Bates College
SCARAB

Edmund S. Muskie Oral History Collection   Muskie Archives and Special Collections Library

3-5-1999

Scolnik, Louis oral history interview

Marisa Burnham-Bestor

Follow this and additional works at: https://scarab.bates.edu/muskie_oh

Recommended Citation
Burnham-Bestor, Marisa, "Scolnik, Louis oral history interview" (1999). *Edmund S. Muskie Oral History Collection*. 356.
https://scarab.bates.edu/muskie_oh/356

This Oral History is brought to you for free and open access by the Muskie Archives and Special Collections Library at SCARAB. It has been accepted for inclusion in Edmund S. Muskie Oral History Collection by an authorized administrator of SCARAB. For more information, please contact batesscarab@bates.edu.

Interview with Louis Scolnik by Marisa Burnham-Bestor

Summary Sheet and Transcript

Interviewee
Scolnik, Louis

Interviewer
Burnham-Bestor, Marisa

Date
March 5, 1999

Place
Lewiston, Maine

ID Number
MOH 069

Use Restrictions
© Bates College. This transcript is provided for individual **Research Purposes Only**; for all other uses, including publication, reproduction and quotation beyond fair use, permission must be obtained in writing from: The Edmund S. Muskie Archives and Special Collections Library, Bates College, 70 Campus Avenue, Lewiston, Maine 04240-6018.

Biographical Note

Louis Scolnik was born in Lewiston, Maine on February 14, 1923. His mother was Bessie Picker Scolnik, a housewife originally from Lithuania; his father was Julius Scolnik was originally from Kovna, and operated a retail clothing store on Lisbon St. He had two brothers, Morris and William H., and two sisters, Rose and Ida. He attended the Beth Jacobs Synagogue in Lewiston. He was influenced by the Boy Scouts growing up, and enjoyed studying the saxophone and clarinet

He attended the Dingley School, then a temporary school at the Lewiston Armory. Later, he went to Frye School (now closed), Jordan School, and graduated from Lewiston High School in 1941. During high school, he played tennis, basketball, and ran track. He attended Bates College for two years and then joined the Navy in Landing Craft Infantry (LCI). He traveled to Oregon to join the LCI (L) 776 (a ship), where he was stationed for the remainder of World War II, traveling to Hawaii, Guinea, the Philippines, Japan, China, and Taiwan.

Scolnik graduated from Bates after the War, having received credit during military service. He then worked for Container Corp. of America and later the Veterans Administration. He then decided to go to law school, attending Georgetown University. He joined the moot court team and took an internship in Maine under John Platz. He practiced law with Platz (1952-1957). He served on the board of NAACP and acted as their legal counsel in Maine. Eventually he got involved in mayoral politics and was elected city attorney. He became a judge in 1974.

Scope and Content Note

Interview includes discussions of: Lewiston during Scolnik's childhood (approx. 1923-1940); Kashrút (Jewish dietary laws); approximately 150 Jewish families in Lewiston while Scolnik was growing up; French Catholic community in Lewiston; the Depression; his childhood friendship with Shep Lee; the Rural Resettlement Administration; Bates College; house parties at Bates College, Bowdoin College, University of Maine, and Colby College; a local band called Lloyd Rafnell; building destroyers at Bath Iron Works during WWII; V-12 program for WWII at Bates College; Bobby Kennedy at Bates College; Port Hueneme, California; Container Corporation of America; Georgetown Law School; American Civil Liberties Union (ACLU); Lewiston Corporate Council; Mayoral politics in Lewiston; Frank Coffin's support for Ed Muskie; perceptions of Ed Muskie; Frank Coffin; Kennedy's Presidential election in 1960; Muskie running for Vice President in 1968; Muskie's appointments to certain government positions; the Clean Air Act and Water Quality Act; Rule 22; an explanation of how judges are appointed; civil rights and civil liberties unions; and the case of Normand vs. Baxter Park Authority.

Indexed Names

Berman, Ben
Brann, Louis
Carlson, Eric
Cameron, Alan
Coffin, Frank Morey
Curtis, Kenneth M., 1931-
Cushman, Anthony
Dionne, Howie
Dumais, Gaston
Halpren, David
Hathaway, Bill
Isaacson, Phil
Jacques, Emile "Bill"
Jalbert, Louis
Jonitis, Elizabeth
Jonitis, Peter
Kemper, Dick
Lee, Harold
Lee, Shep
Lessard, Al
Lezotte, Lenny
Linnell, Frank
McCarthy, Eugene J., 1916-2005
Mitchell, George J. (George John), 1933-
Orestis, George
Platz, John
Poulin, Carroll
Poulin, Dick
Quimby, Brooks

Rancourt, Georges
Reed, John
Roosevelt, Franklin D. (Franklin Delano), 1882-1945
Sampson, Jean Byers
Scolnik, Louis
Smith, Margaret Chase, 1897-1995
Tagliabue, John, 1923-
Tenner, Jack
Violette, Elmer
Wernick, Sidney
Whitehouse, David
Williams, Edward Bennett

Transcript

Marisa Burnham-Bestor: The date is March 5th, 1999, and we are at the Muskie Archives in Lewiston, Maine. Present are Justice Louis Scolnik and Marisa Burnham-Bestor. Could you state your full name and spell it for me?

Louis Scolnik: Louis Scolnik, L-O-U-I-S, S-C-O-L-N-I-K.

MB: Thank you. Where and when were you born?

LS: I was born in Lewiston, Maine, February 14th, 1923.

MB: What were your parents' names?

LS: My mother's name was Bessie; her maiden name was Picker, P-I-C-K-E-R, and her last name, her married name is Scolnik. And my father's name was Julius, J-U-L-I-U-S Scolnik.

MB: Did you have any siblings?

LS: I did, I had two sisters and two brothers.

MB: What were their names?

LS: The eldest brother, the eldest child was Morris, M-O-R-R-I-S, and the next was Rose, R-O-S-E, and the next was William H. Scolnik, and the next was Ida.

MB: Where did you fit in?

LS: I was last. I was the baby of the family.

MB: What were your parents' occupations?

LS: My mother was a housewife, and my father was a, he operated a retail clothing store on Lisbon Street in Lewiston.

MB: When your family was, when you were young, what was Lewiston like as a town to grow up in?

LS: Well, it was a small town; population approximately forty thousand people. Basically very good schools, good in the fundamentals. I thought the teachers were all quite good; I liked some better than others. And the town was a community of a lot of mill workers; textiles were in full bloom at the time, and shoe factories. Bates College was here at the time, and I thought it was not a bad place to grow up in.

MB: Did your, were your parents involved religiously in the community?

LS: Yes, they were, they belonged to a synagogue that was not too far from our home, the Beth Jacobs Synagogue. And they observed all of the religious holidays and the Jewish customs in the home dealing with what they call a *Kashrút* [or *Kashruth*], it's a, dietary laws. And I guess we were all brought up in that environment. And I was required to, after going to public school in the afternoon, from the age of about five to thirteen, to go to a Hebrew school where I received an education, the traditional education.

MB: How large was the Jewish community in Lewiston?

LS: I think there are probably about a hundred and fifty families in Lewiston.

MB: But predominantly, it wasn't Jewish, it was predominantly Catholic?

LS: Yes, it was predominantly French Catholic population.

MB: How did the French Catholic community get along with your family and other Jewish?

LS: Well, my father's clientele were mostly French Catholic. And he sold actually to the people who were in the lower wage scales. The early years, in the end of the twenties and early thirties, of course, was the Depression years, and people were having a very hard time financially. The terms of sale were very accommodating to the purchaser. I think they would be able to buy a suit of clothes by putting one dollar down and paying fifty cents a week in those days. So, it gave people a chance to be properly clothed, and yet be able to afford the clothing they paid for.

MB: Did your family suffer a lot during the Depression years financially?

LS: Well, things, I don't really think we suffered, but money was always a major problem. I remember my mother used to have to run up a very large grocer's bill and a butcher's bill, and we'd pay a certain amount per month on that bill to pare it down.

MB: That was standard practice then, like what your father did with the clothing?

LS: Yes, yes, I thought it was, yes.

MB: Did your father's business, his retail business, pick up again after the Depression?

LS: A little bit. He had a hard time during that, during the Depression years, but he was able to put away some money and purchase some real estate. As a matter of fact, a very nice piece of property on Lisbon Street that later was occupied by Ward Brothers, which was a very fashionable women's store in Lewiston. And of course he was always having to meet the mortgage obligations on a monthly basis. But they were, they eked it out and somehow survived. Things started to get better in the late thirties as we got closer to WWII, and then things did loosen up a bit.

MB: How were your parents involved socially in the community?

LS: Well they, they had a lot of friends and socially interacted with them. I can recall on a Saturday night when I was a young child of about eight or nine, taking a walk, about a fifteen or twenty minute walk to a friend's house. As a matter of fact, it was Shep Lee's parents' house, and Shep was there. And we'd go there for the evening and they would socialize and drink tea and have something to eat with it and things like that. A very social occasion that was quite nice.

MB: Did they bring the children along frequently, you and your brothers and sisters?

LS: I think I was brought along because I was the youngest, because my older siblings of course stayed home. They had things to do; homework to do and their own social life to attend to.

MB: How large was the space between the kids?

LS: Let's see, Morris was about fourteen years older than I, Rose about twelve older than I, Bill about ten, and Ida was nine years older. I think I was kind of an unexpected visitor. I can remember when I came home. When I was brought home the next day, the teacher said to my older sister, "I understand you had quite a new valentine at your home," because it was on Valentine's Day that I was born.

MB: Was your family at all politically involved in the community?

LS: Not really, no. Well, not as I can recall; they were not involved politically. They were basically involved with their education. And my sister was, one sister, Ida, was a very good basketball player in high school and she was on a, I think they had a championship team as a matter of fact. My elder sister Rose went away to school to become a teacher of elocution, and she had a practice when she came back of teaching elocution. And some people, a couple of people that she taught as a matter of fact had stammering difficulties that she helped them to overcome, and they went on to bigger and better things as a result of that improvement in their speech; become lawyers, etc. And she would have a recital every year. And I was drafted into some of those activities because I was, I liked to get up and speak before people. And so she would include me in some of the declamatory pieces that her students would recite, and also in the one-act play that they'd have at the end of the recital. It was a big thing in those days, to have these kinds of recitals, as well as other teachers who taught music and so forth.

MB: Did all of your siblings remain in the Lewiston-Auburn area?

LS: My eldest brother, Morris, went to accounting school. He went to Bentley and became an accountant. He stayed here and worked for quite a while at the Bates Mill. And my sister Ida . .

. He went to Bates, by the way, as, Bill, Rose and Morris all three went to Bates. My sister Ida did not. She became, she was a wonderful stenographer and she worked for the Bates Mill, and she worked for the person in charge, the agent, a man by the name of Mr. Summersby. And, so, she was always very good at that.

MB: How do you spell Summersby?

LS: I think it's S-U-M-M-E-R-S-B-Y.

MB: Thank you.

