The David and Barbara Pryor Center
for
Arkansas Oral and Visual History

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Arkansas Memories Project

Jim Blair

Interviewed by Scott Lunsford

October 29, 2008

Springdale, Arkansas

Objective

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Transcript Methodology

The Pryor Center recognizes that we cannot reproduce the spoken word in a written document; however, we strive to produce a transcript that represents the characteristics and unique qualities of the interviewee's speech pattern, style of speech, regional dialect, and personality. For the first twenty minutes of the interview, we attempt to transcribe verbatim all words and utterances that are spoken, such as uhs and ahs, false starts, and repetitions. Some of these elements are omitted after the first twenty minutes to improve readability.

The Pryor Center transcripts are prepared utilizing the *University of Arkansas Style Manual* for proper names, titles, and terms specific to the university. For all other style elements, we refer to the *Pryor Center Style Manual*, which is based primarily on *The Chicago Manual of Style 16th Edition*. We employ the following guidelines for consistency and readability:

- Em dashes separate repeated/false starts and incomplete/ redirected sentences.
- Ellipses indicate the interruption of one speaker by another.
- Italics identify foreign words or terms and words emphasized by the speaker.
- Question marks enclose proper nouns for which we cannot verify the spelling and words that we cannot understand with certainty.

- Brackets enclose
  - italicized annotations of nonverbal sounds, such as laughter, and audible sounds, such as a doorbell ringing;
  - annotations for clarification and identification; and
  - standard English spelling of informal words.
- Commas are used in a conventional manner where possible to aid in readability.

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Scott Lunsford interviewed Jim Blair on October 29, 2008, in Springdale, Arkansas.

[00:00:00]

Scott Lunsford: Okay, Jim—uh—this is a new day, so I'm gonna [going to] start this off with—uh—today's date is October 29 now. Is that right?

Jim Blair: That's correct.

SL: Um—2008. We're still at your office here on South Thompson in Springdale—really between—almost in John—I guess it's in Johnson, aren't you?

JB: Well, no, it's actually in Springdale, but if you walked out—uh—and stood on the front of the property and threw a rock across the street, it would land in Fayetteville. So . . .

SL: [*Laughter*] Well, it's good to be back here. Um—um—we didn't really get finished up yesterday. There's so much to cover. And I—I wanna [want to]—I know you've got some things that you want to talk about.

JB: Right.

SL: And—uh—I didn't feel like we finished up on the—uh—University of Arkansas Board of Trustees stuff. We don't have to start with that.

JB: Well, I—I wanna start with a—with—uh—another—uh—uh—story

that involves the Clintons and then . . .

[00:01:04] SL: Okay.

JB: . . . we'll—we'll move on . . .

SL: Okay.

JB: . . . from there. Uh—I got to thinkin' [thinking] one time—somebody asked me had I ever fired anybody. I have fired four people in my life. One of them was the president of Holly Farms. One of them was the president of Arctic Alaska. One of them was a maid. And the fourth one was the deputy attorney general of the United States. [*Laughs*] Now I—since I've never held government office, how did I manage [*laughs*] to fire the attorney general—or the deputy attorney general? Web Hubbell was deputy attorney general under Clinton, and—uh—Web was having difficulty with his—uh—former partners at the Rose Law Firm. [*SL clears throat*] And—uh—I was monitoring that situation and talking off the record to Amy Stewart and Jerry Jones of that firm about what was goin' [going] on. And at one point, I told Web—I said, "Look—uh—there's a dispute over how much you owe the firm, and they want your credit card—uh—receipts and things which you're not givin' [giving] 'em [them] —you've promised 'em, and you haven't given 'em. Why don't you just ask them how much money they think you owe 'em and—

uh—if you have to, borrow the money and just pay 'em the money and go on down the road?" And he said, "Well, that's a good idea." [*SL coughs*] But he did nothing about it. [00:02:37] And—uh—he repeatedly—uh—promised the—the—the—firm—uh—documents and things he'd never delivered. And, finally, I'm talkin' [talking] to—uh—uh—Amy and Jerry—uh—one night, and—and they said that they are losing troops on their side of the fight inside the firm every day that Web doesn't keep his promises to 'em, and they're down to the point where they say, they cannot prevent—uh—probably the Rose firm goin' forward with a lawsuit against Web, which would probably—uh—result [*beeping sound in background*] in—uh—criminal proceedings being instigated against him. [00:03:22] So I called the president, and I said—uh—"Web has to resign—uh—because this thing is gonna blow up, and—uh—he doesn't need to be sitting—uh—in that chair when it blows up." And—uh—so—uh—President Clinton—uh—took his side and argued Web's position, and I said, "Now, have I ever given you any bad advice? I'm tellin' [telling] you this—that Web can't survive this. He absolutely can't survive this, and he *has* to resign." And so, finally, Clinton says—uh—"Okay,"—uh—"you're right. He has to resign." [*SL laughs*] And then he says, "But somebody has to

tell him." [*Laughter*] Well, I have no position in the government. [*Laughs*] I don't have the right to be doin' this, but it wound up with Clinton [*laughs*] directing me to call Web and tell him he had to resign. So I—I call Web, and I say, "Look—uh—this thing is outta [out of] control, and it's blowin' [blowing] up on you, and you can't—uh—be workin' [working] for the Clinton Administration when it blows up. So I'm awfully sorry, but, Web, you have to quit." And he said, [*SL coughs*] "Well, I wouldn't do anything to hurt the Clintons. Of course, I'll respect their wishes." I explained to him I'd just gotten off the phone to the president, and I was authorized by the president to make the call. [00:04:56] As soon as he hung up, he went over to Mickey Kantor's house, and he pled his case to Mickey, and Mickey called President Clinton. And then pretty soon the phone rings, and it's the president on the phone, and he says, "Well," he says—uh—"Mickey says this, and Mickey says that." And I said—uh—"Now, Mr. President, you can't back up on me on this. You've got to hold the line, and you can't change your mind on this. I've never given you any bad advice, and I'm not givin' you any bad advice now." And finally, [*SL clears throat*] he said, "Well, all right." So the resignation stuck, and sure enough, things did blow up, and sure enough, Web did get—uh—indicted,

and sure enough, he wound up goin' to prison. Uh—but—uh—I did think it was ironic that a private citizen [*laughter*] was the one that had to do this. [00:05:52] Uh—the—uh—other thing that I haven't touched on and is—uh—that in my activities and practice in northwest Arkansas, I've been, at some level, involved with all of the mega millionaires—the so-called entrepreneurs that—uh—that—built—uh—what—uh—we think of as—as the great economic culture of [*SL coughs*] northwest Arkansas.

SL: Mh-hmm.

[00:06:24] JB: And my first one [*clears throat*] was Harvey Jones, with—who was the first person ever to become worth a hundred million dollars in northwest Arkansas. And this was back—uh—he was worth a hundred million dollars—uh—in the [19]60s when—that's like a billionaire today—uh—or more. And—uh—the—uh—uh—he had come through the Depression in the [19]30s with an attitude that he didn't like borrowin' [borrowing] money. He could've made a lot more money had he borrowed money. And during the Depression—uh—he made people reroll the adding machine tapes and use the other side of 'em, and he made people keep their st—pencil stubs and give 'em to the route drivers. And—uh—uh—he was a—a great

effective cost-cutter. And—uh—kind of, I think, to emphasize—uh—to his—uh—uh—chief—uh—executive officers—uh—that—uh—uh—dealing with the nitty-gritty of the truckin' [trucking] company was more important than how you looked, he wore overalls to work every day, and he wore a pair of farmer brogans. And—uh—I—th—he said that a belt cut him, and he wore the overalls because they were comfortable, but I suspect it was something of an affectation. But at any rate, he liked to look at his trucks, and his trucks—uh—uh—he routed freight through Springdale that probably didn't hafta [have to] come through freight—uh—Springdale 'cause he liked to look at the freight. [*SL laughs*] And it wasn't unusual for him to go in the garage and—and—uh—and—uh—check the trucks personally. [00:08:14] So one day, he's wandered off from his—uh—normal domain in the terminal and gone into the garage. He had a gatekeeper named Mary Sellers, and she worked for him, I think, all of her life. And—uh—[*SL clears throat*]—uh—to get to Harvey you had to get through her, which was very, very difficult. A salesman—a truck salesman for International Harvester came to call, and Mary, for some reason, was not at her desk, and he made it through [*laughs*] the gate unimpeded and got into the—uh—uh—the big room where everybody's—they didn't have

cubicles. It was just kind of open—uh—desks scattered all over the place. And he asked people where Mr. Jones was, and somebody said, "Well, I think he's in the garage." So the salesman goes in the garage, and there's nobody in the garage. He sees a pair of brogans sticking out from under a truck—uh—there's somebody on a dolly that's rolled under this truck. So he goes over, and he kicks the—the—uh—brogans, and this little short, fat man in overalls rolls out from under the truck. [00:09:36] And the salesman says—uh—"Where's Mr. Jones?" And Harvey says, "Who wants to know?" And the salesman says, "Well, it's no business of yours, but I've got important business with him." And Harvey says, "Well, I don't think so." [*Laughter*] And so the salesman says—uh—"Well, it doesn't matter what you think. I'm—I'm gonna sell him a bunch of trucks." And—uh—uh—Harvey says, "I don't think you're gonna sell him any trucks." [*Laughs*] And the salesman says, "How do you know that?" He said, "Because I'm Harvey Jones." So the salesman says, "Well, Mr. Jones, I've got just the greatest deal in the world, and it's so good, you need to take this to the board of directors." And Harvey says, "The board done met," and he rolls back under the truck. [*SL laughs*] [00:10:30] So that's the kind of [kind of] guy he was. I'm in his office one day, and

people were intimidated by him even though he was a little short, fat man because he just had the presence that the—kinda [kind of] guy that started out hole—haulin' [hauling] freight with a—uh—uh—wagon and a team of mules and built a—a huge trucking empire [*SL coughs*] has to have. And—uh—as I got to know him better and he relaxed with me, we would visit sometimes. And so I'm talkin' to him one afternoon in his office, and I—uh—I said—uh—"Mr. Jones," said, "I—I heard a story about you I just wonder if it's true." And he said, "What's that, son?" I said, "Well, I heard that—uh—that when the Teamsters had a big strike on the truck line and you couldn't get any of your drivers to drive across the Arkansas/Oklahoma line, that you went down to Fort Smith, and—uh—you personally would drive a truck across the Arkansas/Oklahoma line, deliver it to the other side—uh—where people would take it and move it, and then go back over and drive another truck over, and that you drove a hundred trucks over that line in one day by yourself." He said, "Oh, I wasn't by myself." He said—uh—he reaches down in a drawer and pulls out the drawer. He said, "I had ol' Betsy with me," and he pulls out this revolver with a barrel about a foot long. [*SL laughs*] And—uh—he said—uh—said, "This union boss over in Memphis sent word to me that if I kept

doing that, I was gonna get hurt." Said, "I sent word back to him, 'Why didn't he just make it his will out and come on over?'" [*SL laughs*] [00:12:26] Uh—the—uh—uh—I get a call from Harvey one day [*SL coughs*], and—uh—he said—uh—"The—uh—electric company"—and I'm not sure now whether it was the electric company or the telephone company—"is tryin' [trying] to run a line through the middle of my farm out on"—what is now Highway 112 and where—what is—the farm is now what is Har-Ber Meadows. And—uh—he said, "I don't want 'em to do it." And I said, "Well, they've got the right of eminent domain. They can condemn the land and pay you whatever the fair market value of the land is they take, plus the damage to the remaining land. Uh—they have to pay you for it." And he said, "I don't want money. I don't want that line run through my farm." And I said, "Well—uh—do you"—uh—I'm arguin' [arguing] with him about it. He says, "Are you my lawyer, or aren't you?" And I said [*laughs*], "Well, I want to be your lawyer, but"—I said, "Okay, do you care how much money I spend doin' [doing] this?" He said, "No, just stop 'em." So—uh—I wind up servin' [serving] somethin' [something] like two thousand interrogatories on the—uh—condemning authority, and—uh—uh—it's [*train whistle in background*] just to make their life

miserable, [*laughs*] so they will give up on this. Well, in the answers to the interrogatories, I learn a surprising thing. They are—the condemning—uh—agency—and let's say it was the electric company—uh—had a—uh—authority under the Arkansas Constitution and the Arkansas statutes to cont—condemn land, but they had set up a real estate subsidiary to hold all their real estate. And they were condemning the land in the name of their real estate subsidiary. [00:14:36] And so I—uh—called their general counsel, and I said, "I think you guys have a problem." And he said, "What's that?" I said, "Well, if I read the constitution right and I read the statutes right, I think you guys have been condemnin' [condemning] land under—uh—a corporation that doesn't have authority to do this." And I explained to him what I thought his problems were. And he said, "What is it you want?" And I said, "I want you to [*laughs*] have that line run around Harvey Jones's farm." [*Laughs*] And he said, "Consider it done." [*Laughter*] And, of course, Harvey thought, you know, that's just all in a day's work. [*SL laughs*] Uh—the successor to his [*SL coughs*]—uh—trucking—uh—uh—enterprise—uh—was a guy named Johnnie Hunt, or J. B. Hunt. And when he first came to Springdale, he had a—a few trucks, and he was haulin' rice hulls. And he began to haul freight as to

what we called an irregular route carrier, and he began to apply to the ICC for all kinds of authority. And Harvey would hire me to oppose him and try to keep him from getting the authority. And I tried a lot of cases against Johnnie and won some and lost some. But Johnnie never seemed to take it personally, and—uh—eventually—uh—you know, the regulation was done away with, and Harvey sold his truck line to Sun Oil, and—uh—uh—and Johnnie—uh—uh—became a client of our office. [00:16:20] And—uh—uh—one time—uh—Johnnie and—uh—a guy named Keith Skelton were in business together, and they're putting together some big enterprise that revol—requires a filing under the Uniform Commercial Code. And my law partner, Frank Waters, who later became a federal judge, is their lawyer. They're sitting in his office. And—uh—uh—so he's filling out this form, and he says, "Keith—uh—where do you live?" And Keith says, "What do you mean?" And he says, "I need your residence address on here." Keith said, "Well, I don't know what it is." So Frank says—uh—"Well, here's a phone book. Look it up." Says, "Okay, Johnnie, where do you live?" Johnnie says, "Let me see that phone book." [*Laughter*] Frank says, "You mean you two guys are [*laughs*] doin' this multimillion-dollar deal, and you don't know where you live?" [*Laughter*] [00:17:25] Uh—but—

