

Rufus Edmisten
Interview #1: From the Mountains of North Carolina
Tuesday, May 24, 2011

Scott: Okay, great.

Edmisten: I was born in an area of northwestern North Carolina called Boone, North Carolina. But we at that time were not into the city limits. We were in a little place called Perkinsville, which was just a little community formed a hundred years or so before. And there were five boys and one girl in the family. It was a farm family. My father was a wildlife protector from the time I remember, but he always held two or three jobs. We farmed in the off time, evenings, he was just a very industrious man because he had six mouths to feed. This sounds a little hokey, but I do remember in the old house that burned, where I was born, it had been covered, it was an old log cabin that had been covered with paneling and it was a creepy house in the wintertime. The wind would blow very hard and all five of us boys had one big room and three beds in it. So somebody always had to double up. I was always the runt and got kicked around. I can remember many times that the wind would blow so ferociously in Boone that little tiny undetectable-by-sight cracks would be there and there would be a little pencil line of snow coming down the floor, up over the bed, dropping down and going out. We just thought that was fascinating. You just bundled up. You just put blanket after blanket after blanket. My sister Betty, she had a back room but had to go through our room to get to hers and it was just, you know, a farm house sort of pieced together by my granddaddy, and I remember when I grew into adolescence, she'd have girlfriends who would come through there and I would try to peep in that door. I guess it was the start of [laughs] of a crazy world for me. [Both laugh]

There were three brothers older than me and my sister Betty was older than me. My brother Dave, David, had an illustrious career in law enforcement. He was with the [Bureau of Alcohol] Tobacco, and Firearms Division [of the Treasury Department] and rose up through the ranks to become, at one time, the national director of the ATF and came to Washington and lasted one summer here. I predicted, I said, "You'll last one summer. Being an old mountain boy like you are, your thermostat is set when you were born, I think." And our thermostat was set at about 73 and after that you'd blow, blow to pieces. So David—I was attorney general at that time, and I was up here visiting and I said, "How do you like it?" He said, "I can't stand it. Believe me, this is the armpit of America." So he went back to Boone. Then, unfortunately, about 10 years ago he was out playing golf and thought he had sprained his arm and he went to the doctor's office, which wasn't very far from the Boone Golf Course. And in that one visit they diagnosed

cancer almost all over him and so he went through all that horrible stuff and I miss him dearly today. He'd be about, today he would be close to 80.

My next brother is Paul who always claimed himself that he was the black sheep of the family. And I said, "No, I'm going to try to achieve that rank myself through my conduct in life." So Paul reigned strong as the black sheep of the family for years—and that's affectionate. So he worked around different plants and finally settled in Concord, North Carolina, at the Philip Morris tobacco plant where he and his wife Alice both retired with good strong pensions and has lived a good life. He's 80 now. And then my brother Joe is the next one. Joe is the crazy one of the family. He would admit that very strongly. He has a doctorate in plant biology. Got his degree at the University of Georgia and for years taught at the University of West Florida at Pensacola where I visited one time when I was in Watergate and gave a stirring Watergate speech down there that I found in my archives the other day. And Joe lives in Pensacola and has a little cabin in the Montezuma area, that's over in Avery County. A little settlement called Montezuma, I bet you didn't know that. So he comes up there along about the first of May because that's when you start making a garden in the mountains. You don't garden much before May because the frost will get it.

Scott: It's not warm enough!

Edmisten: My sister Betty has been a teacher's aide for years. They are about to wipe them out now, which is just a horrible, horrible proposition, I think. 'Cause I think that I'd rather have a teacher's aide than reduce class size if I were a teacher. I did teach one time and I'll tell you about that later, unbelievably. She is retired in Boone and her son runs a garage very close to where she lives and the old farm place is now covered with a Watauga County school. We have these bittersweet thoughts about going to visit down there because it's where we all were and then again when I think of those summers when I was hoeing tobacco and cabbage out there all day long, and then I, no, no, I don't want to even think about those days. I always said, if I can get off this darn farm I'll never come on another one.

Scott: What did your father raise?

Edmisten: We raised—it was very small, about an 80-acre farm, a lot of it mountainous—but you raised corn for the animals, you raised cabbage to sell commercially, and you had your little allotment of tobacco. In the mountains if you had half an acre allotment, that was a government-sponsored sort of a welfare thing, but the farmers paid for it, though. A half an acre allotment was nice Christmas money, around Christmas time, maybe \$1000. Every little farmer had one when I grew up. They are all

demolished now and you see very few of them. You sold the cabbage and I remember so many times that that was a nasty messy job. You had a horse, old Bill, who pulled a cart. The cart would straddle two rows and you would have sometimes six cabbage cutters, those guys walking along with a sharp knife. They cut the cabbage, throw it in the cart, and you'd have two behind, and probably two on the side and old Bill would just walk along methodically, you didn't have to say "Bill, stop" or "Go." He's a smart devil, he'd bite you though. You'd load the cart up and then you brought it back to a station in the field where you had the scales and you had the bags, and you had somebody who was the bagger and somebody who was filling the bag, and you'd put it on there and you were hoping to get 50 pounds or somewhere around that. And then you'd stack those up ready to go to market. That was a tough job. What I would do—by the time I was 14 years old I was driving the tractor all the time and I would haul them up to J. C. Goodnight's, the produce company. Here I was 14 years old and you're driving around on the roads because there were unwritten rules that if you're driving a farm tractor, leave him alone! I used to rationalize in my mind that there was a law that you could do that, but there never was. I used to use it as my mode of transportation all those years, from 14 on up, before I got my license. Everywhere I went I'd dummy up something behind the tractor, put something in the trailer and go uptown to the movie, or go to visit somebody. "There goes Rufus in his tractor." That was just my way of getting around. Everybody knew—"There he goes, be careful."

That was the cabbage end of it, and then you had the stacking hay. We don't see haystacks now. You take post hole diggers and you dig a big hole and you use a locust or a, perhaps an old chestnut pole that goes up maybe 30 feet and just like setting an electric wire pole and you tromp it around and get it stabilized. And the hay is mowed on a good sunny day. Never mow hay when it's wet. "You make hay while the sun shines." There's an exception in the Baptist Church that if you had to get hay on Sunday you were allowed to do it. Just remember that. You got a dispensation from the Lord. To put up hay. And the process was that, and sometimes my mama would ride the rake. Another thing, pulled by Old Bill with the shafts and that rake, has these prongs back behind, and you walk along what you call the wind rows with that rake. And you get to a certain point and you dumped it and so these long lines of dumped hay are there to be picked up and hauled over to the stack. How we would do that was that, after these wind rows were made by the horse and the rake and you tripped a clutch, you caught back there and pulled up the lever and the tongs on the back came up to dump your load of hay. You would have two men starting at one end of the row and two at the other end of the row, depending on how long it was, heading toward making a hay shock, we called it. A hay shock was just a big mound, approximately five feet high and five feet wide, and then you took two poles, two long poles—I wish I had this at home now—and then you stuck them under it and one person on one end and the other person on the other end with the poles in each hand, you

hauled those over to the haystack and you dumped the shock there, the shock of hay, we called it. The worst job in the world that I ever had though, I was always known as the "tromper." The tromper's the poor bloke, the poor pitiful person, that gets to go around that pole and stomp that stuff and all these pitchforks are coming at you and you just have to learn to avoid them. [Scott laughs] But you have to tromp that hay down or it wouldn't preserve. Sometimes it would take an hour or more to do a stack of hay. And then there it was for the winter to haul in and either feed outside or take it in the barn. The chaff would get down in your clothes and it was not a fun thing.

Scott: I grew up with horses. We didn't have a big farm but we had to feed the horses. So we always in the summer would go out to farmers in the summer and pick up the hay bales. You didn't have a baler. Did you get one later?

Edmisten: In later years we called a guy in and we do shares, we called it. He'd get to keep a certain amount of the bales of hay and we'd keep the others. And boy did we like that. That was much easier.

I haven't seen a stack of hay in 40 years.

Scott: It looks like they roll it now.

Edmisten: They roll it. We never got—the roller wasn't invented when I was a boy growing up in the late '40s, mid '50s, there was no such thing as a roller. But I saw one the other day out at a farm where my wife keeps her horse and I was fascinated by it and I asked the guy to let me drive the tractor. He did. I got up in that cab and everything was computerized, air conditioning. I thought that little tractor I drove around—which is another little thing. When all this, this was about the mid '50s, my daddy finally bought a tractor, I think it was about a 19—probably '55, so whatever age I was in '55—

Scott: Fourteen.

