INTERVIEW WITH JOHN D. VOELKER

Sponsored by Michigan Supreme Court Historical Society
Conducted by Roger F. Lane
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Topic 1: Justice Voelker talks about the books he has written (under the pseudonym Robert Traver), his family life in Ishpeming, and his educational and work background. His discusses his appointment to the Supreme Court in 1957 and the atmosphere and workings of the court

Justice Voelker:
I knew most of these guys. (referring to "Danny and the Boys".)

Mr. Lane:
Did you?

Justice Voelker:
Yeah, I was a kid, but there used to be characters all over. Characters are disappearing...local characters. They are out-talked by the T.V. and the rest of it. It's changed. They're hard to find. They're dead or something, but the real old local characters, you probably had them where you lived as a kid. The place was crawling with them when I was a kid, and I must have had a urge that I was attracted to them. They weren't teachers telling you to "shut up and study", and this and that. They were local characters of all kinds. Some of them were fanatics in a way, fanatics of booze and pick-a-nannies.

Mr. Lane:
How would you like to be Judge Souter down there in Congress? How would you like to go through the confirmation process? How would you have liked it when you were appointed back in...?

Justice Voelker:
I think I would have not taken it as well as he did or as calmly as he did. I probably would have had a judge, and I would have covered it with some "blank - blank" words. Take it and shove it.

Mr. Lane:
Can you imagine Charlie Feenstra sitting there in front of you and you're in the chair and the lights are bright and he is saying, "Now, Mr. Voelker, what is this you wrote in the book about 'Big Annie'? Would you kindly explain all of this to us again. We're trying to determine your fitness to be a judge." Can you imagine that?

Justice Voelker:
Yeah. This "Anatomy of a Murder" thing came out while I was on the bench. I had written it beforehand. I was a D.A. for fourteen years up here. "Oscar, the Attorney", we call it poetically in Michigan. One of the biggest copies east of the Mississippi and mixed lobbying, mining, God knows what, farming, this, that, and there were still Justices of the Peace in those days, some of whom couldn't even read, let alone speak English and I'd travel around these various counties, I mean townships...and what the Hell was I going to...

Mr. Lane:
Who are we talking about "what happened to the old characters and how they got crowded out by television" and you were recalling the way it was back in the 1940's and 1950's.

Justice Voelker:
That's right, and earlier. I mean, I'm an old guy. I'm 87...old F.A.R.Q.

Mr. Lane:
Do you know...I suppose you do...that you come out of the same law firm....that's just a sticker to reminder you of a guy's name...you come out the same law firm as Adlai Stevenson? Did you happen to cross paths with him? Was he there when you were?

Justice Voelker:
No. What law firm?

Mr. Lane:
Mayer, Meyer, Austrian and Platt. Adlai Stevenson was a...

Justice Voelker:
If I knew that, I had forgotten it because I was an admirer of his. He was an unusual candidate, an unusual guy.

Mr. Lane:
He may have been there before you came.

Justice Voelker:
He must have been.

Mr. Lane:
I got...

Justice Voelker:
Let's get this over with first. What's your name?

Mr. Lane:
Roger Lane.

Justice Voelker:
Let me try...Roger Lane...L-a-n-e...

Mr. Lane:
Correct.

Justice Voelker:
Some spell that L-a-i-n-e, it's like "Joann" or "Joanna", you know...Roger Lane. "To Brett Danielson from his friend, Roger Lane along with the best wishes"...I better, I tend to run on.

Mr. Lane:
That's all right.

Justice Voelker:
"Best wishes"...I won't get into the judge thing..."Roger Lane along with the best wishes of the author". How about that?

Mr. Lane:
Very good.

Justice Voelker:
Television, you see a show on that; the show is created, written by somebody, created by somebody, produced by somebody, I mean, it sounds too complicated for words. Everybody wants his name...

Mr. Lane:
And God help the man that wants to pick out the author. He might miss him when the cascade of 35 names comes on the screen.

Justice Voelker:
Well, the very fact that there are so many hands in it is telling you that it must be...it would be a miracle if the story were intelligible at all. It takes one person, I guess, to really spin a yarn that tells a story, I guess. I don't know.

Mr. Lane:
Well, that's the wonder of mankind in our civilization, the product of one man, not a committee, but one man can do what you do.

Justice Voelker:
That's right. An accident...I learned to spell and my parents were mixed. My mother came here as a music teacher in the public schools.

Mr. Lane:
To Ishpeming?

Justice Voelker:
She was from away. Her background...her maiden name was Traver which I took when I began spinning yarns. I was D.A. than and I thought it might be a little "im-politic" or the voters would think that the busy D.A. was spinning yarns on taxpayers' time, so that's how I happened to get this Traver name and finally, I was stuck with it.

Mr. Lane:
When was that first...when was that "Northwoods D.A"....when was that book published? Do you remember?

Justice Voelker:
That was my third book after "Danny". The first one was "Troubleshooter". I wrote two D.A. books and some day, I expect they will be on television because this is a devouring world, television is. They'll get to it. CBS once had it right up to a deal but somebody found some swear words..."Oh, my goodness", and it didn't...and there are still grumblings. Most of my books are out of print. A couple of the fishing books are still. There was a picture book, a fishing book...do you remember that?

Mr. Lane:
Was that "Laughing Whitefish"? No, no, that was...

Justice Voelker:
"Anatomy of a Fisherman"...picture, like an old time life photographer called Kelley. It was his idea and I guess picture books are expensive to print now days, like everything else.

Mr. Lane:
They are. You know, there has been a transformation in the whole publishing business. You talk about being out of print, well, that's the way.

Justice Voelker:
Not all to the good, by the way. I mean, publishing contracts now, the publisher tells you what...you allow your book to be published on his terms. I mean, it used to be a certain percentage of this, that and the other thing of subsidiary rights. St Martins Press that published "Anatomy of a Murder" had but 15% of the movie rights cut on my take of the movie rights.

Mr. Lane:
Is that right?

Justice Voelker:
Now it's 50% on any contract that I've signed since then, and I think they're right. If a book isn't published, there aren't going to be many subsidiary rights from it, so the publisher who brought it out has some argument for the birth, I guess.

Mr. Lane:
He's the mid-wife.

Justice Voelker:
That's right. Let's see..."John Voelker" Anyway, she met a small saloon keeper with a German name who apparently fascinated her and they married, and I'm the youngest of six sons. He was a widower then with three sons. I am the youngest of the six and the last.