LS: And, let's see, and my brother Bill was the first to leave town, and he went to Washington to work for the government, and he did that. And he went to night school at Georgetown to obtain a law degree. And ultimately he always, for the rest of his time, worked for governmental agencies. He worked for the AAA, the Rural Resettlement Administration I recall, and ultimately he worked for the VA where he worked for years and ultimately I think retired on a disability, with a disability retirement. And my sister Rose, I told you, came back home to teach expression. And the other, Ida, continued to work at the Bates Mill. Now, my brother Bill then persuaded my sister Ida to come to Washington to work there. So, she went there and she got a job in Washington and she met someone there and got married. He operated a, well, I don't need to go into all of those things, but she was in Washington. And then ultimately she got my brother Morris to come to Washington. He went there and he got a job there doing, in the military, he did cost accounting. Both Bill and Morris and I were all in WWII, Bill and Morris were in the Army and I was in the Navy. But you'll probably ask about that in more detail later on.

MB: How did your family affect you as you grew up?

LS: Well, my father was always just very busy with the business of making a living. And they bought a building at Bradley and Ash Streets in Lewiston. It was an apartment building that had three apartments, eight-room apartments in those days because families were large. And he and my, my uncle built a same exact building next door. They were in partnership together in the retail business. And at one point, I think it was close to the war years, my father decided that it made sense to divide up these eight-room apartments on the second and third floor into four-room apartments, which he did. He was, didn't have much education but he, he was very knowledgeable about all kinds of things. He fixed electrical appliances and wiring in the house, and did plumbing things and carpentry things. He was very good with his hands. And also considered himself, I think, kind of a contractor because as construction on Lisbon Street would go up, new construction, you would always see my father sort of looking at the construction, having advice for the contractor, what they should do. So, he was a self-taught, strong individual. And although my relationship with him was not really very close, he was just so busy. I think my brother Bill, next up from me as the male in the family, was, sort of took over almost as a surrogate father. He kind of took me under his tutelage and helped me grow up.

There was always a very warm feeling in my family; there was always a lot going on at our house with five kids. And they all had a lot of friends, and they'd always hang around our house. And on many summer evenings my parents would be having people that came to the house and they'd sit out on the porch, and it was a very, very social kind of gathering with serving of food

and political discussions, things of that nature. My father sort of simplified everything in terms of the whole economic thing was based on the battle between capital and labor; that's one thing he seemed to understand very well. And, well, that's, yes, what's your next question?

MB: With your parents' political involvement, would they typically vote Republican, Democrat . . . Would they be affiliated at all either way?

LS: They were always, I think at one time they changed their registration because a young man by the name of Ben Berman was very strong in the Republican party, and he was running I think for judge of probate on one occasion. And he was trying to get all of the people that he knew to vote for him. So, I think they had to change their registration for him to win the primary. They, I think that was probably the only time that they voted Republican, I think. But later on they were Democrats, they were. You know, Franklin Roosevelt could do no wrong as far as they were concerned. They thought he was just the greatest, and they had the greatest degree of respect for him, and for his social programs. As you can re-, well, you, as you know from history, in 1932 he took over the country, it was in the depths of Depression. And he did all kinds of things to prime the pump and get money in circulation. And many of the programs were ruled unconstitutional by a Supreme Court, and that upset him quite a bit. But in any event, I think he was credited and appropriately so for helping the country out of the Depression. And for that reason they, you know, they, everybody around our family thought he was the greatest.

MB: Were your parents involved in social reform at all?

LS: No, not really. They were just too busy bringing up the family and trying to make a living and pay off the bills, and basically trying to make sure that their children got a college education if they wanted one.

MB: But they seemed to, did they instill the idea of social equality as being important into you and your siblings?

LS: I don't remember their doing that specifically or expressly, but my mother always had a, and my father, too, a real strong sense of right and wrong. And my mother, although she spoke in broken English (she actually spoke most of the time in Yiddish to her friends); she spoke in broken English. She'd always tell me, "Do the right thing". And that was almost, you know, a sign, a (*unintelligible word*) for me to, that I followed probably almost all of my life almost to a fault.

MB: Where was your mother from before?

LS: She was from, well it was Lithuania in those days, but I think it was occupied by Russia, in a little town called Bialystok [Poland].

MB: And your father?

LS: He was from, I think either Poland or Lithuania, from a place called Kovna, K-O-V-N-A.

MB: So, how did they end up coming to Maine?

LS: Well, that's interesting. I think my father came to New York first. And, I think that's where he met my mother. And he had some friends in Maine that said, "Come to Maine." So he came up here and he started off with a job. What they did was, there were other people in the Jewish community who had clothing stores. And they would hire someone like my father, who just came, to take clothing and peddle from door to door; go to a house and say, "Do you need any clothing?" People didn't even have to go to the store. And they would buy something. And he would come back and report, be responsible to the store from whom he secured the merchandise, and until he got a few dollars. And he and my uncle then decided that they would open up a store. And then they did sort of the same thing. And I don't know how many languages he spoke, but I used to get a kick out of coming to the store and hearing him talk to someone partly in local French, *patois*, which he mastered to a degree. And he also would throw in a few Yiddish words as he's speaking to them, and some Polish that he understood. And so he really did have kind of a feel for language, although it may not have been grammatically correct. But he was able to communicate.

MB: Did you and your siblings remained very involved in the Jewish religious community?

LS: They belonged to the local sisterhood of the synagogue and went to certain things. And of course they would always observe the important holidays and participate in that way. And I think even to this day, you know, they will observe, not to, they're not strict practitioners, but they do go to the services on high holidays and observe certain other festival holidays.

MB: Do you and your family do that as well?

LS: I do, but my wife does not to any great degree.

MB: Is your wife Jewish as well?

LS: Yes, she is. But she, you know, she is, I'm not sure that she, I'm, she's probably agnostic actually.

MB: I know that you became very socially involved as you grew up. Did your brothers and sisters? I know a lot of them worked in Washington.

LS: I don't really think they did. I don't think they did.

MB: Did you have any other major influences, other than the religious community and your family, any other major influences that affected you while you grew up?

LS: Well, I belonged to the Boy Scouts; I think that must have had an influence upon me. The thing that I got very much involved with was music. I studied the saxophone and nobody ever had to tell me to practice. As a matter of fact, they used to pay me to stop practicing sometimes. And I got very interested in swing music. It was in the thirties, and I became a pretty good sax player. And then I also studied the clarinet because to play in a dance band, you had to play both saxophone and clarinet, double on the instruments. And I started even in high school playing with dance bands and as a matter of fact, when I was a junior in high school, I played with the Bates Bobcats. We had a dance band at Bates that played for Chase Hall dances every Saturday night, and I was a local ringer. And then when I went to Bates I continued to play in the Bates

Bobcats, and we had a very well-respected dance band in those days. And we sometimes played at the house parties at Bowdoin, University of Maine and Colby, and did some traveling around.

And I played with a local band by the name of Lloyd Rafnell, who played for all the dances. Dancing in those days was a big thing, and people went to dances just to, just following bands around. They liked certain dance bands. And we traveled the state, I mean, sometimes we'd go to a place as far as Millinocket in one night, and drive back after the dance, get home around four, five o'clock in the morning. So, I was very much involved in that, and listened to all of the name bands, Benny Goodman, Tommy Dorsey, Jimmy Lunsford, Count Basie; that was, I lived for that. And so I was very, very much involved in that. And as a matter of fact, throughout my life after that. We've had some reunions at Bates at which some of the old musicians in the band got together and played. We did this about four years ago. We played upstairs in Chase Hall, I mean next door.

MB: What was the name of the band? Lloyd Raf- . . .?

LS: Lloyd Rafnell, R-A-F-N-E-L-L.

MB: And that was the band that you would, you would most frequently play with?

LS: I played with Rafnell a lot when I wasn't playing with the Bates Bobcats. But I also played with a guy called Lenny Lizotte, and he had a dance band. And, who else was there? A fellow by the name of Goodie as I recall, G-O-O-D-I-E, and Carroll Poulin who had a music store here locally. He, his brother Dick [Poulin] had a dance band; I played with them. Then Carroll had a band and I played with him. So, I guess I've been in music for quite a while. In school, in the, I played in the high school orchestra playing classical music, and in the school band, and at Bates we had a marching band. And when I was in the V-12 program at Bates, which I'll tell you about in a while, I was the leader of the marching band. The Navy marching band that we had, played on a few occasions.

MB: Was that typical of a, of a musician to play with different bands?

LS: Yes, it was.

MB: Okay. Where did, did you attend public elementary and secondary school in Lewiston?

LS: I did, yup. I started off in, I think the first grade I went to Dingley School.

MB: Dingley?

LS: Wait a minute, yes, I think it was Dingley School.

MB: How do you spell that?

LS: D-I-N-G-L-E-Y. The building is still there occupied now by the Lewiston School Department. It's down near Park Street, and Oak. Park and Oak. I remember that first year of my first grade, I had whooping cough, all of the childhood diseases: measles, chicken pox . . . Everything happened to me that first year. And in those days they didn't just pass you on. And

the grades were not A, B, C and D; it was one, two, three and four. And I came home and I said to my mother at the end of the year, I said, "Look Mum, I got higher than everybody else, I got all fours", which meant I failed everything, and they kept me back. I had to repeat the first grade, and so I was always one year older than everybody else all through school, which, I don't think that pleased me very much.

MB: What were your experiences like in secondary school?

LS: Oh yes, so, well I started to say, that was Dingley School in the first grade. Then, they had a temporary school at the Lewiston Armory that, where I attended the second and third grades. And then, after that, I went to Frye School, which is now closed down, on Horton Street and Ash. And at Frye I went to the fourth, fifth and sixth grades. And then I went to Jordan School, which is now also a condominium building and not a school any more. And I went to the seventh and eighth grades there. They didn't have a ninth grade, ninth grade was freshman in high school. Then I went to Lewiston High School, which is now the middle school right here at Central Avenue, for my freshman, sophomore, junior and senior years.

MB: That's several schools. Is that the typical divide up, is that how they had the . . .?

LS: That's how they did it then. Then I think later on they added the ninth grade to the pre-high school elementary school.

MB: What was the temporary school at the Armory for?

LS: I think at that time there was, oh yeah, they were constructing this building, which is now the middle school, because I remember the construction going on when we were at the Armory. So they had a makeshift classroom there, and so high school at that time was Jordan. Jordan was Jordan High School. Then that became the seventh and eighth grade school after that. So, I did very well in the elementary schools. As a matter of fact, I think I was valedictorian at Jordan in the seventh and eighth grades. And at high school I did very well but I was not the top person in the class.

MB: What were your interests in high school, other than music? Did you know what you wanted to do?

LS: Sports. I was very much into sports. I was a very good tennis player. And, my parents wouldn't permit me to go out for football, although I wanted to because I liked football a lot. But, I did play basketball and was very good at track; I was a pole vaulter, and a broad jumper. Not a, I wasn't in any of the dashes or long mileage runs, I didn't do any of that. So, I did sports a lot, and music, and of course I did my homework and kept my grades up fairly well, and that was about it.

MB: What year did you graduate from high school?

LS: Nineteen forty-one.

MB: So, did you go to the Navy then at that time, or did you go to Bates?

LS: No. I went to Bates. And when I was a freshman at Bates, we all went, everybody in our family went to Bates. Well, one of the reasons that we went was money. We lived off campus and I sort of felt we missed out by living off campus, but it was just a short walk from Bradley Street to the campus. In some ways it was good because it was pretty quiet at home, and you got a lot of, you got some studying done. I forgot what the question was.