uh—Johnnie was a very interesting guy. I always suspected him of bein' [being] illiterate. He had dropped out of school by third grade—uh—and—uh—he always had his wife, Johnelle, at his side when he was doin' some kind of business deal. And after he acquired a—a major interest in a bank, and he would go to the bank board director's meetings with a secretary, who would—uh—read all the documents for him. But—uh—uh—he was a visionary, and he got the trucking—uh—company into things like transporting the trucks on railroad cars for long distances and doing novel things. And—uh—at one time in the late [19]70s, I made the mistake of buyin' [buying] an airplane. I had a—a two-engine—uh—uh—Navajo Chieftain, and—uh—uh—Johnnie wound up acquiring an airplane, but his airplane was in the shop or somethin', and he's out at the Springdale Airport, in effect, hitching a ride [*laughs*] on the first plane out. Wherever I'm goin', he asks if he can—uh—bum a ride, and I said, "Sure." So we're flyin' [flying] on my plane to Dallas or somethin', I think. And—uh—I asked him what he was doin', and he said, "I'm gonna build a truck factory and manufacture trucks." And I said, "Well, that's pretty ambitious, Johnnie." And he said, "Well, it isn't as hard as you think it is." He said—uh—"We run a truck into a bridge"—uh—said, "A truck's just a bunch of component

parts. You get all the parts and put it back together. We run a truck into a bridge and tear the—tear it all to pieces, and we just get these component parts and put it back together." Said, "I told my people, 'You don't have to run it into the bridge first.'" [*SL laughs*] [00:19:23] Uh—so—uh—uh—the—uh—I guess the major, you know, economic force in the area has been the Walton family. And—and—uh—I—uh—wound up—uh—many years ago playin' [playing] in a tennis tournament—uh—with Diane—a mixed-doubles tournament—in the—at the Fayetteville City Park. And of all people—th—the people we wound up playin' in the tournament were Sam and Helen Walton. And—uh—for the rest of my life—uh—Sam—uh—remembered that one tennis incident, and I could be walking' [walking] through an airport or somewhere, and he could be with an entourage of people, and he would see me and he would come over, and he would make it sound like we played tennis all the time.

[End of verbatim transcription]

[00:20:22] And I'd walk off poppin' the buttons off my shirt. He was quite a salesman. But he decided, at one point, to form what was called the Arkansas business council, and the idea was to give back to the state that had given them so much. And he became the chairman of it. Don Tyson became the vice-

chairman of it. The rules were you had to have a net worth of five hundred million dollars, or you had to have five hundred people working for you. So the heads of the state utilities [*SL coughs*]—the telephone and the gas company and the electric company—were all members, and Bill Dillard and Jack Stephens and Charlie Murphy and . . .

SL: Jerry Maulden.

JB: . . . and . . .

SL: Jerry Maulden.

JB: . . . Jerry Maulden and all the—Charles Morgan.

SL: Sure.

JB: The guy that—and a planner from northeast Arkansas named Wilson that had built a town and various things. And we normally met at the Arkansas Poultry Federation, and when I say we, I obviously didn't have that net worth or that many people, but Don would make me go to the meetings as his adjunct, and Sam would make Rob Walton go to the meetings as his adjunct. And so I got to do a lot of things with the business council. [00:21:58] One of the things I'm fairly proud of is that I personally reformed the Arkansas corporate law. Now my fingerprints aren't on it, but I decided because I'd had to reincorporate Tyson in Delaware to do some things we couldn't

do under Arkansas law, and Walmart had gone through the same thing. Every major company had run afoul of the antiquated corporate law. So I got the business council to agree that we would reform the Arkansas corporate code and pass a new code. And then to keep my fingerprints off of it, I hired a bright, young lawyer out of the Rose Firm to front the draft, and we lobbied it through the legislature, and we did change the law to where future corporations that wanted to have two classes of stock or a staggered board of directors or whatever it was would not have to leave the state and pay their franchise fees to another state. I also got them to do the study that they hired the Carnegie Institute to do an extensive study of education in Arkansas, and that report was a blueprint for what shoulda [should have] been done to reform Arkansas education. We just never could quite get it accomplished. But I'm at a meeting one day, and frequently I would fly down with Rob Walton and sometimes in his airplane with him being the pilot. But this time I had come from somewhere else, and he shows up. Rob's there with a Hartmann briefcase—very expensive belted-leather briefcase—but it's got a hole in the end of it that looks like an alligator had bit the end of it off. You could probably put your fist through that hole. And so I go over to Rob, and I say, "Rob, I know you

think you think you've won the briefcase contest, but you might be in second place, but you haven't won it." He said, "What are you talkin' about?" I said, "Look at Charlie Murphy." Charlie Murphy's over there [*laughs*] with all his papers in a plastic shoppin' bag so. [*Laughter*] So I was there when the business council was getting ready to make one of their proposals on education reform to the legislature, and it happened to be Black Monday in October of 1987, when the market made its horrendous single-day fall. [00:24:43] And Sam Walton's net worth dropped a billion dollars in one day, which in [19]87, to us, was a lot of money. And I remember Sam turnin' to Don Tyson and sayin', "What are we gonna do?" And Don says, "Well, you know, we still own our companies, and we're not gonna sell any of our stock. It's just paper. We're not gonna do anything." So we go over to have a press conference in the governor's office, and we're all standin' there behind the table and Sam as chairman's presiding. And the press doesn't want to hear about education. They want to hear about what it feels like to lose a billion dollars in one day. They just absolutely will pay no attention to our report. And so Sam steals Don's line and [*laughs*] says, "Well, it's just paper," and that line got printed. And when they got to asking Don, he was a little bit lost for

words because his had already gotten used up. [00:25:50] Well, that night Sam was supposed to have dinner at Don's Little Rock house. Don had a house over on Rivercrest. And I was gonna have dinner with 'em, and Sam's lookin' at the weather and storm clouds rollin' in. He says, "There—it looks like there's a bad thunderstorm comin' in here, and I've got a new store openin' at Johnson City, Tennessee, and I want to get out of here before the thunderstorms arrives. Can you take me to the airport?" And I said, "Well, sure." And so he canceled dinner, and I drove him out to the airport. And he is flyin' his own airplane. It was a Cessna 421, a so-called Golden Eagle, which is, pilots tell me, a difficult plane to fly. And by then, it's really lookin' bad out there, and I'm thinkin', "He's gonna get out there, and he'll get up in that storm, and he's gonna get killed, and everybody'll think that he committed suicide 'cause he lost a billion dollars." But, fortunately, he did [*beeping sound in background*] make it to Johnson City, Tennessee [*laughs*], and life went on. [00:27:11] My relationship with Alice was—and Rob was always a little closer than it was with Sam. And I remember, you know, havin' dinner at Alice's house with just my wife and I and Rob and his then-wife, Carolyn and Alice. Just the five of us. And Alice would always serve quail, and Carolyn

would always bitch about it, and [*SL laughs*] Carolyn would—said that—told me—she said every Sunday afternoon, they had to go have dinner at Sam's house. Ever Sunday they serve quail. And she said, "The Waltons always made fun of her 'cause she could never get all the meat off the quail bones." She said, "A Walton can take a quail bone—or a quail [*laughs*] and just absolutely reduce it to shiny bones." But Sam, you know, liked to quail hunt, and he made his family eat what he shot. So the—but I was in New York not very many years ago—two or three years ago—and I'm in the Museum of Modern Art, and Sandy Edwards, who had left the university to go to work for Alice at Crystal Bridges, runs into me, and she says, "Alice is in town and makin' a speech tonight at Sotheby's. Do you want to come?" And I said, "Well, sure." And she said, "Well, I'll arrange for tickets. It's at six o'clock, and you just come in. There'll be tickets there for you at the front desk." And I said, "Great." So Nancy and I go over to the Sotheby's and—which is right there by Rockefeller Center—and get our tickets, and we go in, and they're havin' a little wine-and-cheese cocktail thing. [00:29:19] And, finally, Alice comes in, and I go over to talk to Alice, and what she's doin' [*SL clears throat*] is she's talkin' to all the museum curators and major art dealers to explain to 'em that she's not

gonna buy up all the art in the world and move it to Bentonville—that her art collection will be available for travel—traveling exhibits, and she will share things with other museums. And she actually was gonna make her chief lieutenant do most of the talkin'. But I expressed my admiration for what she was doin', and she said, "Well, you're the one that gave me the idea." And I had completely forgotten about it, but I remember one time years ago sayin', "Alice, you need to build a quality museum for northwest Arkansas." So I'm gonna take a little bit of credit for that. [*SL laughs*] The—well, let's go on to the Board of Trustees.

SL: Well, let's . . .

JB: I'm . . .

SL: Let's wait just a minute here.

JB: Okay.

SL: Harvey Jones—when—I guess I don't quite understand why he was—was it just a—the fear of competition from J. B. that he was . . .

[00:31:02] JB: It was—Congress passed the Interstate Commerce Act in the middle of the Depression. And all of these trucking companies, includin' Harvey, said, "Oh, this is gonna break us. This is gonna break us." It's like the doctors fighting Medicare.

And instead of breaking them, it made 'em rich because it did control competition, and the purpose of it was to insure that there was, as a matter of national security, an adequate flow of transportation in the United States, so that excessive competition did not destroy the transportation system. So the right to haul ir—less than truckload freight on a direct route from point *A* to point *B*—from Birmingham to Houston—was regulated, and you had to apply for a permit—get a permit. And then the amount you could charge for the freight was regulated, and you had to file all these rates. Well, by the time I came along, there were very few places in the United States where there weren't, in the view of the ICC, adequate competition on what they call major termini bridges between point *A* and point *B*. [00:32:45] There was another class of trucking, which was called irregular-route freight, where you didn't have to go over designated terminals from point *A* to point *B*. You could ask for the right to haul Welch's grape juice from Springdale, Arkansas, to Seattle, Washington. And the irregular-route carriers that moved that—particularly the steel carriers—flatbed carriers—moved that kind of freight. Some shrewd operators got to figurin' if they could get the right to haul certain commodities from point *A* to point *B*, you could tack at point *B*—you'd get some authority from point *B*

to point *C*, you could then manage to haul from point *A* to point *C*, and you didn't have to go through point *B* to do it. So the—they got very aggressive on tryin'—goin' to somebody that was shippin' a lot of products and getting a shipper and filing for that one shipper for points that they, you know, didn't really want to go to, except that they would file for a lot more authority than they wanted, knowin' that the regular route carriers would oppose it, and in—instead of getting the whole cake, they'd get a slice of the cake. So they always filed for more authority than they wanted. I'm tryin' a case down in Little Rock one time, and there's a truckin' guy that I'd seen a lot. I've forgotten his name now. [*SL coughs*] He's filed for all this authority, way beyond what he wants. And I said, "Well, now you've asked for the right to haul this stuff from El Paso, Texas, to Seattle, Washington." He said, "Yes, I have." And I said, "And you don't have any authority out of Seattle, Washington, for any backhaul." He said, "No, I don't." I said, "What are you gonna do when your driver and your truck get to Seattle and unload the truck? What's he gonna do? Is he gonna deadhead all the way back to El Paso?" He said, "No." He said, "I'm gonna have him sell the truck, and I'll fly him back to El Paso." [*Laughter*] So that's how obvious some of that was that . . .

SL: Yeah.

JB: But it was just a game that really didn't need to be played, and eventually Congress did away with it.

[00:35:33] SL: Did you have any experiences with Bernice Jones?

JB: Not really. I mean, I knew her. The—they were both clients of our office, and for many years, we drew their wills. Courtney Crouch was the one that drew their wills, and Harvey controlled the First National Bank, and Crouch was on the bank board, and I knew her, but I never had a lot of dealings with her. And after Harvey sold the truck line, I really, by then, had given up my work for the truck line and had focused on Tyson Foods. But he certainly deserves to be memorialized as he has been because he and Bernice had no children. They left all their money to the foundation that bears their name, and it's done miraculous things for Springdale, and they've used their money quite well—which kinda leads me off in another direction. [00:36:56] What little money I've had, most of it I've made out of—outta the stock market or the commodity market. And I got sittin' down thinkin' the other day that I've made a little over five million dollars out of the commodity market, and I've given all of that money away. And I've given a substantial part of what I've made in the stock market away. I was one of the founding fifty

members of the Walton Arts Center that helped finance the very beginning of the arts center, and I've always supported it. And I decided when I left Tyson Foods, and I would not—I—when I decided to retire, I wouldn't retire till January the second of 2000 because I didn't want anybody else to be able to say they've been general counsel of Tyson Foods in the twentieth century. I'm the only general counsel they ever had in the twentieth century, and they've had three people in that job since I left. Most of whom have told me that the job was harder than I told 'em it was. But I decided I would spend five years doin' charity work, and I wound up serving on the—three years on the Arkansas Tennis Association Board to give something back for the years of tennis that I've enjoyed in the state, and I'm a found—a member of the Arkansas Tennis Patrons Foundation. I'm a founding member of the Arkansas Bar Foundation, and I made a substantial contribution to the new bar center offices in Little Rock. I spent three years on the Fayetteville Education Foundation Board, and I endowed a creative writing project at the Fayetteville High School, where every year they bring in a writer of some repute who does some talking to the assembly of the junior class and then does individual writing workshops for handfuls of the students, just in case somebody wants to

become a writer like I didn't do. I serve on a board of a—I'm actually the chairman of a board that is an affiliate of the Schmieding Foundation for the aging because the Schmiedings were clients of our office and because Lawrence asked me to do that. I served for three years on the Fayetteville Library Foundation Board. I still serve on the Tyson Family Foundation Board, and I serve on the Northwest Arkansas Community Foundation Board. [00:40:25] And I'm past my five years, and I'm sure I've left out some boards here. But I'm startin' to turn down new requests, and I'm startin' to try to terminate that part of my life. I feel like I—I've done that. The—I was a founding member of the Northwest Arkansas Council, and I have a picture that I meant to look for to bring to you, but the day we had our first meeting—there's a table up there, and there's four people at the table, and that's Sam Walton and Don Tyson and J. B. Hunt and me. So [*laughter*] I kept that picture 'cause I thought it might have significance to my children. I don't know that it will. But I have since given up my activities on the council. [00:41:28] But the first thing we did really was the major effort to get the Northwest Arkansas Regional Airport, and we were successful at that, and I made the pitch to the Springdale City Council to get them to vote their approval in support of it. And

so I really give Alice most of the credit for bringing the airport off, but we got a bunch of federal money thanks to Clinton, and it really was the first *new* commercial airport built in the country in many, many years. And speakin' of things that is the first, I actually, at one point in my law practice, I incorporated the town of Johnson, Arkansas, to keep Fayetteville and Springdale from annexing it, and that was the first town incorporated in Arkansas in twenty-five years when I did that. There have been a lot since then. So . . .