Edmisten: Yeah, there you go. That's the magic year when I was the Casanova on the tractor. [Scott laughs] People always wanted their gardens plowed in the springtime. So what I would do, I would plow three or four gardens before school, just as soon as it got light, sometimes 5:30, 6:00. Go plow them, come back, get cleaned up, and Mama would say, "You don't want an accident to happen, you got to have clean underwear." Where did that come from? I don't know. [Scott laughs]

You're ripping your clothes off—what's it matter? "Don't you get ..." [Both laugh]

I'd plow them and come back. After you plowed it up, this was a two point plow at that time. You could plow two furrows at a time. These were small plots behind people's houses, everywhere all over the neighborhood, and some as far away as up town. I had to drive uptown. That was a mile and a half. And you turned it over and I became so expert at it that I could do it with my eyes closed and I knew what garden was what. I knew in Ms. Goodknight's garden don't go over eight inches, you gonna pull that water pipe out. Every year though, I don't know what it was, it got closer to the ground. I'd get there and she'd start screaming and hollering, calling her son J. C. Goodknight to come fix that. I'd say, "Mrs. Goodknight, something happened. It's higher than it was." So that was just a yearly ritual for me to plow Ms. Goodknight's pipe up. You back up, you take a swath going forward, then you back that into the trench on the outer side and you back up and you plowed it that way. You couldn't get in a little plot and turn around and around and around. Being from the country, you know how that is.

So that's my little enterprise. I'd go back in the afternoon, if it was a pretty day, and I'd disc it. You know, that's cutting up the clods and stirring it up real good. I'd do little pretty jobs. Always covering my tracks, that's how you're—I learned to cover my tracks early on, with that tractor. And then the ritual of collecting the money. Sometimes they would pay me and sometimes they wouldn't. I had this little tablet that fertilizer companies used to produce and I found it the other day, it was my little account book. You know they are about that size [gesturing], a little bigger than that. I'd have in there: Earl Petri, \$3.00. John Wilcox, \$7.00. That was a big one. On Saturday night my brother David, who had a hot red '55 or '56 Ford Fairlane convertible, it was the most beautiful car in the world. He'd gotten well off one summer because cabbage was so high. Daddy had let all the boys sharecrop every summer. I remember cabbage was \$5.00 a bag when it was usually \$3.00. So he had got enough to get a car. So he took me collecting on Saturday nights, for a little while before he went out for his date. I'd clean up and go collect my debt. [Cell phone ringing]

I'm going to shut this thing off.

We got to a few of the things about living on a farm. Slopping the hogs, gathering the eggs.

Scott: I was going to ask you if you raised livestock as well?

Edmisten: We always ran 20-25 head of cattle. We always had a horse around the house of some kind to ride, as well as the dogs. We had beagles at one time. [My father] was a very strict man. He was not one of the emotional types. You know, if you grew up

in the mountains that are hard like he did, in a poverty-ridden family, they didn't know they was poverty-ridden, they probably would have called us that. Knowing now that it wasn't until—we didn't have indoor plumbing in that old house until, I remember it so distinctly, right where the outhouse was. On a cold winter night you didn't spend much time out there, I'll tell you that.

He was very strict disciplinarian. He could show emotion well, if you did something real nice. Like one time I came home with a report card that was all As and one B and he said, "Can't you do better than that?" Well, I knew he was saying, "Okay son, you did good." And he didn't tolerate any foolishness. Back in those days there was no back talk anywhere ever. Today I see kids running around in supermarkets telling their parents what to do. Sassing them, just incredible stuff that we would have been—you talk about being "taken to the woodshed." That literally was what happened at home. You didn't get a whippin' at home. Your mama would say that day, "I'm gonna tell your daddy on you. He's gonna take you to the woodshed." Oh my god, I dreaded that worse than the other day when they said the world was gonna end.¹ [Both laugh] At least they didn't interrupt the Preakness, I was real happy about that on the Rapture, I mean, the Rapture [laughs].

He literally would take us to the woodshed. My brothers David, Paul, and Joe, they got a lot more whippings than I did because I guess they were rowdier. I guess they would talk about a trench dug around in the chips where they would go round and round while they were getting whipped. That's just an exaggeration. They loved to tell that.

Scott: Were you the youngest?

Edmisten: No. I have one younger brother, younger brother Baker. I'm next to the youngest. And brother Baker is about five years younger than I am. He has had an illustrious career in law enforcement. We fought a lot when we were growing up, even though he was five years younger. We used to—in the wintertime, when it would snow—we had plenty of good tracks leading up to the old cow barn, as we called it. We'd pack it down with the tractor, that sweet little tractor and pull you back up.

One day I kept yapping at Baker that he wasn't doing it right and he had gotten to the age where he, I was at that time maybe 16, and he jumped off that tractor and just beat the hell out of me, just started fighting like a crazy man, whacking me in the neck, the head, hitting me about the head, face, and body, with a maniac force. I left him alone after that. I didn't taunt him anymore. He later, as all my brothers, they went to Appalachian State University. He graduated there.

¹ Family Radio Christian Network host Harold Camping predicted Judgment Day on May 21, 2011.

Scott: That's in Boone, right?

Edmisten: Yeah. He also entered the U.S. Marshall Service. No, no, not yet. The Bureau of Tobacco and Firearms. He entered that at an early age, then came the U.S. Forest Service, and ended his career as a U.S. Marshal for western North Carolina. Later on, when we get to it, there's a fantastic story surrounding that marshalship of how he got it, over the governor's pick. I told the congressmen that last night and they just loved it—hilarious. He lives in Boone now, he's lost in the '50s and '60s and I love it. He now cans everything like mama used to. He cans sausage. He has lard, oh god lard.

We used to have these—I remember too, hog butcher day. I never liked that really. It's the funniest thing in the world. I grew up not wanting to kill things. I could hardly stand to see a pig shot, or this and that, and I'll tell you why. Early on, maybe when I was 10 or 11 years old, I started going over to see my mother's mother who lived about three miles away. You had to cross over barbed wire fences to get there. Sometimes I would stay with Ma Holler's for a weekend. She had terrible asthma. When she died they did an autopsy on her heart and it was three times as big as it was supposed to be because she was gasping all the time and it made her heart get bigger and bigger because it was having to pump so much. Anyway, Grandfather Palige owned what at that time was called a butcher pen and later became called a slaughter house and then it became an abattoir today. Their house, which was a beautiful wooden frame thing, it had a wrap-around porch. I remember that the yard was no grass, she occasionally swept it. You know that was the custom back in those days with some farm families, you don't want some old yard out there to fool with, there would be turkeys, big old gobblers having his plumes all fanned out there. There were geese, there were guineas and just a whole menagerie in that yard out there. Course, they would all have their heads chopped off eventually. Anyway, you're probably getting more than you bargained for here.

That so-called butcher pen had an outside chute where the cattle that were for butchering that day were waiting. Then they ran them up a chute and into the place of massacre, and I witnessed that several times. I hated it because if it was a big cow or a big bull, they all know what's happening, they know what's coming, I'm telling you. Because they get this absolutely crazed look that they have heard the moans from somebody before and they know that this is not pleasant stuff. You wonder why do we still eat meat, but I do, I had a good steak last night. If it was a big cow they use a .22 hollow point rifle. Boom, right in the eye. The cow would hit the floor like that, and of course, there were horrible sounds. And immediately, the old constant butcher was named Ode Watson, or maybe Ode Green, I know this, he would pinch snuff and chew tobacco at the same time. He slits the throat and then it bleeds out and you hook them up

to the single tree with hooks there and then the process with the skinning and the dressing out huge wads of guts dropping out, just all kinds of things that I just—

Scott: Did you do some of that?

Edmisten: No, I just would see it. And then if it was a pig or a goat or a lamb, or a little calf, it was just slice the throat, no bullet. Grandpa would say, don't waste a bullet. He had to use a—I virtually have nightmares about that to this day, but this is the way you did it. And there was something down near her home called the "gut yard." And in those days, remember this is the late '40s and mid '50s, there was a sled with a horse, and every day you'd drag out all the entrails and stuff and put them down in this thing called the gut yard and run the blood down into the creek. It's just the way things happened back then. And at night time, I remember sometimes when, down by the Palige's house there was a bluff and down below was the gut yard. You take a good strong flashlight and [you'd see] all the varmints in the world. Vultures, possums, everything that could move or crawl was down there in that gut yard. There's a trailer park down there now and I tell some of the people I know over there, "You know, that used to be a gut yard. You might end up with a big ol' cow's head coming out of there one of these days."

To this day I don't like to shoot things. I know that makes me, as far as my brother Baker goes, he thinks I'm a wussy. I don't hunt. I love hunters because they want to preserve wildlife. I'm very much—the National Wildlife Federation, and my father was a wildlife protector as I told you. Hunters are very good because they want to conserve. We do need to keep the deer population in check, but just don't use me to do it. Something unusual, 'course, my brother Baker kills four or five deer a year, and that sort of thing.