MB: How did you transition from going to Bates and then into the Navy?

LS: Oh yes, right. So, my freshman year, I'll never forget, in my freshman year in high school a friend of mine, Howie Dionne, who was a trumpet player . . . And he and I had, he was my closest friend, we were both so very much involved in music, that's all we talked about, listening to records, copying some of the great musicians that we'd hear on the records, and play- . . . And we formed our own little band together, our first band called the Dixon Brothers. I don't know where we got that name. But, we took that name and we used to have rehearsals, and he went on to play, he'd played with Lloyd Rafnell as did I, and with other bands. And, we used to love to go to Old Orchard Beach in the summer time. You know Old Orchard? They used to have name bands there every night, and the best ones of course on the weekends. So, we heard all of those great swing bands: Count Basie, he was the greatest, Harry James, Gene Krupa, Benny Goodman, Tommy Dorsey. And we'd just stand right down front. And we did some dancing, too, but we were just so interested in those great musicians and loved talking to them in intermission. And one summer, though, I remember, I played with Lloyd Rafnell at Old Orchard Beach at a place called The Palace which was not as good as The Pier, but it was another place where dances were held. And that was a lot of fun.

MB: How did you get involved with the V-12?

LS: My brother suggested to me that I try to join the Navy. The war was coming along. When Howie Dionne and I, we went to Portland, I still remember where we were on V-, on Pearl Harbor day, December 7, 1941. We came out of a movie theater and we heard the announcement about the Japanese invading Pearl Harbor. And that's when everybody's lives really changed. Howie got into an Army program, I think it was the ASTP. And my brother suggested that I look into the V-12 program, which I did. And I was accepted into the program. And the Navy's philosophy in those days, is they wanted officers (of course that was an officer training program), they wanted their officers to have a broad liberal education. So they permitted me to stay at Bates through my sophomore year just as a civilian and pursue my regular studies, without taking any Navy courses or anything at all. And as a matter of fact, in the summer of '42, I decided to work at the Bath Iron Works. They were building destroyers, twenty miles from here. So I took a job . . . In high school I'd learned how to type as an extracurricular course, although I was enrolled in the college course. And that stood me in good stead because I was able to get a job typing in the outfitting department at Bath Iron Works and work that summer.

And then I got a notice from the Navy to report for active duty on July 1, 1943. So I packed a bag, I walked five blocks to Bates College, and I was in the Navy, at Bates, in the V-12 unit. Bates had, for a couple of years, had this V-12 training program here, and so I lived in what was the new dorm then. Now it's called Smith Hall South. And I had two, three roommates, all of them from Bowdoin. It was an interesting experience because we got to know a lot of the other college students from around the state, who were all thrown together in this one program. So

there were Bowdoin, Bates, and, which established friendships that long outlasted the war.

MB: Was Bates the only school in the area that had the V-12 program?

LS: Yes, Bowdoin had a V-5 program for people who were going to become naval aviators, and so Bates was the only V-12 program. As a matter of fact, I think Bobby Kennedy was here one year.

MB: And V-12 was specifically to become an officer in the Navy?

LS: That's correct. Because I spent two semesters here at Bates, and in 194-, early 1944 got orders to go to midshipman's school. That was the, you heard of the 90-day wonders. Well, it was a four-month training program actually. And I was, I went to Plattsburgh, New York where they had a station, a midshipman's school. And that was quite an interesting experience. A lot of the others went to, some went to Columbia. A friend of mine, Howard Jordan, who was in the dance band, went to Columbia and he became and ensign there. So we went to Plattsburgh and spent four years [*sic* months] learning ordinance, seamanship, navigation; all of these Navy courses that were necessary. And we became brilliant officers after four months.

And from Plattsburgh, we then went down to a place called Solomons Island[1], Maryland, to report for amphibious training. And I was assigned to a crew consisting of four officers and twenty-six men on an LCI. An LCI was the Landing Craft Infantry, L-C-I-(L) is the designation, and we got training there. And then the crew that had been formed at Solomon's Island all went out to the west coast on a . . . . I'll never forget that train ride. It took about six days to get there. We were right behind the locomotive on bunks that were three layers high, and we were right in back of the locomotive so we were full of soot. When we got to Chicago, the first thing everybody did was go to the YMCA to take a shower to get the soot off. And we went to Portland, Oregon where we were to commission a new LCI. And our LCI didn't have a name, it had a number, it was LCI(L)776. And that's the ship I was with almost throughout the rest of the war.

MB: And what happened?

LS: Well, we commissioned the ship and then we did some training down the Pacific coast. We went to San Diego and, I'll always remember the Port Hueneme Light, and I said, "That's a funny pronunciation for H-U-E-N-E-M-E," but that's what it was. That was Port Hueneme which is quite known now in California, and up and down the coast. And we went to, oh, I can't remember the name of that island, a couple of islands there. One of them President Nixon had a home on, as I recall. But anyhow, they, I'm having a senior moment, I can't remember its name, but we trained all in around that area and finally we got orders to proceed across the Pacific and we did that in stages. We were going to train for the invasion of Jap-, invasion of the Philippines.

And, I don't know if I'm jumping around too much or not. But, so we stopped at Hawaii and provisioned the ship. And then we went from Hawaai to the Marshall Islands and the Admiralty

[1] Solomons Island, town in Calvert County, Maryland, on an island at the north side of the Patuxent river mouth. During WWII it was a base for training men in the use of amphibious craft.

Islands, and then from the Admiralties we went to New Guinea. And from New Guinea we participated on January 9, 19-, that had to be 19-, 1945, January 9, 1945, in the invasion of Lingayen Gulf in the Philippine Islands, which turned out to be a very, an invasion that found very little resistance, thankfully. And it was actually, we were never really in danger in the invasion, although I can still remember the battleships firing sixteen inch shells over our heads onto the beach to make sure that the op-, any opposition that was there would be pretty well softened up for any invasion. And then we, we had been converted into . . . Instead of carrying troops which LCIs were supposed to do, we were supposed to carry two hundred troops. We had bow doors that opened up and a landing ramp that went down and the troops would, were supposed to go down that and then on the beach. And these ships were very unconventional in that they did go right up on the beach, unlike any other ship which really wasn't supposed to do that. And then we would, we had the mechanism by which, a procedure by which we could retract the ship and get back off, off the beach, and be back out in deep water. So, but we had been converted to a firefighting and salvage ship, so that if a ship got broached on the beach and couldn't get off, we'd help them get off. If they got hit we'd help put out the fire. And so, we had specialized training for that, for our ship. And that was Lingayen Gulf.

After that, we stayed in the Philippines for a while, went to Manila. I met other friends that I knew. Philip Isaacson I met at Formosa as a matter of fact, later on. I think I met him in the Philippines, too. He was on a different kind of a landing craft. And I met my brother-in-law who was on a Merchant Marine vessel as a Navy armed guard, he was also an officer. We met in Manila and had a great reunion. And then while we were in the Philippines was when we, as a matter of fact I think we were in Manila Bay, when we learned about the dropping of the atomic bomb. We'd heard something a few weeks before. The guys were saying, "Well, the war's going to be over soon." I guess there had been some rumors around the, from . . . Some of the aviators from Clark Field must have been mentioning that something was going to happen. So when that happened then we were there for V-J Day.

But that wasn't the end of our tour. We then went from the Philippines to Okinawa for an assignment. And then after Okinawa we went to China and we carried some Chinese troops from the mainland China. First we went to Shanghai, and then we picked up some Chinese troops and took them to Formosa to occupy Formosa. That was still under the control of the Japanese at that time. And it's now, what is it? Taiwan.
MB: And that was the end then?

LS: That was the end then. And then after Taiwan, we went back to the mainland and then came back to the states. (*Beeper goes off.*) Is that an hour already?

End of Side One, Tape One
Side Two, Tape Two

LS: In the course of, okay?

MB: Yup, go ahead.

LS: When we were in China, my commanding officer, Eric Carlson, who is a wonderful man, had been promoted to commander of a flotilla, a group of about twelve ships. And I became . . . Of course the order of the officers are, there was a commanding officer, the executive officer, the

communications officer and the commissary officer. Oh, no, I'm sorry, engineering officer and the commissary and communications officer. I started as the fourth officer. And then when the executive officer, by the name of Jack Tenner, who be-, you probably may have seen him in connection with the O. J. Simpson case, because he became a judge afterwards and he was on T.V. as a commentator concerning the O. J. Simpson case. I don't know if you ever saw him. When I saw him on T.V., we hadn't been in touch. I got in touch with him and, for the first time since the war, and so that was, and found out that he became a judge and he found out that I became a judge. It was kind of interesting, anyway. So, he got another ship, he became commanding officer of another ship, and then I was, I moved up to executive officer when he left. And then when Eric Carlson became commander of the flotilla, I was elevated to commanding officer of the LCI(L) in China.

And so, I took the ship back to the States and we made the usual stops in the Hawaiian Islands, and finally went back to the west coast. Only this time we went to Seattle, and then had to dec-, spent quite a while decommissioning the LCI(L). And by that time, I was almo-, I had enough points to be separated from the service, but there's a couple of months before that they assigned me temporarily to an LST and I did practically nothing there. Then I was dis-, I was given orders to proceed to Boston, got on an airplane, went to Boston, and was then put on inactive duty. And that was the end of my experience. I stayed in the Reserves for a couple of years, and then I was totally separated after that.

MB: Did you then return to Bates and finish your . . .?

LS: And then Bates was good enough to give me credit for my four months at Plattsburgh, they called that one semester. And they says, "If you do one more semester at Bates, you'll receive a degree." So I started in September and I graduated in February.

MB: With a degree in . . .?

LS: With a bachelor of arts degree.

MB: How did those experiences shape your beliefs, attitudes and interests?

LS: Well, I think I grew up a lot for one thing. And, although we never really were seriously in danger, we were one time in Okinawa when we, when we got caught in a typhoon. One thing a naval vessel is not supposed to do is get near land during a typhoon, unless you can find a protective sheltered cove. So, we rode out a typhoon and we were able to avoid getting beached. It was interesting. After it was over we saw so many craft all over the beach that just couldn't get away from the beach and they just couldn't save the ships. But we were able to do that, and we did find finally a sheltered cove that protected us until the storm was over. But that was probably the most dangerous experience that I'd had in the war.

There were times when we were in New Guinea where there would a Japanese plane we thought come overhead. There'd be an air raid alarm, get us up around two o'clock in the morning, but he never dropped any bombs or anything. I don't think we ever fired at any enemy craft. There was a funny experience, but I won't go into it. I'm sort of trying to write a history of my experiences on my computer at home, but I'm only about half-way through. But that's where I'll put some of these things. Some of them were comical experiences.

MB: What led you to decide to go to law school?

LS: Okay, after I graduated from Bates I really didn't know what I wanted to do. I think as a kid I always thought that, well, there was this man that was a wonderful local trial lawyer that everybody had such great respect for. His name was Ben Berman, and he was a Clarence Darrow in the court room. And I thought, boy, you know, I admired him so much, I said, well, I could never do that, I just, I would never have the ability to do what he did. So I decided when I got through at Bates, I didn't know what I wanted to do. I knew I didn't want to be a professional musician. Every one of those guys on the dance bands at Old Orchard Beach, they said, "If you can do anything else, do it." And so I decided not to become a professional musician but to do it avocationally.

