seventh Day Adventist Church and all of its institutions in Southern California including Loma Linda Sanitarium, College of Medical Evangelists, Glendale Sanitarium and White Memorial Hospital and in addition to direct employment there were many referred clients, particularly in personal injury cases.

From 1919 on I represented W. K. Kellogg (Cornflakes) in his personal California matters. Among other problems handled I succeeded in having Garvey Boulevard relocated to the north to avoid cutting the Kellogg Ranch into two triangular parcels. I drew the papers transferring the Kellogg Ranch to the University of California and the restrictions requiring the maintenance of the Arabian horse breeding establishment and the Arabian horse shows. I later appeared

for Mr. Kellogg before the Board of Regents and demanded better care of the ranch and horses or the return of the property. John Francis Neylan took the position that the Regents had received the property as trustees of an irrevocable trust and had no power to retransfer the property. Garrett McEnerney agreed with me that the Board had the necessary power. Satisfactory promises of better treatment were made and the matter rested until the University transferred the Ranch to the U. S. Government.

A very unusual case was a suit for \$50,000 damages brought against Mr. Kellogg based upon the alleged impotency of a young stallion sold for breeding purposes. The stallion was shipped to the purchaser who put him with 19 mares in a pasture at an elevation of 8000 feet in the mountains of Colorado. Not a single mare got with foal. Fortunately, the stallion before shipment had bred a Kellogg mare and she had a colt. Research revealed a fact little known even by experienced veterinarians. If a stallion is shipped from a low elevation to a very high one it may result in impotency for a considerable period. Having satisfied my opponent that this was the fact he accepted the return of the purchase price. After his return to the Kellogg Ranch the stallion functioned normally.

I was employed by the proponents in the proceeding to widen Wilshire Boulevard which was stalled by protests certified by the City Engineer to represent a majority of the

frontage. We uncovered wholesale forgeries effected by the substitution of many leaves of signatures obtained in a prior and different proceedings. The hearing before the City Council took almost a month, the longest ever held in Los Angeles.

In 1933 I was virtually drafted by the Los Angeles County Board of Supervisors in a matter which was the subject of bitter public controversy. The former Chairman of the Board had been convicted of accepting a bribe of \$80,000. Whether any other member had been bribed was not known but charges were freely made. The contractors were indicted but due to delay on the part of the District Attorney in bringing them to trial the case was dismissed and the statute of limitations had expired. The statute left it undertain as to whether the District Attorney or the County Counsel should represent the Board of Supervisors in such a case. In view of the neglect of the District Attorney in allowing the contractors to go free and the fact that the contract of settlement with the county in connection with which the Supervisor was bribed was drawn by the County Counsel it was apparent that unless the county could get back what it had paid in the settlement the attorneys for the county and the Supervisors would be subject to severe criticism. This seemed to require the employment of an independent counsel who was deemed to have sufficient public confidence to carry the load. I was told



that I was the only lawyer the Board of Supervisors could agree upon and I very reluctantly permitted myself to be "drafted" upon that basis. S. V. O. Prichard, Oxford Rhodes Scholar, Assistant County Counsel and John J. Frampton, Deputy District Attorney, (now Superior Court Judge) were associated. On the other side were Hanna and Morton, Alex Davis and Robert Murphey. It was our theory that the bribery of one supervisor in connection with the payment of approximately \$837,000 (to terminate the contract) invalidated the settlement and the county was without further proof entitled to a judgement in that amount and to retain \$100,000 worth of buildings and improvements received in the settlement. The case dragged on for over two years when finally the court made a ruling sustaining our theory and the case was "settled" on that basis, the County recovering \$837,986.90 in cash and the property. Every daily newspaper in the county commended us and the Daily News which had been bitterly critical of the Supervisors devoted a whole page to a celebration of the "victory."

There were, of course, many other employments. In 1933 I was appointed an Inheritance Tax Appraiser, and I gradually eased up on my law work until I retired in 1950.