Scott: How did your father get involved in wildlife protection?

Edmisten: He was a smart enough man that he took a test way back there in the '50s and passed it and got hired. He had gotten a high school degree, from, at that time it was called the Watauga Academy, and if I recall it was the predecessor to the current Appalachian State University. God, I used to love that—his uniform was so brisk. And we all worked so very, very hard. There was no time for frivolity. Except, he had these tender spots that he wouldn't show. We'd go to this place called Wakers Creek sometimes and the swimming hole in the creek there that was perfect. I remember my brother Joe would stand on this—he was the crazy one, remember, Dr. Joe—and he'd jump off way, maybe 30 feet up and hit it just right. He was a daredevil. That was sometimes just the nicest thing in the world, we'd finish up a day and he'd say, "Let's knock off about five o'clock." It was in the summer time and he'd say "Okay, let's go up

there.” What would happen is that we’d go swimming there. I didn’t swim much because those boys ruined me one time, they threw me off of a—down at the river we had something called big rock and little rock—and those three boys one time were going to teach me how to swim so they threw me in to sink or swim and I sank. And to this day I have a pretty bad phobia about water. I dog paddled my way through the exam at—you could not get out of the University of North Carolina unless you passed swimming—so I dog paddled and faked it and walked the shallow parts on my test.

After we had the swimming stuff and everybody screaming and carrying on, we would stop at Luther Wheeler’s produce stand and get a watermelon. You didn’t get it that night, this would be a Saturday sometimes, and we would soak it in cold water all night long ’cause you didn’t have time to put it in a refrigerator. Especially because there was no refrigerator up there in the old, old house. You soaked it all night long in a tub of good cool mountain water and then Sunday, after church, was the time to have the watermelon. And sometimes homemade ice cream, if the ice cream maker would work and somebody had remembered to get some rock ice. So it was really hard work for everybody and we just despised that hard work. But even though my father was not able to show all those emotions he had those tender spots when he did. He got emotional as he was getting older.

My stalwart mother who was born to the Holler family, which was about three miles away from where my daddy grew up, on that same farm, he grew up. And they’d be at church and he was trying to court her and she told one time about, oh it was back in the—prior to their getting married in 1929—she had a little hat that had some ribbons sticking down in front of it. So he’s sitting behind her in the pew, the church pew, behind her and secretly, unknown to her, he ties that ribbon onto the post of the church pew. Of course, she gets up and it jerks her hat off. [Scott laughs] Then she said she smacked ’im. They were married and she was just such an unbelievable woman. These mountain women can be so strong, kept her cool all of the time. I remember five boys and feeding work hands, Betty would help her around the house, Betty was a favorite of my grandmother. Mama never, never drove a car, but she could sure drive that horse and rake.

Scott: The tractor, did she ever drive that tractor?

Edmisten: No, she never did drive the tractor. She often said, “I wish I had my license.” I would say, “Mama, look at it this way, you get chauffeured around. You don’t have to fool with cars, insurance, repairs, and all that stuff.” What a mama. She lived to be 91. The day before she died we were up visiting and she had some swelling in her legs and she went up to the hospital to have some fluid removed. I drove back to Raleigh. And

I'll never forget, her last words to me were, "Now you be a good boy." She had this kind of wave that wasn't exactly like Miss America. It was a cusping [gestures]—her wave was that. Not the wave, but cusping the fingers. By the time I got to Raleigh my sister called and said Mama had died of a massive aneurism, which was very, very sad to lose her, but my gosh, she never spent a day in a rest home or nursing home. She had had two shoulder replacements and survived them all. And was just a magnificent unbelievable woman who spent her whole life looking out after the family and growing, processing food and feeding food, when there'd be a big—sometimes we'd hire extra hands if you had a huge job to do that day, that time it was \$.50/day in the mid-'40s. Here Mama would put out this huge spread and it used to be three meats on the table—three kinds of meat! We had canned everything in the winter and every kind of vegetable, especially in the summertime. Even one time, you know, you buried cabbage in the ground and we had a little cellar, root cellar, we called it. Mama, through all that she—my daddy listened to her. He was the authoritarian, but when Mama said it, that was it. [Scott laughs]

Scott: Was Boone primarily a family farm community back then?

Edmisten: Yeah. Bordering the town of Boone, Boone had its little stores and this and that. Back in those days the first plant to ever come to Boone was something called International Resistance Company. So that started employing 200-300 people.

Scott: That's a strange name.

Edmisten: Yeah. International Resistance Company. [Joking] Stop, leave me alone. [Scott laughs] And then the overwhelming majority of people that worked in the factory went off down to Lenoir. And they would say, you would say, where do you work? I work Ta-nore, at Ta-nore. And they would go down to the furniture factories, Broyhill. So drive down there every day, drive back, and were happy to get those jobs. I think with today's gas prices, what in the world would they do? Course, there's no work down there now. And the other thing was the college. The college was always there. If you could secure a job in some way with the college, man you had hit bingo because you got the good benefits—

Scott: Steady employment.

Edmisten: Yeah, and even with people who got to drive school buses were just extremely happy. Everything surrounding downtown Boone in the mid '40s, my memory into the late '50s, then I went to school at Carolina in '59, everybody had their own back garden. Most people had a milk cow! They had a milk cow back behind, almost everybody. Or they [would] come buy it from us. We used to have three Guernseys and

we sold milk to Colbol Dairies and you would milk the cows, which I did many a-time. In the summertime they would be swatting flies with that tail and often times, ka-whack right in your face. Maybe there was something on the tail. But you strained the milk into one of those big tin milk containers that people use for antiques now and shake it off. This is the most ironic thing today, the skim milk, we thought was awful, we fed that to the hogs. And people pay for it today. And there'd be enough, from those Jerseys the milk fat would be enough to clog up a whale's arteries.

Scott: Did you do your own cream and butter and things like that?

Edmisten: Oh yeah. When my grandmother was alive, there was a springhouse down there before we got fancy and moved into the new house, in 1957. The old one, there was a spring house that was built over a little spring. And you had a race, which is a three by eight foot cement tub where the water ran through and ran out. You kept your milk in there and you did your butter there. I remember grandma churning many times with the old plunger up and down. And you made molds, pretty things. You'd have a flower on the top and you'd seal up and put it down in there and there you'd have your—everything at the spring house. In the summertime in Boone, at that time it was a little walk down to the spring house. That's when we, I barely remember this, that's when we had the outhouse and didn't have the refrigerator.

Scott: That's how you kept things cold was with the cold mountain water.

Edmisten: Yeah. And I remember, I really wish that I had some picture of that spring house, I can remember every bit of it. I can remember the details of that old house. I remember the day when we cut into it and I first discovered that there were logs there. Cut into it for the bathroom. And then we were really fancy with that bathroom. Oh yeah. In the winter times, as I told you, it was so cold. Many times Daddy would be underneath the kitchen sink with the blow torch, trying to heat up the water, get it running. We had a warm morning cold stove. You stoked it at nighttime, the embers went down, and you stoked it back up. But I don't care if it was 10 degrees up top, nothing got up there. They wouldn't leave the door open because we'd lose that heat because we wanted it ready down there at three in the morning.

Scott: Yeah, and even in the morning it takes a while to get warmed up again, right?

Edmisten: Yeah, right.

Scott: So when you moved to the second house, built the second house, that's when you got electricity and indoor plumbing?

Edmisten: Oh yes. The whole works, we were fancy people, real fancy.

Scott: Did you go to high school in Boone?

Edmisten: Yes, at that time it was called Appalachian High School. The building is still surviving because it's made of that wonderful mountain rock. I could be talking about Ronnie Milsap's song "Lost in the '50s," you ever heard of that one? "Lost in the '50s" by Ronnie Milsap?

Scott: Sure.

Edmisten: A fantastic song and it was a pleasant time, although most of it I had to get all the chores done and you just hoped and prayed to God someday, "Let's do like some of these people upcounty, let's buy our milk!" No, no, it didn't happen. You had to do all your chores first and you could make it if you got up around 5:30 or 6. Milk the cows, go to school. In the springtime of course, I had my little enterprise, so I didn't play any ball there. And then in the summer, you're out. Back in those days, all this shortened school year made sense, it was all based on agrarian labor. Folks had a bunch of kids back at that time to help them on the farm.

And then I was elected class president, freshman, sophomore, junior, then student body president in 1958 or '9. I remember coming to Washington, D.C. I have a copy of that. I visited the Capitol and had bought me one of those little trinkets, it's the Capitol or something hanging on it. I've still got it. Had a picture on the steps of the House and our congressman at that time was Representative Hugh Alexander. I ran across a letter that I had written to him asking him if he could try to help me get a job at the U.S. Park Service during the summer. Wasn't too good, my prospects.