So I thought, well, I guess the best thing for me to do is to start out in business. So I got interviewed by a gentleman by the name of David Whitehouse, a Bates alum, who came around interviewing students at Bates, looking for people that might be interested in joining his company, which was at that time a huge company, Container Corporation of America. And he asked me if I'd like to come to work for them. I says, "I don't know anything about making boxes." He says, "We'll teach you." So I went to Medford, Massachusetts, well, actually lived in Cambridge. And as a matter of fact I lived in a rooming house with a couple of other Harvard Law School students who were great guys. I used to hear them talk about law in their spare time, or when they were studying.

But I was working learning the box business, how to make folding cartons and corrugated cartons. And he thought the best place for me to start would be the designing lab. I really didn't have a real aptitude for creative design, but I was resourceful and learned the things you had to learn in making up new designs of boxes for a particular customer, whether it be some candy company or a liquor company like Seagrams, to make folding cartons for Christmas time that had all kinds of different colors. And by being in that department, it was necessary that I learned all of the production equipment: the printing presses, the cutting presses, and how they used color and things like that. Because you had to understand what the limitations of those machines were, because if you designed something that the equipment couldn't produce, it would be useless. So that was a good way, really, to learn the business. And also, you dealt with the salesmen who had to go around, and they would say, "Can you make a box like this for this customer? Here's the problem." Got to know what the problem was from the salesman. It was a really good place to start learning about this. Well, I did that for a year and a half, and for various reasons that I won't go into, I decided to leave. I didn't think that that was just going to be what I wanted to do.

So I moved to Washington. At the time, I had, my sister Ida was there, I lived with her for a while. And my father sent me a few bucks every week to live on. And my brother Bill was there. So my sister Ida, her husband Sam, and my brother Bill and his wife Betty were already in Washington. And I think my sister Rose was also there, they got her to come to Washington. Everybody ultimately left Lewiston; I was the only one left here. And so I went down there and then my brother Bill . . . So I got a job, a temporary job with the VA. I had such a challenging job; it was alphabetizing certain cards. Really challenging, you know, I really saw how governmental waste was just rampant. And I thought, gee, I think I'm a little over-qualified for that. It was all just, "mind your business and do what you're doing." I did that for a few months.

And at least I got, got some money to live on, didn't have to bother my father any more.

And then my brother suggested to me, he, you know, he was very influential, he really was like a . . . Although he was away a lot of my young years because he was away at law school and then away working in Washington, I always had a very close feeling to him. And he influenced me to go in the V-12. And he says, "Why don't you," he went to Georgetown, he says, "Why don't you see if you can't get in to Georgetown?" My grades were not sensational at Bates because I was too busy playing nights in the band, not studying enough, and I just wasn't that intellectually interested in those days. But I got by, and I got through and got a degree. But he said, "I don't know if you can do it or not, but see if you can get in. " He says, "You know, try law school, you know, you don't know, you may like it." And fortunately as at Bates, I had the G.I. Bill of Rights which permitted me to have my tuition completely paid for, and Georgetown accepted me.

And I started law school and from the very first class in criminal law, I just knew that I, you know, that I was going to like the law. Edward Bennett Williams was a person that you may know as a nationally known lawyer, his law firm I think . . . Dick Kemper just represented the president . . . and he had some very high profile cases where he was involved. And he was a tremendous teacher. He taught evidence and I really learned evidence from him; I would basically say that. So I really got, at this particular point, I guess I started to bloom because I was getting fantastic grades and I loved it and I studied very hard afternoons and the evenings. I went for the full-time course which was a three-day course, and I applied to become a member of the moot court team. There were two choices, you could try to become a member of the staff of *Law Review*, which took only the exceptional students, or to join the moot court team. I decided I wanted to do that. So I was accepted on the moot court team, and although I wasn't on the first team, I was on the back-up team. But we all worked together in preparation for the various moot court competitions. And Georgetown won that particular, my senior year.

It was while I was in law school in 1951 that I met my wife. She was, she lived in Washington, she was working for the State Department at that time. She'd gone to University of Maryland. And after, like I said, it was 1951 that we met, and then in that summer . . . Oh, I forgot to mention that Georgetown had a lot of outstanding students in my class, *cum laude* from Case Western Reserve, or, what's that . . . I mean they came from all over, all of the good colleges. Not Case Western Reserve, but, a school in New Jersey [Princeton?]. Oh, I can't remember it. But anyway, they were from all over and they were really outstanding students, and I placed twelfth in a class of over three hundred students. So it was quite a lot different from my experience at Bates because I applied myself. I was interested and I guess I sort of thought that I had found my niche in life.

In 1951 I decided to come back to Maine. And, that's in the summer, I didn't want to stay in Washington and go to summer school. And I met a man by the name of John Platz who had a law office here, and I asked him if I could, if he needed a summer law clerk. And he said he did, he was a lone practitioner at the time. And so I went in with him for the summer with the intention of maybe coming into his office when I graduated. And so he started to teach me a few things. It was at that time, you know, I mentioned that I'd met my wife, and she decided she was going to come up and visit me in Maine, so she did. She got appendicitis while she was here and had her appendix removed. And then I decided that I'd go back to Washington with her and not finish out the internship. So I did, and we got married.

And I took a, it was that summer, I took a course in evidence from Edward Bennett Williams. The temperature was fierce but, got used to it, and it was just a wonderful summer. And then I had an easy third year because I got that evidence requirement out of the way. I think I may have taken another course as well as evidence, I don't remember that too well. And after we, after I graduated from Georgetown, we came back to Maine. I studied for the bar exam, and passed it with two other local lawyers, and then started practicing law with Mr. Platz.

MB: Did your wife, did she share your interest in politics and law and some of your social concerns?

LS: Well, she said to me that she always knew she was going to marry a civil liberties lawyer. And I guess I had an interest in civil liberties back in law school, because I had, (*turning pages*), something down here that I had put in to (*long pause with ruffling pages*). Oh yes, this is what I wanted to say. When I was in law school, a course in Constitutional law helped me realize that, this was something I'd always deeply felt, that in balancing the rights of the individual against the interests of the federal government, I always felt that the scale should tip in favor of the individual. And when I returned home from law school, I was attracted to the goals of the American Civil Liberties Union. And I enlisted as the only cooperating attorney in the state, and held that position for about sixteen years. In that capacity, I monitored matters involving civil liberties in the state of Maine for the ACLU, and was their contact person when anyone got in touch with them from Maine about a problem that arose.

And so, I didn't get many calls from the ACLU, but what I, I remember one of the calls, as a matter of fact, was to check on my membership and try to solicit me to make a contribution. And, but from time to time, I would write letters to the editor when people were critical of Vietnam protestors who were doing it in a peaceful way, explaining how this was in the highest tradition of the First Amendment and so forth. And I would also go around to various service clubs: Rotary, Exchange Clubs, and all around the state giving talks, defending the Warren Court for their decisions upholding civil liberties principles, like the Miranda case and Fourth Amendment cases, Escobedo[2] and some of those. And in this state, you know, a lot of people are quite conservative. They thought the Warren Court was a little bit too liberal. So I played that role.

And I also served on the board of the NAACP, helped to form the central Maine branch of that organization, and acted as their legal counsel. And then if anything came up concerning violations of civil rights, it was a close alliance, of course, between civil liberties and civil rights. I don't know where the line, where the demarcation is, except I guess civil rights dealt mostly with equal protection of the laws and civil liberties got into First Amendment, and just about everything else under the Constitution. So that's how I got interested in those two organizations.

My wife was also, she was just basically a visceral liberal. And she was, she always had kind of, I don't know where she got it from, she was, I don't think she had very much parental guidance. She just grew by herself and she was always a reader and she was always intellectually curious,

[2] Escobedo, Daniel. Escabedo v. Illinois. A 1964 Supreme Court ruling that expanded its protection to include preindictment confessions, holding that the right to counsel attaches when a police investigation becomes accusatory.

as she still is. And so she was always very interested in the kinds of things that made for, involving social justice and Rooseveltian principles and so forth. So she has, she had all of the things that I felt about these particular areas.

MB: Was she very involved in the Civil Liberties Union, like you were?

LS: No. Of course she would attend, you know, whatever kinds of things I had, and she goes with me every year. They established, when I got off the court, they established an award called the Justice Louis Scolnik award that goes to a person selected in the Maine community who has made a significant contribution in the area of civil liberties. So, they have that every year and we go to that. That's a good fundraiser for them, and we go every year and we plan to go in April as a matter of fact. But this year there's going to be something different, I'm going to play the sax for dance music before the dinner.

MB: Did you always stay very involved with your music?

LS: I, well, in recent years I haven't done very much with it. But at parties, I'll bring it along and we'll play things. I remember Jean Sampson always had a Christmas party at her house and I'd always bring it, bring my sax. And we'd play and play carols and other jazz stuff as well, and everybody would have a good time dancing and singing and playing.

MB: When, did you become . . . Did you become involved in the NAACP and these organizations before you began practice with Mr. Platz, or . . . ?

LS: At the same time, as a matter of fact. Because he was quite conservative, and a strong Republican and we didn't see eye to eye about anything politically. And I don't know whether that was a reason why I decided after five years to go branch out on my own or not. But he was very involved in Republican politics and used to kid me about my involvement in the Democratic party and civil liberties. But, you know, he, he didn't try to influence me away from that in any way.

MB: What was practice like with him? You were a civil liberties lawyer?

LS: Well, he didn't, he didn't in any way interfere with any activity. Of course there wasn't that much to do. I think there was a case once when, I don't remember when it happened. There were three black servicemen from Bucks Harbor who were charged with criminal trespass because they were trying to go to a dance at a local high school, and they were kept out. And so they made a big ruckus. They were charge with assault and battery and a few other things. And so we went up there, myself and Elizabeth Jonitis. The NAACP authorized me to represent them, which I did pro bono, and I think Jean Sampson came up, too. We were up near, it was near Calais, Maine, I think that this all, that we, I don't know what we were doing, I guess it was in Calais where the court was. So we defended them successfully, and he didn't object to my doing that. I think that was while I was with him, because I was with him from 1952 to 1957. It may have been afterwards, but I'm not sure. But he would not have objected.

What I did with him is, he basically did a lot of personal injury work, divorce work and criminal work. He was a trial lawyer. He taught me how to be a good trial lawyer. He taught me how to investigate a case, the importance of an investigation before trial, to go out and see the witnesses,

get signed statements from them, and to have that as a back-up when the case went to trial. If somebody tried to say something different in court, you always had that signed statement which might impeach their credibility. That was, there was no substitute for adequate preparation. Perry Mason things didn't happen. It happened because you prepared yourself in advance and had the evidence to do it. And so that, he taught me that very well. And he let me go into court by myself, so that I could learn. I did sit with him on some bigger cases to help along and do some of the other things that needed to be done, but he let me go in and try.

