MEMORANDUM

To: Tim West

Fm: Joe Sinsheimer

Re: Interviews with Arnold “Bo” Gwin

Dt: December 18, 1998

Enclosed is an interview I conducted with Arnold “Bo” Gwin, a former legal associate of Hardy Lott.

In the interview, Gwin discussed: 1) the role of the Greenwood Citizens Council in civic affairs 2) the black community’s boycott of Greenwood’s white merchants in 1967-68 3) Hardy Lott’s relationship to U.S. Senators Eastland and Stennis 4) the leadership of the Greenwood Citizens Council 5) hardy Lott’s relationship with U.S. Federal District Judge Clayton 6) relationship between Judge Clayton and U.S. Justice Department representative John Doar 7) Hardy Lott’s role as city attorney 8) Greenwood’s white community support of Beckwith after the Evers’ murder 9) and members of the White Legal Defense Fund set-up to support Beckwith.
Interview with Arnold "Bo" Gwin
Greenwood, Mississippi
May 7, 1986

J. Sinsheimer: (Could you tell me something about your relationship with Hardy Lott?) [Note: Mr. Gwin had worked in Mr. Lott's law firm from 1963-1987]

Bo Gwin: Hardy (Lott) was city attorney and was also attorney for the school board. And there were all kinds of law suits in those early years. And you know I was trying to remember when I was walking around, I can't for the life of me remember what the merits of the law suits were about. I know all these things were liberal things, what they were about, and later Hardy represented a number of school districts.

Sinsheimer: Right.

Gwin: You see they started, they kept changing the rules. You started out with freedom of choice and then they would go to a unitary school system. They tried everything. They tried I think over in Humphrys County, think it was Humphrys County, seperating them by race, not by race, by sex. And those would go to the Fifth Circuit and the Fifth Circuit would knock them down or affirm them. You could imagine all of these school districts and the lawyers thinking of all different things [laughter].

I remember one of Hardy's stories was another lawyer in Humphreys County that had a conference before Judge Clayton to see what they were going to do about the different plans. And he had lawyers for every school district come up to the conference. I can't remember [that name]. But Judge Clayton called on him and he said, "Well Judge what we are going to do is we are going to have complete freedom of choice."
That is our plan." And the Judge said, "What do you mean?" "Well," he said, "we have got so many buses, we have schools at these locations. And every morning the school bus is going to pick up the children and we are going to drive by the schools and the buses are going to stop and if a child wants to go to X school, well he gets out that day. The next day if he wants to go to another school well he can .... We are going to have complete freedom of choice every day." Judge Clayton said, "No, you don't really mean that. You go back and think about it some more." [laughter] [break] That was the complete freedom of choice thing.

Hardy tried one, one time. God, he is innovative. Had a real smart, young Jewish lawyer named Rosenberg or Rosenbloom with the Justice Department. And he was smart as hell, he tried these things all over. And Hardy stipulated with him on one school district on all the facts and everything. And the argument then was that they justified a lot of the integration of the schools because they said of the past, you had to do various programs and such because of the past effect on the school children. And what had happened then was since 1954 so that must have been in ... well you will have to figure it out.

But Hardy had figured it out and he showed that all the school children at that time—— that we were talking about then—— weren't even born in 1954. That was covered in the stipulation. And he argued to Judge Clayton that it couldn't have had, that segregation couldn't have had any adverse effect on them because they were even born. And they were all born after the 1954 Brown vs. Board of Education. Of course Judge Clayton greatly enjoyed the argument and it scared the hell out of Rosenberg [laughter] but he found against him [Hardy] in court. They did all kinds of things like that back then.

We had when I first came here—— and
I can't remember what all this was about. I think over in Georgia they had the Southern Christian Leadership outfit. Here we had an outfit named SNCC. And I can't remember what that stood for.

Sinsheimer: Student Nonviolent Coordinating Committee.

Gwin: Yeah, they were very active here and were well financed. They had very expensive radios and telephone things. We had a lot of COFO and I don't remember what that stood for. We got some CORE people-- Congress of Racial Equality-- but not many. Mostly it was the SNCC folk. And I can't even remember what they were even fussing about then because it wasn't the school.

Sinsheimer: It was voter registration.

Gwin: It was what?

Sinsheimer: Voter registration.

Gwin: It seemed to me that that came later. But it was then? But there was a lot of turmoil and every thing. The Citizens' Council was very, very active. They had meetings here once a month and most of the substantial business, white business men in the community belonged to the Citizens' Council.

Sinsheimer: Do you know where they would meet?

Gwin: Sure, up above what is now Deposit Guarantee on the corner, in the board room. It was the Leflore Bank and Trust Company. They were reasonable businessmen who were trying to maintain segregation but not in a Ku Kluxy way, you know. Not (advocating) no violence or anything. Mainly towards organizing voters and discussing issues but very definitely pro-segregation. That was the whole point of it I suppose. Let's see you have got to remember at that
time too-- I was trying to remember what things were like-- there were mini-shirts. On juries at that time were white males only at that time in Mississippi. We didn't have-- I can't remember whether we got blacks on the juries before we got women or not. I just don't remember.

I know Hardy and I tried the first case in this county and in Sunflower County where women were on the jury. Tried one before eleven women in Sunflower County and lost our ass (laughter). All of the-- I am trying to think of just racial stuff-- there weren't any black employees in any businesses down this way. Banks, the clerk's office, state things-- they weren't there. Early on when I first came here, for instance there was a drugstore called Chaney's, it is right across from the courthouse. I think Salvation Army is [there], big white, brick building. It was a nice drugstore and it had a drug counter, you know, an old time drug counter where you could get hamburgers and milkshakes. And they closed that early to avoid having to admit blacks.

Sinsheimer: The counter? So they just closed the lunch counter there.

Gwin: I am just awful-- it could have been Chaney's after that, but I don't think so. I am just not sure. But they closed the food section all together. And that happened a whole lot.

Sinsheimer: Would the blacks shop in white stores then?