Mr. Lane:
Was he a saloon keeper here in Ishpeming or somewhere else?

Justice Voelker:
Ishpeming.

Mr. Lane:
So your whole life from birth on relates to this place.

Justice Voelker:
I was born in town in an old frame house that is still there but we rent it so that we don't have to tear it down, and it pays the taxes. It is a block from the Carnegie Public Library.

Mr. Lane:
Is that right on the main road now, or...?

Justice Voelker:
No, Barnum Street. And as a kid, my mother taught me to go to the library and read, read, read, and I think reading is one of the best ways to educate kids that there is...reading ...communication of other people over the years. Not that I started out with high falluting authors. I went through the Rober Boys and Algier stories and this, that but I have been reading, and I got a little familiar with using words, not judicial words. I think, as you know, one of the problems with judicial opinions...so may of them are so God damn unreadable.

Mr. Lane:
They're written for their author and a couple lawyers, not the populace.

Justice Voelker:
Part of it is inevitable. I mean, these phrases and idioms and judicial talk have now been interpreted so long that you stand...if you try to re-phrase it in plain English, you're liable to lose your case and your client. You've got to use some of this...well, the bottom line parameter. I mean, there's a lot of...the way politicians talk...a good deal of the law, opinions have been. I think the bar, as you know...Fred Baker said he's a good friend of yours...

Mr. Lane:
Right.

Justice Voelker:
...and he is interested in, I guess, tried to ease legal and judicial English.

Mr. Lane:
He is. You know, he is, as you undoubtedly know, the main force in the Michigan Bar Journal and there has been an attempt in recent years to...

Justice Voelker:
He is a very interesting guy and it's encouraging to see a young lawyer like him. Shall I date it?

Mr. Lane:
Why don't you.

Justice Voelker:
Is this October 1st?

Mr. Lane:
The first of October.

Justice Voelker:
I could say U.P. - or bust. I put on my old car "U.P or bust" years ago.

Mr. Lane:
Tell me, how did you ever happen to run for public office the first time and what was the year? Do you remember? Was it when you ran for prosecutor the first time? Was that your first public office try?

Justice Voelker:
I'll get to it. "October 1st, A.D., Ishpeming".

Mr. Lane:
Do you want me to take that from you? Are you through with it now?

Justice Voelker:
Yeah.

Mr. Lane:
Okay. I'll just drop it over here.

Justice Voelker:
Do you want this?

Mr. Lane:
No, that was just for helpers.

Justice Voelker:
I know.

Mr. Lane:
You'd come up from Chicago and that would have been...

Justice Voelker:
The reason I was in Chicago...I met a girl, this lady. Is she here? Did you speak with Grace?

Mr. Lane:
Oh, yes. At the door, right.

Justice Voelker:
I met her in my senior year in law school. I mean, we breed race horses with great care and all this, but romance...love. So, she was from Illinois, Oak Park down near Chicago. Here I was a cynical senior in law school, you know, the top...at the Crease Dance at the Quad [unclear] . It wasn't a law school then. The law school was still further down State Street. It was the Law Club which has since become the Law School and the whole works. Anyway, I graduated and came up here and worked as Assistant D.A. for a while for the prosecutor, an excellent prosecutor for his time, a fire-ball of a lawyer, a Mike Wallace prosecutor. There aren't many. I never was that way, but he was and it was his way, and he was damn good at it.

Mr. Lane:
Did you succeed him? Did he drop out or go somewhere else and then you ran for his spot? Is that the way it worked?

Justice Voelker:
Yeah, he ran for Congress on the Republican ticket. This was in the F.D.R. days, early "New Deal" and up here, the unions were sprouting and this, that and the other thing. He was defeated, and he moved west, and I think ran out there. He was a terrific guy, and I say part of his problem - he was naturally Republican when he started, but he was not a conservative Republican. He was a fire-ball of a guy, his own ideas, but he couldn't very well turn back then. He was marked, I mean, the Republican candidate. Anyway, I left there and went to Chicago and married the girl, and I didn't know it when the chemistry began in Ann Arbor that her father happened to be in one of the big downtown banks. I did not know that. Well, it worked out that he waved a wand and Adlai Stevenson's law firm gave me a job as a peasant back in the "bull pen", we called it, where the young lawyers stayed, four or five of us in one big room. I stayed there about three years. One thing I learned was how to look up law. A lot of young lawyers...I don't know, but at that time, we didn't have much experience in looking up law, chasing down a theory or a case or whatever, and finally I learned that I didn't like city. I still don't. I hate to even see them. I think they are uninhabitable. That's a large...and more and more, the proof is coming on that this may be true. Strangers colliding with each other and now they found guns and drugs and God knows what. Not that there isn't drugs and crimes in smaller communities, but at least you can get the

Hell away from the crowd. I can. I have a little camp on a pond here. It's only a few miles from my big airport, K.I. Sawyer Airport but when I get there, I'm the Hell and gone away from the crowd. There is still trees, bears and deer, and foxes and not many wolves anymore, but I used to see them. I had to come home, and I ran for D.A., and I ran on F.D.R.'s ticket.

Mr. Lane:
Would that be in 1934? Do you remember...1936 or right around there?

Justice Voelker:
1934. Oh, wait a minute. When was Roosevelt, in 1932?

Mr. Lane:
He was first elected in 1932, but...

Justice Voelker:
Yeah, it was 1934, I ran as D.A. and with a big bunch of candidates for the nomination. There were two or three on each ticket. It happened that I was the only one that happened to be born and raised here.

Mr. Lane:
The others were carpet-baggers, were they?

Justice Voelker:
Well, they were...I mean, they were kids that moved in. I don't say it clinically, but it happened that I was the only one, and I used that. Campaigning was different then. You went around and visited the voters. You went to the mines, here, there, the corset factory in wherever the Hell, and you had meetings in townships, and you communicated with the voters instead of speaking into a microphone on television accusing your opponents of eating crackers in bed and similar crummy charges. I am quoting from something I wrote recently.

Mr. Lane:
"Press the flesh" - who was it that talked about "pressing the flesh"?

Justice Voelker:
I forget. I remember the phrase.

Mr. Lane:
Well, that's what you're talking about, isn't it? Hand-to-hand contact.

Justice Voelker:
I did it for fourteen years and finally, I was beaten by a young kid that never tried a case...never tried a case.

Mr. Lane:
What were the circumstances of that?