In those days you could go before a jury on a case involving a fender bender where the damages were a hundred and fifteen dollars. My first case was a case involving such a claim. We claimed a hundred and fifteen dollars. It happened at the intersection of Union Street and Oak Street as a matter of fact. And I tried that case in front of the jury. The judge was Granville Gray from Aroostook County, I still remember him. And I then realized that I could be very persuasive with a jury, because the claim was for a hundred and fifteen dollars, it was my first case. And I was up against one of the best defense lawyers in town, in the state, Frank Linnell, Jack Linnell's father, who was a wonderful guy and a tremendous, had a wonderful way with a jury. And the jury came in with a verdict in our favor for a hundred and seventy-five dollars, sixty dollars more than we asked for. So Jack says, "Well" he says, "I'm either going to order a new trial, unless you agree to remit sixty dollars of that verdict." I says, "We'll remit." And he said to me, the judge did, he says, "Why didn't you tell the jury it was your first case?" Usually, you know, that's what every lawyer does because they get sympathy from the jury. They want to see this young first timer win his case. I says, "Well, I would have, but I didn't want my client to know." So that's one of the humorous anecdotes that I can recall.

MB: How did you get involved with Lewiston Corporate Council and what was your role?

LS: All right, before I get on to that, this was an example of what John Platz did for me. He let me go in and try cases; he had me write briefs. I didn't know, I nev-, didn't know I could do it. The only writing I ever did was in the law school exams, where you did some writing. But this was a brief, an appellate brief that I sat down. I realized that I could handle that very adequately, and he used the briefs that I wrote in his, in appeals that he had taken. And he taught me how to scrap. He was a real fighter, and he, and that's what people wanted. And he taught me how to negotiate with insurance companies. Insurance companies who were defending against personal injury claims would never give the top dollar to a lawyer that they knew would not go to court. He taught me that if they knew you were going to go to court if you didn't get what you thought the case was worth, they would give you closer to what the amount called for. So those are the things that he taught me for which I was very grateful, but I was always very happy that I decided to leave and go on my own.

And one of the things that happened when I went on my own in 1957 . . . [I] just had a little office down at 145 Lisbon Street, no secretary, bought a used typewriter, and I can still remember the very first case that I typed. The first matter I typed up on that thing was an eviction notice, and I, for a client who had a tenant that damaged the place unbelievable and wasn't paying the rent. So I didn't feel bad bringing that action, and I got paid thirty-five dollars, and all of that thirty-five dollars was mine. Because it was my office and my typewriter and my work that went into that. It was a good feeling. And from then on, I was lucky in that very first year to have been retained on a serious personal injury case. Went out and investigated it as I was taught to do, and was completely ready for trial. And the insurance company settled

with me for a huge amount, and I got a very good fee handling that case for my client. They were happy, I was happy, and it gave me a little bit of a financial backing to continue on.

And I guess that's probably what characterized my practice, why I was able to do a lot of cases for poor people and deal with other cases for Civil Liberties and the NAACP without any charge, because I was able to make a good living on the fees that I earned in personal injury cases. Although I also did the same kinds of things that John did, as a matter of fact; a lot of criminal cases and a lot of divorce cases. And that stood me in good stead when I became a judge because I'd been "in the pit", as they say. I just knew what was going on and had a pretty good feeling for what it was like to go through a custody fight or a divorce where emotions govern and not business judgment. And knowing the time to conclude a divorce case, which was when a party was emotionally ready for it, and not when, not any other time.

Well, so I was, in 1957 an opening occurred in the office of the district attorney. And I thought, "Boy." I was with the Democrats, I've always been a Democrat. [I] went to all the conventions, and took part in all the activities, issues committees, and prepared the issues for development by a platform committee. All of this of course was in the resurgence of the Democratic party under Ed Muskie. This is all in the early fifties. And participating in that way . . . . And so I felt that, well, maybe I might ask the party if they wouldn't endorse me for this position. And I knew Gaston Dumais, who was a wonderful friend, a fellow musician, one of the best tenor sax players I ever met. And he and I had played together in bands all the time. And I was going to, I was asking him, I says, "Why don't you appoint me assistant D.A.? I can get a lot more trial experience that way, and I think I can do a good job." So he gave me serious consideration.

Philip Isaacson at that time had been the city attorney. He was an excellent lawyer and very successful. Also a very good art critic; for twenty-five years has written the art column for the <u>Portland Sunday Telegram</u>. And he and I were good friends and still are. He had not, had wanted to get more trial experience as of that time in his career. And he said to me, he said, "If I could give you assistance in becoming the city attorney, because I know the present mayor very well, I'm serving under him, if I got him to appoint you to fill out my term and appoint you next year when the job comes up again, would you be willing to stand aside on this other thing?" I said, "Sure." We did it that way, and he turned out to be a great assistant attorney, assistant county attorney, it was county attorney then, not district attorney.

And I remember that I took on that position with a great deal of trepidation because I didn't really feel I knew much about municipal law, that was something that I hadn't had any real experience with. So his father, Harris Isaacson, who was a wise gentleman who had been sort of an assistant municipal court judge for many, many years, he said to me, I'll never forget it, he says, "What man did, man can do." And, in other words, you know, you can do it just like anyone else could. And they were very helpful to me as I was facing, you know, I wouldn't hesitate to go over and seek some advice on some of the issues that came up when I was city attorney.

But George Rancourt was the mayor at that time. He had the sole responsibility for appointing the city attorney. And Philip asked George to appoint me to fill out his term. He did. And when he was reelected, I was reappointed. And then after that I got involved in mayoral politics, and you had to go out and see that the mayor that you backed got elected, because he's the person who had the power of appointment of the city attorney. So after, after Rancourt was Bill

Jacques, and Bill appointed me for every term that he was in. I served a total of about five years as city attorney.

MB: At that time, did you continue your private practice?

LS: And I, it was a part-time job, and I continued my private practice. The job paid three thousand dollars a year for a so-called part-time job, which turned out almost, to be almost a full-time job because there were so many things that came up that I had to deal with as city attorney. I used to have to attend every single city council meeting. The Lewiston city government at that time, maybe still but in a modified way, was a commission form of government, totally decentralized because of prior bad corruption in local politics. And so the charter that they ultimately adopted was a charter that decentralized the power, putting most of the authority in the finance department, although the education department had some authority. But the mayor had very little authority. But the one authority he did have was the appointive power. And they tried to limit his loading the boards by only giving him a single year term, so that he could only put on . . . And then after two years he couldn't serve again. So he could not, never load a board, which consisted at least of five members, with a majority. Although subsequently that was sort of scuttled by the way they, I think they extended the term of the mayor so that now mayors can really load the board with his people with the same philosophy that he might have.

So during that period, I got a lot of publicity as city attorney because the local papers loved going to city council meetings, because there were always fights and they always needed rulings from the corporation council, even on parliamentary procedure. They required me to be there every time, and I couldn't say no to that. Some of the meetings lasted until one, two o'clock in the morning. The, most of the matters involved a battle of jurisdiction between one board and another. Did the education board have this authority as opposed to the finance board, etc? Did the finance board have the power over the police department in one respect or another? And so these boards would be fighting with each other and they'd take the matter to court. I'd have to defend the board whom I sided with when I gave my opinion. But the local paper was full of headlines about, " Scolnik rules this way", as if I were a judge then, and I wasn't. But what I said was supposed to resolve a particular problem involved. So I got a tremendous amount of publicity that way. And lawyers in those days weren't permitted by the canons of ethics to advertise, but this was a hundred percent legitimate and people got to know me. And I, I think I got quite a few clients as a result of that position.

MB: Do you remember any tough issues while you were on the corporate council, between these boards or some other issue that put you in conflict with other people in the city government?

LS: Oh, yes, I mean, when I would say that the police department had jurisdiction over a particular issue, the finance board were very upset with me, because they were just used to having all the authority. But on one occasion, with respect to a certain police officer's pension, I ruled in favor . . . The finance board said he wasn't entitled to it, and I said, "It's up the police commission to decide that." And so I ruled against the finance board. And they took it to court and we won. Fortunately, every time we went to court on an issue that I ruled on, the court decision came out the way I had ruled. So, and the other thing I think that happened that was unus-, I think that, I think that I achieved a certain amount of respect from the city councilors and everybody else in city government. That, there were a couple of occasions where, even though I

was appointed by the mayor, I ruled against the mayor. And when they saw that happen, they knew that I just called them the way I saw them and was totally impartial and just ruled on what I conscientiously thought the law was. And I think that enhanced my prestige with the city government.

MB: Who were some of the people who had significant influence on your law practice and your community involvement?

LS: I think that Shep Lee, excuse me, I've got kind of a raw throat.

MB: You had mentioned . . .

(ASIDE) **LS:** You want one of these?
MB: No, thank you.
LS: They're just menthol.

LS: Shep Lee was one person. Who else? John Platz's training had influenced me a great deal in how to handle a case. I guess I always had a very strict sense of ethics and so I can't, I don't know where, I guess I just came from, my mother always told me, "Do the right thing," so. Let's see, who else? I guess I was influenced by the kind of trial lawyer that Ben Berman had been. I found out that, even though I thought as a child that I never could do that, I found that I could do that. And I enjoyed not only trial practice, but I enjoyed arguing cases on appeal which I did on several occasions. And, you were talking about influence again. Let me just see if I can look back and see if there's anybody else I, that influenced me. (*Refers to papers.*)

Well, I really can't think of anybody else that actually influenced me except . . . You know, the people that got me involved in civil liberties or really who were interested in civil liberties and civil rights are Jean Sampson; Elizabeth Jonitis, who is a wonderful woman in this community. She's still working at the multi purpose center helping people, immigrants, new immigrants in this country learn English. And she recruited my wife as a matter of fact to teach English as a second language which she's doing with Asians. We've become very friendly with a lot of these Asians and helped them not only with their education, but also other problems that they have in connection with their everyday living. Qualifying for certain benefits and so forth, and any problems they may have with the landlord and so forth, that kind of thing. And of course Jean Sampson was a person, when she called out and said, you know, "We've got to have a good attendance at the NAACP picnic next week." You just didn't say, "No" to Jean. As I once said about her when she was given the, a posthumous award by the end of, the Roger Baldwin award, I made the presentation and one of the things I remembered about her was that, you know, that your conscience could not sleep while she was around. She gave you a call, you couldn't say "No" to whatever she was doing. She was always a person that was just trying to make the world a better place. She affected so many people because she was always doing the kinds of things that were calculated to improve things for others. And Elizabeth Jonitis does that on a continuing basis.

End of Side Two, Tape One
Side One, Tape Two

MB: You were talking a little bit about the people who had influenced you. You mentioned

Jean Sampson, and talked a little bit about her, and you were talking about Elizabeth Jonitis?

LS: Yes, Elizabeth Jonitis is . . . her husband was Peter Jonitis. He was on the Bates faculty. And they're both . . . he's no longer teaching at Bates of course. But she, her Quaker background I guess is what influences her quite a bit. She's always out trying to help people. She was helping Blacks; helped us form the NAACP. And now she's, she got involved helping prisoners in the county jail get their GED. That's just, well, that just gives you, and all of what she does is not for compensation at all. That's just the kind of person she is. And so she'd always say, something would come up and she'd say, "Would you like to come along and do this?"

And, I think Jean Samp-, Jean was the one that asked me if I'd like to go to Boston to hearings that Father Drinan, who was then chairman of the Massachusetts advisory committee to the Civil Rights Commission, was holding concerning equality in the . . . Whether or not segregation, segregated school system, I guess it was, it had to do with the busing system in Boston. And they were holding hearings to determine whether or not busing was a good idea. And of course the committee had a, seemed to have a bias in favor of busing so that they'd get integrated education. Ultimately that came about and I think that one of the things that the, that is responsible, one of the reasons it did come about is because of the work done by that particular group in Boston under Father Drinan.