Gwin: Yes. That has been true all my life. All over-- you see they are ending up the Indianola boycott and it had such a devastating effect, where the white businessmen got together to buy out that jerk's [contract]. He was being so really-- I am getting off-- he was being so religious and holy that he agreed to relinquish [his job as school
Superintendent) for $90,000. Well, hell the asshole is just going to get another job.

Sinsheimer: Sure.

Gwin: Well, they were awful stupid to do have done that in the first place. I think they should have forseen what was going to happen, but that is neither here nor there.

They had boycotts here-- I was going to make a point about the Indianola thing, I have forgotten what it was. I have gotten myself sidetracked.

Sinsheimer: About blacks buying, shopping in ....

Gwin: Oh yeah, when they the boycott here, that boycott was in like '66 or '67 I know because I went to the Fifth Circuit on that one in April of '69. So it had to have been at least probably a year and a half, two years old then. But they called that the Greenwood Movement and out of that is what is now the Greenwood Voters League, that evolved out of that. But the Greenwood Movement, they did a lot of things that weren't right. Of course a lot of things were done to them that weren't right either.

I don't think it is right, just from my own view, I think it is right for the Indianola blacks or whites to boycott a drugstore because they want the principle fired. Now that would have been a tort in Mississippi, it is a tort in Mississippi they just don't do anything about it, but you can't maliciously, I should say intentionally interfere with another man's business when your boycotting or interfering or striking or picketing not to get people to shop has no relation whatever to do with his business. Granted that if your bitch is that he doesn't hire black employees, picket the hell out of him. But don't picket him because they won't teach black history in the schools. He doesn't have anything to do with that.
That kind of economic pressure I
don't think is fair but the Supreme
Court back then had not said that it
was, hadn't said that it wasn't either.
And they were real unclear about it and
they avoided writing any opinions about
it because they wanted to allow the
mass boycotts but they didn't want to
make bad law. And that is pretty much
the way the Fifth Circuit and the
Supreme Court of the United States did
everything back in those days. They
started in the Fifth Circuit doing
things called summary reversals. They
didn't even read the goddamn record.
They just flatly—you would appeal and
you would get back by return
mail—"Summarily Reversed."

But they got themselves in trouble
doing it. And they really did it, they
were intellectually crooked as hell,
the Fifth Circuit was back in those
days because they would get these
things and they wouldn't know enough
facts. Frequently the lawyers
representing the blacks were wholly
inept and they didn't sum anything. And
frequently they weren't, they were
really good lawyers, but over half the
time they were real inept, didn't know
what the hell they were doing. And it
would get down to the Fifth Circuit and
the Fifth Circuit would have no legal
choice but to find for the other side.
They didn't want to.

So they would call, they called
Hardy, oh I have forgotten that Judge's
name from Florida, wanting Hardy to
tell him the racial composition of the
plaintiffs. And Hardy wouldn't do it. I
was back in the library when Hardy
answered the phone and he kept him on
the phone about two hours trying to get
it out of him and Hardy just wouldn't
tell him (laughter). He just talked
around the world and he wouldn't tell
him. They went ahead and reversed it
anyway. Didn't care.

They had records-- one lawyer in
Delaney in Tunica (county) he is dead
now-- something like thirty something
school districts. They were going to have a big hearing and stuff down in New Orleans—this was several years later. They didn't even open the records. Not only that when the lawyers got down there to orally argue the goddamn Times-Picayune, the New Orleans paper, already had the story of what the Fifth Circuit was going to do. But he got so made—he was going to file some kind of suit against them because they sent the record back, bound up and put steel things around it, it was so big.

Sinsheimer: It had never been opened?

Gwin: Never opened. They did that all the time back then. It was real aggravating to represent the city or any of those things because so much stuff was going on. So much of it was just slipshod. And you didn't know what was going on and the courts were ploughing new ground. It was just like there were no rules at all in the courts. They were trying to correct racial discrimination and they were doing it with a damn axe, not a surgeon's knife. They were just whacking away and if they just happened to hit the wrong thing it was just too damn bad.

In retrospect I don't know whether that was bad or not. At the time it made me furious be cause I was right out of law school and I just couldn't stand to see the system operating that way.

Sinsheimer: What about—let me back up—people tell me that Hardy Lott ran Greenwood and that Mayor Sampson relied heavily on him. What do you remember about Sampson and their relationship?

Gwin: Oh, he was very close and Sampson was a good mayor, I thought. But you also had W.G. Mize was on the city commission.

Sinsheimer: Right, and Buff Hammond.
Gwin: Yeah, and they were not unintelligent people. Hell of a lot better than the city commission that you have now. Even if you take the whites, a lot more knowledgeable people. I mean you don't need to-- I represent one of them. You don't need to tell them that.

Sinsheimer: Right.

Gwin: But W.G. Mize is a very intelligent businessman. And Sampson ran the, had a laundry and stuff, you know a businessman. That is far cry from the man that is on there now that is president of the board, president of the city commission. Jesus! They were pretty responsible citizens.

No, Hardy didn't-- from what I know-- didn't run things in that sense. You have to understand Hardy was a-- I am saying it like he is dead and he ain't but he is not as active politically-- was a tremendous political behind the scenes power. Not just in the state but really in the country. He went to all the Democratic conventions. Was an advisor to a number of Governors.

Sinsheimer: Do you know which ones?

Gwin: Hell, name some.

Sinsheimer: Barnett? Johnson?

Gwin: No, not Johnson. Johnson I am sure was afraid of Hardy because of his political clout and see a lot of that went on before I even came here.

Sinsheimer: Coleman?

Gwin: He and Coleman I think were more antagonists than they were friendly. But what is his name that had one arm-- John Bell Williams, had been a [congressional] represenative. And I am sure Barnett and Hardy, Barnett didn't have that much sense.

Now, Hardy was very close to Senator
Eastland and Stennis. And he was quite a power, but always behind the scenes.

Sinsheimer: Was he close to them politically and socially? Is he a social man?

Gwin: No, but he has always been a personal friend of the Eastlands. Some of the stuff I wouldn't tell you because it would be more privileged. But they were very close. You see Eastland at one time practiced law with my great uncle. And Hardy worked for my great uncle at one time, not long. Where are you from?

Sinsheimer: I was born in Baltimore?