I started campaigning for things back in those days and I knew that there was a great advantage in population and geography of the geopolitical landscape, that there were a lot more country folks in Watauga than what we call upcounty crowd. And they had their candidate for student body president and I had myself and my gang. We just, I remember my campaign slogan was "Make a Country Boy President." Make a country boy president. A little class envy there, starting out early. [Scott laughs] I played football, played right end, and my coach one time made me so very happy. He said, "To be no bigger than you are, you got more gumption than anybody I've ever coached." But,

basketball is another story. I was a disaster, unmitigated. I fouled out one night, four fouls in four minutes. I think that's a record or something!

Scott: The first four minutes of the game?

Edmisten: Yes! And then my brother Joe, the mad man, and the most caring fellow I ever met in my life, he said, "I believe you need to go into wrestling." So we switched out of the basketball team. My brother Joe at the time was at Appalachian coaching wrestling, you know, real wrestling. You know, no dumbed up whatcha call-ems. Professional wrestlers. It's a good show though. Professional wrestling is a good show, as long as you can keep that perspective.

Joe convinced me that my calling was in wrestling and so we worked and worked and worked and worked. Finally, I had been wrestling for about—they let me hang on for about two years in the basketball thing, but then my junior and senior year I really went after wrestling big time. I practiced and practiced and practiced and I won the first year, most of my bouts. Wrestling is a very lonely sport. You are on your own. Nobody there to help you. No teammates to pass the ball to. And you're there. And it's tremendously physically demanding. And what you want to do is get down one less weight class so that you figure you got somebody little. Well they are doing the same thing! [Scott laughs]. You walk around spitting. You ever heard of that?

Scott: We had boys at my school who used to wear kind of plastic suits so you sweat all day.

Edmisten: Really it's unhealthy. I got so I would get swimmy-headed. They do that. The other crowd is doing the same thing so why not—

And my weight was 154 so you can say today, well, in biblical terms that I've waxed and grown strong. But [both laugh] I've doubled, well not quite doubled. Anyway, I weighed 154. I'm claustrophobic. Nobody could hold me down. I would get up, no matter what. I was not good at riding someone to hold them down as other people. So I perfected this thing called the standing switch, which is you go over a person's—in my case it would be their left arm, and this has to be done in a flash of a moment or it won't work—and you grab their left arm and immediately your arm goes over theirs and under and up to the crotch. And then you fall backwards. Now if they don't go, their arm is going to pop right out of the socket. Or the elbow socket. I became an expert at that. Now I've got two points for the takedown. So when they get up, they got one point. So sometimes I'd just let 'em get up. And I'd take them down and there was nothing illegal about this, it's not like taking steroids or something. We wouldn't know a steroid back in

those days from a newspaper. I worked my way through and our team was usually state champion. But senior year, I won my weight class. I remember this boy in Ashboro and I see him quite often now with the legislature in North Carolina. And I said, "Mark, how are you doing? Do you still remember what I remember?" And he changed the subject. [Scott laughs] Wrestling was my forte. I never tried baseball 'cause that was spring of the year and you had to be plowing gardens.

Scott: What about politics? You said you ran for student government and became president eventually. Were your parents politically active? Where did you get that interest in politics from?

Edmisten: No, I remember my daddy was always—he was always helping at the polls. I know that. There was always a regular political discussion at home. And he'd be calling, the term at that time for the opposition party was "radicals." Rather than Republicans, it was radicals. And half my kin folk were Republican and I learned to live with their—you know this modern day stuff, most of 'em who are Republicans said that the Democratic Party left them. Traditional mountain Republicans were not that much different from the traditional mountain Democrats. We always talked it, but all my brothers, though, they had been very active in high school about class presidents and all that sort of stuff. And uh—what did you ask me?

Scott: I was asking about your politics at home? What influenced you?

Edmisten: I remember Senator [Sam] Ervin came by a couple times to give speeches. I would be just fascinated.

Scott: That would have been early in his career.

Edmisten: Yeah. That was '54, '56, I would hear him orate. He was the old-time orator, they sort of spoke in iambic pentameter, dada, dada, dada, and [made] references to the Bible and all kinds of history and that sort of thing. So I get out there in the field and literally get up there on a stump and practice. Yes, ma'am. There was another guy that I thought gave a fantastic speech one time, I was about 15. Mr. Wade Vannoy, of West Jefferson, he came over and gave a speech to the Watauga Democrats and my, he was just so good. I also, when I was in high school, was the president of the Future Farmers of America Daniel Boone chapter. So I entered speaking contests as well as other contests every year. I got to the state finals in that. And guess who—later I served with him, my old friend, his name was Jim Graham—at that time he was deputy commissioner of agriculture. And he was a judge and he favored me but he said that

because I did not have an FFA jacket on—I'd never gotten one, I'm pretty sure we couldn't afford it—

Scott: Sure, you probably had to pay for it and it was expensive.

Edmisten: And he said that cut [me] with the other judges. And he said, "I thought you should have won it." And so I did the speaking there and I would speak at various wildlife—my daddy would say, come speak over at this club. So I did a lot of talking, even at an early age.

Scott: Tell me about that trip to Washington when you were in high school. You went because you were elected class president?

Edmisten: No, that was your class trip. It was something. Oh gosh, yes. You rode buses up here and I remember we stayed somewhere over in Arlington. I think I would remember the motel right away. And then you come and visit the Capitol. And some couldn't come because it cost too much money. It was another thrill because we went into the House gallery, like nothing today, you just walked where you want to walk. Even when I worked here it was that way. That was another thing, that most of my appetite for political activity is that senior trip and Congressman Hugh Alexander, who could make a good stem winder, and then there was always Senator Ervin.

Scott: Did you meet Senator Ervin when the class would come? Would he talk to the classes?

Edmisten: The visit would be there and he would come out, yeah, come out and say hello. And I'm trying to think who the other senator was at that time. Oh my goodness. My senior year was 1959 so—Golly who? And Ervin came in '54. Everett Jordan, maybe? Maybe. Anyway.

Scott: So you'd meet them both.

Edmisten: They'd say hello. Sure, absolutely. And some mammoth today that so many classes you couldn't do it. That's the trouble about this institution is that you are on too many committees. I've always said that, it was a problem back when I was here. And you just have to—you shouldn't put people on so many because it just looks like they are not paying attention. And everybody is going to naturally gravitate to something that they want to take on as their own personal policy.

Anyway, senior trip and then I had gone back. I had always wanted to be a veterinarian, not a politician. I'd always wanted to be a veterinarian. Or be in animal husbandry and go to NC State University because I had grown up with animals. But I would have never gotten into vet school because I couldn't do all the chemistry. There's a thing called the Morehead Scholarship in North Carolina started by a guy named John Motley Morehead of the Moorhead Planetarium, which is world famous. Astronauts used to go there to train at Chapel Hill, named after him. So I got to be a finalist. You went through the county level, district level, then if you got chosen there you went down to Chapel Hill. And the Morehead Scholarship was the apex of all the scholarships in the world because everything in the world was paid for, now including summer enrichment. I got to the finalist and they discovered that I had not taken foreign language in high school so I thought somebody, and I'm not going to call any names, would say, hey you need to take a foreign language. So I was ruled ineligible to receive one because I wasn't technically eligible to enter the university. So I went to summer school one time and took Spanish the year before. My being exposed to the Morehead Scholarship and all the wicked ideas of Chapel Hill, I decided that, I got a consolation prize, that was \$700/year, which was big, big-time money back in 1959. So it paid for some books and a few other things and I went to Chapel Hill.

Scott: Did you ever think about—

Edmisten: I tell people now don't ever fail to take—course you didn't have guidance counselors back then. You didn't have guidance counselors or I would have taken it. I like Spanish. I even know a little today. Hablo espanol?

Scott: No. Parlez-vous francais?

Edmisten: Oh, no, no. So, that's what got me to Chapel Hill.

Scott: Did you apply to any other schools then?

Edmisten: No, not after that Morehead visit, I didn't.

Scott: Oh, so you went to Chapel Hill to do the interviews.

Edmisten: Yeah, for the finals. And goofed around a couple days and did the, eh, oh, you don't want to hear this. I went—

Scott: It was a good time.

Edmisten: The night after it was over, the little country boy from Boone down there, and I remember going into the Tempo Underground and we got all beered up. At that time they let us stay in the dorms and before we got back I was barfing all over the place, just sick as a dog. I never had drunk beer, to amount to anything. Sick as a dog. And boy was that—I just wished I were dead, you know. [Scott laughs] Certain people will understand that, I'm sure not you, but they'll understand that, but boy oh boy, man alive.