[00:42:37] SL: You know, you mentioned the Walton Arts Center. When we were—we've interviewed Dan Ferritor, and he said that when y'all finally convinced him to be chancellor that Ray Thornton said, "There's two things you gotta [got to] do, and one is to save—fix Old Main. And two, get the Walton—get the arts center built." Apparently, there'd been money that the . . .

JB: Right.

SL: . . . Walton family had given, but nothing had been done with it.

JB: Right.

SL: And there was a huge—they wanted it on the campus and . . .

JB: Yeah.

SL: . . . it wasn't workin' out one way or another or somethin' . . .

JB: Yeah.

SL: . . . so Dan—I guess it was his idea to put it somewhere between . . .

JB: A . . .

SL: . . . downtown Fayetteville and . . .

[00:43:28] JB: He was a major, major player in that decision, and some people wanted it out on the bypass, and—but the—to get the city to participate and match—I mean, the Walton money, as it usually is is matching money, and you gotta come up with your half of it. And it was through—and the university couldn't do that. It took the city, really, to do that. But I think the—you know, the other major player was Billie Jo Starr, who—Joe Fred Starr's wife—who really, really wore herself out raisin' money and givin' money and makin' sure that the thing got built. My only regret was that they didn't build a prettier building. I—that's one reason I'm really proud of the Fayetteville Public Library. When we were arguin' about the library building, I took the position that public buildings—there was not a law that said they had to be ugly. [*Laughter*] I mean, you could build an attractive building, and I personally—that's—taste in an individual thing—think that the Blair Library is a very attractive building. [00:45:01] The [*beeping sound in background*]—one of the reasons I went on the Board of Trustees at the university

was to try to protect its status as the major university in the state, and every university in the state wants to give Ph.D. programs in every discipline there is, and those programs are prohibitively expensive. And every university in the state wants to have a world-championship athletic program, and those are prohibitively expensive. And, really, every university in the state or college in the state—they call themselves universities—wants to be the University of Arkansas at Fayetteville. And the state can't even afford one, much less twenty of them. And—but it is a very delicate balance because you have to have, I think, places where people who can't travel and who can't go to the northwest Arkansas corner of the state have to have access to a quality education. So it's always been a hard balancing act, and I think we've had mixed success. [00:46:26] But I was a supporter of moving the system president to Little Rock, which sounds kind of contradictory to my support of northwest Arkansas, but—and Ferritor was an important part of that decision on my part. I wanted Ferritor to have freedom as chancellor to do what he wanted to do. I didn't think he would have it if the president of the system was sitting there next to him, lookin' over his shoulder. I knew that Ray Thornton's roots were in central Arkansas, and I thought at the time it would be better for

Danny's function as chancellor if Ray were—had some distance from him. So—even though they're both friends of mine, and so I was a supporter of movin' the president—system president to Little Rock. I think it's worked out well up till now. I—you know, Alan Sugg is getting long in the tooth in that job, and I have no idea how it will go after Alan retires—if he does.

SL: Well, he's been great, hasn't he?

JB: He's been fabulous.

SL: I don't know anyone that is not thrilled to have him where he is . . .

JB: Well, again . . .

SL: . . . and has been . . .

JB: . . . he has to do all of that balancing with all of the competing institutions, and some of the decisions were to go ahead and absorb some of these institutions into the system, so that those balances could be done more efficiently, and to some extent, it's worked.

[00:48:19] SL: How did we end up getting Alan Sugg?

JB: Well, Sykes Harris was the chairman of the Board of Trustees, and I was the vice-chairman, and the board appointed us as a committee of two to do a search. I think we may have had assistance from some national search guy. But we found Alan

down in Texas, and Alan had been president of the student body at the University of Arkansas at Fayetteville. He had been a pole vaulter on the track [*laughter*] team. I mean, he knew the institution I cared the most about, and he seemed to me to be a nonthreatening-type person who could do the nuts-and-bolts work. And so I think, to some extent, I talked Sykes into sayin', "This is our guy," and so I'm gonna claim some credit there.

SL: Well, he's been quite remarkable.

JB: Yeah.

[00:49:29] SL: What about—you know, I know that y'all ended up representing J. B. Hunt. What a pair that J. B. and Johnelle are, or were.

JB: Well, it—Johnnie's death is, you know, a great tragedy, but Johnelle is a superb businesswoman. I think Johnnie might not—I don't have any question in my mind, he would not have done [*laughs*] that without Johnelle. Now would Johnelle have done it without Johnnie? Maybe so, except that Johnnie did have a lot of crazy ideas, but some of the crazy ideas turned out to be good ones. I mean, he had vision, and he certainly was outside the box, as they say. The—but I think we've been very lucky that they decided to maintain their headquarters in northwest Arkansas, and they've done enormously good things. I

sponsored a deal where they were gonna put public art out on 265—not on 265, on 540, and it was these wooden painted flowers, and the highway department, at the last moment, decided we couldn't put 'em on the highway right-of-way, and the first people that stepped up and said, "Well, you can put 'em on our property right off the highway right-of-way" were the Hunts there at Lowell, and I think their display is still up. Yeah.

SL: It's great.

JB: Yeah—which not all of them are.

[00:51:29] SL: Yeah, it's just amazing to me how these enormous businesses incubated in such humble—I mean, most of these folks had very humble beginnings—almost pioneer conditions . . .

JB: Right.

SL: . . . in their childhood.

JB: Absolutely.

SL: And they have become so successful . . .

JB: Uh-huh.

SL: . . . and influential. And I just—what is it about northwest Arkansas that . . .

[00:52:09] JB: Well, some people suspect it's the water. I [*SL laughs*] suspect some of it—you know, I've always felt that the

people that populated northwest Arkansas were what they call the ridge runners, and they came across the Carolinas and Tennessee, and they passed up all the fertile bottom land to stay in the hills where the soil isn't—the topsoil isn't a half an inch deep because they wanted to be independent, and they didn't want people tellin' 'em what to do. And I think there's always been a—you can call it the "hillbilly spirit" if you want to, but a—a fierce, independent—I don't know—suffusion of spirit in the people in northwest Arkansas. [00:53:14] And I think the reason that some of the entrepreneurs have been so successful is they just—the old phrase, "They broke the mold." They just didn't do business as usual. They thought of new ways to do things, and they, on the other hand, knew how to save money and live frugally until they got enough capital to do it with. And so they've been awfully good at generating their own investment capital. And what we're seein' in today's economy is the world blowin' up because people were runnin' at ratios of one dollar of their own money to sixty dollars of borrowed money. And if you make a 2 percent mistake, you're wiped out. Well, I've always watched Don Tyson watch his debt-to-equity ratios, and he's been obsessed with 'em, and he's been careful with 'em. And even though he's been aggressive buyin' companies, he's never

let those asset—debt-to-equity ratios get out of where he thinks they should be. And that's why I think Tyson's survived every downturn, and I think they'll survive this one. The—well, let me just say a few words about where I am in life now. I got married for the third time in December of 19—not 19—2005, and I married a girl named Nancy Beth Horton. Her married name was Williams. She had been divorced for a number of years. And her parents are from a little community called Canaan right outside of Marshall, Arkansas, in Searcy County. [00:55:25] And much to my surprise, there is a little cemetery called Bear Creek Cemetery just a very few miles from that Canaan community where some of my ancestors are buried. My great-great grandfather and his brother—his name was Martin L. Blair, and his brother's name was William Blair, and they married two sisters in Tennessee named Sare—Sarah and Elizabeth Turney, and they followed the girls' brother, Bowman Turney, into Searcy County about 1838. And they—my great-grandfather, Joseph Turney Blair, was born at Bear Creek in Searcy County. And my grandfather, Rufus Blair, was born at Bear Creek in Searcy County. And my father, William Joe Blair, was born at Marshall in Searcy County. So I've been very comfortable with Nancy's people because I totally understand them, and they are, you

know, of the same, you know, kinda Arkansas hillbilly stock that I feel like I'm from. But her maiden name was Horton, and about half the people in Searcy County are named Horton. And, you know, the reason people don't understand why [*laughs*]—why hillbillies have two names—it's because, you know, they have so many with the same last name. In her high school class there was Nancy Beth Horton, Kathy Gem Horton, Katie somebody Horton. I mean, there were so many Hortons. But the story I really love is that there used to be a school at Canaan, and I'm told by some of the local Searcy County historians that everybody in the school was named Horton, so they didn't put last names on the report cards because [*laughs*] there was no need to. [*Laughter*]

[00:57:51] SL: That is a great story. [Claps hands] That is a great story. Well, Jim, that—it's kind of a circle thing, isn't it?

JB: It is. It's a closure in a way. And Nancy was trained as an executive secretary and used to be an executive secretary at Tyson's, and so I'm content to kind of turn the management of my life now over to her. But I've taken her to twenty-eight different countries since we've been married, and I was lookin' back the other day. I think I've been in a total now of seventy-eight countries. And I was in China when it was just barely open

to the Western world, and I've made multiple trips to Africa. And I've been in Laos [*clears throat*] and Cambodia and Uzbekistan, and there's still parts of the world that I need to check out. But I've been on all seven continents. I'm gonna spend, I think, my declining days traveling as much as I can as long as I can, because I know the day's gonna come when I can't. But it, you know, concerns me a little bit that, you know, some of our major political figures have had very little exposure to the world, and I think that falls back to our conversations about Fulbright—how much he valued and how well he understood that the world is a pretty small place and is gettin' smaller every day. And everything that happens anywhere in the world affects us, and everything we do here affects the rest of the world. And we're gonna have to learn to live together, and I guess any way I can contribute to that, I will try to do that.

SL: Well, I think you're in pretty good shape, and I bet you've got some more miles to go.

[01:00:03] JB: Well, I've said I—my major effort is to maintain my lifestyle until I'm eighty, and I'll reassess at that point.

SL: [*Laughs*] Well, now can you—can we go—can we keep goin' here for a little bit longer? I . . .

JB: Sure.

SL: . . . I get the sense you're kind of wrappin' stuff up, but there are some things that . . .

JB: Okay, sure.

SL: And how are we on tape? Is it gonna . . .

KK: Got about four minutes on this one.

SL: Four minutes? Why don't we go ahead and change tape . . .

KK: Okay.

SL: . . . now.

[Tape stopped]

[01:00:33] SL: We're about to do some work on a Sheridan Garrison production, and I'm just wondering if you ever had any cross . . .

JB: I had a little bit of contact with Garrison Motor Freight as sometimes they would be involved in some of my ICC cases. Sometimes we would be on the same side of a case tryin' to keep somebody else from doin' somethin' that would be competitive, or we might not be on the same side.

SL: Mh-hmm. But you never really knew Sheridan?

JB: Nuh-uh. No.

SL: Okay.

JB: Yeah.

[01:01:13] SL: And then had—did you ever get to spend any other

time with Jerry Maulden other than in the . . .

JB: Not other than at the "Good Suit Club," as John Brummett called it. Yeah.

SL: And what about Bob Lamb?

[01:01:30] JB: A little. But now let me talk about—let me—let's go back and let me talk about Witt Stephens a little bit.

SL: Okay.

JB: But . . .

SL: That sounds good.

JB: . . . let me get—my throat's gettin' rough again.

SL: Okay.

JB: Let me grab somethin' real quick.

SL: Okay.

[Tape stopped]

[01:01:42] SL: So you want to talk a little bit about Witt Stephens.

JB: Well, because I was involved in politics to some extent, I got invited to some of Witt Stephens's famous lunches. He had two dining rooms in the Stephens's offices, and he would have his regulars, like Ike Murry and Henry Woods, and then he would invite people that he had an interest in for some reason to fill in the group. And we would have lunch in one dining room, and it always involved cornbread prepared by his black cook. And then

we would get up when we're finished—walk out of that dining room into another dining room, where there was always dessert and coffee on the table and sit [*laughs*] down and—instead of havin' to wait for people to move plates and things like that. But he occasionally used to ask me to come early to one of those lunches and visit with him, and I've been in his office a number of times, and I never did know what I would encounter when I walked in there. [01:03:04] And one time I walked in his office, and he said—just the first thing he said to me is, "Dale Bumpers is no Stonewall Jackson." [*Laughter*] I said, "Well, I guess not. Why do you say that?" He was irritated with Bumpers because—I guess that was in the aftermath of the Fulbright race. And he said, "Stonewall Jackson could've captured Washington, DC, but he knew it wasn't the right thing to do." And then one time I'm in there, and he's excised about something, and so he calls his secretary in front of me and sits down and dictates a scathing letter to the editor of the *Arkansas Gazette*. After he finishes dictating it, he says, "And sign Ike Murry's name to it." [*SL laughs*] But he would call me up, and he would say, "Son, you oughta [ought to] be president of the university." And he'd—and about two minutes later, he'd be tryin' to sell me some municipal bonds and—which I frequently bought from him. And then, you

know, some months later, he'd call up and say, "Son, you oughta be governor." [*Laughs*] And he was always tryin' to sell me municipal bonds. And he told me one time—he said, "I want to see you have a million dollars in municipal bonds." And one time he called me and said—I said, "Mr. Stephens, I have that million dollars in municipal bonds." And he said, "But I wanted you to buy 'em from me." [*Laughter*] [01:05:05] The—I was at a—one of the famous put sessions in the—early in the Fulbright campaign when there was the old guard that I guess is older than I am, and I can't even think who they all were now. Pat Wilson and, oh, the guy that founded one of the big insurance—the Union Life Insurance Company guy—and a whole handful of heavy hitters in that room, and Witt just said, "This is what we're gonna do, and this is how much you're gonna give, and this is how much you're [*laughs*] gonna give." And he didn't allow anybody to say no, and he didn't allow anybody to say how much they'd give. He assigned 'em their quota of political contributions. But I think he, you know, was certainly a genius. He was Arkansas's Warren Buffett, I guess, and always interested in politics to the extent that, you know, when there was a political race he told me one time that he would hire people down in Grant County to take people to the polls. And he

said what he learned in that was you don't hire 'em all day long. You hire 'em to take a batch of people to the polls, and then you pay 'em, and then you hire 'em to take another batch of people to the polls, and then you pay 'em. He said, "Son, my daddy told me never put the plow deeper than the mule can pull." [*Laughter*]

[01:07:04] SL: What was—his upbringing? How—do you know much about his . . .