Gwin: You see Mississippi is a pretty small place and particularly among the legal fraternity. You just know every lawyer. Hell, if you don't them they just started practicing law. Somebody said Mississippi is like a big country club, it really is.

So Hardy would advise the city council and stuff as to what he thought and they would ask him what the law was and whatever. I am sure he had a great deal of influence on them but I wouldn't say that he ran it in the sense that they weren't responsible for what they did. You have got to understand it-- the Citizens' Council was probably more responsible for a lot of decisions, if not directly than indirectly, in the sense that you get that many businessmen who held one view. If somebody really thought something else you might think you could not say it just for fear of being ostracized. Not ostracized any more than you know, "That liberal son of a bitch."

Sinsheimer: Right.

Gwin: But it is a very real ostracism. I will give you an example. I wasn't here then but Seth Wheaton, my old duck hunting partner and close friend—still is a lawyer here, brilliant lawyer—but
Seth is very outspoken, very honest, very fair and I don't think he ever believed that segregation was right. I never talked to him at length about what he did think about how you ought to handle it himself. But he spoke his mind about it and before I got here I was told that he had run for some office, county prosecuting attorney or something, and they just castigated him.

And after that I know for instance on the Greenwood Movement when they were doing all that, Seth was advising them as to what their constitutional rights were. And he and I were duck hunting partners then. And we would talk about that. We have always been very open with each other about things and we pretty much agree about most things. Sometimes we don't. I didn't really think of myself as being on the side of as being employed by a side. Hell, I was even president of the Citizens' Council for one year just because Hardy said he wanted me to be. It wasn't a position I enjoyed but I did it.

Sinsheimer: Who were some of the leaders of the Citizens' Council? People have told me Mr. Lawrence Sr....

Gwin: Oh, I will just name some names. Elliot Lawrence Sr was very active, Hardy, my law partner Stanny Sanders....

Sinsheimer: Barrentine?

Gwin: Tom Barrentine was on it, an old man named J.H. Peebles who founded the Leflore bank. Mr. Will Neill who was then president of the Leflore bank and the People's Bank out in Carrollton. Elliot [Lawrence] II was active.... I am trying to think of whether Louis Spencer was. I don't think Louie took an active part in the Citizens' although I am sure that he supported them. They were a lot of people like that. A lot of people didn't come to
the meetings. I didn't like to go to the meetings because it was boring. They always had them at four o'clock on a certain day--I don't know what day it was.

I just didn't like going to the goddamn thing. It wasn't a whole lot of interest to me. But I have never been interested in politics. That was mostly what they discussed, politics. And I never have had an interest in it really.

Sinsheimer: Now would that group have liked Sampson? Was Sampson ....

Gwin: Yeah, sure. I am sure Sampson came to the Citizens' Council meetings. Sure.


Gwin: That is hard for me to say. Hammond--I can only give you what I saw you know. I think that Hammond was a very personable fellow. And a lot of people liked him personally. But I got the impression that a lot of people thought that Buff was too liberal for them. Now liberal back in those days meant pro-integration. You got then too see--all of the conservatives read the National Review, you know William Buckley's thing, and everything if it was liberal or radical was communist-front things [inaudible portion]....

Everybody thought everybody else was on the same side. So that even the folks that might have wanted for instance to hire a black employee would not have done it because it wasn't the thing to do and you don't want to be singled out. And it would be bad for business. For instance if as a lawyer if I had hired and been by myself--if put in the same circumstance again I wouldn't hire a black lawyer. I just ain't that damn altruistic because if you did you might as well close your
goddamn law office. You have a black lawyer but ain't either one of you going to eat, you aren't going to get any business. A lot of it is just economics like that.

I wonder if the leadership and everything had been different-- it just couldn't have happened. It just would not have happened because human nature-- the history of the thing, the way people had grown up and been taught and everything else.

It was just going to take the federal government to intervene. I think they intervened, my own thinking is that they intervened with too heavy a hand. I think they could have done things differently. On the other hand we could have done things differently too. By saying we I mean the white folks.

For instance in Natchez we always had a black high school, Catholic high school too. You know separate but equal. That was what was hoped for, they just weren't. But a lot of the things in the South that weren't real discrimination-- economics. Given the black history, now granted they didn't have a lot of money because they didn't have the education. But they didn't have the education because they didn't have the money either. It just takes time to change those thing.

I mean even with this radical surgery it ain't a lot different than it was. Sure, you see blacks in various positions now but a lot of them are not qualified for the positions that they are in. And in a community like Leflore County I really strongly feel like instead of a Chamber of Commerce that does commerce-- it will never happen but ought to have some sort of committee or group of blacks and whites [to form a Chamber of Education]. The whites will have to undertake the financial leadership because they have all the money-- but the blacks constitute 63 percent or more, I am not sure-- but we need to educate all those
people out there. Not give them Ph d's, hell teach them to operate machinery or whatever and out of that their sons and daughters are going to .... That is the way to change it. The answer is education and economics. It will come but you need to rush it as much as you can because it affect the entire goddamn community.

And of course there are still a lot of-- well let me put it this way. If the white people did what the Voters' League does you would probably be put under the damn jail for being the biggest racist that ever lived. But if you go to one of those Voters' League David Jordan stands up there and says we support her because she is black. No other reason. Somebody said something about Claudine Brown, do you know her? Don't you talk about here because she is the black tax assessor they are suing for a bunch of back money, the state is. But he said don't you talk about her, she is black. Black, don't say anything. You can't have somebody like that running the black political thing, or at least he thinks he does. It is going to cause hard feelings among the whites as long as he has that attitude. Now of course a lot of them don't but it is just a damn shame.

Now Alex Sanders is the best supervisor we have had and he is black. He is the best supervisor we have had in years. And there a lot of black lawyers that are here that are really just fine. No problem. What else about the 60's?

Sinsheimer: What about Gray Evans? Where does he fit into this picture from what you have seen?

Gwin: Gray Evans? Not at all. Gray had something to do with the city. I think he was the city ....

Sinsheimer: He was the city prosecutor.