Scott: So you did go to school at UNC Chapel Hill in '59, started in '59.

[Tapes end.]

Edmisten: Of course, I was very proud of my father and thought he looked so sharp in that green uniform. Back in those days, in the mid-'50s, they wore pith helmets, the wildlife protectors did, sort of a round thing like you think of a safari. Also they had a shoulder strap that went from one shoulder down and hooked onto the weapon, side arm. Yeah, this is a beautiful green uniform. So one night Mom and Daddy go off somewhere to something. They of course take the personal car, always an old beat up car. But this was a, I remember, about a 1955 car that had one of those little swinging antennas on it, big spring back there. And you would hook that up and if you wanted to put your antennae down, you had a little latch so that you could do it. Well, they got gone, we're in the new house by this time we called it, and I decide I'm going to play wildlife protector. So I go back there to his closet, I put on his clothes, the legs were about a foot longer, sleeves came down way longer. I think I'm 14, maybe 15, I don't know. I put the whole thing on, badge, gun, pith helmet. He used to leave the keys in this little saucer on the kitchen, linoleum cupboard sink area. So I said I'm going to go out and catch me some violators. [Scott laughs] So I had all this stuff on and I backed the thing out of the driveway, took a sharp right, I'm in the car and I'm pretending big time now, I turn the blue light on, start blowing the hell out of the siren. This is an old—

Scott: Oh, it had a siren too?

Edmisten: Oh yes. Yes, sir. Little push button on there, "wauw, wauw." And I'm going up this dirt gravel road by the house. I hit the ditch. I hit the left ditch. There I am, here's this kid, 13 or 14, I don't know which. I'm thinking, my days on this earth have just ended. I will perish if my Daddy comes back here and he sees this. Oh, what's he going to do to me? I said, the wood shed won't hold the thrashing. [Scott laughs] I'm mortified, terrorized. And providence spoke that night. Had this fella up the road, the Gregs, and ol' Bill Greg came around the corner in his Dr. Pepper truck, he was the Dr. Pepper route man. And he looked over there and he just started bellowing laughing.

Laughing beyond belief. I'm standing there terrorized with this pith helmet on. This beautiful—

Scott: [Laughing] You still had the helmet on?

Edmisten: Yeah, and these sleeves are six inches below my feet and my arms and I said, "God, Bill, just help me." Remember I'm in a garden plowing stage at that time plowing gardens all over the country. I said "Bill, if you get me out of this, pull me out of here, I'll plow your garden for as long as you live." And he just laughed like crazy again. "Wait here, wait here!" He jumps in that Coca Cola truck and spins off up the road. Comes rolling down through there with a logging chain, pulls me out of there. And I angled it and got it back over there and I thought, Oh god, it's got mud—it wasn't damaged, but it had mud all over it. I thought, what am I going to do? 'Cause he's going to say, what, how did that get on there? Well I got a hose and I washed and washed and washed and I just decided to wash the car. [Scott laughs]. Providence spoke again. And about 10 minutes later they rolled in. And he said, "What's wrong with that car over there?" I said "I just decided to wash it." "Oh, okay." I didn't tell the man until I was running for governor in 1984—

Scott: That you took that car for a joy ride?

Edmisten: Yeah, we were at a wildlife federation meeting in Winston Salem, North Carolina. For some reason my daddy was being honored at the head table and I was the speaker. I said, "This is true confession time. I want to confess to something I did" and then I told the story. The crowd howled. Daddy [gestures]—

Scott: He couldn't kill you in front of all those people.

Edmisten: No.

Scott: Who did he work for exactly?

Edmisten: The North Carolina Wildlife Resources Commission. He was a protector, a wildlife protector. Course, back in those times they called them snake wardens, possum sheriffs, all sorts of—

Scott: So people would call them up if they found something—

Edmisten: Oh yeah, some violation somewhere and you'd head off to go get 'em. That's why you had the blue light and the siren. It's a very dangerous job, by the way,

because many times you are out in the woods with only one other person and they have a weapon and no eye witnesses. I remember one time when I was attorney general I investigated this case of a wildlife officer down east was killed and there were two men in the woods and they both testified that it was an accident. And we never knew and his wife thought they murdered him, because they were hunting without a license and they said his gun went off. Here they are, their word, and I think they killed that man. Anyway, a diversion there. Let's talk to Chris, too, 'cause I want to go over there and show you that stuff in the visitor's center. If you've got time.

Scott: Sure.

Edmisten: Christine is my friend who, when people have serious problems at the Capitol about getting a tour or something—

Scott: She's the one they call?

Edmisten: Oh god, yes. Oh yes. I call her and if she'll have lunch with us, that'd be great.

[End of tape]

Scott: So when you moved to Chapel Hill, did you know—I know that you have a degree in political science—but did you know right away that's what you'd be studying?

Edmisten: Yes, after I got there. I knew that. Of course, I had all the notions that that degree would make you a great politician. To be honest with you, there's very little correlation between studying political science and doing it. [Scott laughs] Very little. But political science. Of course you take all the basic courses in the beginning. I lived in a place called 403 Avery dorm and I went back years later and there was a woman in there. [Scott laughs] In my day you sneaked them up!

Scott: That's right. And probably got in trouble for that.

Edmisten: At one time they were watching me, the dorm manager, I was sneaking in these girls. So one night, mine was—it said 403 but it wasn't that far down—it was based on the balcony so it was about two stories up. I threw me a rope out there and they climbed up the rope. My dorm room was like a cornucopia. I had this chest with goodies from back home and things that country boys eat when they live on the farm: sardines, potted meat—

Scott: Things your mom had canned.

Edmisten: No, this was ol' store bought stuff, the worst processed food in the world. But if you were an old farm boy you would go out and sometimes, if you couldn't go in for lunch, it's too far, you'd go and get sardines and potted meat and what we'd call wiener sausages. They were just old nasty stuff. I had a lot of that. I had a bunch of my mama's canned goods because I had me a hot plate. Had me a hot plate. I had a jar, always, two or three jars of the best corn liquor you could ever think of, because I had access to it.

Scott: Did your dad make moonshine?

Edmisten: No, no he didn't. My brother broke them up, remember that, my brother was the revenuer. And he, my brother David, the oldest one I talked to you about, he lived in Wilkesboro, North Carolina, which at one point I think it was *Look* magazine, or *Life—Look*, or *Life*, either one had a front page story on Wilkes County, North Carolina, which is one county below where I live, as the moonshine capital of the world. And it was, everybody was doing liquor back in those days. Really in the '30s and '40s it was what they did.

Edmisten: So my brother David was stationed there, and here I am in college, Chapel Hill from '59 to 63 and I would—at first I was very homesick. I would thumb up home, thumb, not hitchhike, thumb. And in those days, if you wore a coat and tie, a little jacket, they would say, "Okay, that's a college boy." They would pick you up.

Scott: And you didn't worry about who'd be picking you up.

Edmisten: Of course I'm going to tell you about a couple things that happened that—pew—anyway.

I would sometimes thumb up—it was hard to get from Chapel Hill to the main road. The main road was 421, there's a lot of traffic on it, which is now highway 40. But you sometimes had to wait quite a bit to get somebody, to get somebody going up that main road. Sometimes I could make the trip in five to six hours if you had a little bit of luck. And sometimes you'd go only 20 miles and get let off. It's kind of an adventuresome life. But today, just think about how horrifying that would be today.

I would end up in Wilkesboro on Friday night, here I am a freshman at Carolina. And my brother David and his colleagues would have planned a moonshine raid that night. And so what would happen is, and you couldn't dare take somebody who is a son

sworn officer today on something like that. Oh, no, you wouldn't do that. Oh no, it's not like a TV crew riding with the police department. Hell, I was part of the raiding party. Oh yeah. Here it is, always when they went to raid the still it had to be a good clear night because they are not going to be out there working in the rain. And maybe sometimes for weeks trying to find it, spotted it, not exactly like trying to find Osama bin Laden. [Scott laughs] They spotted the still place, that's what they called them back then, the still place, it's a word of art. And then David and his other colleagues would be sort of surrounding the place and he'd put me in a strategic position and he'd say, "Alright, now if one breaks, well, you get him."

Scott: Did you have a weapon?

Edmisten: No, hell no. This is what is the magic about it. That is so unbelievable to people today. He would let out the most blood curdling war whoop that you've ever heard and it would just scare the living daylights out of 'em. And they would break like a covey of quail going into flight in every which way in the world. I had—everybody was assigned this one, this one, this one, this one. And mine would be a particular individual. I would try to take the fattest one because I didn't run that hard. They would break and run and I'd take off and you're: "Stop! Stop!" and it was like playing tag football. You got to them, tagged them, put your hand on them and that was the deal. Nobody—and I bet you I went on 15—nobody ever tried to fight me, nobody ever tried to do this—they knew what my brother would do. See there was sort of a symbiotic relationship between the revenuers and the moonshiners. They knew David was after him with his crew. And it was okay, no horseplay, no nothing. David wouldn't even wear a weapon most nights.