JB: Well . . .

SL: . . . his past?

JB: No. I mean, he—because at one time I was so close to Ray Thornton, and you know, he was Ray's uncle, I almost thought he was my uncle, too. But the story I've always heard is that durin' the Depression, he sold belt buckles across the country to get some money. And I think he was one of those entrepreneurs with a flair for salesmanship. He liked to sell things. And, you know, even toward the end of his life when he wasn't runnin' anything at Stephens at all, and he always gave Jack enormous credit for building the Stephens empire. But he would still call me up and sell me municipal bonds. [*Laughter*] And then somebody from Stephens would call and say, "Do you really want those?" And sometimes I would say, "Not really." But

Jack—I never—I just never could understand frequently what Jack was talkin' about. And one time Jack wanted Randal Tyson and I to come out to his house on River Ridge, and so we drove out there, and we went in. And Jack served us drinks, and we spent about an hour, and I never did understand why we were there, and I never did understand what we're talkin' about. We're drivin' away, and I turn to Randal, and I said, "I didn't understand anything that we talked about in there, did you?" And he said, "Boy, I'm glad you said that 'cause [*laughs*] I thought it was just me." He said, "I didn't, either." [01:09:12] So I don't know. But I hadn't had that much relations with Warren. We used Stephens in our Holly Farms hostile takeover, and I remember—and Warren testified as an expert witness for us in some of our court proceedings. And I remember one, you know, Saturday bein' with Warren in New York City, and we're—the lawyers have disappeared, and we just don't have anything to do. And I, you know, remember sittin' around in a bar, drinkin' and discussin' what we were gonna do with the rest of our lives. But I wrote Warren a letter the other day when he did his op-ed piece and reminded him of some [*laughs*] of the things that had taken—had been said in that conversation. The—but that certainly is another—you know, for many years—and I don't

know whether it still is—it was the largest investment bank off Wall Street. And they made a lot of people in the state a lot of money and they—you know, they helped take Walmart public, and they certainly helped Tyson on a number of projects. And I think they've made a heavy economic contribution to the state.

[01:10:56] SL: You know, you mentioned Randal Tyson. Now I never really knew Randal very well, but the few times that I got to be with him, I thought he was just a great guy.

JB: Randal was really, really a sweet guy. He is Don's half brother. He—Don's mother and father were divorced when Don was five years old, and some years later, John married his bookkeeper and—Helen—and they had Randal. And Randal was almost the same age as Don's oldest child, John. And—but the difference—they ran around together and played together and—but Randal—when he was about fourteen years old when his father was killed, inherited several million dollars—what became many millions of dollars of Tyson stock, and Johnny really didn't have anything except what Don gave him. So there was a great gap in their economic circumstances. But Randal was never, I think, as committed to the business as Don was or as Don—or as their father was. And he would occasionally get interested in it, but it was never as serious a commitment, I think, or as an obsession

as Don had.

[01:13:05] SL: Well, the age difference—coming in at a different time in the . . .

JB: I think so.

SL: . . . history of the company and . . .

JB: I think so. And Randal always—even when he could have exercised his own rights to vote his share of the Tyson stock, he always signed the voting rights over to Don. He always let Don do anything he wanted to do. He never questioned Don's judgment at all. And . . .

[01:13:42] SL: So let's get back to the University of Arkansas Board of Trustees.

JB: Okay.

SL: And you gave up your national Democratic Party delega—delegate position.

JB: Well, the first thing I did when I went on the Board of Trustees is I prevented Jack Williams from becomin' the chairman. I don't know that Jack's ever forgiven me, but . . .

SL: Jack's a—was a lobbyist from El Dorado.

JB: Yes. Jack was really, in my opinion, livin' in Washington, DC, and I didn't think he could function as chairman, and I decided I wanted Kaneaster Hodges to be the chairman. And so while I

was the newcomer on the board, I—very early, I think—started focusing on how important it was that the chairmanship be controlled by people that I think cared about the things that I cared about, and I will say that about the next six chairmen of the board were kind of hand-picked by me. The—but Kaneaster was a fabulous chairman, and you know, he's still functioning quite well on behalf of higher education. And one of the things I got to do when I was chairman is the Walton Family Support Foundation has to have outside members on it, and I—one of them has to come from the—or be appointed by the University of Arkansas Board of Trustees or did at that time. And I appointed Kaneaster to that position, and he has stayed very close to Rob Walton, and I don't know whether you've done Kaneaster's . . .

SL: Hm-mm.

JB: . . . but you should. I think he's just an exceptional person. You may remember he got to be a United States senator for a year [*laughs*] because David Pryor was governor, and it was a situation where there was a vacancy that if it was less than *x*—I think *x* was a year—then there didn't have to be a special election, and he appointed Kaneaster, and Kaneaster, I think, distinguished himself in that one year in the Senate. [01:16:48] And when I think of it, everybody's forgotten he was a United

States senator. I try to remember [*laughs*] to call him Senator Hodges. The—you know, one of the most conservative members of our board, but I think made a very effective chairman and has done a tremendous amount for the university is Lewis Epley. And Lewis wanted to practice law in Springdale, and Courtney didn't want any more lawyers in Springdale, and he talked Lewis into goin' to Eureka Springs. There were only two lawyers in Eureka Springs [*laughs*] at that time, and that was Festus Orestes Butt, the patriarch of the Butt family, and Claude Fuller, who had been a United States congressman. And they were both past ninety. [*Laughter*] And they were both richer than Croesus, and so Lewis went over there, and I think has always been glad he did. He wound up ownin' every parking lot in Eureka Springs. And he was a very early purchaser of stock in Walmart and Tyson's, which I don't think he's ever sold, except maybe to give some of it to the university. And he was the voice of the Razorback Band when he was in school, and so he adopted the band. And he contributed heavily to buildin' the new band building, which I think's named after him and . . .

SL: He's a polio survivor.

[01:18:33] JB: And he is a polio survivor. He was very close to the Waltons, and they, I think, endowed a professorship in the

business school in his name. But H. L. Hembree was one of our chairmen in that group, and H. L. had been in law school with me, and he had married one of Bob Young's daughters—Arkansas Best Motor Freight—and had become a major executive of the trucking company. And then when it disintegrated or split up, I mean, I think he's made a substantial amount of money in the trucking industry, which is not an easy business. And—but again, I think he was a very good chairman, and he and his wife endowed the alumni building at the university and the—Frank Oldham was one of the chairmen in that group. And he, you know, gave us an eastern Arkansas perspective on the board. The—one of our biggest challenges on the board was always dealin' with the med center. And I had a guy on the board I just loved, but I could not ever let him be chairman because if he'd gotten to be chairman, the first thing he would've done was fire the head of the [*laughs*] med center. And his name was Dr. Frank Kumpuris, and he had been trained at Mayo's, and he was a superb doctor but was very opinionated. And I'm talkin' to Kaneaster one time about Frank. Frank was a very difficult board member, and most of the people on the board felt like I was the only one that could keep Frank under control. And Kaneaster and I are talkin' about Frank one day, and Kaneaster

says, "Well, he's just like any other surgeon. He thinks only he should hold the knife." [*Laughter*] His sons are both excellent physicians and big community supporters in Little Rock now. Frank's passed away. In fact, a lot of the board I was on have passed away. [01:21:09] Sandy Ledbetter and Bart Lindsey, who was from Helena, were down in Costa Rica when I took the board down there, and we're—we've caught some fish, and we've taken it to this little restaurant, and we're tryin' to get 'em to cook the fish for us. And nobody can communicate with 'em, and Bart all of a sudden starts talkin' Spanish to 'em and manages to get 'em to do what we want to do to our fish. And I said, "Where did you learn fan—Spanish?" [*Laughs*] And he said, "I had Spanish in the fourth grade." [*Laughter*] But here again, he was always a big supporter of the university at Fayetteville. The—I think I went on the board when Buddy Blass was going off, and Buddy might've been on one year while I—my first year on the board. But I remember the—an issue about the library at the University of Arkansas becoming an issue in something, and Buddy Blass said, "Well, I went to the university four years, and I never set foot in the library." [*Laughter*] Which I could believe.

SL: Yeah.

[01:22:47] JB: I wanted to say, "It shows," but I [*laughter*] decided—I didn't say that." The—I don't—I remember somehow every meeting that we had, I was tryin' to find some magic words that the press would actually publish to get some visibility in the press. And it was always something of an exercise. I usually managed to do it, but it was always something of an exercise to try to get the public to pay some attention to what we were doing. One of the big controversies that I wound up havin' to back off of is that I—you know, I did not want UALR to build dormitories. I regarded UALR as an urban university. There're plenty of places to stay and live in Little Rock, and most of their students at that time were—had jobs and were workin', and you know, I didn't see that they needed to evolve into a traditional dormitory-type university. But—so I opposed their building the dormitories, and then John Robert Starr, the opinion columnist for the *Democrat*, just absolutely took my hide off and [*laughs*] . . .

SL: He could do that.

[01:24:34] JB: . . . in a column where he thought I was being anti-Little Rock, and that was always a line I had to be careful of. But they got to where anytime Little Rock wanted somethin', they would send Herschel Friday to talk to me [*laughs*] before

the meetings. But I would at least be a little intimidated from opposing whatever their view was. And I usually wasn't opposed to it. I just—I had, I thought, a proper vision for their role in the Arkansas education, and my view, and theirs didn't always fit together. I—the . . .

[01:25:22] SL: What other controversial issues did y'all deal with?

JB: Well, you know, the issue of the two law schools was always, in the early years, an issue. The law school was at Fayetteville, and people who wanted to work and go to school part-time and pick up a law degree, there weren't the jobs for them to do that, and they wanted a law school at Little Rock. And there had been a very mediocre school called—somethin' like Little Rock Law School, and they wanted to take it over and make it a part of the system. Ultimately, they did that, and ultimately, I acquiesced to it. [10:26:09] But here again, I knew what would happen, and it always happens—as soon as they get their—there's no historical memory [*laughs*] of any promise that's ever made by a community about anything. And none of those promises were ever kept, and so the next thing, you know, they're thinkin', "Well, the state doesn't need two law schools, so why don't they close the one at Fayetteville?" I mean, that's when I was on the state board of higher education, and it's partly the university's

fault. Northwest Arkansas Community College—really, the university could have, and I thought should have fulfilled that role, and I tried to get the university's attention on that. But in those days the professors didn't wanna teach at night. They didn't wanna teach at the times that community college students could—a lot of them—go to school. And so the people, you know, in Rogers swore if we would let them build a community college, it would be—it's gonna be a community college without walls, and they would never build buildings, and they wouldn't do all the things that they've subsequently done. And, 'course [of course], as soon as they get chartered and everything, all of those promises are forgotten, and like I say, there's no—ever—there's never a community memory [*laughs*] of any promise that a community makes. [01:27:47] That's a source—that's been a source of tension between Springdale and Fayetteville forever, over Washington—what is now Washington Regional Hospital. There was an agreement between Springdale and Fayetteville to build the hospital halfway between the two towns, which it—where it should've been built. And then the VA offered Fayetteville some free land to build a hospital on, and Fayetteville felt like it just couldn't turn it down, and so—actually, it was the Washington County government, but they

wound up building the hospital in Fayetteville. And there are a lot of people in Springdale—the last one I know that's still alive is Walter Turnbow—has never forgiven 'em for that. And—but the—it resulted in the Springdale Memorial Hospital being built, and Harvey was a big patron of the Springdale hospital. And, you know, our office—Cypert, my law partner, was on the board of the hospital, and I will tell you one incident that their—we had hired a new dean at the University of Arkansas named Epstein, and he wanted to come up to our office and take me to lunch and talk to me about some things. And so I had arranged my schedule, and he was gonna come pick me up for lunch. Cypert had set up his own little business inside the law firm, which was he had a little collection agency [*laughs*] for the Springdale Memorial Hospital, and he had a couple secretaries that wrote threatening letters to people that hadn't paid their hospital bills. It didn't have anything to do with the law firm, but it came out of the law firm offices. [01:30:02] And so they apparently send a letter to some guy who takes strong offense to it, and so the day that Epstein is gonna—Dean Epstein's gonna come by to get me for lunch, a guy calls up that's received one of these letters and says he's comin' to the office, and he's gonna kill everybody in the office. Well, I don't overreact to those things. I've been

threatened too many times in my life. But Courtney and Cypert are a lot more conservative than I am, and so they send all the secretaries home, and they lock the front door of the office, and they called the police. And a—Johnson had a, at that time, a city marshal—chief of police—whatever his role was named Dick Hoyt.

SL: You bet.