Gwin: City prosecutor then. But Gray and Buff
Hammond were close friends. And Gray had an image more or less of being more liberal than the rest of the folks were, having defined liberal for you. But Gray didn't take any big active part that I know of in any of this, if I remember. The only thing I really remember about that was Gray and John Frazier ran against each other for county prosecuting attorney.

Sinsheimer: Yeah, I saw that. He got beat bad.

Gwin: Yeah, oh it was bitter.

Sinsheimer: It was bitter?

Gwin: I think they are still bitter enemies.

Sinsheimer: Was that something on personality or do you think because Evans was a little bit more liberal that hurt him.

Gwin: That was in I guess in '63 or '64 when I first got here. And I really didn't know either one of them. But John Frazier then was aligned with the Citizens' Council group. I am sure that might have been part of the campaign. I don't know. It probably was.

Sinsheimer: I will tell you why I asked. The sense that I have been getting from people--I talked to W.G. Mize, Hardy, and Gray Evans and a couple of other people--was that, at least from Gray Evans, that it was sort Hammond and Gray Evans and sort of Judge Kimbrough who were ....

Gwin: Orman?

Sinsheimer: Orman. That were sort of on this other side in a way, if there was in fact another side at all.

Gwin: I would say that that would be true of Gray and Buff. But there wasn't any other side in that sense. When we went to Washington to argue our case Buff went with us. And Buff was not going to
buck the white leadership or whatever. He wasn't of the mind to do that and as far as I know Gray didn't either. I am sure Gray philosophically was against it but whether he actively did anything I don't know.

But he and Buff did have— I think that Hardy and W.G. and who was the other ...?

Sinsheimer: Sampson?

Gwin: Sampson. Were more on one side of the city council. And if there was somebody on the other side it was Buff. I think that it is accurate.

Sinsheimer: Right. Right.

Gwin: I think that is accurate.

Sinsheimer: Well, supposedly ... I heard a story that Sampson and Buff actually came to blows at one point.

Gwin: I didn't know that. [Short Break]

Sinsheimer: I just feel that there is some story hear and I haven't fished it out. Because Hardy was pretty honest, I mean Hardy doesn't talk too favorably about Buff Hammond. It seems a little bit like a sore subject.

Gwin: You see he and Buff were not friendly in that sense. But yet when we went to Washington Hardy and Buff and I had a pretty good time. They were both football, avid fans. They got along splendidly in that thing but it was just in business and personal lives they did not.... I was going to say anything about that because it is Hardy's business.

Sinsheimer: Right.

Gwin: And my law partner Stanny Sanders was, he was as frim in his conviction about that as Hardy was. Hell, I was at Washington and Lee when they decided
Brown vs. The Board of Education.
Frankly, I thought it was all right. It was freedom of choice and everything. Among my professors they had all taught they we got this huge black group of people that we need to educate and everything and we are not doing anything about it. It is just a terrible waste and drain if you just look at it economically.

And I so I really wasn't that upset about that. Until you get home and you talk to my father. ... But he was adamant as Hardy about things. And people of that generation just were. And it got to the point where Daddy told me that we just aren't going to talk about it anymore.

And so when I went to work for Hardy and Stanny, they were both so adamant it. Hell, you could either keep your job and work with them or you could branch out on your own and there wasn't any branching out to do particularly.

See there is still in my generation, I don't know what about the younger one, although I was a lot more liberal than they were, I still think that it is absolutely insane of people to think that blacks are not intellectually inferior to most whites, they are. I mean I didn't do it. Personally I think Jews are smarter than gentiles. I think Greeks are smarter than Jews [laughter]. You are really getting down to hairs now. But hell, dogs have different intelligence than horses. You have horses that are different things. You have people with different physical characteristics. Hell, the damn Hotintots stored food in their rumps.

And Anglo-Saxons have a lot of things different. I was reading some thing in your feet some orthopedic surgeon had come up with to reason why blacks can run so much faster than whites. Because their foot structure is different. Not a whole lot but different. Everybody is different. And I don't see anything so startling to
think that the blacks as a group are not as, don't have the brain power that the whites have. That doesn't mean that you can't take one particular black and he is a hell of a lot smarter than me.

And I still feel that way but that doesn't mean I think you ought to shun them for god's sake. A lot of the shunning part comes about because of economics. Nobody wants to sit next to an uncouth dirty slob whether he is white or black. And a lot of the reason he is dirty and uncouth is because he hasn't been educated and ain't have any money. You know things are not all that simple.

But I didn't mean to say that even among the folks I think-- I guess I am probably more liberal now than a lot of people in my generation. But a lot of that you never said back then. And then a lot of it-- my views that I just expressed about that, my children might think that I was insane. Just like my Daddy. Things change.

What else? I don't think that that thing between Buff and ______. I don't think there is anything there. i don't think Buff did anything. He may have had some feelings but he wasn't any champion of the blacks. He may have been in the back regions of his mind but he never took any action to do anything about it that I know of.

Sinsheimer: No, I don't think there was any ..... I just thought it was the way different people were reacting, trying to get a sense of that. You mention Judge Clayton and to me he is just this name I read in the newspaper. What was he like personally? What was he....

Gwin: Hardy was very close to him personally. As a matter of fact they had offered-- Senators in Mississippi select the district judge. We used to--it was a very good selection. I think Thad Cochran has just gone hog ass wild in selecting district judges, just crazy. Well, hell he put Grady Charlie on the
Fifth Circuit. I was in law school with Grady Charlie. Nobody that knows Grady Charlie thinks he can pour pee out of a boot. He is a sycophant, he is just a phony little asshole. And always has been. And why Thad appointed that son of a bitch I do not know. But he did the same thing with this guy Whitwell. Incompetent. Hell, compare them to Clayton who was thought of as one of the best lawyers in Mississippi. Same was true of William Cady. Cady was a hell of a goddamn trial lawyer. Always been true in Mississippi. Sidney Mize down on the coast. Before Clayton—oh the fellow was from ___________ Famous judge in Mississippi... {Short break}

But Clayton was a brilliant man and a hell of a good lawyer. Because of Hardy's political dealings, and he was such a power with the State Democratic Party and stuff, they offered him the federal judgeship.

Sinsheimer: Clayton's?