Justice Voelker:
Well, it was a...I mean, there are local and state...I mean, politics is fluid. It isn't only a personal race. It is sometimes swayed by this, that, or...

Mr. Lane:
Would that have been 1948? Would that have been the time of the Republican high expectations because...

Justice Voelker:
Maybe so. It was 1950. I lost by seven votes, and I thought, "Well, a recount", and then I finally realized that I wanted out, but by then, I had three children. Two of them were in college, and between my fishing and yarn spinning and D.A.'ing, I didn't have much time to build a private practice.

Mr. Lane:
Had you benefitted financially from any of your writings at that time?

Justice Voelker:
No.

Mr. Lane:
You were then sort of on your "uppers", right?

Justice Voelker:
I had three books, two D.A. and the "Danny" books that had appeared and been respectfully, you know, not clobbered by the critics, but they died a natural death like most books...then, at least. And so I tried...let's see...

Mr. Lane:
That would have been...

Justice Voelker:
Oh, wait a minute. I'm trying to...

Mr. Lane:
Was it 1950?

Justice Voelker:
This was in the 1950's, and I tried. Oh, I ran for Congress.

Mr. Lane:
You ran against Frank Hook one time, didn't you?

Justice Voelker:
For the nomination, yeah.

Mr. Lane:
He was a well-known fella up here, wasn't he?

Justice Voelker:
He was a well-known guy that was losing to somebody called Bennett.

Mr. Lane:
Oh.

Justice Voelker:
John Bennett.

Mr. Lane:
That was a Republican, right?

Justice Voelker:
That's right, and there was a trend towards the Republicans, and I thought maybe I might be able to take Bennett because Hook had problems including booze and a few other problems. I didn't make it, so then I tried...this was after the war, the uranium looking - there was supposed to be uranium up here. They found some in Canada, so I bought a Geiger counter on 18 easy payments, you know, and three of us went out and I found a mountain of thorium. For a week, we were billionaires. A mountain sent the Geiger just squeaking, squealing, except that the people came out from Washington, you know, authorities, and they said, told us, "Yes, it is radioactive" and "Yes, it can do everything else Thorium can but our system is geared to uranium". In other words, we were going to blow ourselves up with Thorium...uranium instead of Thorium, so that failed, Congress failed and then came a trial, and the trial is what I wrote about in "The Young D.A.", defendant...he had little experience in court, so he got a well-experienced Assistant Attorney General up from Lansing to help him, and that's it.

Mr. Lane:
Now, you were the defense lawyer in that trial?

Justice Voelker:
I was, and it's pretty much the story of the trial. There are some slight changes. For one thing, I didn't have an older lawyer who was looking up this, that and the other thing. When I needed somebody to talked to, a run of...you know, to help ..., I needed someone, I forget his name, McCarthy or something, I called him.

Mr. Lane:
Now, what happened between the time of that trial and when you were tapped by Williams to the court? Was there some connection there? Was the trial so...

Justice Voelker:
No, the book was accepted and published, accepted but not quite out and the Williams thing intervened. I mean, after losing to Congress and finding a mountain of Thorium, things changed a little, and I got this case that gave me. I mean, I read a lot of books about trials, but here was an

old battered D.A. that had been through a dandy and finally...this guy from Lansing was terrific. He's pretty much as I write it. He was a terrific trial lawyer, almost too good for his case. I mean, he wanted to win, and you've read the book...trying to keep the rape out and the fact that the lady was beaten to Hell. Really, the guy that was the interesting one in that case was the deceased. Why did he do this? What the Hell did he think would happen if he beat up and raped the wife of a veteran?

Mr. Lane:
Was he in a drunken rage or was he psychotic or what?

Justice Voelker:
I really don't know...don't know. I know the guy. He was an ex...I didn't put this in, but he was an ex-State policeman. He was a terrific officer. When he handed you a case, it was closed. He had a confession and everything. I am beginning to see that he probably got that confession. He was a terrific cop and he retired and ran this hotel-bar in just a little town. That's how I...really, the case and the book probably, well, it helped get the kids through school.

Mr. Lane:
Did it...somehow, it was a...

Justice Voelker:
It became a best-seller before the movie.

Mr. Lane:
Right, I remember that, but I'm trying to see if there is any connection between the book and your trial and the fact that you were somehow captive long-distance for the Supreme Court opening when it came. Now, what was the magic there that you were chosen? You see, this could have been a lawyer from Detroit with a lot of political clout and money. It could have been people that...

Justice Voelker:
There was a down-state lawyer that was being...I heard not so much then as later. He was already on the Federal bench, I think..Federal District Court bench, and anyway, he became ill, and it was a question of...they needed another judge, and so they settled on Voelker, and I don't know. Perhaps because I was a best-seller.

Mr. Lane:
But not then. You hadn't made it then, had you?

Justice Voelker:
By then, it was well-known that I could speak, spell, fish or "cat without a 'K'".

Mr. Lane:
Let me ask you a specific question about something I heard on the politics of this. Now, I was told one time that when you were being checked out for this job that Zolton Ferency and Gus

Scholle were sent up here to look down your throat and see whether you were a proper candidate for this honor. Is that right?

Justice Voelker:
I don't know, but I knew both of them. I got to know Gus rather well. He was an interesting man.

Mr. Lane:
Hell of a man, really.

Justice Voelker:
Yeah, and married to a very interesting daughter of an English laborer man. I forget the names now, but Gus Scholle was an interesting guy, and I got to know him, and Ferency was Ferency. I guess they were checking me out to see if I could speak English a little, and so forth and so on. I luckily got to know Phil Hart. I admired him very much. We took a ride campaigning once and talked a lot, not so much about politics, but many other, many things.

Mr. Lane:
He was one of God's nobleman, wasn't he?

Justice Voelker:
Yeah, he was a terrific person.

Mr. Lane:
Family of eight kids and a magnificent personality.

Justice Voelker:
He was. Politics was so exciting back then. You know, we had Soapy and Phil Hart. I mean, it was an exciting time. I was...well, I was maturing, wasn't any longer a young lawyer, but I was in my mid-50's when I was appointed to the court. It was 1957, I would be 54, I guess.