So we went down, Jean, myself, and a fellow by the name of George Orestis, who was a, just an all-around person who knows right from wrong, who believes in helping the poor, just has a visceral feeling for that kind of thing. He was interested, too. So he, the three of us went down to attend that particular hearing. But that was a long trek to go, it was that kind of thing that we became involved with. And Elizabeth was the same way, she would see something that needed attention and so she'd get me to come along and help in some way. So, she was . . .

As far a politics was concerned, the person who influenced me the most in that regard was Shep Lee. Shep was very much involved in politics. He was always early in supporting people before it became clear that that was the person that was going to be the best person. He supported Frank Coffin very early in his gubernatorial attempt, in his attempt to become the governor of Maine. He supported Ed Muskie very early. And he was just very much involved; he was an excellent fund raiser. And he said to me very early when I first started practicing law, I mean, he said, "Lou, you ought to get involved in politics," he says, "because it's the right thing to do." And so at first he'd drag me to conventions, because those conventions could be pretty tedious sometimes. But the fun was when they discussed some of the platform issues, and then, so I got more and more involved. He and Jean Sampson were both involved. I remember meeting after meeting that Jean and I would attend, saying, "What were the grass roots issues.?" I mean, this is one of the reasons I think the Democratic Party became resurgent under Ed Muskie's guidance, and as a result of his charisma, enthusiasm and articulateness in expressing those principles.

And so he started, that's what started to attract good people, like Sidney Wernick[3], who was a brilliant lawyer in Portland who later became judge of the district court and then went on to the

[3] Sidney Wernick, 82nd Justice of the Maine Supreme Judicial Court. Began service September 30, 1970 and retired August 24, 1981. Died September 22, 1995.

Superior Court, and then on to the state Supreme Court. And he was one of the persons in Maine's judicial history that will stand out because he was brilliant, wonderful temperament, and just a very unusual individual in the Democratic party. His speeches at those conventions were beautiful to listen to, just so brilliant.

Okay, so, so he got me involved in these things. And then something would come up, and I was involved already in municipal politics, so I knew what's involved in going out. And in elections you'd go out, take ab-, in those days you had to take absentee ballots to the disabled or people in nursing homes. And you'd get them to sign an application, take it back to the city clerk, get the ballot, go back, have them sign the ballot and vote, take the ballot back to the city clerk. A lot of tedious leg work, but it had to be done. And the reason that people like myself or other lawyers had to do it is because you had to have a notary public. I was, and every lawyer is a notary public, and some were also justices of the peace, and they could acknowledge signatures and do things like that. So, you just got bombed on those elections.

And then of course when statewide elections came along, you did the same thing there. You helped drive people to the polls, you helped make telephone calls to people who hadn't yet voted. All of that kind of thing aside from the actual more intellectual sort of thing that we did. Like working on the issues conference, participating in debates, attending county caucuses, picking delegates to state conventions and to national conventions, all of that sort of thing was all important work that had to be done. And I would say the one person who's responsible for, because it was fun with him . . . Shep was a very enthusiastic person, and he was on every major fund-raising board that they established. So, and sometimes we'd get together with other people on that committee to decide what had to be done in the way of fund-raising: Who should they go see? How can they get larger contributions? How can they get grass roots contributions? All of these things were important.

And one of the things that I enjoyed most in all of that experience was when the Vietnam War was going on and I was, as you might expect, a person who was sympathetic to the protesters. And Eugene McCarthy at that time, we'll probably get back to that a little later on, was the candidate who surprised everybody in New Hampshire, that got Lyndon Johnson as a matter of fact to decide not to run for reelection. So, we became support-, my wife and myself and some others, became McCarthy supporters. At the state convention, I was able to become selected as an alternate to the Chicago '68 convention, an alternate for Eugene McCarthy. And that was, that was really an experience I'll never forget. I'll touch on that a little later on, if you don't mind, because it involves, some of that involves Ed Muskie, as you might . . . So when we talk about him, I'm going to talk about that in particular.

So, I guess I was pretty much involved, and I remember Shep did say, you know, he says, "Some day you might want to become a judge." And, you know, strangely, when he said that to me at that time, it had never really occured to me. I wasn't doing it for that purpose. I was enjoying the practice of law and I never thought of myself as a judge. I mean it just never, it seemed unheard of to me. But as a matter of practical fact, by having become involved in politics, that's how you do become a judge. There are the, in those days there were very few people where the job goes out and seeks the person. They still pick a person in the party, the party that's in.

MB: You had mentioned that you had known Shep Lee, or your parents had known Shep Lee's parents. Had you two grown up as friends?

LS: He's a, he likes to say that I was twice his age, because when he was three, I was six. So he's about three or, no, I think when he was four, I was eight, so he's four years younger than I. But I was, his brother was my contemporary, Harold [Lee], who met an untimely death as a result of leukemia. And Harold had a, up to the time of his death, had really been extremely successful in the discovery of, use of psychotropic medicine. He was a psychiatrist at Medfield Hospital in Medfield, Massachusetts, a mental hospital.

But Harold and I grew up together with Howie Dionne. Hal played the clarinet and we would play duets together. As a matter of fact, our high school graduation, we played in a clarinet quartet. I'll never forget that, because we practiced and practiced and practiced and somehow or other, I'm not sure who it was, it may even have been myself, somebody took the first ending in the clarinet quartet, at the high school graduation, and everything fell apart. So that was just a fiasco, that clarinet, it did not work out. But Harold, Harold and Shep lived across the street from me on Bradley Street during our high school years. And Sheppie and I played tennis together later on. And, I think I got very close to him after I got back to Maine and started practicing law, that's when we became close. And he had a lot of influence upon me at that time.

MB: What was the Maine political scene like in the years before you became a judge?

LS: All right, now you're talking about the, I became a judge in 1974, so you're talking about the fifties to the sixties. Well, you know the state, up until Ed Muskie came along, the Republican party had a first mortgage on the electorate. You know, you didn't elect Republican [*sic* Democratic] governors in those days. I think Ed Muskie was the first Democratic governor to be elected in, was it 1954? I think it was; since Louis J. Brann some twenty years ago. And I think he was responsible in the way he went about things, and the people that he attracted, the good, capable people that he attracted to his masthead. They helped to generate issues that resonated with the electorate. And he was a charismatic individual who got more people to become involved and give of their time. And it's just not one little thing. So I think that the party grew to a point where ultimately the Democratic Party became the majority party in the state, which it is now.

So, I would just, in answer to your question I would say that there was quite a lot of excitement because I guess people like heroes, and he was, you know? He reminded people of Abe Lincoln, you know? That tall, craggy faced, and this wonderful manner of speaking and his humble beginnings, and his empathy with the poor and the disadvantaged. He was a, I'm not sure that fiscally he was as liberal as a lot of Democrats. As a matter of fact, that probably stood him in good stead when he was in the Senate because he wasn't a knee-jerk liberal who would just say, "We've got to get way over as far left as George McGovern." And he was sort of, I think, left of center, maybe. That's just my opinion. I have nothing to substantiate, just a feeling I have. But in terms of the social issues I think, he was, you knew that his feelings were in the right place on those issues.

MB: How were you involved with Ed Muskie?

LS: I really wasn't that much involved. I think I came to it derivatively because I was friendly with Sheppie and any time Sheppie would have Muskie over to his house or we'd go down to . . . I think we went down the coast one time when Muskie came up to Maine, during that campaign.

I went with him to that of course. I think, I think Ed Muskie was there at the time, I'm not sure. And so I just sort of, kind of a, had peripheral contact like at these small social groups, where he would be together with other people. And I'd enjoy watching him engage in discussions with individuals of that nature. And engaging them in a debate sometimes over what some of, why his position was what it was. So, and, but in terms of, I had, just had a good feeling about him. And, you know, he would always look you in the eye and say, "Hello" when you were at the convention or something like that. He was, you just saw, he had some of what I think, that looking-you-in-the-eye business that [William "Bill"] Clinton seems to have, only with him it's a different thing.

MB: Do you remember any of these events or circumstances in which you saw him that illustrate his character and his abilities?

LS: Well, there were two things I, that stick out in my mind in that regard. First of all, I mentioned the discussions he'd get involved with in small social groups, when he was a guest at Shep's house or somebody else's house in connection with a fund-raising affair or something of that nature. But I remember when John Kennedy in 1960 ran against Richard Nixon. We were in the throes of that campaign in quite the same way that I mentioned before, trying to get people to support the Democratic ticket. I think in those days we had what they called the "big box" at the top of the ballot. What a lot of states still have. And if the top of the ticket was popular, they would pull a lot of people in all along the ticket, they didn't vote for the individual. As a matter of fact, I guess that's what happened in 1964 when Goldwater was trounced by L. B. J. That was probably one of the first times that they got a Democratic majority in the Maine House of Representatives, and I think in the Senate, too. And so, that was very important, who was at the top of the ticket. Well when Muskie was at the top of the ticket, he'd pull everybody else in with him. Except I'm not sure if he was in that 1964 election. I don't think he was, I think he wasn't up for election in that year. I think he came in in '56, the front runner in, uh . . . . .

MB: For which position?

LS: For governor. He was from '52 . . .

MB: Fifty-four was his first year as governor.

LS: Oh, '54 to '58, so he wasn't up, he wasn't up in 1960. But he, in 1960, that very same thing is what hurt Frank Coffin because a lot of people in Maine didn't vote for Kennedy, and that hurt Frank because they wouldn't vote the top of the ticket for Kennedy. Frank Coffin lost against John Reed, which was terrible because Frank would have made a fantastic governor of the state of Maine.

MB: How did you know Frank?

LS: Oh, Frank was a Lewiston lawyer that grew up here that we knew about. And as a matter of fact, I think when Shep initially supported Frank Coffin because he knew he was an outstanding individual and destined for great things, and had capabilities that would inure to the benefit of the state of Maine, he got involved with him. And then I, I got involved in Frank's campaign for governor. Jean was on that same committee with me and Shep.

And as a matter of fact, I wrote a couple of draft speeches for Frank in connection with that. One that I can recall was one calling for a reform in the municipal court. We then had a municipal court in which judges were permitted to practice law. And it was a part-time job. That was a very bad situation, as you can understand. Some person might have a matter before you as a municipal court judge, some lawyer, and then the next day, that same lawyer's representing an insurance company that you want to make a settlement with. So your impartiality is bound to be affected. So I wrote a speech entitled, "Justice Part-Time," to show that this kind of situation was terrible, and what you needed was a district court which was a full time judge, that would remove the judge from politics. He gave that speech with some wonderful changes to it. I didn't quite recognize what I'd written by the time he finished with it. He was a marvelous speech writer himself. And he gave that speech and although he lost the election, the very next four years, the very next term, they established a district court.

MB: What influence did Ed Muskie have on Maine?