Scott: Wow. No violence at all.

Edmisten: And today the drug people, and this and that. David would know a lot of them. He'd say: "Okay, Press, let's do this the right way. You know what the drum roll is. I'm not going to take you in tonight. Nine o'clock Monday morning at Judge Johnson J. Hayes' courthouse, you show up there. You got me?" "Yes, sir, David." You think of that. This would never happen. You have to haul them in, you've got to bond 'em. I asked my brother David, "Did anybody ever fail to show?" He said, "Only one time."

Scott: Really? So what would happen?

Edmisten: They would go in and they would go before the judge and bail would be set. And they would wait for the trial. Unless you had done it repeatedly, you'd get yourself a little fine. The federal thing is not paying your taxes and they arrest them on conspiracy to if you did a bunch of 'em you got sent to federal prison like Junior Johnson,

the very famous race car driver. Now David never arrested Junior, but David told me one time about—and Junior is my friend and one of my clients now, by the way—one time they raided Junior Johnson's mother's house because they had information that there was a huge stash of sugar there. They got down in there and there was just bag after bag, 100-pound bags of sugar. Obviously to make the—and David says that he asked Mrs. Johnson, "What are you doing with all this sugar?" And she said, "Well, you know it's been a good spring in the garden, I've got a big canning to put up." Oh yeah, right.

I would do those things, hitchhiking, I remember one time I had gotten all the way up to Wilkes County again and this is after David had left Wilkes County to go to this other assignment that he hated. My old high school, Appalachian High School, was playing West Wilkes High School in a football game. It was the fall of the year. I'm doing very well on the main road, and I get to where it is that I know that you go to West Wilkes. And car pulls over, vroom, vroom, vroom, vroom, [makes car sounds] which meant that the engine was souped up to unbelievable heights and this is 19-, probably '60. And there are two boys in this thing, these old country grits, nasty, slobbery, and I know something is not quite right 'cause they screeched the wheels. I said, "Boys I'm going out to a ball game." "Git in here!" Got in the back seat. Now I've never had anything so harrowing in my life. They go down there doing 80 miles an hour on a crooked road and they jump through the air you know, where you'd come to a little tiny hill, and land. And the more I said, "Please, please, let me out." They'd laugh, they'd just laugh maniacally. I thought, they are going to kill us! They were just boys intent on scaring the living daylights out of this college boy. And man did they get it done. They finally said, "You lek that ride there buddy, school boy." They called me school boy. I opened the door and got out and I knew I was in protection and I said [expletive].

Scott: Good thing they let you out.

Edmisten: Oh god yeah. By that time my parents were out there and spotted them. And I had another incident one time that I don't think is good to describe. I was molested by two guys for about an hour. Let's put it this way, when they finally let me out, and by the way I'm not traumatized over it, I was so mad, that I was within three miles of my home in Boone—

Scott: Your parents' home?

Edmisten: Yeah. My heart was pounding and my adrenaline was up so much that I took rocks and starting throwing them at them. I said, "I'll kill you bastards! I'll kill you!" I broke windows in their car and this and that. They knew I was just a mad man,

and they drove off with dents in the car. They'd have to think about that for a long time. Don't want to go into that one too much.

Scott: And that's why people don't hitchhike anymore.

Edmisten: And I don't want anybody to think that I'm homophobic or anything like that. It just happened. But that's just part of the college to me—

We're getting back there now. I had a job. It wasn't any time at all that when I got there that I had a job to help pay for, 'cause I said that the other little token scholarship would pay for a little something. So my first job was to pay for the *Daily Tarheel*. You'd have these little bundles that you put in, it was the student newspaper, which is actually a good paper.

Scott: It's a great paper.

Edmisten: And—are you familiar with that?

Scott: I am, yeah, it's a great paper.

Edmisten: Yeah, I would deliver the bundles to the dorm rooms. You know, you put a bundle on the first floor, second floor, every morning. My area—and it was also where I had a car because I didn't have a car at that time.

Scott: How did you get the bundles—

Edmisten: Well, they stacked them in one particular place and I'd cover Avery, the three dorms in that area, then I'd go to another area. I was stout, strong at that time. I didn't think anything about it. I had a second job at the university in the Wilson Library where I'm going to donate my Watergate memorabilia.

Scott: I've been in there, that's where the Ervin papers are.

Edmisten: Have you been in there since you talked to me?

Scott: Yes. Oh that will make a nice contribution to his collection because you'll have all the staff paperwork there, which will be nice.

Edmisten: Yeah, and the subpoena that I served.

Scott: Right, right. That will be great.

Edmisten: The original one. I guess you'll have to come to the office before we wind this up.

Scott: That'd be great.

Edmisten: I had that job in the Wilson Library filing stuff and going down to the carrels and get stuff for people.

My next job, that was my first year—during the summer I went home and farmed one more year. Then I remember coming back the next year and working something called the Dairy Bar. The Dairy Bar was a hamburger, barbeque joint there on the street. I did the—my classes were arranged that year so that I was off from 11 until—I didn't have any classes until two o'clock. Perfect. So I cooked hamburgers. I was the short order cook. I remember this one girl would come in there every day and she ordered a barbeque sandwich on hamburger buns with barbeque and slaw. And I thought she was so gorgeous. She probably weighs a ton now. [Scott laughs] I loaded up that sandwich. It looked like something Dagwood out of the comics would be eating at nighttime. That girl had these big blue eyes. She would smile and I've often wondered, I wonder what she's doing now? Like all those characters on MASH. [Scott laughs] I watch that and wonder, "What are they doing?"

So I had that job. Then one summer too, I don't know how I talked my daddy out of it. We were easing out of the dairy business. Not as much farming going on as it used to be back in the '50s. And I went to work at a place called Camp Sky Ranch in Watauga County, which was a summer camp where every two weeks they had probably 75-100 disabled kids, blind, deaf, all kinds of afflictions—[phone ringing] How do I turn that thing off?

End of tape.

Edmisten: We were at the point of Carolina—doing what?

Scott: What about your courses at Chapel Hill? Were any of your professors, in particular, influential?

Edmisten: Oh yes. No doubt about it. I took the normal courses in the first of the year. The basics, the English, and then I remember Western Civilization. I loved that course by that professor because he was so inspiring. And then, I think it was either my

junior or senior year, and—yeah, another one was Professor Ray Dawson, who was my political science professor and it's ironic that after I graduated and came back to North Carolina I worked with him quite a bit on political matters because he was the lobbyist for the university system.

Scott: Oh, okay.

Edmisten: And he would, Dr. Dawson, would bring his troops over there and they would park in my conference room because, as secretary of state [of North Carolina], my conference room was very handy because there was just no place for people to meet. We would strategize about what I thought here and there. So he was tremendously influential in my life. A lot of things about taking political science with him was it did help that a lot of these things that generally people believe in are just myths. I don't remember what those myths were, but that turned out to be true.

I took religious literature, the Bible as literature. I remember my grandmother would sit, on her lap she had these old reading glasses and she had never been to school but she could read the Bible and she would read me these Bible stories, you know, the Bible story book, a big ol' blue thing with Jesus on the front of it. So I knew all this stuff about the, every story about the Israelites leaving ancient Egypt. One intriguing thing was his explanation—scientific explanation—of how they all happened. I was a little taken back because if you grow up in a pretty strict Southern Baptist church, this gets you thinking a little bit. Like when the Israelites were leaving Israel, all the different plagues that occurred. Well, he pointed out how different forces of nature contributed to every one of those happening, the pestilence from the bugs and things that died. I was thinking of that the other night when I was watching that old Charlton Heston movie, it was sort-of retro.

Scott: Is it *Ben Hur*? Were you watching *Ben Hur*?

Edmisten: No, it was not the one with the chariot races, the—he was Moses. I think you call it Moses.

Scott: Yeah, I think that's the name of the movie, isn't it?

Edmisten: I just sat there laughing at their elaborate costumes and the lines were incredible. But anyway, I loved the Old Testament as literature and of course that, you talk about the book of Genesis, it's just perfectly written in iambic pentameter. I had learned that from my high school English teacher about iambic pentameter. The world was created in seven days and da-da-da-da-da. He was a very social, social conscience.

The right wing today would have just thought he was one of the worst people in the world.

Scott: Well, was he political in class?