Mr. Lane:
I would like to ask you something that may seem so stupid in the simplicity to you, but with the passage of years, I think what you've got to say on this subject would be very, very interesting to the people that examine into the court and the judicial process. What I would like to have you do is to recall in some detail exactly what it was that you walked into when you accepted that appointment. You went down to Lansing. I would like to know if you can remember, for example, where you slept. How many days in a row you were there? Did you have a secretary? Did you write your opinions in your green pen on long paper? Did you have a law clerk? How did you decide these things? Did the A.W. get around a big table on the third floor down there?

Justice Voelker:
We had conferences.

Mr. Lane:
Do you remember...

Justice Voelker:
What happened was...I don't know if it still happens, but at that time, there was no Interim Appellate Court, and the court was very busy with mixed cases, a lot of them the equivalent of bent fender cases. I mean, we were getting the full rush from Circuit trial courts and at this time, there was apparently a conservative-liberal feeling all over the country, apparently, and when I was appointed...let's see, there was George Edwards and Smith..

Mr. Lane:
Talbot Smith, right.

Justice Voelker:
Talbot Smith. I know Edwards well and knew Talbot well.

Mr. Lane:
Gene Black...

Justice Voelker:
Gene Black, and there was one other. Some of them...it was a chaotic time for me, I mean, a best-seller, a movie, two campaigns. It's a wonder, in a way, that I survived the bloomin' thing.

Mr. Lane:
Do you remember, for example, what time of the day that your meetings started and how many of them there were, and were there...

Justice Voelker:
We had a meeting place...we had a room of our own, and we would meet and go over the cases. It was...what was the court, eight then or nine?

Mr. Lane:
Eight, right.

Justice Voelker:
Well, I think it was about five and three, the liberal. In other words, at the time I sat there, the court was mostly inclined to be liberal.

Mr. Lane:
You were said in the newspapers at the time to be the tilt vote, that is, you made the fifth for liberal interpretation of the Workers Comp. laws and that sort of thing.

Justice Voelker:
Yeah, there was a lot of decisions. You might have heard of a nudist case, too. I wrote a decision on that and John Dethmers was an old friend of mine from law school days, was the Chief Justice at that time, and a good Holland-Dutch conservative, and John and I disagreed on a lot of things, even though we remained friends, and...

Mr. Lane:
You know, I went over a lot of the cases in your time trying to get a feel, you know, of what we're talking about, and one of the things that struck me, and I would like your thoughts on this subject, was that even though you had a split philosophically, time after time after time, cases that you wrote, that came to you to prepare were either unanimous or if they were not unanimous, there were be concurrent end result. There was not the kind of sharp, bitter antagonism evident at that time in my observation that later came to tear that court apart in figurative terms. Do you have any observation or recollection of this?

Justice Voelker:
Well, I think that we tried to keep it that way. I mean, I was personally and socially more acquainted with the liberal judges. There was an old judge...once in a while, if I dissented from an opinion, I dissented with the most conservative judge.

Mr. Lane:
I noticed that.

Justice Voelker:
I forget his name...he was an old judge.

Mr. Lane:
It wasn't Carr, was it?

Justice Voelker:
Yeah, Carr.

Mr. Lane:
You were with Carr on a fair number of cases. He was...

Justice Voelker:
He was a shrewd, smart lawyer.

Mr. Lane:
And a good judge, right?

Justice Voelker:
And a good judge. He was a good...he was an old-time judge. He followed the old order pretty well, you know, and...

Mr. Lane:
Did you know that he ran an informal law school at night?

Justice Voelker:
Yes, I did know that.

Mr. Lane:
Back when you could read law, you know, and get your...

Justice Voelker:
I was quite taken with him although he never became...I mean, he was considerably older and he was a kind of a figure on a cliff, a legal kind of Justice Holmes of the Michigan Court, and...

Mr. Lane:
You and Black were very close, were you not?

Justice Voelker:
Yes, we were.

Mr. Lane:
What did you feel, a certain chemistry or how do you explain your...?

Justice Voelker:
Well, I think part of it was gratitude. I think he had a large part. I do not yet really know. I think he had a large part when this other judge became ill that was going to be appointed in seeing that I got appointed. We had met each other before there was even any notion that I might be on the court. We had known each other. He was an interesting guy.

Mr. Lane:
But you were together on a lot of cases. You concurred in his dissents, or he...or the other way around, although he was more of a...

Justice Voelker:
Let me switch to something and tell you a little about Gene Black.

Mr. Lane:
Let me turn this thing over just a minute...

End of side 1, tape 1

Topic 2: Justice Voelker talks about the election of 1957 against Joseph Moynihan, Jr. and case experiences as a District Attorney, and then he reads a selection from his book, Laughing Whitefish, describing the Supreme Court room. He discusses the election of 1957 and his resignation from the Supreme Court, decision making on the court, and the case of People vs. Hildabridle concerning a nudist camp

Mr. Lane:
That's all there is to it.

Justice Voelker:
I told you earlier that I ran twice in a year so state-wide was in those days, and it may still be, the

state...most of the judges are elected on non-partisan tickets as is the Supreme Court but oddly enough, for some reason, in its wisdom, the legislature provided that the Supreme Court justices should be nominated by political parties. I was nominated by the Democratic Party of Michigan and my opponent, my second opponent was nominated by the Republicans, and he was the young Irishman whose name I cannot remember, but the records have it.

Mr. Lane:
Moynihan.

Justice Voelker:
What is it?

Mr. Lane:
Moynihan.

Justice Voelker:
Oh, my God.

Mr. Lane:
You remember that, don't you? Joe Moynihan.

Justice Voelker:
Junior.

Mr. Lane:
Yeah, Junior.

Justice Voelker:
Junior...all right, so he was from Wayne County which was, of course, the biggest voting bloc in the state and so I moved down there to campaign and lived some place. I discovered later that it was a party motel, I guess. I don't know. Anyway, I stayed at some joint. That didn't get out, but I guess you could even park there for a few hours with a lady, but I didn't know. I had a room near downtown anyway, and I was campaigning, and then the ballots came out and I'll have to check on this, but my recollection is that Moynihan's father was an old Circuit judge that had been elected and re-elected automatically for years.

Mr. Lane:
Exactly correct.

Justice Voelker:
He was, you know...

Mr. Lane:
A fixture.