Gwin: Yeah, before they offered it to Clayton and Hardy didn't want it and turned it down. This was I think in 1954, maybe it was '56. It was somewhere around in there. But Hardy didn't want it because Hardy could forsee all the black-white trouble and he didn't want to be sitting on the bench having to follow the precedents of the court and stuff. And he was right, it would have killed Hardy. He just wouldn't have done it, I think he would have resigned.

Sinsheimer: They {Lott and Clayton} were personal friends as well.

Gwin: Oh yeah, I think they may have been in school together. No Hardy is older than Clayton. Not much. They were good friends and a whole lot alike. {Short break}

Sinsheimer: In what sense?

Gwin: Both brilliant, mean, tough, and not
just-- you know you have known people who are brilliant intellectually who had no judgement, just couldn't make use of their intelligence. Could score a hundred on the test but can't do a goddamn thing with it. Neither one of them are like that. Very capable people. Both good courtroom lawyers.

Clayton ran that court. He was a general in the army and he ran it. At one of the hearings up in Oxford a lawyer came in a madras jacket, Clayton sent him home.

Sinsheimer: Really?

Gwin: John Doar....

Sinsheimer: That was my next question (laughter).

Gwin: Doar showed up-- Hardy knows all of the ins and outs of these stories. What I am telling you he has told me. But Doar showed up about five minutes late, five after nine, and Clayton stood him up and chewed him out for fifteen minutes. So that Doar would not go back into Clayton's court. He sent other people.

Sinsheimer: That is what Hardy was telling me that Clayton also hated Doar's voice. That he had a sort of twang that Clayton just couldn't stand.

Gwin: See at the same time Clayton was very close to a lot of the civil rights lawyers. They all liked him. And he had people who very active-- Fay (Gwin's wife) would know the names he thought were very good lawyers and liked them very much. And the civil rights people liked Clayton because he decided things legally. They put him on the Fifth Circuit....

Sinsheimer: He was in private practice before that?

Gwin: No, he was on the district court.

Sinsheimer: Right. Do you know what he was doing
before district court?

Gwin: Yeah, he was in private practice.

Sinsheimer: In which city?

Gwin: Tupelo. And had a real good practice. See that was always true in Mississippi. It has been up until [Senator] Cochrane started pulling his damn stuff. I was in law school with Thad and he was one of my close friends. He are still close friends, we don't see each other much. But he has really torn his britches with me with his damn appointments. And I hadn't seen him to fuss at him but I have sent word to him a couple of times that he ought to have his butt kicked. He should, its political patronage. There are too many good lawyers that would take that job that he hasn't even tried to do. [Break]

Sinsheimer: [What is the jurisdiction of district court?]

Gwin: ... If the question concerns the constitutionality of a state statute or a city ordinance a single district judge can't hear it. They have to convene a three judge court. We had a lot of three judge courts back then. And generally they would appoint on the three judge court the district judge. One of the panelists would be the district judge and then two judges from the Fifth Circuit. Judges from the Fifth Circuit, I guess they still are, but I know back then were strictly political appointments.

For instance Griffin Bell was John Kennedy's campaign manager. Griffin Bell of course was on the Fifth Circuit and then went on to be Attorney General for the United States. He is a complete horse's ass. He is a jerk. He is just not a lawyer. And that was generally true of the Fifth Circuit panel, very few of them were good lawyers. Some of them were. ________ was smart as
hell. Of course he was so goddamn liberal. He was really far out but he was a brilliant man. But a lot of them were just political hacks.

But it was never true of the district courts. When they had these three judge panels and Clayton was on the panel, he ran the goddamn panel. They were scared to death of him because he just knew more law than them. They would start out a panel but see none of these judges knew any of the rules of evidence or how to run a trial. And whenever Clayton would participate they would finally just say, "Listen you can make all of the rulings and we will go along with it." But he wouldn't hesitate to tell them that were being jerks. They were scared to death of him. He was only on the Fifth Circuit two or three years, not long. He had a stroke.

Sinsheimer: The question I asked Hardy-- and I got a pretty good answer yesterday-- it seemed that there was almost this personal thing between him and Doar. Sure it was philosophical in root but it was almost like two pit bull dogs.

Gwin: Between Clayton and Doar?

Sinsheimer: Well, between Doar and Hardy. I sort of got the sense that Hardy liked the fight.

Gwin: That could be true but see I didn't see, I was just so green then I didn't go to any trials with Hardy and Stanny. What I saw was only what a law clerk would see in a backroom. The personalities-- if I ever met John Doar I don't remember it. I am sure I have seen him but whether I ever shook his hand or whatever I don't remember. And that was so early. Hardy's thing with Doar, you see a lot of it probably was before '63, before I got here. Because it was going hot and heavy when I got here.
Sinsheimer: Right, that was the real hot and heavy period.

Gwin: As soon as I got here I had to write a brief for Hardy-- the first thing I did in the spring court but it was for Delta Electric. It was a civil law suit about a power association. And then we had the Beckwith thing. I put a lot of time on that, fooling, doing what they told me. But I wasn't higher up then.

Sinsheimer: Being in Greenwood-- I didn't want to get into this with Hardy-- but why did he take that case?

Gwin: Which one?

Sinsheimer: The Beckwith case.

Gwin: You know, I don't know. He turned down several other-- Emmett Till he turned down. He turned down....

Sinsheimer: He was asked to do that and turned it down?

Gwin: Yes, but don't quote me on that in particular. He was asked to do several things before I got here and refused to do them.

Sinsheimer: What I heard was that Hardy Lott was one of the best lawyers in the state, certainly one of the best in the Delta. And had this position in the community and didn't really need to take on something like this.

Gwin: No, he didn't. But see he didn't make anywhere near the amount of money he could have made as a lawyer because he spent an enormous amount of time with the city and the schools and all of that and way undercharged them. I know it used to really aggravate me that he would tell me to get up a bill on these things and I would go down and document my time and get up a bill and he would cut it by two-thirds. And it just really crushed me because I was trying to keep track of how much money I was
earning for the firm so that I could ask for a raise (laughter). But everytime I thought we ought to bill them $9,000 he would tell them $2,500.