JB: Hayden McIlroy always called him "Deputy Dawg." [*SL laughs*] But, anyhow, Dick Hoyt managed to apprehend the guy that is gonna come to the office and kill everybody. And he puts him back in his own car and tells him to follow him to the police station. As soon he takes off, the guy does a U-turn and heads back for our office. So I don't want Dean Epstein to show up at the front door and find the door locked, so I go down there and unlock the door. But I decide I don't want the guy to come in and kill everybody—that I've gotta defend [*laughs*] the premises. So I find a crowbar that I can use as a weapon, and I'm carryin' the crowbar around. And about the time Dean Epstein arrives, our would-be killer arrives, and he runs over a couple of parking places—the would-be killer, not Dean Epstein—and jumps out of his car with a knife. And instead of attacking our office as he meant to, attacks Roy Ritter's office next door. [*Laughter*]

SL: Oh.

[01:32:12] JB: The police arrive at about the same time, so here comes our new dean. Here's the police cars all over the place. You know, street littered with parking meters. All kinds of chaos [l*aughter*] going on around, and there I'm standin' in the doorway with a crow bar. [*Laughter*] I think maybe that's why the dean didn't stay too long in his position [*SL laughs*] and thought, you know, northwest Arkansas might be too rough for him. But . . .

SL: [*Laughs*] That's a great story. You know, so you mentioned you had been threatened many times. Are there any of those you want to talk about or . . .

[01:32:15] JB: Oh, I mean, it was ne—it was always a tempest in a teapot. When you win a lawsuit against somebody, the—it's not unusual for them to take it personally, and particularly if you've cross-examined them extensively, and you know, if they're people of a violent nature. But the—one of 'em was a doctor that I thought was a little unbalanced, and he—I won't give you his specialty, but he was up in Rogers. And Mike Mashburn and I represented his wife in a—I used to do a lot of doctors' divorces and—or represent their wives. And he had made some threats, but he never did carry 'em out. But one time Mike goes home.

He has a farm out at Farmington at the time. Mike's now a chancery judge. And there's somebody in a four-wheel-drive vehicle that's obviously waiting till he drives up to his driveway, and it drives out of nowhere [*laughs*] and runs over his mailbox [*laughs*] and then drives on down the road. And we were convinced it was the doctor from Rogers. But nobody was hurt—just the mailbox. And—oh, it's a—I mean, there just always a little bit of violence associated with—I had a client from Gentry who—little short guy that was a turkey farmer, and a local lawyer in Fayetteville that was on the other side was always callin' him "stud" in all of the precourt appearances, and the guy would just get furious. And he'd say, "He calls me one more—stud one more time, I'm gonna deck him." And I said, "You can't do that. I mean, you'll hurt your case—and besides that, you're gonna get fined. There's a court—a rule about hittin' lawyers. You're not allowed to hit lawyers." [*Laughter*] So we finally try our case in Tom Butt's court, and we're walkin' out, and unfortunately, I'm walkin' ahead of him. And I hear a bunch of people shoutin', and sure enough, this lawyer's [*laughs*] called him stud one more time, and he's decked him, you know, right there on the third floor of the courthouse. [01:35:44] But we used to have a mayor named Park Phillips, and there used to be

an old, irascible lawyer in Springdale named U. S. [JB Edit: U. A.] Lovell, and Lovell was an atheist and a Republican, and there weren't many Republicans in Arkansas then. And he used to write these very controversial letters to the newspaper and just loved makin' himself obnoxious. [*SL laughs*] I don't remember what he had done. Park Phillips was the mayor. He had done somethin' to irritate Park, and so they're—and these are both men well up in years when this took place, but they're out in the middle of Emma Avenue, and Park hits Mr. Lovell. So Mr. Lovell has charges filed against him, and Park is taken before Judge Cummings, and Courtney is representin' Park, and he's got it all smoothed down. Park's gonna have to pay a fine, and Maupin's gonna let him off as gently as he can. And he gets his day in court. He's up there in front of Maupin, and Courtney's coached everybody, and so Maupin says, "Now, Mr. Parks , as I understand it, you really didn't mean to hurt Mr. Lovell." And Park says, "Hurt him, hell! I meant to kill the son of a bitch!"

SL: Oh. [*Laughter*]

[01:37:20] JB: Which kinda blew all of our hard legal work. But the—somehow that makes me think of Mark Woolsey down in Ozark. I don't know if you've ever gotten any Mark Woolsey stories, but Mark would come up here and try lawsuits once in a

while and . . .

SL: This is Hot—where is he from?

JB: He was from Ozark.

SL: From Ozark. Okay.

JB: Dale Bumpers could tell you a lot of Mark Woolsey stories. But one time Mark is somewhere for some reason, and maybe he's backing a candidate for attorney general—I don't know. Bruce Bennett was attorney general. Mark gets up, and he says, "Let me tell you about this feller, Bruce Bennett." He said, "If the 'comminusts' come over here and take over this here country and if they decide to kill every person that has the slightest knowledge of the law, Bruce Bennett is safe."

SL: [*Laughs*] That's good.

[01:38:33] JB: He was—I—tr—don't think I was in the case. I was in the Washington County Courthouse when Mark was tryin' a lawsuit. I'm not sure whether I was on the case or not. But, anyhow, he's makin' his closin' argument to the jury, and he's—you know, he'd talk about anything. And he's talkin' about two little boys that he said, you know, grew up in Ozark, and they were so poor they couldn't afford shoes, and they have to go barefoot all the time. And he said there was a woman named—I don't remember her name—Mrs. Goodbody that lived a few

doors down, and one day she is taking 'em to the store to get them somethin' to eat, and they're walkin' down the road. And little Joey stubs his toe on a rock and falls down in the dust of the road, cryin'. And Mrs. Goodbody looks over there, and she picks him up, and she says, "Ipsy daisy, Joe." And little Joey looks up into the smiling face of Mrs. Goodbody and says, "Ipsy daisy, hell! I've been hurt!" [*Laughter*] And he uses that to launch his argument about how his client—they just want to say, "Ipsy daisy," but his client's been hurt. I mean, he [*laughs*] . . .

SL: Well, so he was effective. He was . . .

[01:40:07] JB: Oh, yeah. Oh, yeah. He was a—I mean, Dale thinks he's quite the orator, but I think he learned [*laughs*] some things from Mark. Well, David—Dale is quite the orator. I shouldn't say thinks he is. He is. But Mark was certainly entertaining. And I went over to Madison County one time, and the lawyer on the other side—can't remember who it was a big Bible quoter, and they said before they got through the trial, they think they—between 'em [*beeping in the background*], they'd quoted the entire Bible to the jury. [*Laughter*]

SL: Well, the Bible's a pretty good source in a courtroom, isn't it?

JB: Well, there was a—Jim Roy had tried a hundred cases with me and sittin' at my elbow, and I always loved havin' Roy with me at

a trial because he had one of the finest legal minds I've ever seen. Now, unfortunately, he wasn't six feet tall, and he didn't have a deep voice but a little bitty guy with a big nose. And a high voice, but he's still brilliant legal mind. He always maintained that I misquoted a verse from Micah, but I would sometimes quote, as I remember quotin' it, "What more does the Lord require of thee but to love mercy, do justice, and walk humbly with thy God?" And if it was appropriate to my side [*laughs*] of the case, I would use that quote, and Roy says I never got it right. But . . .

[01:41:58] SL: You know, there's a couple of Fayetteville lawyers that—you mentioned one time E. J. Ball. Did you ever have anything—any . . .

JB: Well, I . . .

SL: . . . common interests with E. J. or . . .

JB: I had—I defended E. J. in a terrible case down in federal court in Fort Smith when he was sued by a big co-op down there. They sued Arthur Young, their accountant, and they sued E. J. as their lawyer, and they sued a guy named White who had been the head of the co-op. And the co-op was in bankruptcy, and they got these lawyers from Chicago, and they used millions of dollars on the lawsuit, which was I didn't think the best use of the co-

op's money. But E. J. asked me to defend him in that case, and it went on for a long time. So I had a lot to do with E. J., and he was always, you know, just a very gracious, generous guy. But he had been the state's preeminent tax lawyer, and he had represented a lot of people on criminal tax charges and had never lost a case. And he's representin' a local guy one time named Richard Coger, and Richard—they tried this at Fayetteville federal courthouse, and Richard would drive his Cadillac down to trial every day and park it in the IRS parkin' slot. I mean, that's—[*laughter*]—he's got Richard up on the stand testifyin' in his trial, and he asked Richard—he says, "Now I'm gonna show you the United States tax code," [*laughs*] and he gets the whole tax code, which is about two feet high, and puts it up there in front of Richard. And he says, "Now Mr. Coger, do you know everything that's in that tax code?" And [*laughs*] Richard says, "Well, no, sir, I don't." And E. J. says, "Neither do I, and neither does anybody else." [*Laughter*] Anyhow, they acquitted Richard. He was found not guilty. [01:44:27] But, no, E. J. used to take care of all the athletes over at the university. And Jim Lindsey, who's now the chairman of the Board of Trustees—when he got out of college, he got a signing bonus to go with . . .

SL: Minnesota.

JB: . . . the Minnesota Vikings, and E. J. persuaded him to buy the land with that bonus, which is where the big mall in Fayetteville—the Northwest Arkansas Mall—is now. And that kind of was the start, I think, of Lindsey's fortune. And E. J. did a lot for Lindsey and never did send him a bill. And so [*laughs*] Lindsey said one day, the first time he used some other lawyer, and he got a bill, he was sur—he didn't know that lawyers sent bills. [*Laughter*]

SL: Well, Jim's now the largest private landowner in the state, isn't he?

JB: Well, I don't know, but I'm sure he owns more apartments than anybody in the state.

SL: Yeah.

JB: I don't know how much land he owns, but . . .

[01:45:38] SL: Another attorney you just mentioned, and it was back when you were workin' for Mr. Crouch was Bill Putman.

JB: Bill Putman was just a splendid, splendid trial lawyer and one of the very best that I ever saw. And we tried maybe a dozen cases against each other, and I think it was about an even split. I lost a case to him down in Russellville—a personal-injury case that I thought I shouldn't have lost. And I lost a condemnation

case up in Bentonville that I—to him that I shouldn't have lost. And I beat him in a big personal-injury case involvin' the death of a retired Presbyterian minister and his wife and retarded daughter against a small chicken operator named Joe Ray Produce, which I won the case and thought I shouldn't have won. [*Laughter*] And I think I could count up maybe a half a dozen like that on either end. But the one thing I really remember about Putman is, you know, he represented a guy named McArthur in all that crazy Tommy Robinson stuff and the Dorothy Orsini mess down in Little Rock.

[01:47:23] SL: Maybe talk just a little bit about that. I know that's a huge case and . . .

JB: Well, I don't . . .

SL: . . . could—we could spend a whole day . . .

JB: I wasn't involved. I don't remember all the details. I just remember McArthur was a lawyer and he—I don't even remember now who he was accused of killin'. But I—I'm sure convinced he wasn't guilty, and nobody thought he was guilty except the sheriff, and I think Dorothy Orsini didn't think he was guilty, but—and maybe she was the one that was guil—I [*laughs*] just don't remember. Except that Tommy was engaged in some very bizarre behavior, and Putman did a splendid job on

him. So Putman got quite a reputation as a criminal defense lawyer, and he had agreed to represent a union executive down in Hot Springs. It was bein' tried in federal court in Judge Oren Heron's—Harris's court. It charged on federal labor law violations for triple-dipping his expense account. He was the secretary of the Pipe and Steamfitters Union. And before this case came to trial, Putman died. And so by this time, I think I may be over at Tyson's, but I'm still tryin' a few cases. [01:49:02] And the Pipe and Steamfitters Union people come to me and ask me if I will take over the defense of this union executive, which I did. And I went down and tried the case in Hot Springs for several days, and I wound up getting him acquitted on ever count but one. And I got a juror that got irritated at me because he thought somethin' I did was manipulative. All it was, I think, is I had his wife bring the kids down, and at one point when the jury's walking in or out, I make sure the kids run over and hug their father. But, anyhow, this one juror held out on one count and would not vote for acquittal. And federal court has to be unanimous verdict and particularly in criminal cases. But the government never did retry him, and ever after that—I mean, everybody knew that I represented management, but in political situations, I'd show up somewhere

[*laughs*] I'd have all these Pipe and Steamfitters Union people on my side of whatever it was because, boy, they stayed loyal for years after that. We—I didn't do a lot of criminal law work, but I did—I represented a guy named Jim Tilley, who was the chairman of the Bank of Marshall, because a state senator named Ben Allen, who was a friend of mine, had owned part of that bank, and he asked me as a favor to represent Tilley, and I tried that case over in federal court in Harrison. And I—Jim Tilley also owned the *Marshall Mountain Wave*, and he's a great character and really funny. [01:51:14] But I wound up getting him acquitted, and somehow there was a set of books published for a few years that—called *The Best Lawyers in America*, and they did it on a peer-review basis, and I got listed [*laughs*] as one of the best criminal lawyers in America, even though I—you know, I never tried more than a handful of criminal law cases. But, no, Tilley—I did somethin' that was almost unconsciousable. In that trial, there was a FBI accountant that had a little bit of a palsy, and when I would hand him a paper I would hold it out far enough that he had to reach out to get it, so that his hand would shake. And then I told the jury—I said, "Now, you know, there isn't anybody here that says that Mr. Tilley did anything wrong except the FBI." And I said, "Are you gonna believe the FBI?" I

said, "Do you believe that guy over there? You saw how nervous he was—how his hand shook every time he"—but it took 'em a—I mean, they stayed out overnight. It took 'em about twenty-four hours to give an acquittal verdict.

[01:52:45] SL: There's no question there's theater in court hearings, is there? I mean, there—it's just a part of it. You have . . .