Justice Voelker:
A fixture in Wayne County politics and so part of my problem was to be running against his son, Joe Moynihan, Jr. Well, that was enough of a problem in itself...this name. The "Old Saint's" son was running against this guy Traver from up-state, or Voelker, rather. Then the ballots came out and of course, for some reason that I still don't know, the ballots read "Joseph Moynihan", no "Junior", although the lawyer...that my opponent was listed in the Bar Journal, and this, that, and the telephone books as "Joseph Moynihan, Jr.". He was a young lawyer, I guess, in Detroit, or a youngish lawyer. Anyway, it...what to do. I had to do something. I had no proof that it was shenanigans. It looked bad, but I had to do something, and I conferred with Gene Black. He said, "This is very serious". He knew the Moynihan situation better than I did, what a revered figure the old man was, the "old gentleman", should I say. I called a press conference after talking with Gene, and there were reporters there and Bar Association, State Bar, Representative "this", Ladies Bar and blah, blah...a big crowd, and we met, I forget where, and I got up and I said, "I have a statement to make about the election". I said, "I thought I was running against an opponent called Joseph Moynihan, Jr.", and so I ask my opponent to explain, if he can, "how come Junior showed up at the Republican convention to be nominated but Daddy showed up on the ballot. Thank you. Goodbye."... and I walked out, and that apparently did it with the help of a best-seller and God knows what. I think I carried Wayne County.

Mr. Lane:
Do you? I was going to ask that.

Justice Voelker:
I...you'd have to check it, but anyway, I won, and of course, I don't...can't say it was that conference. There were many other things including the book best-seller, movies, nightshirts, and...

Mr. Lane:
That was the short campaign in 1957, right?

Justice Voelker:
I guess it was the second one, yeah.

Mr. Lane:
A short time after you had gone to court, three months or something like that.

Justice Voelker:
And I...what most of the candidates did was go from factory to General Motors and hand out cards, but I certainly discovered that while Soapy, with his 6'9" and his polka-dot bow tie could pass around the cards and they wouldn't throw them away, they were throwing my cards away almost before I handed them, and I finally said to myself, "This is a waste of time. These people are so God-damned tired when they come out of work, they don't know me and they don't give a damn. This isn't a campaign". So anyway, I had two young guys that were helping...two young lawyers.

Mr. Lane:
Who were they? Do you remember by name?

Justice Voelker:
Bill Ellman and Damann Keith.

Mr. Lane:
Two young lawyers. Well, one of them...

Justice Voelker:
They were then two young lawyers. One had a brother called...the writer, you know...yeah, Joyce, and anyway, we went campaigning elsewhere and especially with Damann among the Blacks...Black churches.

Mr. Lane:
Was he a judge at that time or was he just a young lawyer?

Justice Voelker:
Young lawyer.

Mr. Lane:
And Ellman was...that was Bill Ellman?

Justice Voelker:
Bill Ellman, and his brother was the writer...a well-known writer that has since died, and I've corresponded with him. I have met Ellman's parents during this time. They were dear, old Jewish couple, smart, lovely people. The father was a lawyer, I guess, but he should have been a poet or something, I mean, a dreamy lawyer. There are a lot of people that drift into law that should be picking apples or writing poems or some damn thing. It's like boxing. You see guys in a boxing ring. They're big, heavy, powerful guys, but they haven't learned...they shouldn't...they're in the wrong work. They don't fight back. If you're in the ring fighting to save yourself and your getting sat on your kiester, you'd better fight back, and you can almost see it. There is similarity there.

Mr. Lane:
You showed some of that feistiness, I thought, in a couple of your opinions. Do you remember the dissent that you wrote on the Sunday sales ordinance in Flint where the furniture companies were refused the right to open up on Sunday by the local councilmen? In fact, you made in one footnote...you, I think in that case, you talked about the "rule of unassailability of alter manic decision" or something like that. Do you remember that case?

Justice Voelker:
Yeah, vaguely, I do.

Mr. Lane:
You let them have it, I'll tell you. You don't remember that perhaps that there was an 1845 statute

that preempted the whole feel, and you said you couldn't do anything on a Sunday. You couldn't brush your teeth on a Sunday without a permit.

Justice Voelker:
You'd have to make that Ziegler now, too. God help us. It was a wonderful, wonderful time.

Mr. Lane:
Do you remember Hildabridle? Do you remember that case?

Justice Voelker:
Yeah, that...vaguely.

Mr. Lane:
That was the nudist camp.

Justice Voelker:
Was it? Yeah, I sure remember that. That was a direct...I mean, I was...the prevailing decision, the main decision was made by my friend, John Dethmers, the Chief Justice, and I had to...so, I was an old D.A....

Mr. Lane:
You pulled out all the stops on that one.

Justice Voelker:
Yeah, I can remember that we...when I was D.A. and for years before, we had this whore lady in the county...what was it?

Mr. Lane:
"Big Annie".

Justice Voelker:
Yeah, "Big Annie", and we talked about it, the sheriff and the officers I dealt with. She was a safety valve in the community. It was better to have "Big Annie", but then one of "Big Annie's" girls began distributing...not syphilis...gonorrhea, and it got so that it was affecting the mines. She was apparently a busy girl, and there were a lot of miners that were floored by going to "Big Annie", so I called in the chief of the county and I said, "Chief, something's got to be done here. Would you pass the word to 'Big Annie' to call this girl out? Either have her cured or get on vacation. This has got to stop." I mean, it was affecting the mining, it was getting that bad, and he came back in about an hour. "'Big Annie' told me to tell you to go piss up a hemp rope." "Well, all right," I said, "that's direct talk. Here's what I want you to do. I want you to station a man"...she had an upstairs entrance, a long flight of wooden stairs behind a tavern downstairs..."station a man at her...a cop, a uniformed cop at the downstairs entrance night and day. We've got to do it, Arnie. We've got to, and have him with a notebook and every time someone leaves or enters, have him write his own name...the officer's name in the notebook and then close the notebook. If you notice a guy, person, you know, 'Good Morning', 'Good Night'". In three days began, she surrendered. Well, in fact, she quit. I forget the details, but it worked.

Mr. Lane:
That's the old-fashioned remedies. You know, like when the kid would get constipated, in the olden days, there was always some pretty easy way to fix it without going through all the doctors and...

Justice Voelker:
Yeah, yeah.

Mr. Lane:
Who was the police chief? Do you remember? Was he a good old guy to work with?