Edmisten: No, the socialist views of how if somebody works too long and too hard and they are too tired and they have an accident and you can't take care of them. Every day he would end the class by saying, "Remember this, everything makes a difference." Dr. Bernard Boyd. And there was also an English teacher I had one time, an old, old man at that time named Dr. Adams who one time wrote on a paper, "You're the first one this semester that got an 'A' on all the tests. Every one of them." And the way that I talk sometimes and the way that I write, you'd think I never had a drop of English in your life. Chapel Hill was a—I had this little study habit, I'd cram like anybody else. Anybody that tells you they don't, they are lying. They are lying. What I would do, it's what everybody else does, but I had my little routine. I was a good note taker in class—I did attend class because this old myth that you don't need to attend class, well you did back then because they would spit right back what was in that class. I had all my notes. And I would walk up and down the hall, in the dorm room, first floor, second floor, third floor, just circling because there were lights in the hallway, until three or four o'clock in the morning, going over all the notes. I was honor roll there. What's the, whatever the Greek outfit is that says you have pretty good grades?

Scott: Is it the Phi Beta Kappa?

Edmisten: Yeah. I belonged to the Order of [?]. That was some kind of honorary thing. There was plenty of politics going on at Chapel Hill. When I was there you had two political parties, one called the student party and one called the university party. The university party was mostly frat guys and sorority gals. By the way, at that time, you had to be a junior to be, if you were a female, to be enrolled at Chapel Hill, unless you went into nursing, which is four years, or you could go to grad school. And the student party was normally dorm rats. At one time, when I first went to Chapel Hill in the fall of 1959, somebody from back home encouraged me to join the Kappa Alpha fraternity. That's the old South, this and that. I felt very uncomfortable there because I'm not a frat type guy. I came from a totally different background. Mine was a hard-working farmer/wildlife protector who was kind and generous, and never had—I'm not saying these weren't fine people, but most of them were from very privileged backgrounds. One day one of them criticized my clothing. I didn't have the right Madras shirt on. And he said, "That belt stinks, you need to go down to Melvin's and get you a new belt." It wasn't the uniform that you were supposed to wear in that fraternity. And so that lasted about six months—

Scott: That you were a member for about six months?

Edmisten: Yeah. But I never moved in over there. I was at the dorm, couldn't afford—my meager part-time work also didn't go into that either. None of those guys had to work.

Scott: Did your parents help you with tuition at all?

Edmisten: The tuition was covered. And most of the other—my daddy would send money when I had a little something going on. Because he had never had to—all the other kids, my brothers, had gone to Appalachian. And virtually no cost there at all because they lived at home. And it was not understandable to him at that time. But anytime I asked for it, I got it. They were nostalgic years. You get your haircut in the basement of Memorial Auditorium, Memorial Hall. That was one of the oldest buildings there. That's where the *Daily Tarheel* was, and my grades were pretty good. At a lot of ball games, I sometimes was the announcer at halftime, at the ball games. I wasn't good enough for any sports there. And I didn't wrestle because I didn't want to put out the effort to do it. [Scott laughs] And my claustrophobia was worse. Oh yeah, I worked in gardens too, by the way, because I'm a great gardener.

Scott: On the grounds?

Edmisten: No, just different people around town. I'd hear about somebody needs this weeded, or that weeded, and do it that way. So my grades were good, good enough to get into GW [George Washington] law school. I sure went to my graduation. I know a lot of kids don't do that now. My whole family came down, they were so proud. I had my times with the dean of students down there too, for—one night my roommate who was from Tryon, North Carolina, this was about 1962, I'm living in Avery dorm and he was the roommate, it was those suite-type things. And we'd had a little too much beer [laughs] and uh, he said something like, "Your mama wears combat boots," I'm trying to remember exactly what. And I said, "Alright, let's just go out here." And we started to fight in there. These were fights, fist fights. And it spilled out, down the side of the building. And we weren't mad when we were doing it. We got out there and we both had been beered-up far too much. I better not be running for public office again!

Scott: [Laughs] This shouldn't harm you, this was a long time ago!

Edmisten: This is what college students do. We got all beered-up. So the fight continued, down the stairwell, out, four flights down, got out on the flats at the end of the one dorm, and all of a sudden the word went through the dorm and they were out

cheering and making bets and this and that. We fought for another 35-40 minutes and I finally took up a pine bough and whacked him real hard with that one and I says, "Have you had enough?" Well, I was black, I was blue, for two weeks. Both eyes were just black as they can be. I looked terrible. The dean of student affairs is alive to this day. Once the word got over there to him, he called us both over there that day and says, "Boys," he said, "I've a good mind to suspend you because this is just so un-Carolina like. So barbaric! What am I going to do with you?" I said, "Ray, he made me do it." Or, "Dean, he made me do it." Finally the guy broke down with this huge laughter and he said, "Who won?" [Scott laughs] I saw him three weeks ago at a commemoration for Bill, Dr. Bill Friday's show, which is called the—every Friday night, for almost 40 years he has had a guest on, and I saw that dean at the gathering. He's about 70-something.

Scott: Not too far from Chapel Hill in 1961 were the first sit-ins at—

Edmisten: I was there in the middle of it.

Scott: Do you remember what kinds of things were going on at Chapel Hill?

Edmisten: I remember that they chained themselves to the post office right there in the middle of town that still exists. My views were a little conservative at that time because I thought that—boy how they have changed—I thought that a restaurant ought to be able to serve whoever they wanted to serve. Then there was this place called Watt's Motor Court and Restaurant. And they really went out there because they wouldn't admit them to let anybody eat there. They had fall-ins out there, they didn't stand, they fell down and Mrs. Watts poured water on them and all sorts of things like that. Have you read anything about that?

My roommate and I drove out there one time. I didn't take part. I sort of clung to the notion that maybe a person should be able to serve whom they wanted to because it was a private business. Obviously your perspective changes over the years. And then I come up here, in those Ervin years, I'm seeing the southerners fight with tooth and nail. It was an absolutely amazing time. I'm sure you'll get to that later. I did something that was unfathomable. I integrated the North Carolina Democratic Club. I thought ol' [?] was going to kill me. She said, "Look what you've done. You've messed up everything."

Yeah, I was there in the middle of all that. I was over there when Jessie Helms, who later became a dear friend of mine, he was inveighing against Carolina over at WRAL and said that ought to put up a fence around it. Not to keep people out, but to keep us in.

Scott: [Laughs] You guys were rabble rousers.

Edmisten: I was talking to one of my friends about it. I said, "Listen to that old fool." I said, "What's he talking about?" There was this commie who wanted to come to speak over there and they didn't want him to and they were considering the speaker ban law. Even at that stage I thought, "I don't need protecting from him. I want to hear what he says. If I don't like him I'll boo him or challenge him to a fist fight, or something." Since I was so good at that. All that sort of stuff was occurring. Chapel Hill wasn't all that liberal. When I grew up there weren't hardly any blacks in Boone. Those that were, one of them was my daddy's best friend, Neil Grimes, and when we have people working on the farm there was none of this stuff of the blacks eating out on the back porch. They sat right at mama's dinner table, and not just at dinner, in the middle of the day. I remember that my cousin Craig and I, I used to ride my horse over there to Craig's and we'd race on our horses, it was like really playing big time Roy Rogers and the little black kid would spend the night with us and we'd sleep in the same place. I didn't know anything about any kind of prejudice. I came upon it at Chapel Hill. Isn't that ironic?

[End of tape]

Edmisten: Did you get an hour out of him or so?

Scott: Don [Ritchie] interviewed Bobby Baker and he was here for hours over the course of several days—as we'll do. He would come and do long interviews and then not come back for a couple months because he wasn't in town all the time. Like what we'll be doing.

Edmisten: Yeah, yeah.

Scott: I think we left off with you coming to Washington, when you started at Georgetown.

Edmisten: I married Jane Moretz on August the 3rd, of 1963.

Scott: You had met at Chapel Hill?

Edmisten: We had met at Chapel Hill. She was a hometown girl from Deep Gap, North Carolina (that's the name of the town). She had been up here for a year working at the Georgetown Center for Strategic Studies. And then we got married in 1963 and came on up and entered law school and that's when the opening for a teacher at the Ascension Academy occurred. And here am I, a Baptist, Southern Baptist member, having grown up

in the Three Forks Baptist Church, thinking about teaching in an all-boys Catholic School. But you had to have something. And actually it was sort-of pleasant because you wore a robe everyday over your street clothes. So I could wear a jockey strap and no one would ever know it!

Scott: That's funny. They put you in the gear?