JB: Well, to me, it was always drama, and particularly in jury trials, it didn't matter what the judge did. You're tryin' to get the heart and soul of the jury, and you don't want the judge to put you in jail or throw you out of court, but beyond that, I think a lot of young lawyers make a mistake in tryin' their case to the judge. And I'm tryin' a case up in Benton County one time in front of Bill Enfield, and it involves a furniture factory. I've got Jim Roy with me. I don't remember the names of the people, but Ted Boswell, who had run for governor and had gotten defeated but became a very good trial lawyer, had tried a case in front of Enfield. And Enfield had kept, he felt, harassin' him and telling him to sit down, and he lost the case. And he appealed it on the grounds that Enfield had overreached and hurt him with the jury by keepin'—tellin' him to sit down. So, anyhow, that hadn't happened too long before this trial. I'm tryin' this case against this guy who will not answer a question. You ask him what time

it is, and he'll tell you his side of the case. And you ask him where he lives, and he'll tell you his side of the case. And so I'm tryin' to get him to be responsive to the questions, and I need help from the judge, and that's the judge's job. But I'm askin' Enfield to make the guy be responsive to the questions, and Enfield's not helpin' me. And he's workin' on his docket and lookin' at some other stuff, and he's not, in my opinion, givin' me enough support. So I can't figure out what to do, so I wind up—I ask the guy a question, and then I just go sit down. And about thirty minutes later, the guy's still talkin'. I mean, he's just still tellin', you know, about how wonderful his side of the case is, and it's gone on so long the jury gets the joke, and they're all laughin'. And Enfield looks up and sees the jury laughin', and he sees me sittin' over there, and he's immediately mad. I—those days he kinda had a hair-trigger temper. So [*clears throat*] he says, "Mr. Blair, when you question a witness in my court, you're—you stand up." And I said, "Well, your honor, I thought you told Ted Boswell to sit down."

SL: Oh.

[01:56:00] JB: Oh, he got mad. He was so [*SL laughs*] mad he could not see, and he knew if he said one word, it was gonna be reversible error. And, [*SL laughs*] 'course, the jury's entranced

[*laughs*] by all this, and finally, he picks up the gavel and whacks his table and says, "Court's in recess." But . . .

SL: Now . . .

JB: . . . now we won that case. I mean, the jury got the message.

[01:56:28] SL: Bill Enfield was a very—just after he got his law degree, didn't—he was one of Silas Hunt's teachers, wasn't he? Didn't he . . .

JB: He could've been. I don't remember that. He practiced law with a World War II war hero named Clayton Little. And they were early—they did some early representation of the Walmart or the Waltons, and they're both very good lawyers. But the—I'm—Maupin Cummings is a circuit judge, and Enfield's in private practice, and Enfield's—owns some buildings around the Bentonville Square, and one of 'em was the Western Auto Store building. And some guys come through from Colorado. There was a guy in his late forties and a guy in his midtwenties and a big kid about nineteen—Indian-lookin' kid, and they burglarized the Western Auto Store, and they had stolen a car. And they wound over—they stole a lot of stuff outta the store, includin' a lot of guns, and they wound up over in Eureka Springs. And they're stayin' in a hotel in Eureka Springs, and they've sawed off the barrel on one of these shotguns they [*unclear word*].

And the police wound up findin' 'em and arrestin' 'em and put 'em in jail, and so I am up in Benton County on some kind of business. It's docket day in court, and Maupin's sittin' on the bench. And they parade these three guys out, and Maupin is appointing lawyers for 'em. In those days we didn't have public defenders, and so he appoints Bill Enfield to represent this guy in his midtwenties—kinda looks like an All-American football player kid. Blond kid. Pretty good-lookin'. He appoints Enfield to represent him, and Enfield says, "Your honor, I can't do that." Well, most judges don't like lawyers tellin' 'em no, and that makes Maupin mad. So he says, "Well, tell me why you can't do that?" [*Laughs*] And Bill says, "Because I own the store he's accused of burglarizin'." [*Laughter*] Well, that really makes Maupin mad 'cause it makes him look silly, you know. [01:59:15] So he turns to me, and he says, "Do you own any property in Bentonville?" I [*laughs*] said, "Judge," said, "I—you know, I'm from Springdale. I don't know anything about Bentonville, and I'm"—he said, "I'm appointin' you to defend this guy." And I said, "But, Judge, I don't—you know, I don't really do criminal law." He says, "Oh, don't give me that!" He said, "You're appointed to defend [*laughs*] this guy." [*SL laughs*] So I go over to the jail to see the guy, and I come in, and I say,

"What can I do for you?" He said, "Well, best thing you could do for me is plead me on—to the feds on the Dyer Act because I don't wanna go to Cummins." I mean, he knew more criminal law from the outset than I did. He had a long rap sheet and everything, and I said, "Well, you know, I'll see what I can do." Well, while I'm kinda tryin' to get my ducks in a row, these guys manage to tear up the floorboards of their cell, and they use them as weapons. And they overpower the jailor, and they make an escape. And they go out, and there is a car sitting right in front of the jail that happens to belong to the deputy sheriff. It takes 'em about ten seconds to hot-wire that car, and they are off down the road. [*SL laughs*] Now unfortunately for them, the deputy sheriff [*laughs*] had taken his gas tank off to get it fixed, and he had a quart jar of gasoline that he used just to be able to move the car around. And so they got a quart jar's worth of gasoline down [*laughs*] the road, where they were recaptured. [*SL laughs*] Which the publicity didn't do my client any good. By then everybody in the county knows they're accomplished criminals. So I wind up—you know, I can't make a deal with Ted Coxey, who's the prosecutor. So I wind up havin' to try the case, and so I'm just gonna make life as miserable as I can for 'em, and so they're tryin' to introduce this guy's rap

sheet, and I said, "Well, where'd you get this?" We got the jury out, and it's out of hearing of the jury. And Coxey—he says, "Well, the FBI sent it to me." I said, "Well, where's his fingerprints?" And he said, "What do you mean, 'Where's his fingerprints?'" And I said, "Well, to get his rap sheet from the FBI, the law says you gotta send his fingerprints to the FBI, and then they send the fingerprints back with the rap sheet. Where's his fingerprints?" And he says, "Well, I don't have 'em. Your honor, that's ridiculous." [02:02:01] And Maupin knows I'm not gonna win, so he's not [*laughs*] rulin' for Coxey on anything. So he says, "Well, Mr. Blair's right. You can't introduce the rap sheet 'cause you don't have the fingerprints." So then Coxey is tryin' to introduce all these guns that they got when they captured the guys in Eureka Springs. And I said, "Well, where'd you get these—I want a hearing outside the jury." And so he—Maupin sends the jury. I said, "Where'd you get these guns?" And he said, "Well, we got 'em out of their hotel room." And I said, "Did you have a warrant?" He said, "No, I—we didn't have a warrant. We went up there and arrested 'em." And I said, "Well, we served the warrant on the guy that owned the hotel." I said, "Well, these people had rented this room, hadn't they? It's their room, and it's their place of residence, and you can't

just walk in. There's this Wolf case from Colorado—US Supreme Court's just said you gotta have a warrant. You can't just walk in there and capture all this stuff. You gotta serve a warrant on 'em." "Well," Maupin said, "I think Mr. Blair's right. You can't introduce those." [*SL laughs*] So Coxey's gettin' frustrated, so he asks for a recess, and he goes and gets the nineteen-year-old kid, and he makes a deal with him. And he isn't—he could not stand to lose. He's not gonna let me win this case, but I'm gonna win it if he doesn't do somethin'. [02:03:40] So he makes a deal with this kid to testify, and he's gonna give him all kinds of breaks and, you know, let him serve thirty days in the county jail or somethin' if he'll testify against the two older guys. So the kid takes the deal, so he puts the kid on the stand. And then he gets his guns and evidence and everything. I'm dead from then on. But he gets down to the closing argument—and I never will forget that—Coxey's a pretty big guy—you know, at least six foot but has a fairly high voice. And he was a very good prosecutor, but he gets down to his closing argument, and he—making his closing argument to the jury, and he's saying, "And these criminals come across the country like a plague of locusts a-robbin' and a-stealin' and a-thievin', and they break into this store, and they steal these guns. And they take this

gun, and they saw the barrel off." And he picks up the shotgun, and he says, "What are they gonna do with this gun? You can't kill a bird with this gun. You can't kill a rabbit with this gun." It was a pump shotgun. And he throws—snaps the pump, click-click, throws the gun on the jury—drops his voice as low as he can and says, "But you can kill a man with it." [*Laughs*] And I thought they were gonna convict my guy of murder. I mean, [*laughter*] it was just a—and they did convict him. I mean . . .

Kris Katrosh: I'm out of tape.

SL: Out of tape? Okay, let's put a new tape in. I've got just a couple more things.

[Tape stopped]

[02:05:22] SL: So I was just saying that is theater then.

JB: Yeah.

SL: I mean—and it's very effective and . . .

JB: Oh, yeah.

SL: . . . it makes the point.

JB: Well, the—when I started practicin' law, the preeminent trial lawyer in town was a guy named Rex Perkins. And Rex and Bill Putman's stepfather, Price Dickson, were very, very close friends. But Rex was an incredible trial lawyer and an incredible ladies' man, and he's the only lawyer I ever tried cases against

that I wouldn't leave a woman on the jury if I could help it. I thought against ever other lawyer I had a better shot at that woman than they did, but against Rex I didn't think so. But Rex one day is—there's a woman named Queenie Rand that is accused of shooting her lover up in Rogers or Bentonville. The guy had—she put five bullets in his chest without making a hole in his shirt, and there was a lot of confer—I mean, she was claimin' self-defense and that she didn't know this guy and everything. And, anyhow, Rex wound up representin' her, and they tried her—got a change of venue. They tried her down in Washington County, and Coxey was the prosecutor, and Maupin Cummings was the circuit judge. They were both in those positions for many years while I was practicin' law. Coxey lived in Berryville, and he had to drive from Berryville to Fayetteville to—which was a unreasonably long drive in his view. So he checked into the Mountain Inn hotel to try this lawsuit. [02:07:23] So Rex, who's friends with Roy Brumfield that owns the Mountain Inn hotel, gets Ted put in a room where he's got a room on both sides of him. And then he gets kids from the Kappa Sig fraternity and gives 'em all the free booze they want to use the rooms on each side of Coxey to party in. And so they party all night while Coxey's tryin' to sleep, and he takes this

about two days. He can't, you know, get any sleep. [*Laughter*] And he moves back to Berryville and starts drivin' back and forth. And then Perkins gets Bill Murphy, who was a local lawyer—a war hero—big heavy guy. And he's—ever time they're having an argument at the bench he gets Murphy to go up, put his arm up on Coxey's shoulder and lean on him with his two hundred and [*laughs*] fifty pounds. And so Coxey's—he—Coxey hadn't had any—can't sleep, and you know, he's being worn out. And then Perkins knows that Coxey can't stand the smell of garlic. So Perkins would chew garlic buds, and then he'd get [*laughs*] up there and blow his breath in Coxey's face. Coxey's goin', "Oh, Perk!" And so they had Coxey, who's normally really focused, but they had him [*laughs*] so unbalanced that he didn't try his best case and Rex got Queenie acquitted.

SL: [*Laughs*] Oh, gosh.

JB: But, yeah, a lot of things in those days. You don't see that kind of stuff anymore.

[02;09:11] SL: Well, now were you a—an attorney at that time?

JB: Yes—or maybe not. May—was still in law school.

SL: Uh-huh. Was there another famous Rex Perkins trial much earlier . . .

JB: Well . . .

SL: . . . that kinda made his . . .

[02:09:27] JB: . . . several of 'em, yeah. I mean, in his younger days, he was killer handsome. Now when I knew him he, you know—he had shown the effects of too much high livin' and too much heavy drinkin'. He played fiddle in a nightclub band with Price until Price died, and then Rex hung his fiddle up and never played again. But I tried a lawsuit against him the day he died. Bill Bassett and Charlie Davis and I were each representin' a car that was in a chain of—I think, you know, Charlie's car hit Bassett's car that hit my car that hit Rex's client's car. And Rex was suin' for an astronomical amount of money, and we got to the closin' arguments, and Rex is something like fifty-seven to fifty-nine years old. He's not sixty years old. And he's makin' his closin' argument to the jury, and he's ravin' about machine guns and bullets flyin' and World War II and, I don't know, somethin' that didn't have anything to do with anything. And, you know, the jury's gone out to deliberate the case, and I told Rex—I said, "Rex, I don't think those arguments work anymore." And he said, "You just wait, son. You just—you'll see. You just wait." So the jury comes back, and they find my client not responsible for the accident. They let my client go. They find Bill Bassett's client not responsible for the accident. They let

him go. They find Charlie Davis's client responsible for the accident, and they give him a verdict of fifty thousand dollars or somethin' like that. And Rex says, "See, what do you mean it doesn't work?" Well [*laughs*], my client had insurance. Bassett's client had insurance. Charlie Davis's client didn't have any insurance, so he can't collect his fifty thousand dollars. But he didn't care. I'm almost . . .

SL: Yeah.

[02:11:45] JB: . . . he was happy that he got the verdict, and he went home that night, and the story, as I have it, is he thought he had indigestion, got up in the middle of the night, ate some ice cream, went back to bed and died in his sleep. But . . .

SL: I'm glad you mentioned Bill Murphy . . .

JB: Yeah.

SL: . . . 'cause I was gonna throw his and Marshall Carlisle's name at you.

JB: Well, Murphy had been in the marines in World War II, and at the battle, I think, of Tarawa, he was machine-gunned through the stomach, and when they were pickin' up the dead, and they were puttin' the dead people in a pile, they put Murphy in the pile of dead people. And then they were baggin' him—somebody noticed him move or moan or somethin', and they [*laughs*]

pulled him out of the pile or he—might not have made it back from . . .

SL: Yeah.