Justice Voelker:
Yeah, he was a good man to work with. I was very lucky. I had some damn good cops. I am not talking politically. The county was mixed. I had...during the strike, during the big strike in the 1940's, the mid-1940's I guess it was, there was a Hell of a strike. They settled it nationally, but it kept on up here, and we met, police chief, sheriffs, deputies, State police, and I said, "Look, pinch everybody that's around, company or union. Pinch them. If there's a fight, or this or that, if somebody commits what appears to be a crime, pinch them and if it is bailable, bail them out and we'll pile them out", I said, "If we don't, we're going to have the National Guard in here". That was the story of the Upper Peninsula for years and years. It was the way to break strike, call the National Guard. I said, "We've got to be playing...no company playing or union playing...pinch anybody that commits...". Well, the pinches piled up, the cases piled up, bail bound over to the "pooh-pooh" term of court. It was summer vacation and what happened? They settled the strike, finally, the local strike. The State police hailed me down one day in my car. I happened to be going fishing, of all things. What a coincidence. They said, "Mr. Prosecutor, they settled the strike, but they want to know if you'll agree to dismiss the cases, all the cases". Well, I said, "I can't do that. Some of them are felonies. Some of them are damn serious. But you can bring the word back that if Judge Bell agrees to this idea, I won't oppose it. I won't fight it", and there are still families that are split up from that very strike. There were company guys that were leading what they used to call "scabs", you know, and this was really rough and tumble, so the cases weren't dismissed.

Mr. Lane:
Now, were those in the iron mines or was this a copper mining strike? This is iron around here...

Justice Voelker:
No, this involved the big...I don't know, I think it was the United Mine Workers, but it was bigger. It was a national strike that got settled nationally, but hung over here for some reason, and I forget...there's a lot of stuff that I forget. Can I give you a short reading, Sir?

Mr. Lane:
You bet. I'd be delighted, honored.

Justice Voelker:
Have you read a book called, "Laughing Whitefish"?

Mr. Lane:
Have not read that one, no.

Justice Voelker:
Well, it involved a law suit over iron ore and finally got into the Michigan Supreme Court, and I wrote a story about it called "Laughing Whitefish" that did not become a best-seller or a movie...once in a lifetime, and I tried to describe the old...this was back in the 1870's or 1880's, years ago in Lansing, and I had heard that the court that I sat in pretty much...I don't know if it was the same court or...it had been there for years, in the old capitol building. I guess they've moved since, have they?

Mr. Lane:
That's correct. On the third floor of the old capitol building, the court took up in 1878, I think, and it sat there until 1970.

Justice Voelker:
On chapter 28, page 273 of this volume...I tried to describe the court that I knew..."The ancient Supreme Court chamber on the third floor of the domed capital building in Lansing looked more like the inside of an eccentric old church than a court room. Worn red carpeting covered every inch of the creaking floor. Ill-assorted chairs lined the walls on both sides supplementing the plain, high-backed wooden benches that looked rather more like uncomfortable pews of some austere religious sect. A faded flag hung inert and listless from a floor stand near the court crier's wooden cubicle and huge, dusty portraits of bearded, by-gone judges, ceiling mostly roses,staring cataleptic eyes peering out from great thickets of whiskers and billowy yards of black felt robing, lined the walls like the forbidding images of obscure and vanished saints." That's one picture of the court that I remember.

Mr. Lane:
The surroundings are, to me, very familiar. Now you're talking about the court room itself, right?

Justice Voelker:
Yeah, and I used to sit on the end, I think, of the Chief Justices in the middle. I sat at one end and I could look out...it was a stuffy court room and in the summer, there were elms there, and I would look out at those elms and hear the birds and sometimes wonder if I could find a rope to get the Hell out of there.

Mr. Lane:
That would have been the left end of the bench, would it not?

Justice Voelker:
Yeah. I would be on the ..., the right, but...

Mr. Lane:
Away from the building interior and where the windows were, over on the south exposure...

Justice Voelker:
I was where the judges sat which was damn close to one end...the extreme end of the building, the back end of the room, I mean. There is more, but that...

Mr. Lane:
Go ahead, read some more of it...

Justice Voelker:
"It was an unreasonably hot morning in mid-June and kind of sticky antiverting heat one rarely encounters farther north. Several of the tall windows of the court room had been cautiously raised, supported by most unappeachable authority, bound volumes of Michigan Law Report, and some of the reaching, leafy branches of the stately Capital elms seemed almost to nod in our laps". Are those elms still there?

Mr. Lane:
There are a good many. Now, they've, you know, tied them with steel bars and wires and they preserved as many as possible, and there are a good number of them.

Justice Voelker:
"Birds twitted and squirrels scolded noisily with a fine contempt of court and occasionally from far below, I could hear the distant clapping of a horse's hooves along the cobbled streets"...a little historic "poo-poo". It goes on and on.

Mr. Lane:
You know, the reason that I wanted to get your recollections on the particulars of how you went about deciding these cases is that...

Justice Voelker:
I must interrupt. At my age, I get attacks of urinalysis.

Mr. Lane:
Well, I think we all do.

Justice Voelker:
There's one in there around the...I'll be back

Interruption in tape

Justice Voelker:
...and if you had three weeks. I'll tell you something.

Mr. Lane:
You know, if you would pick up...you know how the books are bound...Michigan Reports. I brought up 347 to 358 just in case there might be some occasion that you want to look at one of those things or refresh your memory or read some of it, and if you would look in the front of one of those books, you know, it has the names of all the incumbent justices and the end of their term, who is the clerk and that's about it. If you would pick up the most recent issue of the

Michigan Reports, before '40 or something like that, you'd see the names of the members of the court and you would also discover that there are listed maybe 15 commissioners and there are some others, assistant clerk and that sort of stuff and the crier, and I just wondered if you realized the enormous difference in the fabric of the Supreme Court as it is structured today as against the time when you sat there. That's why I wanted to encourage you to talk about what you remembered, you know, what kind of a table it was. What did you do when you needed to get a copy of something? You didn't have any copiers. You didn't have a law clerk, did you? Did you have a secretary at your side all the time?

Justice Voelker:
Not down there. I had a clerk and an assistant up here. Down there, I was kind of on my own. It was very old-fashioned and slow.

Mr. Lane:
Do you remember the phrase "window matters" and where that came from?

Justice Voelker:
No.

Mr. Lane:
"Window matters" were...they got their name because the record was put on the window sill. They didn't have another place to put it, and these were, as I recall, motion cases where, for example, there was a motion for a stay or there was an application for leave of something like that where the case wasn't through the first door, you know, you weren't entertaining the thing in a plenary sense, and I suspect those were the only copies of the record, and you had to...