LS: Can I come back to the other thing about Muskie? I want to get back to the John Kennedy election in 1960. Kennedy was due in Maine on a campaign tour. And as is usual in those campaigns, the plane was late. He had stopped somewhere, running way behind schedule. He was supposed to be there at eight o'clock. The Kennedy Park down here, in downtown Lewiston right near the City Hall, must have been populated by about three or four thousand people. I mean, that's a lot of people for Lewiston. They were there, you know, yelling and frolicking and having a good time. But it was a cold night; I don't remember what time of the year it was, but I remember being very cold. People were there but they were getting very tired of waiting around. Here it is eight o'clock, nine o'clock, he still didn't show up. Ten o'clock, still not there. Who was up on that bandstand all the time? Different people like Bill Hathaway, Ed Muskie; talking, entertaining the people, telling stories, doing this and that. For four hours Muskie was up there doing that. You know, having a great time with that crowd. They loved him, you know, as only he could do. He kept that going until midnight and held that crowd there until finally John Kennedy came at about midnight, to give a speech. I'll never forget that.

The other thing I remember about was, actually, I wrote this out because I wanted to tell it in detail. And I want to look at my notes on that if you don't mind. I mentioned to you that I was an alternate delegate to the Chicago Convention, and you know from history what a fiasco that convention was. Gene McCarthy was there, hundreds of thousands of college kids were there; Vietnam War protestors, to support Eugene McCarthy. Chicago police, under Mayor Daly, acted abominably. Well, you can imagine what it must have been like when they finally determined that Ed Muskie was going to be the vice-presidential candidate on the Humphrey ticket. Well, that wasn't clear from the beginning, but that's what evolved at the convention itself. Well, when it was learned that he was going to be, it was going to be the Humphrey-Muskie ticket, you can imagine how the delegation from Maine felt. They wanted, of course, to try a unanimous delegation for the Humphrey-Muskie ticket. And you would have expected that they would be putting pressure on the McCarthy delegates to try to make it unanimous in support. But they didn't do that.

And I always felt that it was to Ed Muskie's great credit that no pressure was put on the McCarthy delegates to support him. No attempt whatever by either Ed Muskie or George Mitchell, who was the chairman of the delegation, to do that. Moreover, I was hugely impressed by the fact, by the fairness involved, by George Mitchell as chairman. And I'm sure Muskie had

an influence upon this, that when we held caucuses, there was always an opportunity for, without being shouted down in any way, to let the McCarthy delegates speak and say why they thought Eugene McCarthy should be the presidential candidate. And, not only did they give them an opportunity to speak, but they also gave them the opportunity to argue strongly in favor of a compromise plank that they wanted inserted in the Democratic party platform, which would have conciliated the position of the protestors, the Vietnam opponents, and the Humphrey-Muskie position. That was totally fair. And we shouldn't really have, not been surprised. Because at that state convention when George Mitchell was chairman of the convention, and they were arguing the same issues, they gave, you know, they were completely fair in the way, and George, I mean, in particular, totally fair in the way he allowed the McCarthy delegation to present its case at the convention. I just thought that is, that was quite unusual to me.

And so I've always felt, however, as an aside, that President Johnson must have been exerting some pressure on Hubert Humphrey not to in any way waver on what the Johnson policy was about the Vietnam War. I know that Humphrey and Muskie, although they supported the president's policy because they had to, I think they would have wished, you know, that they could have taken a slightly different position. Had they been able to do that at that convention and had some sort of conciliation on that point, I don't think the results of the election would have been as they were. I think that Humphrey-Muskie would have won.

I think at that time, though, frankly speaking, I think that Ed Muskie, although, although he later I think changed his view on it, I think he thought the Johnson policy was correct. At least he wasn't ready, I think he would have been ready to make a compromise with the delegation in Chicago. I think Johnson was putting pressure on that they not do that. So, that's kind of too bad. That's a "what-if" kind of a situation.

The other thing that you might be interested in is that, as you know, Ed was an excellent debater. And he studied hard under Professor Brooks Quimby at Bates College, and he always loved a good debate. In 1966, we had a gathering in our house, I think it was a fund-raising gathering or at least a gathering to get support for, I think it was Elmer Violette who was running for high political office at the time. I think he was running for the Senate against, I thought it was Margaret Chase Smith. I may be wrong. But I think it was a gathering for Elmer Violette, and it was right smack in the middle of the Vietnam War. And at that time Ed Muskie was solidly in favor of the war. He changed his view, I think, later on. And he got into a discussion with a gentleman from the Bates faculty by the name of Alan Cameron, and there were a lot of other people at that gathering who were against the war in Vietnam. And he got enthusiastic as was his inclination, and sometimes it reached almost to the point of a shouting match. And I think Ed quickly realized that things were getting a little bit out of hand and he started, he moderated his tone in that and felt badly about it. Because after that gathering we received a very nice, warm, personal letter thanking us for inviting him to the house and for the event that we had sponsored and apologizing for his over-enthusiasm as one might call it. To me, that showed the measure of the man, that he realized it. Others have spoken about his getting very enthusiastic in the debate that he is engaged in. And he had asked in that letter if we would furnish him with the names of the other persons who were present so that he could send them a letter. So that was, that's kind of an interesting story that I don't think many people know about that might be an interesting thing for the Archives to have.

MB: As a judge, what contributions do you feel he made to the justice system in Maine?

LS: I think that, I think that he was involved . . . Well, first of all I think he made good judicial appointments; that's a big contribution.

MB: Who did he appoint?

LS: He appointed Sidney, I think he appointed Sidney Wernick. I'm not sure, but I think Ed appointed him. I don't think I could single out who his appointments were. You might, you could check down his, the history of that. But he made some very good appointments. I think Al Lessard was a good judge; he put him on the Superior Court. Ultimately I think Al became a U.S. District Court judge. He put Frank Coffin on the First Circuit Court of Appeals. You can't, that was the best contribution anybody could make, because Frank went on to do great things for the judicial system. I can't specifically think of anyone else, but I just have a feeling that his appointments were good, to the court.

The other thing that he did I think was to participate in this program of getting legal aid to the poor. He did that I think after he, after he was out of political office, but he's done that. I think some of the greatest contributions that he has made was not in the area of the judiciary, but in the area of being greatly responsible for the passage of the Clean Air Act. When he was a senator, the Water Quality Act. I think that the country owes him for that. They'll never go back on what they accomplished by that legislation.

I think he showed a lot of courage. We talk about courageous things that he's done, he showed a lot of courage when he left the Senate seat, this is my opinion, and became Secretary of State for only a year. He had no reason to believe that he was going to serve for longer than that; we didn't know what was going to happen to Carter. Carter put him on and he served for about a year and made a contribution there in that short time. And probably even before that, I think, he helped, and this was made a great contribution in getting our hostages back from Iran right after they were made hostage. I think he showed courage, as I recall reading about it, by refusing to endorse conservative legislation that would have amended Rule 22. I remember, was it Rule 22, I think?

MB: I don't, what is Rule 22?

LS: Something about the Senate's rules of procedure. I don't remember exactly what that was, but Ed thought that that was not good, and he knew he was going to get punished for it, and he was. Although it turned out not to be that way because I think then Lyndon Johnson didn't give good committee assignments so he put him on the environmental protection thing, which allowed Ed to have a strong influence on those two laws that I just mentioned, that legislation. So I think that that showed quite a lot of courage.

To speak of him as a person, though, as was one of the questions that you said you probably might ask, I think that you can say that he's certainly an honorable politician in the best sense of that word. I think he showed a lot of humanity. Some people talked about the time that he was running for president. And there was a dispute about whether there were tears going down his face, and, when he was in New Hampshire in front of the New Hampshire office of Mr. Loeb, if that's the fellow who ran the paper, I think that's his name. But if he did, it just shows the

humanity of the person. I don't think that the electorate of today would not have put that kind of a point on that, if they were to judge it in this day and age.

So, he was never a headline seeker, just a good, hard-working senator. And he was there, what, from, for some twenty one years as senator, extremely respected by others. And as far as the state of Maine, I think the Democratic party owes Senator Muskie for rejuvenating the Democratic party. He was such an articulate person. He, his charisma was such that he could say things that resonated with the general electorate, both Republican and Democrat, and in no way sacrificed his idealism or his liberalism on the important issues. And yet he had some good Yankee ingenuity and being fiscally responsible. So, I read something about his having said once to, I don't know who he said it to, but he thought it was kind of hypocritical for people on the campaign trail to act like Scrooge, but then act like Santa Claus on the senate floor. I think that's typical of him, and I don't think that he ever showed that kind of hypocrisy. I think he was a pretty consistent guy. So, quite a fellow, I'd say.

MB: In terms of you and your judgeship, when you became judge, how did your practice change, how did all that change your life?

LS: Well, you know, under our system in Maine, unlike, well, or other places, unlike say a country like Israel where you're trained to be a judge, here judges are selected from all the lawyers that practice. And a lawyer is going to have, become expert or handle certain types of cases. A lawyer representing an insurance company you might think was going to have a bias in favor of defendants in personal injury cases. A lawyer who represented a plaintiff might have a bias in favor of the plaintiff, one would think. One would also think that a person who was an advocate of civil liberties and civil rights would always rule in favor of the person who claimed that someone's civil right, or civil liberties had been violated.

The fact of the matter is, I think lawyers are, and judges, are able to put aside for the most part what their pre-, any predisposition one might think they would have in connection with a particular case. Sure, as a judge, if somebody raised an issue that somebody's Fourth Amendment rights were violated, I would not, could not, should not say automatically that just by asserting that right, that person is right. If they prove that it happened that way. . . . I'm sure that one's experiences color what they do in the future, but to live up to your oath of office and to be an impartial judge, you have to put that all beside you. I think judges can do that, I think individuals can do that. I think that either as a trial judge or an appellate judge, of course you're going to have a certain position.

I think some of my friends were pretty surprised; they thought I was pretty conservative in some of my rulings. They couldn't believe that this was a civil liberties judge that made a particular ruling. And that's because I wouldn't say that somebody's civil liberties or civil rights had been denied if, under all facts and all the evidence of the case, it hadn't been. I suppose on a close question, you're affected by something like that, but I don't really believe so. I think that if you're going to do your job as a judge, you're going to apply the law. And that's what I think I try to do.

I'm curi-, I'm interested in seeing what they said about Justice Blackmun. Now, there was a man who was appointed to the court as a supposedly conservative judge. He turned out to be probably the most liberal judge, at least vis a vis the other judges presently on the court, that was

on the court. It was his opinion in Roe v. Wade. He was frequently voting in favor of people claiming violations of the Fourth Amendment, or other constitutional rights. And so you really can't tell what a person's going to do once they put on the robe. Once that person puts on a robe, they have a certain standard they have to follow, and what they did before should have no effect.

MB: Do you agree with some of the rulings by Justice Blackmun, or do you think he was being too liberal?

LS: No, I agree with them.

MB: What were some of the memorable events or circumstances from your experiences as a justice or in politics?

LS: Well, I had a very interesting case on the Superior Court involving the Bath Iron Works. They wanted to put up, they wanted to establish a dry dock in Portland. But they wanted the state to, either the state or the city, I think it was the city, I think it must have been the city, to finance it by a bond issue. And Common Cause brought a lawsuit saying, "That's unconstitutional, you can't do it, shouldn't do it." I think everybody expected me to rule for Common Cause, but I didn't at the time. That case got a lot of publicity, probably one of the most significant cases. I ruled that it was not unconstitutional to have that kind of financing. And so they went ahead, created a lot of new jobs. I don't think it worked out as well as everybody had thought they would. But basically they did get the dry dock in South Portland [*sic* Portland].