Sinsheimer: When someone is city attorney does he charge per hour or does he get a salary?

Gwin: No, they did the same then that they do now. They pay him a small salary. Back then I think Hardy's thing as city attorney was $400 or $500, now it is a $1,000. But you get a percent of each bond issue. And it varies according to what kind of bond issue it was. But generally it would be 1 to 1 1/2 percent. What I know we did one bond issue for the utilities for I think $12 million. Well, one percent of $12 million is a right handy little fee. Now Hardy did all of his own bond issue work. It is a hell of a lot of work. And on small bond issues we lost our ass because Hardy would do so much work for a $1000 fee.

Now none of the lawyers do the bond issue work— they still get the fee. What they do is they hire William Winter's firm or a bond firm down in Jackson. I had to do one out in Itta Bena and I was going to learn how to do the bond issue like Hardy did and he said don't.... And I said I want to learn how to do it. He said you don't want to know how to do it it is too goddamn much work, too much exposure. Call Winter's law firm— Winter wasn't even there I called it Winter's frm, it was Watkins, Edwards, Powell, and Little I think. Call them and ask them what they will do for us. And I called and they estimated $500. Well, hell it would have cost me $10,000 in time to learn how to do it.

So what you do as city attorney you write them a letter, there are certain letters, two or three letters you have to write. They do all the work, you pay them a $1000 and you make $12,000 fee.

Sinsheimer: But if he has to spend enormous amounts
of time with the schools ....

Gwin: Now what we did and I am sure the [other] city attorneys did. You bill separately for completely separate litigation. For major litigation you charge them by the hour and then they pay that.

Sinsheimer: So it cost the city a fair amount of money all these cases?

Gwin: Yeah, back then it did. As a matter of fact I was going to tell you that was one of the things that beat Sampson.... Who was that beat him? Thurmond I think. But Gray [Evans] and Buff Hammond wanted Thurmond in and wanted Sampson out. And Gray went around to the city clerk's office and got a list of all of our fees and bills that our law firm had billed the city for the ten years before that and documented it.

Sinsheimer: And claimed that Hardy was making money off all of this?

Gwin: It was $400,000 over a ten year period as I remember. It was in the Commonwealth for whatever year that was. The editor then....

Sinsheimer: Bill Richardson?

Gwin: Yeah, they ran articles about it. It was a big thing and that is what beat Sampson. And Hardy and Gray were not particularly ....

Sinsheimer: When I asked Hardy abouyt Gray Evans he said, "I don't think he was in government then." And I just knew I had better not ask too much.

Gwin: No, he wasn't that active but he was advising Buff I am sure. But he did do that and Hardy was really bitter about that. When they published that list I had worked on like 3/4ths or 80 percent of those cases and I knew that our bills were way low.
Sinsheimer: You were telling me that he was actually cutting his bills.

Gwin: And it just really tore me up. It made me mad as hell. But the figure came out enormous. I think it was $400,000 which doesn't sound too much for a ten year period now but back then lawyers were charging $25 an hour. Lawyers now charge $75 an hour. But there was a hell of a lot of litigation and we didn't make the litigation.

Now in some sense you did make the litigation because if you advise the city council "don't do this, to hell with them," then you have employed yourself. And that still happens of course. Of course Hardy I think did that with David Jordan recently. I don't think that the schools should have litigated that. And I stayed out of it totally. But that cost the school district a hell of a lot. But Hardy did do, made litigation in that sense, but given his philosophy it was the only intellectually honest thing for him to do.

Sinsheimer: What was it-- I mean you were relatively new in town....

Gwin: I mean Sampson wanted to too.

Sinsheimer: Right. Obviously you had your employer but was it odd being involved in that Beckwith trial. Was there any sense, I mean was the whole town united behind the effort or did you feel...?

Gwin: Yeah, no no.... So much so that I told you about Thorn Macyntire (the person who turned Beckwith's name over to the police). Thorn went bankrupt over there. He couldn't buy cotton seed. Nobody would sell it to him. There were a lot of things. He was just completely ostracized.

Sinsheimer: So the city really stood behind Beckwith?
Gwin:

And were pressed and fanned by the fanatic fringe. At the end of the second trial-- we had another, two hung juries. When we got to the second hung jury I rode home with Stanny and Jamie, his wife, and when we came across a bridge-- it isn't there now-- but it was right at the county line as you came back from Jackson. It was an old high top bridge and it had a great big banner across it that said, "Welcome Home De lay."

And Hardy of course was in god national news and Life magazine and everything. They called him a "rumpled Richard Burton." (laughter) Yeah, he liked being Richard Burton, but he didn't like being rumpled. And it was right after that they asked him to be in the American Academy of Trial Lawyers.

The Jackson legal community-- of course Hardy at that time was sort of in the position where I am now. That when you get to be 50 or 55, he was about 54 then, 54 or 55, all your friends that you started out law school with and who you started out as underlings with-- and of course all underlings always compare notes about their bosses, you know, even in other towns and stuff. A have got a lot of friends that we used to commiserate with each other. Now they are running the law firms.

And Hardy was in that position back then. So all of his friends and stuff, the Jackson lawyers and everything, all were very supportive of him. One of the very active people in the Citizens' Council was Dan Shell in Jackson. He is dead now but it was Satterfield, Shell, Williams-- see those firms have split up now. But Satterfield was John Satterfield who was president of the American Bar Association to give you an example.

Everybody was supportive but not supportive in the sense that anybody thought if De lay had in fact had done that it was a good thing for him to have done. Does that make sense to you?
They were just supportive of segregation in general and they thought that Thorn was wrong for having turned De lay in. Hardy and Stanny were really down on Thorn.

Sinsheimer: Where was he (Thorn) a gun dealer, which town?

Gwin: Thorn wasn't a gun dealer. Thorn was a farmer. They just traded guns.

Sinsheimer: Was he in the county?

Gwin: Sure. Itta Bena. Yeah, he farmed in Itta Bena. And Thorn used to call me about it. He was all upset. T'horn is a left-handed cousin of mine. We are no kin but in-laws. His grandmother and my great uncle were husband and wife.

Sinsheimer: So if anything the ostracism went the other way?