Justice Voelker:
I have forgotten a lot of the mechanics of the court. I do remember that it was a busy, trying...and an almost exalting experience. I mean, here's a country lawyer that finally found himself on the state's top court and I doubt that I'd even seen the room before and here I was sitting in it in a black night shirt, trying to look judicial. I wouldn't have missed it, and I wouldn't want to go through it again.

Mr. Lane:
When it came time in 1959 for you to go through another campaign, do you remember what the circumstances were? You were later...some of the Republican senators got on your case and criticized you for running, winning an eight-year term...

Justice Voelker:
And resigning.

Mr. Lane:
Yes. Now, what do you recall about that part of your career?

Justice Voelker:
I discovered that...I decided that my life was getting so complicated, what with writing and

movies and best-sellers and the best-seller...I mean, that doesn't happen to a lot of old, experienced writers and here was an ex-D.A. with a national best-seller and all this hoopla and Johnny Carson calling and this one "come and see us", and I was going through that, too. I went through it...I probably wouldn't again, but that was the way it was. I decided that I'd better...well, one thing, my old circuit judge told me after this...or did he live into...my old circuit judge, Judge Bell, was an old friend. We became friends, and he was an old woodsman. We fished...I'd take him fishing. I mean, we liked each other, kind of a rare thing to like your city judge, and when he retired, I would go and visit him at his house, and wind up with a bit of Bourbon, maybe.

Mr. Lane:
Old "court-wood", maybe?

Justice Voelker:
Yeah, I forget, and he told me about the case. It was actually three cases that made up "Laughing Whitefish", the book...I guess you haven't read it.

Mr. Lane:
No.

Justice Voelker:
It's really a historical novel or as one reviewer said, "hysterical", which made me laugh, "ha, ha". It's the only one I ever wrote I did a lot of research on it, and I wanted to write it but no time. It was too busy. You still didn't have the Interim Appellate Court, busier than Hell. The Supreme Court job was the busiest job I ever had in my life and up here during strikes and things, it was pretty busy being D.A., and the pressure was too much and I could afford finally...I mean, some guys work at things they hate because they cannot afford not to...they have families and responsibilities. I could afford not to, and I figured that while, as I wrote Soapy finally when I would resign, "I'm sorry, Governor, but while other men may write my opinions, they can scarcely write my books. Goodbye and thank you". And I miss Soapy and I'm saddened that he's dead. He was quite a man.

Mr. Lane:
He was, and he lived a long, full life, really.

Justice Voelker:
Yes, he did. He did.

Mr. Lane:
Do you recall in the spring? In those days, in those times, the Supreme Court justices were elected in the spring election, were they not?

Justice Voelker:
That was right.

Mr. Lane:
So you ran, let's say, in April or...

Justice Voelker:
I think, even in May.

Mr. Lane:
...for an eight year term that was to start after the year had ended, correct? Your term that you were running for in those times didn't start until...

Justice Voelker:
I think it was the June. We had four...roughly four terms, and there was a June...that was the longest period. There was a fall term, the winter term, the Christmas term, the early spring term, the summer term, I guess. There were roughly four terms, and...

Mr. Lane:
How long would you spend in Lansing during those...?

Justice Voelker:
I got out of Lansing as fast as I could.

Mr. Lane:
I mean, would that be a matter of a few weeks though, or longer?

Justice Voelker:
Well, yeah...we had to get down there, I mean, before the court started. We reviewed the cases and things that were coming up. They weren't all big cases. There were motions and God knows what.

Mr. Lane:
How did you travel in those days? Did you travel by car or by train?

Justice Voelker:
Well, I think there were still a few trains, but I drove a lot, and I remember coming home in a snow storm from Lansing and landing at the straits and wanting to get home, and driving in a blinding snow storm. The only way I could see the road was to see the banks that the plows had left. I could not see the road and still, I made it. It was almost suicidal, crazy to do, but I got home. I figured that this sort of thing had got to stop. I knew that I didn't want to spend any more time in Lansing than was necessary. I wanted to get home to my family and my back roads and fishing, and all the things that really count, sir...no, I'm kidding.

Mr. Lane:
You know, getting back to your cases, in the magic of modern technology, you know, they can...you spit certain things into the machine, and they'll bring up all the titles. You know that, I guess.

Justice Voelker:
I guess so.

Mr. Lane:
And I got all your dissents and all the cases that you wrote majority opinions in, and it is interesting to me that the way it came out was that you were the author of 94 opinions, at least by what this computer scan shows, and you were listed as a dissenter in only 14 cases, of which you must have written probably six or seven and concurred in dissents in other cases. Now, what I see in this and what I'd like to call your attention to is that there were about six cases that you wrote, you were the author of those cases...to every one where you found it necessary to be recorded as against the majority. I did the same thing for Justice Lindemer who served back in '76, and he came out an even number, I forget whether it's 22 and 22...he wasn't on the court too long, but I just...if you recall, I would like to hear your thoughts about the fact that for a lot of the recent history, there has been evidence of a lot of strife and division.

Justice Voelker:
In the present court?

Mr. Lane:
Well, not so much...I'm not thinking of right now, but in recent...the last couple of decades.

Justice Voelker:
I see.

Mr. Lane:
And back when you served, there must have been a different atmosphere, and I suspect it was one of civility and "don't beat the other guys brains out...you can disagree but say 'Well, okay, I disagree. Let it go.'".

Justice Voelker:
We tried to avoid personalities, rank...we tried to...even if we disagreed, we tried to be judicial about it.

Mr. Lane:
And concur in the result, or...?

Justice Voelker:
Well, I mean that dissent from Dethmers, John Dethmers, my old friend, was kind of rough and tough but respectful. I respected his view. He was taking the traditional view of nudity, and I forget the exact charge. John had...

Mr. Lane:
What it turned on in your analysis was illegal search. The cops came...remember one time, and they were snooping.

Justice Voelker:
Yeah.

Mr. Lane:
And they did it under the guise of a warrant. Then, and there was some more...

Justice Voelker:
They knew that the thing had been there for years. This was an old-time and mostly family thing, and it was a raw case...it was the wrong case for nudity thing, and I couldn't swallow it, and I dissented and got enough votes, I guess...

Mr. Lane:
Edwards concurred in the results in that case. Do you remember that?

Justice Voelker:
No, I don't.

Mr. Lane:
Well, Edwards was the fourth vote, and he apparently didn't want to go along with some of your rhetoric, and you went into this thing in considerable detail...