[02:12:25] JB: . . . World War II. But he was always a fierce Democrat, but he had a violent temper and particularly when he'd been drinking. And he was bad at times to get people by the throat and choke 'em. And Ed Brooks was his best friend in the world, and one day, you know, I had to help pull him [*laughs*] off of Ed 'cause Ed was turnin' purple while Murphy had him by the throat. But he represented a lot of criminal cases where they didn't have a lot of money, and they didn't have much of a case or much of a chance. The two of us did try a criminal case together where a Tyson guy name Doc Fagan that managed a garage had shot his wife with a 30-30 rifle on Christmas Day and, unfortunately, had a note in his billfold to her parents askin' them to take care of the kids. I mean, it's pretty much a case of premeditated murder. She had filed divorce papers on him right before Christmas, and—so the two of us wound up on the same side representin' Doc Fagan. And we—they were askin' for the death penalty. That's about all we did. [*Car noise in the background*] He got convicted of life imprisonment, but he got out in about twenty-one years and, I

think, you know, rehabilitated himself and went on to become a responsible citizen. But Murphy sometimes, you know, just got into cases that just weren't winnable. And one time he's talkin' to Don Tyson, and he's got this case over in Green Forest or somewhere, and he said, "I've"—Don asked him how it's goin'. He said, "I've got everything under control." He said, "I've got—you know, I got all these drawin's [drawings] of the scene, and I've got everything just like I want it. And I've got this, and I've got that." He said, "The only problem I've got is this dead body. I can't get rid of the body." [*Laughter*]

SL: Well, didn't—it seems like I remember, growin' up—or, you know, when I was in college years—that he would represent kids on the pot cases that . . .

JB: I'm sure he did that. He did a lot of what I would call "Mickey Mouse" criminal cases. Yeah, yeah.

[02:15:37] SL: And what about his partner, Marshall?

JB: Marshall—and I don't remember the story—Marshall got in trouble, and they had his law license lifted from wherever he was, and he managed somehow to get his license back. And he couldn't find any place to go, and Murphy took him in, and he went to work for Murphy. And Murphy was kinda the only one that could handle Marshall. The first two or three times, he sent

Marshall to the bank to deposit money that had come in [*laughs*] that day, all the money didn't make it to the bank. But Murphy didn't get too upset. He just quit [*laughs*] lettin' Marshall take money to the bank. But Marshall wound up as an absolute expert in liquor licenses, and if you really wanted a liquor license in northwest Arkansas, the easy way to get it was to have Marshall get it for you. He was a real expert on it. And . . .

SL: Did they end up kinda partnering with bars and—or—how . . .

[2:16:52] JB: You know, I don't know. Murphy had a friend named Ellis Bergen, and they owned some apartments over by the university. Ellis became president of the McIlroy Bank for a while. If they ever actually owned a bar, that's somethin' I don't know. But I will tell you an Ellis Bergen story.

SL: Okay.

JB: Ellis was in Tulsa, and he was drivin' back to Fayetteville. And he had his wife with him, and he decided he needed a drink. And he stopped at the Elk Horn Tavern, which was a very rough place. Walks into the Elk Horn Tavern with his wife, and they're sittin' there at the bar havin' a drink, and there's a big, aggressive guy that's beginnin' to make aggressive moves toward Ellis. And it looks like, you know, pretty soon Ellis is gonna be in a fight, and Ellis turns to the guy, and he says,

"Fella," he says, "I'd like to stay and visit with you, but I think I've got her drunk enough to get in her pants." And he picks his wife up [*laughs*] and carries her out the door with the guy pattin' him on the back. Puts her in the car, and they drive off. [*Laughter*] Ellis . . .

SL: That's readin' the situation.

JB: Ellis's pretty bright guy.

SL: Yeah.

[02:18:25] JB: The—he was bonefishin' in Bimini. There was a guy that I—a local guide, a native I knew by the name of "Bonefish" Rudy. And if you wanted to go bonefishin', you better not tell Rudy anything other than the exact time because if you said, "I wanna go bonefishin' at six o'clock in the mornin', Rudy'd be standing out beside your door watchin' the minute hand on his watch till it hit six o'clock, and he'd be knockin' on your door. Well, Ellis did exactly that. He told Bonefish Rudy one time he wanted to go bonefishin'. It—the bonefish is a very spooky fish, and you want to go out early in the mornin'. And they're in salt flats, and they can't have any sound, so you take your boat and you go out—turn your engine off, and you pole the boat with your oars, and you glide in on those fish, and you fish for 'em with little shrimp. And you gotta be really quiet and really

careful. And so Ellis has partied pretty hard the night before, and he is hung over to death's door. And Rudy's there bangin' on the door at six o'clock in the mornin'. So Ellis gets out, and he's half sick, and they get in the boat, and they go out there. And Rudy reaches down with his paddle, and he flips up a conch, and he gets the conch out of the sand and gets it up in the boat—takes his knife out and knocks the back end off the conch—digs his knife in there, and he takes out this pulsin', live, you know, conch and just take a bite off of it raw. And that just makes Ellis sick. [*SL laughs*] Ellis reaches down. He gets a pint of whiskey in a—takes the top off and just takes a shot of that pure whiskey, and that makes Bonefish Rudy sick. [*Laughter*]

[02:20:40] SL: I'm tryin' to think of some other local characters you might have some story about. What about Hayden McIlroy?

JB: Well, Hayden—I mean, they're—Hayden's one of the great storytellers of all time, and Hayden is just funnier than anybody can imagine. And [*SL laughs*] anything that Hayden is connected with is a riot. The—but I remember there used to be a nightclub in Fayetteville named the Red Lion, and it was a late-night place, and we'd hang out down there . . .

SL: Charlie Smoot.

[02:21:23] JB: . . . drinkin'. Yeah. And there was a guy name Pat

Pennell that at one time was the local bookie, and he had a guy that worked for him that was kind of his collector. I can't remember the guy's name, but he could take a—one of those old original quarters and bend it between his thumb and forefinger. And that's about all he had to do to collect a debt. Says, "I need you to pay me," and he'd bend that quarter. Well, there was a local guy that cleaned out chicken houses for a livin' named Leroy Sellers that was just as probably a tough a guy as anybody that ever lived. And they're down there, anyhow, in the nightclub one night, and Sellers and the enforcer get into it, and there's a little bit of a scuffle. And Sellers had thumbnails about an inch long, much like knives, and he has clawed the enforcer down right beside his eyes. He's bleedin' from both those cuts. And then he said, "You want me to take out both your eyes?" And the enforcer backs off. And Hayden walks up and says, "I'll fight you." [*Laughter*] And Leroy looks down. "Hayden." Says, "Hayden, I'd just pinch your head off." [*Laughter*] Walked away from it. He wasn't about to waste his time on somebody like Hayden. [*SL laughs*] But the—and the reason I think he was the toughest guy in town is that he apparently got into a fight out at—on the mountaintop past Winslow in some dive out there. And a guy hit him in the neck

with a—an ax and cut his head about half off. And he goes out and gets in his truck to drive to the hospital—this is Leroy Sellers—and he's drivin' down the road, and he hits a deer. And he [*laughs*] gets out, you know, with his head hangin' half off [*SL laughs*] and gets the deer and loads it in the back of the truck and drives on to the hospital. Now I think he wins the toughest man award . . .

SL: Wow.

[02:23:49] JB: . . . around town. But, no, Hayden would have to tell his own stories. He just—there's always somethin' funny about whatever Hayden's up to. He—I guess I can tell this story. But he was married to his first wife, Melanie, who died not too long ago, and they're livin' over in the McIlroy House that, you know, was given to the University. And somebody sent 'em some brownies that been loaded with marijuana. And so they put the brownies [*SL laughs*] in the freezer.

SL: Yeah.

JB: And then they're gone somewhere, and they have a babysitter for their little girls. And the babysitter's, you know, tryin' to find somethin' to keep the girls occu—occupied with, and she gets in the freezer [*laughs*] and finds these brownies. And they come back to find their kids bouncin' off the walls [*laughter*] in all

directions. That was—I don't think they ever stored anything like that again.

KK: Let me fix that light in the background.

[Tape stopped]

[02:25:12] SL: Okay, so what we're gonna do now—we're gonna—you . . .

JB: Well, let me tell you . . .

SL: Okay.

JB: I think—I don't know whether I told you on camera—Joe Fred Starr's doctor who, at the time I wrote this, was in Atlanta, had heard so many stories about northwest Arkansas, and he's fascinated with northwest Arkansas. And he tells Joe Fred—and I had also become his patient—that if we didn't write some of these stories down, he was gonna fire us as his patients. So to keep Joe Fred from losin' his doctor, I wrote this one down. And although I think I could tell it, I'm—because, after all, remember, my highest aptitude was to be a writer—I'm pretty pleased with the way it turned out, and I'd like to just read it.

SL: Okay, let's do it.

[02:26:05] JB: And I called it—and I wrote it several years ago. I called it "Poker in the Ozarks: Ahead of its Time." The best poker hand I ever witnessed was played in Fayetteville,

Arkansas, at the Elks Lodge 1987 around 1962. I'd started practicing law at the tender age of twenty-one and had promptly joined the Elks Lodge to gain access to its wonderful poker game. I'd been playing for some five years when the hand was played. The game was a twenty-dollar set in, dealer's choice, dollar ante, table stakes, pot limit game. Although the world had not yet discovered Texas Hold'em, the queen of poker games, 70 percent of what we played was exactly that. When it was my deal, that was my inevitable choice. The club took a 5 percent cut on every chip purchase. If you set in with twenty dollars, you received nineteen dollars in chips for your twenty-dollar bill. No poker game can, of course, continue to exist over time burdened by such a tariff. [*SL laughs*] Eventually and inevitably, the house would wind up with all of the money just as a racetrack does, just as the casino does, and the players would go broke. Our game was saved by the club manager, Ted Tidwell. He was a superb club manager but a terrible poker player. The slot machines and the poker game allowed cheap drinks and good, expensive food. But around midnight, the wives and dates were gone, the kitchen cleaned and closed, the slot machines silent, and Ted would sit in the poker game. [02:27:46] After losing all his money, Ted would raid the cash

register and proceed to lose the house profits back into the poker game, and so the game played on. Rather, the game played on until some beady-eyed CPA type called the club's unwilling attention to the fact that Ted was a thief. So stupidity prevailed. Ted was fired. The poker game broke under the weight of the now unremitted tax, and no more good, cheap food. No more cheap booze. Hard times. But in 1962, the house of cards, so to speak, was whirling. To paraphrase Evita, the money kept rolling in and out and in. To those unfamiliar with Texas Hold'em as we played it, each player anted a dollar and received from the dealer two cards face down. Check and raise, that exquisite poker repose, was allowed. A round of betting took place after the hold cards were dealt. Because there was a pot limit on the bet, if there were, for example, eight players, the first bet, of course, could only be eight dollars. The second bettor could, of course, call the eight dollars and then raise the pot, which was now twenty-four dollars. The player could call—third player could call the twenty-four and raise forty-eight, et cetera. As I recall, there was no limit to the number of raises. [02:29:12] The pot could and frequently would contain several hundred dollars late at night after several [turns page] players had gone to the cloth and repurchased

chips. Of course, you didn't have to content yourself with starting with twenty dollars. You could start with whatever your heart desired as long as it was twenty dollars or above. After the raises were exhausted, the dealer would then burn a card and turn three cards face up in the middle of the table. Now known as the flop, this initiated another round of betting. The players know if they stayed until the end, there would be five cards face up in the middle, and with their two hold cards they could make the best possible five-card poker hand out of the seven cards. After the flop bets and raises were exhausted, the dealer would burn a card, turn a fourth card face up, now known as the turn, and after all bets were finished, burn and turn a fifth card, now known as the river. And at the end of all betting, if more than one player was still in the pot, they would show their hands, and the rules of poker would determine the winner. [*Telephone rings*] A late-night pot could generate several thousand dollars. On more or one—than one occasion, I paid a half a year's salary to see a card. In our view, if you weren't playing for more than you could afford to lose, it wasn't poker—it was some other game. It is not unusual for us to play all night. Ted or some college student bartender would stay and sell us chips. My goal was to get home before the sun came up. If I

got home at five a.m., my then—now ex-wife was not happy. But if I got home after the sun came up, there was a scene. If I didn't get home until noon, there was no use talkin' about it. [*SL laughs*] [02:30:58] A person would believe that really great poker players have total contempt for money. Money does not have the heft, the weight, the resonance for them that it has for us ordinary people. A case in point: one of the players present the night of the hand was Robert Bone. Robert, known as "Red," was raised as an orphan in Jane, Missouri; never went to college; rose to become the head of the egg department of the poultry giant, Tyson Foods; was accused of cornering the egg futures market; and came in second in one of the early world poker tournaments. He would've won everlasting fame, but his last opponent standing drew out on him by getting a king on the river card. One of the other forty-eight cards could've fallen, and Red would've been champion of the world. One night Red stopped in Rogers, Arkansas, on his way to his houseboat on Beaver Lake, accompanied by his wife, Elizabeth, and her twenty-four carat diamond ring. Red stopped at a pizza parlor, walked in with his wife, and was immediately informed that the pizza parlor was closed. Red said, "I'd like a pizza." The operator said, "We're closed. No more pizza tonight." Red said,