Gwin: What do you mean?

Sinsheimer: Well, in the sense that I was wondering whether or not there was any sort of ....

Gwin: Oh, no. Hardy and Stanny were thought of as the two best lawyers anywhere around. They just were, in the legal community, among the people.

Sinsheimer: I heard that Stanny was particularly good in the courtroom.

Gwin: No better than Hardy. Different. Made a much better emotional argument. That is not to say that he wasn't just absolutely brilliant. Quickest fellow I ever met. Just so quick. But he could make a hell of an emotional appeal. He wrote clear concise beautiful briefs. But Hardy was equally adept mentally. They made just an excellent team. You can't say too much complimentary. You know, in that sense one competing with the other, and you imply that this one doesn't have some of these attributes. And that wasn't
true, they overlapped in so many things. But a different kind of style all together. So when we tried civil suits it was -- they usually did -- let Hardy take the opening argument to the jury. See when you are on the plaintiff side you get to open and close and you get two lawyers. The closing argument should be the real emotional stuff and the closing argument also gets to pick at the defendant in the middle, tear his argument apart. And they always let Stanny take the closing argument because he could damages -- damages being an emotional thing about this poor old woman and stuff. Hardy was logical and I have never seen Hardy get emotional in a courtroom. But that is not to say that he couldn't do very well on either side.

But there are not many lawyers like that now that do all of it....

Sinsheimer: I mean just Hardy's memory shows me that he is a brilliant man.

Gwin: He has lost a lot of his memory. I don't mean senile but he is not as sharp as he was even ten years ago. It is a funny kind of, I don't know exactly how to explain it to you, but he is not. God he is a smart son of bitch. Even now when he goes to work on one thing and he thinks about that one thing he is just as sharp as he was, at least I can't tell the difference. But it is when you just go in and ask him about something and he doesn't have his mind on that, I wouldn't trust the answer I got because his attention is not on that and it is just ready recall. But if you ask him to please think about this he might not give you an answer until tomorrow but when he gives it to you he will remember a hell of a lot more than I would about it. Hell, he is 78 or will be 78. Don't tell him I told you that because he is sensitive about his age.

Sinsheimer: I won't.
Gwin: The other thing-- I said he is mean. That is true. But he is a hell of a storyteller, funniest damn storyteller. Loves to tell stories.

Sinsheimer: I thoroughly enjoyed my time with him.

Gwin: Oh yeah, but the the only people who ever saw the meanness were his family and the people that work with him. To the general public and his clients and those folks he was just as affable and easy going, you would think that he is just Mr. Congeniality. You would think that thing and they didn't see that real hard side.

Sinsheimer: There was a defense fund that was set for Beckwith, Beckwith's defense called the White Legal Defense Fund.

Gwin: You know I didn't remember that.

Sinsheimer: It was a way to raise money. There was a board of directors and I thought it would be a way to sort of get at not the individuals but what they were doing. I have a list of names and I was hoping that you might be able to help me with what some of them did.

Gwin: Okay.

Sinsheimer: Okay, Barrentine he ran his own...?

Gwin: Manufacturing company, it was a big company.

Sinsheimer: J.P. Thomas, Sr.?

Gwin: Yeah, that is Tom Thomas, Sr. -- Egypt plantation. That is a huge plantation, you know thousands of acres down in Holmes county.

Sinsheimer: Sam Williams?

Gwin: Oh, he was a real estate man, I had forgotten him.

Sinsheimer: J.J. Ferguson?
Gwin: Jesse runs a readi-mix, hot mix, asphalt contractor, huge outfit. Jesse was a client of ours, still is. As a matter of fact Hardy represents him individually and I represent his insurance carrier.

You know as far as I know-- I wasn't participating in the management of the firm, I was just being paid a salary,--but I know what Hardy charged De lay and I know De lay paid it. And if this outfit paid any legal fees I don't know about it. Now they may have paid a couple of experts. I know we had a handwriting expert and maybe a finger printing expert. They may have paid some of those expenses but I don't think any part of that defense fund was to pay legal fees.

Sinsheimer: I was more interested in trying to look at some of the people who would have gotten involved to show the realm, I mean the whole town was in fact standing behind ....

Gwin: Well, I don't know how accurate that was because of people who wouldn't... You just didn't see them and they didn't say they were against it. They just didn't participate. Like Louis Spencer, who was the manager of Delta Electric and was well thought of and everything, was very politic(al) about how he handled things. Like I said I don't think he ever came to a Citizens' Council meeting. He kind of stayed out of it.

I think Hardy kind of thought-- now Hardy and Louie were close and Hardy organized Delta Electric and represented them, still does. He was Louie's constant advisor with everything, but I think Hardy thought Louie was too liberal for him when you got to ....

Sinsheimer: I interviewed Frank Smith down in Jackson and he saying that Hardy always supported, Hardy supported Frank {Smith} against Jamie Whitten and always was a big supporter of his
because of Louie, because Louis Spencer I guess was Frank's brother-in-law.

Gwin: They were kin but I think Frank Smith is myopic. I think Hardy was still against Frank Smith from the word go (laughter).

Sinsheimer: Really?

Gwin: Yes, sir. And Gray Evans worked for Frank Smith and I don't think Hardy ever gave Frank Smith the sweat of his brow. He didn't give him a goddamn thing.

Sinsheimer: Even in the 50's?

Gwin: I don't think so. That is not the way Hardy and Stanny talked and I heard them talk about it several times. They were very much aware of the relationship between Louie and Frank Smith and of Gray and Frank Smith. And Frank Smith was thought of as quite liberal. And I don't think Hardy and Stanny had a damn thing to do with Frank Smith ever. Now it would be typical of Hardy that Frank Smith might think so.

Sinsheimer: Now let me run through (some more names). Now Elliot Lawrence II, he is the son of ....

Gwin: No, he is not the son he is the nephew. That is the reason he is the II instead of Jr.

Sinsheimer: Frank Odom?

Gwin: Frank Odom is old Talbot Odom's son. He was a lawyer with his Daddy and Frank since the has in fact quit practicing law. Frank is a personable fellow. He didn't want to practice law, his Daddy made him and that kind of thing. But back then Frank was very well regarded and as a matter of fact he was the president of the Kiwanis Club.