Justice Voelker:
I did.

Mr. Lane:
...both legally and in a rhetorical way. I got the book out if you have any yen to see what it looks like. I didn't bother to bring it in from the car, but I would guess, off-hand, that your opinion which was labeled "dissent" but got four votes and became the opinion of the court probably ran 25 or 30 pages and in those days, that was a lot of pages.

Justice Voelker:
Yeah, I got into that. It was a tough one. It was a tough one. There is no doubt that it was a place where people could go and take off their clothes and relax, but their children and so forth...and...

Mr. Lane:
There was a passage...

Justice Voelker:
Let me, before I forget it...At that time, apparently I was being interviewed and some Life photographer was up here and he wanted to interview me and take some pictures and one of them that he wanted to take was in a Finnish sauna so I was on the court then and I was wary enough to not want to be in the sauna alone, so I got a young lawyer friend to sit with me in the sauna with a towel over us...we were bare-ass...excuse me...idiom creeps out...with a towel over where the towel should be, and he took a picture of many pictures, local, and fishing and so forth and it wasn't Life but Time, I guess. Time ran a picture; they got it from Life, apparently, about the nudist judge who had written the opinion. They didn't say I was a nudist but the picture they showed was without the lawyer and without the towel. I don't know what the Hell they did with the towel, but the implication was that I was a nudist writing an opinion, prevailing opinion sustaining nudity, so I wrote...it's the only letter I ever wrote to a periodical, but it was a dirty

trick and somebody had planned it...it was a dirty, it was a false picture, and I said, "You know damn well that a lawyer that was a nudist, a judge would not be sitting on the case. He would either withdraw voluntarily or he would be...he wouldn't be permitted to sit on the case".

Mr. Lane:
Do you recall that in the course of writing the case, there was a passage where you said, "Now, despite all that I am writing here, I want to make it clear that I have no sympathy with..."

End of side 2, tape 1

Topic 3: Justice Voelker continues to discuss the People vs. Hildabridle case, quoting from the opinion he wrote in part to clarify that he is not a nudist. He briefly discusses Justice George Edwards before the end of the recording

Mr. Lane:
Start where you started before...

Justice Voelker:
I will now read a passage from 353 Michigan Report, beginning on page 578, an opinion I wrote back in 1958. "Lest I henceforth be heralded as the patron saint of nudism (which I probably will be anyway), I hasten to preface what follows by stating that I am not a disciple of the cult of nudism. Its presumed enchantments totally elude me. The prospect of displaying my unveiled person before others or beholding others thus displayed revolts and horrifies me. I think these people have carried an arguably valid basic idea (the deliberate de-emphasis of the prevailing Western body taboo, with the anticipated lessening and ultimate disappearance of the undoubted eroticism frequently attendent upon such taboo - that is, the very opposite of indecency) to excessive lengths." I haven't read this in a long time. Are you still there?

Mr. Lane:
You bet.

Justice Voelker:
"Having said all that, I have at once veered to the heart of this case. It is this: Whatever I or my associates (or the circuit judge or the prosecutor or the police, for that matter) may personally think of the practice of nudism has nothing to do with the case. More controlling is the fact that there are a number of earnest people in this world (including these defendants) who do subscribe to organized nudism and who think that it is morally, mentally and physically healthful. But we need not speculate on or defend or attack the philosophy of nudism. The question before us is much simpler. Were these defendants guilty of making an indecent exposure? I say no. It is said that there are hearty bands of sincere and earnest folk among us who likewise insist that all mental, moral and physical health depends absolutely upon the regular consumption of vast quantities of bran. Others possess a similar passion for goats' milk. Few molest them or even bother their heads about them unless they try too strenuously to impose or inflict their queer beliefs upon those who happen to loathe these items. Thus, on the facts before us, do I equate the criminality of private social nudism - at least so far as a violation of this statute is concerned.

Private fanaticism or even bad taste is not yet a ground for police interference. If eccentricity were a crime, then all of us were felons".

Mr. Lane:
That's a good...don't you like that? Aren't you proud?

Justice Voelker:
I like it. I worked hard on it. I stayed up late that night.

Mr. Lane:
Judge, I don't want to...you know, they say that...I would dearly love to go on and hear some more of what you are willing to talk about, but I know that this is...it's going to soon become an imposition if it hasn't already, and I'm going to take my leave. I would, if you are willing, and you think that it makes any sense, I would like to come back for another helping tomorrow morning. If you say it doesn't, I'm not going to argue the point at all because I feel very grateful to you for what you've done to this point.

Justice Voelker:
Have you talked to George...?

Break in tape

Justice Voelker:
You need...it's up to you.

Mr. Lane:
We're talking about George Edwards, and his...

Justice Voelker:
Is to clear up the whole idea of socialism. The people, the people, the people's right. I'm not making a speech for socialism, but it was at least an arguable political proposition, and communism has been so confused with socialism that to use the word, I mean, it's almost as bad as calling someone a liberal, damn-near.

Mr. Lane:
Do you know that he went up for confirmation, George Edwards, before the Senate Judiciary Committee, when he was nominated to be a U.S. Circuit Court of Appeals judge...do you remember that? In about the early 1960's. This all came back to haunt him, and the people there including some of the old ... (unclear) from the south looked right square down his throat, but he had such good support and he had such good answers, and he said he was so disarming in his candidness, at least this is my analysis, that his nomination was accepted without too much rancor. Everett Dirksen, I think, got on him pretty hard.

Justice Voelker:
Yeah, I remember dear Everett.

Mr. Lane:
The "wizard of ooze".

Justice Voelker:
The "wizard of ooze" is right. Yeah, son-in-law Baker, is it...was it?

Mr. Lane:
Baker, I think, was his son-in-law.

Justice Voelker:
His daughter, yeah. A very interesting guy, not equated with Everett. Yeah.

Mr. Lane:
I thought he served very creditably - Baker, and remember at one time, apparently he thought...

Justice Voelker:
Some of my best friends are Republican... admission.

Mr. Lane:
By the way, for the benefit of the tape, I want to make the announcement here between you and me and for anybody that will listen in the future that this is October 1, 1990, and this is former Justice, John D. Voelker sitting in his chair in his living room in a remote setting outside of Ishpeming, and this is Roger Lane doing the...what...the other talking, and this is all for the benefit of the Michigan Supreme Court Historical Society, Oral History Project. That's what we're here for.