"I'll give you a thousand dollars for a pizza." Operator, "What kind would you like?" [*SL laughs*] Most billionaires can't do that. [Turns page] Ordinary people certainly wouldn't do that. Only those to whom money has no real value can do that, and they never choke on the debt size. Red, incidentally, was famous in the poker game at least for coming in late at night, buying twenty dollars worth of chips when everyone else had tall stacks of hundreds, and soon he would also have a tall stack and crow, "You can't keep a squirrel on the ground in tall timber." [*SL laughs*] [02:32:45] Red was sued by ninety-nine plaintiffs in about 1972, who accused him of cornering the futures market on the Chicago Exchange. Unfortunately, the plaintiffs sued in Chicago and listed themselves in alphabetical order. Mike Royko of the *Chicago Tribune* recognized the lead plaintiff as a reputed local mobster—a leg breaker—and wrote a terribly funny column about this Arkansas hillbilly coming up to Chicago and taking advantage of the Chicago loan sharks and the Chicago mafia. Along with Red, the other players playing the night of the hand were Shelby Kennard, Ernest Milton, Ed Silcott, Gordon Wilkins, Ted Tidwell, your author, and the two finalists, Tobe Gage and Joe Fred Starr. [02:33:31] Shelby Kennard was in his seventies. To my twenty-seven-year-old eyes, he looked even

older. I estimated he could've easily played over fifty thousand hours of poker in his life. He was a conservative player, but managed to get caught bluffing—advertising, we called it—so that he managed to get many of the calls he wanted. Shelby was afflicted with palsy. When he bet, he always picked up more chips than he was going to bet, and as his palsied hand shook chips loose from his grip over the green felt, everyone would involuntarily hold their collective breaths waiting to see the size of the bet. There was no use looking for some nervous tremor as a bluff tell because there were shaking tremors in every bet he made. Shelby was fishing one time with Blondie Johnson on Beaver Lake. Blondie took his false teeth out, laying them on a bench on the side of the boat. Unbeknownst to Blondie, Shelby also took his false teeth out and laid them on the bench. At some point, Blondie reached down, took Shelby's teeth and put 'em in his mouth, not realizing they were Shelby's teeth. Suddenly, Blondie yanked Shelby's teeth out of his mouth, screaming, "I hate these uncomfortable sons of bitches!" and hurled them far out into the lake. [*SL laughs*] It didn't faze Shelby. Nothing ever did. [02:34:54] Ernest Milton was probably in his sixties. As best I could tell, he played poker forty hours a week, except when the horses were running at the

racetrack in Hot Springs, Arkansas. Ernest would go to Hot Springs a couple of weeks before the racing started and hang out with the trainers, the stable hands, and I suppose, even the horses. He would watch sixteen races over the course of a couple of days and make one bet—a terrifyingly [turns page] disciplined gambler. Gordon Wilkins was a maniac—the epitome of ADD. A math savant who could do quark-speed math calculations in his head even blind drunk and played boldly, wildly but mostly at such blazing speed that opponents were usually disconcernably off balance. In his thirties at the time of the hand, he built spec houses for a living. Ed Silcott was a local supermarket owner who was famous locally for being in a single-engine Cessna 210 flying back one night from Hot Springs when the turbocharger melted the wires to the spark plugs on the engine, and the engine abruptly quit. When the pilot, Max Pinkerton, announced, "Gentlemen, we are going to land," and there was nothing but jagged hills to land on, Ed's seatmate, J. C. Cox, started cracking black humor jokes. Ed then snarled, "Goddamn it! Shut the hell up, J. C.! I'm a God-fearing man. I only have five thousand feet to get my affairs in order." Fortunately, Max landed the airplane on a state highway after running a tractor-trailer off the road, and Ed lived to make the

poker game. [02:36:37] Tobe Gage was a wreck of a man. We thought him the nearest thing Fayetteville had to a mobster. Before video games, he owned every pinball machine in town and was awash in coins. He supposedly had beaten two or three men and perhaps one woman to death with his bare hands. Tobe told me one time, "The first thing to do in a fight is try to bite off an ear." [*SL laughs*] "It confuses them and they won't fight as well." Maybe he knew Mike Tyson. Tobe bit a small amphetamine tablet—one of those heart-shaped ones—in two about once an hour and chewed half of it. Consequently—at least, I think, consequently—he ground his teeth constantly, spoke in a growl, and while smoking, would roll the cigarette from one side of his mouth to the other and sometimes back again without touching it with his hands and apparently without noticing it. One night I misplayed a hand quite badly. I simply miscounted or lost track of the cards. I'd developed a flair for trial work and had started trying significant cases when I was twenty-three. I'd begun to develop some reputation as a trial lawyer. After I misplayed the hand, Tobe looked up from the table in total disgust and said, "Son, I hope you never defend me for murder. You might forget and plead me guilty." [*SL laughs*] I was, of course, devastated and didn't play well the

rest of the night. [02:38:25] It is important in understanding the hand to appreciate how unflappable Tobe was. He had actually—no kidding—run away from home at fifteen and joined a circus. I took my small children to a circus on one occasion. Tobe was there and came over and, in great detail, explained to us the underbelly of the circus and its life. Tobe had seen the grit of life in many ways that others of us had not. In the club near the front door was a coin-operated pool table owned, of course, by Tobe. The building was a cheap building with walls of concrete blocks [turns page] and, in front, a large plate-glass window, demonstrating that the building had once been a retail establishment. One night, very inebriated, Tobe wheeled his big Cadillac sedan into the parking lot toward the front door, missed his brake, and proceeded to hit the building just below the big window. The concrete blocks gave way, the window shattered, and in movie fashion, the Cadillac went into the building, and Tobe hit his own pool table. [*SL laughs*] When Tome—when Tobe exited the car amid falling glass, he was inside the building. Tobe surveyed the damage and said, "Give me a gin and tonic." [*SL laughs*] [02:39:25] The last player you need to meet was Joe Fred Starr. Joe Fred as a young teenager had a shotgun blow up in his hands. He was right-handed, and after the

accident, the only digit on his right hand was his forefinger. The missing thumb and the missing last three fingers had forced the overdevelopment of his forefinger. As forefingers go, it was awesome. Of course, his frins—friends dubbed him "Six Fingers" or frequently just "Six"—in, "Have you seen Six today?" A few years ago, a government agency required Joe Fred's fingerprints, and his secretary dutifully forwarded six fingerprints, only to be scolded, "No, no, we need all his fingerprints." [*SL laughs*] And she said, "Lots of luck." As a young man, Joe Fred was hot tempered and sometimes forgot that his right hand did not weigh as much and was, therefore, not as lethal as an ordinary fist. Joe Fred made several fortunes in a myriad of ways, but one of them was from building hundreds of chicken houses when integrated poultry companies first began to develop economic size. [02:40:33] One day, Joe Fred became convinced an electrician was stealing wire from him on the chicken house constructions. Joe Fred jumped in his car, drove like the proverbial bat to the construction site, where the electrician was on a ladder some fifteen feet in the air. Joe Fred jumped out of the car, yanked the ladder out from under the electrician, and as the electrician struggled to get up, dazed from his fall, Joe Fred hit him as hard as he could with his one-digit right hand. Joe

Fred said later that when the electrician got up again, he knew he'd [*laughs*] made a terrible mistake. [*SL laughs*] But there was little he could do except suffer through the beating he realized was coming to him. At least he got to fire the electrician. If Joe Fred never—ever won a fight, I never did hear about it. In college, he threw a drink in a football player's face. His right hand didn't save him then, either. At the time of the hand, Joe Fred was about twenty-nine years old. He had been S&H Green Stamps's top salesman and was already acquiring a reputation as a shrewd businessman. Ed Silcott had declared him the best businessman in Fayetteville. Joe Fred was very handsome and exuded insouciance in most situations. He had the panache Willy Loman longed for. The contrast between Joe Fred and Tobe was marked and certainly helped create the hand. [Turns page] [02:41:58] When the hand began, I was dealing. As it was dealer's choice, I was dealing Texas Hold'em. I wish I could remember the exact cards, but alas, I cannot, and I don't think they mattered anyhow. Each of the nine players put up their dollar and received their two down or hold cards. A couple of rounds of betting before the flop drove four of the players out before the turn. Red and Gordon folded quickly. Ted and I threw in our hands during the raises that drove the betting

around the table for the second time. Ted went off to mix himself a White Russian and probably raid the cash register. Red racked his chips, and I continued to deal. After the conclusion of this hand, the deal would pass to Gordon. Gordon—jittery, fidgety, manic as usual—began to scoop up the discards in preparation for the next deal. He grabbed Ted's discards, my discards, Red's discards, to add to his own, and totally unnoticed by any of us, he also accidentally scooped up Joe Fred's hold cards. Joe Fred had already paid to see the flop. Joe Fred pushed his left hand firmly on the table, and we all assumed it covered his two hold cards. After the flop, Tobe was the aggressive bettor. Shelby gave it up, as did Ernest. Ed and Joe Fred simply called. I burned a card and dealt the fourth card. Again, Tobe was the aggressive bettor. Ed folded. Joe Fred called. I turned the fifth card. Joe Fred checked, Tobe bet the pot limit. [02:43:37] Joe Fred called the bet and then never moving his left hand, looking serenely into Tobe's eyes, took his monstrous forefinger, turned it sideways, and slowly, like the beginning of an avalanche, pushed all his stacks of chips—several thousand dollars worth—into the pot. The check and raise, although silent, sounds like a giant trap snapping. Snap. Tobe ground his teeth, bit off a half of an amphetamine tablet,

and ground some more. Then he growled, "You son of a bitch! You tight son of a bitch!" Tobe took his hold cards up in his hand—flicked 'em in Joe Fred's eyes, all the time chanting, "You son of a bitch!" This was perfectly acceptable behavior in our club. Tobe peered into Joe Fred's eyes to see if the pupils changed, which they did not. It clearly looked to me as if Joe Fred wanted a call. I tried to analyze the hand. I figured Tobe had been betting a high pair. There was a pair on the table, so I figured he had tripped his pair and was betting a full house. There were three clubs on the table—not large, with gaps. It was conceivable that Joe Fred could have the two clubs that filled the gaps. He could have a straight flush. Why would Joe Fred stand a couple of raises on two nonsequential small hold cards, even if they were the same suite? It was uncharacteristic behavior, and everything about Joe Fred reeked straight flush. I believed it. What did Tobe believe? [Turns page] "You tight son of a bitch! You wouldn't bet on that. You wouldn't bet that if you didn't have a cod lock." The cigarette twitched from one side of Tobe's mouth to the other and back again. Everyone held their breath. Gordon shuffled the discards. Shelby's hands shook over his chips. Tobe threw away his hand. Joe Fred said, "God, I'm glad you didn't call that, Tobe. I don't have any

cards." And with that, he lifted his left hand to reveal the bare table underneath. Tobe growled, "If I'd known that, I would've split the pot with you." No one at the table believed that. [*SL laughs*] [02:46:03] Well, that hand was more than forty years ago. Tobe, Gordon, Shelby, Ted, Ernest, and Ed Silcott, for that matter, have gone on to that great poker parlor in the sky where the house doesn't skim the pot, and you don't have to keep a watch out for card cheats. Red made a few million dollars, lost it all, made an even larger fortune, lost it all. I think each fortune got bigger, but he went to the cloth at least five times. However, the last I heard, he was doin' well. You can't keep a squirrel on the ground in tall timber. [*SL laughs*] Joe Fred made a substantial fortune in apartments and Tyson stock and developing shallow gas wells and converting obsolete supermarket buildings and hog farms and chicken houses and a dozen other enterprises. He was generous with his money. He endowed the Walton Arts Center in Fayetteville, which houses the Starr Theater. Sponsored music competitions, set up a couple of charitable foundations, and took care of friends in trouble, all the while maintaining a facade of the super tough, cynical businessman. All of us know the cliché. You play the hand of cards life dealt you. [02:47:20] What happens when

your cards are gone? Joe Fred woke up seven and a half years ago to find once more his hold cards were missing. More than one medical institution with a world-class reputation told him his prostate cancer had progressed to the point it was inoperable, untreatable and that he should get his affairs in order. He had less than a year to live. Even though his hold cards had disappeared once more, Joe Fred decided to play on. He scoured the world and found one of the most brilliant medical oncologists. Together they concealed the missing cards and enabled Joe Fred to play on in the game of life. His struggle with cancer and the resulting depression was discussed in a recent issue of the *US News & World Reports*. How long can Joe Fred play without cards? I only bet when the odds are in my favor. I would bet Joe Fred can play on for a long time. A long, long time. We will celebrate, but of course, he will not let us celebrate his seventy-first birthday October the nineteenth, two thousand and four. [Turns page] [02:48:34] Well, I gave up poker. I looked up one day and realized I don't want to spend my life playing poker. There were many other rewarding things out there to experience and to participate in. I was a good, but not a great, poker player. Over time, I would win more than I would lose, but I haven't played now in more than thirty years.

I don't watch it on TV. I don't stop at the tables in Vegas. I'm sure I haven't learned all of the life's lessons poker can teach, but I did learn some. And I think I saw the most perfect hand of poker ever played—the hand. I think my chances of ever seeing or being in another such hand are minimal—not worth the odds. I do wonder when my time comes in life where I check my hold cards and find them gone, whether I can play on, unblinking, smilin' like Joe Fred. I like to think so. [Turns page]

SL: [*Applauds*] Yeah, that's good. That's really, really, really good.

JB: That's your copy. [JB hands copy of essay to SL.]

SL: Thank you. Gosh, these are great characters.

[02:49:49] JB: Well, they were, and there were many others in that game. And, curiously enough, there were probably thirty people [*laughs*] that believed they were in that hand, [*laughter*] including McIlroy, who thinks he was there. Now I know he wasn't there, but he thinks he was. Everybody thinks they were. But I guess the only other thing that I haven't really mentioned is that I did set up a charitable foundation myself. And when Diane died, her IRA became the first money in that foundation, and I've endowed it rather heavily. And I have made my present wife, Nancy, the president of it. And its purpose is to enhance the quality of life in northwest Arkansas. And so I hope

that after I'm gone that maybe the foundation will do some of the things that I didn't get around to doing. And I would like to think that my epitaph might be that I might done—I might not have done all I should have or could have, but I'm pretty comfortable that I think I did more good than harm.

SL: I'm pretty comfortable with that. [*Claps hands*]

JB: Okay.

SL: We good?

KK: That's awesome.

JB: That's a wrap.

SL: You done?

KK: [*Unclear words*] story.

SL: I think that's a wrap.

JB: Okay.

SL: I think we can stop there.

JB: Okay.

SL: I think we could go on forever, Jim but [*JB laughs*] really . . .

JB: Okay.

[02:51:31] SL: Listen, I talked with David Pryor this morning, and he said to tell you "thank you."

JB: Yeah. Sure.

SL: Thank you for doing this.

JB: Sure. Sure.

SL: 'Course, we're still after.

JB: I know.

SL: And sit him down and . . .

JB: I know.

SL: He thinks—David thinks that you're the only guy that could maybe . . .

JB: Well . . .

SL: . . . convince him to do it, and Jim, it may be that we might ask you to actually do the interview.

JB: Yeah.

SL: We think that of all . . .

JB: Yeah.

SL: . . . the people he would be . . .

JB: Yeah.

SL: . . . comfortable with . . .

JB: Yeah.

SL: . . . it would be you.

JB: Yeah.

SL: And so I'm just . . .

JB: Yeah.

SL: . . . throwin' that out there. I . . .

JB: I'd be willin' to give it a shot.

[02:52:05 End of interview]

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