Sinsheimer: At that time?
Gwin: And he was also-- or right around in there-- he was also the one who organized Pillow Academy, the private school.

Sinsheimer: Hugh Critz?

Gwin: Hugh Critz was a hall of fame baseball player. Don't say hall of fame but quite famous major league player, early, 1920's. And had a lot of connections here on the Chrysler place here. Very wealthy, you know, a leader in the business community.

Sinsheimer: J.H. Stanton?

Gwin: Same deal, they had O.J. Stanton's Construction Company which was a huge construction company back then. They made an awful lot of money, did an awful lot of contracting and stuff. I think he and his brother ran it together and as the years went on they had a sibling rivalry. They got into this fight, they split up, the business went to hell and they sold everything....

Sinsheimer: A. H. Bell.

Gwin: Audrey Bell. I had forgotten old Mr. Bell. Mr. Bell was attorney for the board of supervisors then and was a famous lawyer here. This was his office at that time.

Sinsheimer: Really?

Gwin: I remember coming out here-- see lawyers do a lot of things. During the same period of time we had a huge cotton lawsuit. The Bank of Greenwood was fixing to lose about $2 million to a fellow named Hill and Audrey Bell represented the Bank of Greenwood here and the Bank asked him to hire Hardy and Stanny to associate, to help him with the trial and stuff. Mr. Bell was about 70 then. And all of that was going on at the same time. And I worked
more on the Hill Cotton Company that first two or three years doing research and things than I did a lot of this stuff. Later I got into a lot of this stuff but early then I was doing whatever they told me....

But Audrey Bell was a Shakespearean scholar too. He had a hell of a law business. He was older then but he was still attorney for the board and this that and the other. Pretty much the same posture Hardy is now. Hardy was still the school attorney, he is still the attorney for the utilities.

Sinsheimer: Robert Wingate?

Gwin: An accountant and he now owns most of the stock of the Bank of Commerce. But he has always been thought of as one of the best accountants in town. At that time he was in a accounting firm.... which is still one of the biggest firms....

Sinsheimer: Charles Saunders:

Gwin: Charlie Saunders was Billup's son-in-law.

Sinsheimer: So we are basically talking about the most prominent people in town right here.

Gwin: That is right, that is what your list is right there.

Sinsheimer: Noll Davis?

Gwin: ...I am not sure what the hell Noll does but he has always been a leader in the community.

Sinsheimer: Howard Stanton?

Gwin: Howie is J.H.'s brother in the Stanton Construction Co.

Sinsheimer: Hite Mclean?

Gwin: He is still a lawyer here. Hite at that time was attorney for the county school district, still is. And so Hite was
very active in all of this civil rights thing on behalf of the county schools at that time. And Hardy and Hite and John Frazier were the three lawyers who were really doing most of the—when I say Hardy I also mean Stanny because sometimes they shared things, sometimes they separated. But our firm and Hite and John Frazier were really the ones that were so active in it.

Audrey Bell see represented the school district then but all of the trouble then wasn't in the school district. So Mr. Bell wasn't doing a lot of the civil rights stuff then. It was after that he had a stroke and they asked Hardy to take over the school district. And that was in '65 I guess. It was before we moved the office and I think we moved the office in '67. Because I remember being in the old office when they asked Hardy to be school attorney.

Sinsheimer: Now that is a totally separate contract...?

Gwin: The school attorney. You know, it is a totally separate job and you get a separate thing. You see Hardy at that time was attorney for the city, for the utilities, for the schools, not the hospital then. But we had several public jobs. Now some of them—the mayor asked the attorney for the utilities, appoints him as it were. The school district, I think they have always let the school board select their attorney.... But they are paid separately....

Oh hell, there are more little jobs like that in Greenwood. We were talking about it coming back from Jackson yesterday. I have been in a constant political thing with Frazier's [firm]. They have always been. John has always been in the public trough. They have all kinds of little public jobs and John is constantly after them.

Sinsheimer: Gray Evans was accusing him of that twenty, twenty-five years ago.
Gwin: Guilty of it twenty-five years ago. It is the only firm that it so active politically. And they will support candidates for these jobs and stuff....They have always had all kind of little jobs.... What else?

Sinsheimer: I am about out of questions. You have helped me so much. I have been able to track down the story per say in terms of what the events were and what was in the newspapers and all of that. But you have to get a sense of people and all that. I mean I didn't know that Clayton was a general. I had heard that he was strict in his courtroom but that is the kind of thing you need to know to make sense out of all these things.

Gwin: He was a general. You would have liked him. What really amazed me was that civil rights lawyers all liked him and respected him. And although he was hard Fay adored him because he was very protective of his staff. Heavy drinker, drank 100 proof whiskey. But said he never had a hangover in his life. And he would go out and get drunk during court. Hardy would not drink with him. Hardy doesn't drink much but he likes when he does drink to have a good time.... But he wouldn't drink around Clayton.

Sinsheimer: Just because he didn't want to tarnish his image?

Gwin: No, he thought Clayton got mean when he got to drinking and Hardy didn't want to be around him because he knew he would be in court with him the next day and he just didn't want to take-- Hardy is very, very circumspect, very careful.

Anything important-- if he tells you something in a lawsuit for instance, if you are on the other side, if he tells you something he means exactly what he says, no more and no less. And you make
a bad mistake to assume anything about it because he is telling you precisely. He reserves the right to do anything different from that but you stick by exactly what he says. He has thought about it, he has plotted it, he has planned it. Dangerous, dangerous to have a man that goddamn smart. And that is the reason that the civil rights lawyers, most of them, had a great deal of respect for him.

... But when you made a stipulation with Hardy you had better look out because when he did something he never did anything lightly.... Back then when I would go to him he would say, "Well, think about it." And he use to aggravate me so bad but now I understand that if you will work on it and sit and think and plan and whatever you will get a lot better idea and then do it. And he never did anything important without giving it a lot of thought. Of course his off-hand notion was smarter than my thinking notion.

... I learned a heap working wit them but it was hard. A stern task master.

End of interview.