End of Side One, Tape Two
Side Two, Tape Two

MB: Okay, what led you to the court appointments?

LS: I think Governor Curtis was governor at the time. And, this is about, I just thought I would, somebody suggested to me, "Why don't you, why don't you see if the governor wouldn't appoint you to the court." So I let him know that I was interested. I wrote him a letter. I think some of my friends talked to him, I think Shep talked to him. I'm not sure whether or not Gov. Muskie had something to do with it or not. I had the feeling that he had, but I, you know, I don't know this first-hand. And Ken Curtis appointed me. There was a big . . .

MB: What year was that?

LS: That was 1974. The appointment was controversial because there was a, one gentleman on the governor's council who wanted to have somebody else locally be appointed judge. And it looked like that person, you know. Usually the practice had been that whomever the governor's councilman from that area where the appointment was being made from, Lewiston-Auburn area, whatever, whoever he wants is the person that the governor usually appoints. He wanted this individual. Well I, I don't know what caused me to do it, but I just didn't assume that that's what was going to happen. So I traveled around the state and contacted friends and went to see each of the governor's councils, councilmen, and asked them if they wouldn't support me. And, I forget what her name was, but a woman from Portland, said she'd support me, and I got two others. I needed four votes, who would support me. And I went way up to somewhere in the

northern part of the state to visit him. And I guess he was kind of impressed at the fact that I would drive four hours to speak with him about giving my candidacy for the court favorable consideration.

Well, nothing happened for the longest time. And, you know, I have to be ever grateful to Gov. Curtis, he would not drop the nomination. And there was, you know, it kept, editorial after editorial would come out, you know, that I was well-qualified. And the governor, the governor made the nomination. Oh, what happened is, the governor made the nomination and then he had to get the approval of the council, and he would not withdraw the nomination. And there were editorials. And then I think Louis Jalbert, locally, had been opposed to my appointment to the court because he and I . . . . You talk about having some battles within the Democratic party, he and I had some beauts. And running for corporation counsel, the mayoralty, he would support one side, I'd be supporting the other side. So we had some, he was . . . I would consider him one of my political enemies. But some people had spoken to him . . .

MB: To Louis Jalbert?

LS: To Louis Jalbert, and you know, this thing had been dragging and dragging, saying, "When is the governor going to . . . ." you know, and Ken Curtis would not withdraw the nomination, you know, he just stuck right to it. I'll ever be grateful to him for that. And somebody spoke to him and also, I was in Boston; we were visiting, Thanksgiving. And I got a phone call saying that the council's going along. So, the three that I had stuck with me, then the others said, you know, they would, they would vote for me if . . . . I don't know what. But finally I think Louis Jalbert went and talked to them and he gave in on it and I got appointed.

Now, they had used against me the fact that I was a civil liberties lawyer at the time. And there was some specific cases that the Civil Liberties Union had been involved in that had antagonized some people and they tried to renew some of the hostility engendered by that particular occasion to try to defeat my nomination. So it went through. And in 1974 I became a trial judge on the Superior Court and was that for nine years, traveling all around.

MB: You talked a little bit, you mentioned a little bit about being a civil liberties lawyer. Was that your role with the civil rights and civil liberties unions?

LS: Yes.

MB: Who were the people that you worked closely with on these committees?

LS: Well, there was one case as a lawyer that I had, it was Dunham vs. Crosby, a case where a high school teacher was teaching *Romeo and Juliet* in what some parents thought was a sexually improper way, and so they fired him. So he brought a lawsuit against the school administrative district. We brought a case in the U.S. District Court, violation of the teachers academic rights under the First Amendment. And the judge didn't let it go to the jury; he directed a verdict against us. So, he said, there was no case. We took an appeal to the First Circuit Court of Appeals, and I argued the appeal. David [J.} Halperin, who was a law school professor, always involved in Civil Liberties Union work and civil rights work. He and I served together on the governor's task force on human rights, on, yes, on human rights, and helped to draft the legislation which is now the Human Rights Act. Up to that time, the only thing they had for anti-

discrimination laws was a law prohibiting discrimination in rental housing. Had a hard time getting that one passed, too. I'll tell you about that one in just a second. But David Halperin helped me write the brief and I argued the case, and we got it reversed. And then it came back down, we settled the case. So that was one important case.

A lot of the cases that we did as a civil liberties lawyer here in Lewiston was to go to the principals of schools that were in an exaggerated way enforcing the dress code, kicking, expelling kids for long hair, that kind of thing. Going and talking to them, trying to ameliorate the situation, negotiate some kind of a fair compromise that would satisfy the kid and also the school system, and that sort of thing we did a lot. We did some draft protest cases. I remember one case representing a fellow who did not want to say he was a conscientious objector and we did some CO cases. Cushman Anthony, a lawyer from Portland who was very much involved in the early days and became a president of the Civil Liberties Union chapter of Maine, the Maine Civil Liberties Union; Orlando DeLogue; these were people who did a lot of the work in those early days.

I was just a cooperating attorney until we, I think it was 1968, we formed the Maine Civil Liberties Union, a Maine affiliate. And in those early days with very little money, you know. We benefitted greatly by the assistance of a lot of cooperating attorneys who agreed to take cases without a fee, and did whatever we could to handle the civil liberties issues of the time. And a lot of CO cases dealing with the war, a lot of dress code cases, that kind of thing. Those were the early matters that we dealt with.

MB: And then later on, how did that evolve?

LS: Then the organization had several financial crises. Jean Sampson became the executive director during a lot of the difficult times, and she was able to keep the organization going until it got stronger and stronger. And it's the, the organization was not an in-your-face kind of organization, not always very confrontive. Always tried to see if we could accomplish by reasonable discussion the results that we sought to achieve, like prison rights, by talking with the warden. And it just seemed reasonable to him what we were requesting so he went along. A lot of this was accomplished, but when we had to go to court, we'd go to court, if we couldn't get what we thought was appropriate.

So, it's turned out that the Maine Civil Liberties Union has . . . . (*interrupted by knocking on door*. . . . nearly ready to wind up). So, the organization got a little bit stronger, but from time to time there'd be a crisis. Jean came back one time to help out. And right now it's a very thriving, healthy group that has given civil liberties a real voice in the state of Maine. They've been very effective with the legislature, and it's been a thriving organization. And I'm, I happen to be the first president of the organization. So that, as a result of what followed, they became very, very strong, and now they have a real presence here in the state of Maine.

MB: You had mentioned a case that you were going to come back to?

LS: Oh, let's see, we've mentioned the Dunham case, right? There was that one. And, let's see, I can't remember what that might have been. But I think we've pretty much covered. . . .

MB: Okay, is there anything that you want to share from your experiences that we didn't . . .?

LS: let me just take a look here at some of my notes. Well, like, you asked me about my past. I think my father always felt strongly about social justice. He believed in Roosevelt and everything that Roosevelt believed in about helping the poor and not hating others and things of that nature. And you asked about my wife and what she might have been interested in. She was very active in the League of Women Voters and the United Nations, and she particip-, she used to hold Halloween night puppet shows with John Tagliabue, he used to teach at Bates, to raise money for UNICEF, things of that nature. And she was a school teacher over at Edward Little High School. She taught English, was always very outspoken. And I remember on one issue that came up, one teacher, they were pretty conservative over there at the time, one teacher had told us they were holding a debate on a particular issue, something to do with governmental assistance in medicine and Medicare, or something of that nature. And I think that she said, "Well, who's taking the position in favor?" He said, "Oh, there's nobody taking that, there is no position on that." And she of course let him have it for not being a little bit more unbiased in terms of what the issues of the time were. And she went to all the Democratic party conventions at the state level that they held.

You had asked me what I thought were some of the important opinions, cases that I had had. I might tell you what those were. I would mention just three cases that, on the appellate court, that I ruled on with the majority; it was a four to three case, a four to three decision. One was the ruling that a viable fetus was not a person within the meaning of a lawsuit claiming damages for wrongful death, and the name of that case was Milton against Cary. Then there was a "right to die" case where a person who was pretty much in a vegetative state, we permitted the disconnecting of life sustaining apparatus in that case, that was In re: Gardiner, and I voted with the majority four to three on that one. And then the other one that I voted with the majority on was the failure to have handicapped accessible buses in South Portland. I said that that constituted a violation of the Maine Human Rights Act, that's one, in the majority.

I guess I was pretty much known as a dissenter on the Maine Supreme Court. There was a lot of editorials about that fact when I retired. And the cases that I felt were my most significant dissents was, one was State against Armen, A-R-M-E-N, where this individual was peaceably engaging in what I thought was protected political expression when he refused to obey an order to leave his congressional representative's field office. And I felt that this was not a criminal trespass beyond a reasonable doubt. I thought it was important to send a message that public officials should not arbitrarily feel that a person is disrupting office procedures when he's acting peaceably.

The other dissent that I would point to was one called Normand vs. Baxter Park Authority. The court had ruled that the Authority was within their po-, was within their jurisdiction in allowing snowmobiling in Baxter Park. And I ruled in a dissent that we needed to put a red flag up to the Authority that the court was not completely in accord that snowmobiling was appropriate in the park, and hoped that it gave pause to members to be restrained before going ahead with further encroachments about what Gov. Baxter had in mind when he created that trust.

And the third one was The City of Portland against Jacobski. And in the decis-, in my dissent, and Justice Glassman joined me in that, I wrote that the obscenity ordinance violated the Maine constitution. And the rest of the court didn't want to deal with the Maine constitution. They said it was okay under the federal constitution. And what happened subsequently, though, and I hope

that the dissent had something to do with it, they put that issue on referendum, whether to repeal that ordinance, and the people repealed it. So Portland does not have an anti-obscenity ordinance, which I felt was a violation of the Maine so-called first amendment. And basically, I think a dissent does three things: it shows the public the difficulty of the question that divides the court, and it may have the effect of influencing the future development of law, and it highlights to the legislature and to the public that there's a goal that a justice felt should be achieved but the majority said is not permitted by law.

So, I guess that, one final comment that I feel about the law in general is that the scope of review I found, you know . . . I almost like the Superior Court better because I like working with juries, and being right there with the lawyers, and keep running into jurors who served in court while I was there, and what an important experience it was in their lives, they tell me. On the appellate level, though, the scope of review is kind of narrow because the lower court judge has so much discretion. And because of that fact what happens many times on appeal is that we're really administering the law, and may not really be administering justice; they're not the same thing. So, that's more of a . . . .

As a final little thing that I'd like to mention, I just used to enjoy taking my dog with me when I was on the Superior Court. We rotated around the state and went from county to county. And I used to take my golden retriever with me. And some lawyers made a joke that, "You have to be careful, if the dog barks once, it's guilty, if the dog barks twice, not guilty, three times is a mistrial." But the dog really was quite helpful in child custody cases. Because sometimes I would have children come in to my chambers to really try to find out what they feel, without the parents being present. And of course they're very uncomfortable seeing the judge sitting in a robe, and, until my dog Sara would come out from in back of my desk. And the children would then melt and I found out everything I wanted to know about what was happening. So Sara was a pretty good prop for me, you know. And it was kind of fun taking her around with me. I guess that's all I have to say.

In conclusion, I'm just very pleased that they have the Muskie Archives here at Bates College, and I'm amazed by the kinds of things that have been done as a resource for that part of our history.

MB: Thank you very much.

End of Interview