After I acquired the 1800-acre ranch at Victorville in 1923 I spent practically every Saturday and Sunday there for 25 years superintending the ranch work and making substantial improvements costing over \$200,000. Members of my family now operate a Guest Ranch there and we are now selling 400 head of beef cattle.

We produce alfalfa and have 200 acres of irrigated pasture. There is a dairy of 150 cows on the place. We formerly bred registered Arabian horses. Our racing stallion Ziyadi beat all comers and was retired for lack of competition. Our brood mare Talattaash won seven firsts and five grand prizes.

In 1937 the Campbell family spent three months traveling by automobile over Western Europe. My son, Kemper Jr., was then attending Oxford University where he graduated in 1939 and my daughter Jean was enrolled at the Sorbonne in Paris.

On the trip I made brief but enlightening investigations of judicial procedures in England, France, Italy and Germany. In London I sat for a whole day with the "master" who functions similarly to our "Law and Motion Department" judge but with greater informality and efficiency. I intend here no reflection on our judges, but I do think that the English method of settling the pleadings and defining the issues is superior to our own.

I have lived a very busy life and I am now a tired old man.

\* \* \* \* \*

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## PARTIAL INDEX TO CAMPBELL MANUSCRIPT

Alexander, George	18-20
American Bar Association	48-54; 62
American Olive Company	6-7
Brisbane, Arthur	35-39
Brundige, Harley W.	21; 23
California State Bar	42-46; 53-72
California State Board of Health	28-30
canning business in California	6-8; 73
Carnahan, H. L.	35; 47
Carr, William J.	47-48
Clarke, Robert M. (Judge)	47
Cryer, George E. (Mayor)	47; 61-62
Doherty, Frank P.	12; 17
Drake, E. B.	17
Earl, E. T.	24
Eshelman	35
Fellows, Fred	11
Flint, Frank P. (U.S. Senator)	47
Gates, Lee C.	19
Could, Tom (judge)	60
Hahn, Edwin F.	44-45
Harper	19-20
Harriman, Job	19-20
Hibben, Litta Belle (Mrs. Campbell)	13-14; 45-46
Hughes	33
Johnson, Hiram (Governor)	27-28; 31-33
Jones (Senator)	58-59

## PARTIAL INDEX TO CAMPBELL MANUSCRIPT (cont.)

Kellogg, W. K.	75-76
Langdon (Justice)	60
Lathrop, G. A.	3-4; 74
Lindley, Dr.	19-20
Lissner, Meyer	24-27
Los Angeles Bar Association	42-46; 54; 64-72
<u>Los Angeles Daily Tribune</u>	22-23
Matthews, W. B.	47
McBeth, Hugh	64-68
McLucas, Victor	44-45
Moneta Canning Company	8
Morton, Harold C.	12
Movement for Better Judges, 1920	43-45; 61-62
Neylan, John Francis	30-31
Owens, T. E.	12
Palmer, William J.	12
progressive movement	24-27
public utilities	51-52
Richardson, Friend (Governor)	34; 48-49; 55
Rolph, James	51
Rowell, Chester	23
<u>San Francisco Examiner</u>	36; 40-41; 46
Schenk, John W.	18; 20; 22
Shaw, Hartley (judge)	44-45
Shore, Edgerton	45
Shurtleff, Charles A.	49-51
Sproul, Joe (judge)	60
State Bar Act	50; 53-59

## PARTIAL INDEX TO CAMPBELL MANUSCRIPT (continued)

Stephens, Jess	41
Stephens, Wm. D. (Governor)	34-35; 44-45
Southern Pacific Railroad	17-18
Tolland, T. O.	44-45
University of Southern California Law School	8-10
Walker, Henry F.	12
Warren, Earl	34; 48; 61-63
Wilbur, Curtis D. (Judge)	14-16
York, Waldo M. (Judge)	10-11; 17-20; 45
Young, C. C. (Governor)	41-42; 46-61