Edmisten: Yeah, not in a mortar board, but in a robe, a black robe. I always wore a tie because that was just something about me, I grew up on a farm and you got one coat a year at Easter time and I never believed in this casual dress at work. I don't believe in casual Fridays right now. I don't put up with it. Don't like it. Don't ride an airplane casually because who knows, you might meet somebody that potentially might want to hire you. Are they going to hire someone in flip-flops that looks like a slob on there? No, they are not. Anyway, I was working there teaching during the day, third graders. A very rowdy age. Mischievous. The boys fought all the time. I broke up more playground fights. But I taught them a lot about life, about some of the experiences I had had. They were just little guys who had never grown up out in the country and I told them about how food got to the table, one time too much when I told them about how you butchered cattle and they ended up as steaks. I don't think some of the parents were quite happy with that. One time I semi-spanked this boy because he continually—mind you, this was 1963, going into '64—and he was continually picking fights with other kids, bloodying their noses and stuff. Reminded me of myself at Chapel Hill. And so one time I just whacked his bottom a little bit and he went home and told his mama. And I thought, boy, I'm [going to be] sued. But still today you would be, you'd be assault and battery and all that stuff. But I got his attention. His mother came in and asked me if I had done that. I said, "Yes, I did and I told him what I did." She seemed to be satisfied because she said that he deserved it. And I was greatly relieved and pleased to say the least.

We taught the basics of reading and arithmetic. I even taught them how to diagram sentences because nobody diagrams a sentence now. And it was going out at that time. We were still diagramming sentences when I was in high school in the '50s and a little bit in Carolina but not much. So that's the only time they ever got to know. Some of them told me later on when there was a 50th reunion and I came, and here were these kids out here somewhere in Arlington, Virginia, and the head master was still alive, I, you know I thought he would—he was too mean to die though. [Scott laughs] He was a nice guy though, Victor was a nice guy. He was just sort of set in his ways. It was a very casual atmosphere because even though we were dressed there in the black robe, and every day at three-something when it was out (?) I was headed to George Washington University law school, evening division. And the routine would be: arrive for class at six o'clock. You sometimes only had one, sometimes you had two, you were out at eight

o'clock, sometimes nine o'clock, go across the street, generally to the White Tower hamburger joint, which at that time was doing the sliders and they didn't know it was a slider, they were just small hamburgers. But you could get two for 50 cents. And come back and do a little bit of stuff in the library and then go home and start the next day's work over at the office. It was a pretty abusive schedule. There were times that we would treat ourselves by going to the symphony. We'd go directly from law school to the symphony, which was down at Constitution Hall.

Scott: So Jane was in law school with you?

Edmisten: Jane was in law school with me. My then wife and I took the same courses except when one time the forks diverged and we came to a fork in the road in Robert Frost's words and I took a left and she took a right and she wanted to take income tax law and I said no, I'm terrified of that so I took copyright law. What good that did me, I don't know. At least I knew what the Library of Congress did when I went to work over here on Capitol Hill. The headmaster never knew that I was going to law school over here at night. He found out one day and just exploded. I said, "Okay, Victor, so what impact does that have on what I've been doing or what I will do with a couple months to go?" He tried to think of some reason and he couldn't.

Scott: Because it wasn't affecting your work during the daytime?

Edmisten: No, not at all. I remember also during that tenure of that one year, this cataclysm occurred in American history, November 22, 1963.

Scott: Where were you?

Edmisten: I was in there teaching third grade at Accession Academy in Alexandria, Virginia. Mr. Summers, the headmaster, came rushing by the door and yelled in, "The president's been shot! President Kennedy has been shot!" You know, these kids who would normally be overjoyed about anything happening which might let them out of school a little bit, were very silent. I said, "Okay, kids, let's go out to the car." So we went out to the car. I remember I had an old Nash Rambler, it was a car that very few people had. We turned the radio on and kept listening and listening to it until the time came for either the buses or the parents to come and pick them up. It was just so incredibly sad.

Scott: The nation's first Catholic president, those kids must have felt that fairly personally.

Edmisten: Yes, it so happens that that year I lived also in the Key Bridge area in something called Arlington Towers. Yeah, I think Arlington Towers. And it was none of those high rises. There was a pawn shop and a little Italian eatery, that was about it. But from our window we had a bird's eye view of Arlington Cemetery. So all during that time when this week long of agony was going on, we could watch the horses pulling the caisson over the—and the riderless horse. And there he was, clear as a bell you could hear the canons being fired. It was really something else. It was amazing how everybody in America that was any kind of tender age of remembrance can vividly recall what they were doing at that time. I can think of no other event, except—I cannot tell you what I was doing when Ronald Reagan was shot. I just can't. I guess we were so numbed. The Ascension Academy days were—I'm glad I did it. It taught me that teachers have a heckuva job to do. You can mold minds. I come from a long line of teachers anyway, cause almost, well all my brothers and my sister went to Appalachia, which is a teachers' school. It used to be called Appalachia State Teachers College. So it was nothing new to me, but I had no education degree whatsoever. It probably made me a better teacher.

Scott: Probably, made you more flexible.

Edmisten: Some of the stories I told them, about, we used to have a period during the day when I would tell stories. I said, "Anybody know how you break a horse to ride?" Things like that. Told them about the methods my father used to break a horse. And it wasn't the torture kind like you see in the movies. Never hobble a horse 'cause you'll break their legs. My daddy would work the blanket on first. Next day he'd work the saddle on. Then the next day he'd tie five pounds of sand or something on the saddle. And then finally one of us would get to get out there. And some would buck like crazy and some wouldn't. For a horse that didn't the [?] of it, he would tie them to a limb of a tree and they could throw around and thrash and this and that, but not hurt themselves. He got them used to it. These kids got some teaching they wouldn't get anywhere else. You get it now on the Discovery Channel and this and that and the other thing. Back in those days you didn't have anything but three channels and the public television channel. The day came that I got a call from Pat Shore who was a staff member to Senator Ervin, and that would have been into 19—

Scott: Sixty-four?

Edmisten: Sixty-four, and said, "We've got a position over here available. Do you want to come over and interview for it?" I went all the way over and talked to her and Mr. Jack Spain, who was a long time AA to Senator Ervin going back as far as 1954 when the senator first came. Jack was an old crusty individual from Greenville, North Carolina, who was very traditional, set in the ways of the Senate and you didn't break

those rules whatsoever. I interviewed with him, with Pat Shore, who was a lady from Yetkaville, North Carolina, and her brother I later got up to many occasions when I was the attorney general because he became a judge. Shortly I got a call saying "You've been accepted, we've checked it with Senator Ervin. When can you come to work?" I said, "Just as soon as school lets out in June." Or something like that, of '64.

Scott: Had you interviewed with Senator Ervin when you came up?

Edmisten: No, I had seen Senator Ervin along the way and he never acknowledged it, but I'm sure he knew that's the boy that always, always was telling him at rallies that "Yes, I want to work for you." I was real, real proud of it. I had gotten about a year, not a whole year, of law school under my belt, or one session because we went to law school five days a week, four seasons a year. And I know the definition of cruel and unusual punishment. [Scott laughs]. That.

Scott: That! Was that just the nature of the program or could you have chosen to take it a little bit less.

Edmisten: You could take it a little bit less. But you are in it and it's misery, so why not get through it?

But unlike these poor kids today that get out of law school owing a quarter of a billion dollars or more, we were out of law school and didn't owe a penny. It was rigorous and sometimes you'd think you were going to ruin your health because you were staying up a lot of times until three in the morning and cramming for exams. I remember one time, on the weekends we did a lot of studying, and sometimes one would take a shower or bath and the other one would read to them while they were in there.

Scott: I was going to ask if it helped that your wife was also in the program?

Edmisten: Oh, there's no doubt about it. Because I was just always mortified that I would fail a course and she wouldn't. Because she was a lot brighter than I am. And she had an extremely high LSAT score, just knocked it out of the top and I was sort of mediocre. I probably couldn't get in today because most of us couldn't get into undergrad either.

Scott: [Laughs] The standards are pretty high today, that's true.

Edmisten: So I felt very, very proud and I knew good and well that I could make it. The stuff, in the beginning I was assigned to Senator Ervin's Subcommittee on

Constitutional Rights, which was in 102B Old Senate Office Building [now known as Russell Senate Office Building]. In other words, at that time, you only had two buildings, the Old Senate Office Building and the New Senate Office Building, affectionately known as the new SOB and the old SOB and all these carts and things rolling around all over the place: new SOB, old SOB. Funny, funny, funny. Where are you? Why, I'm in the old SOB. Well you son-of-a-HMM. [Scott laughs]. It took a while to learn the place but I'd be working on a particular project and I'd go over to the Supreme Court. One time I went over there and it was a sunny day and I was taking a nap at the Supreme Court. These Court cops came up and one of them whacked my shoe with his baton and he said "Get up out of here! Get away from here!"

Scott: Did he think you were a homeless person?

Edmisten: "You can't be doing that!" I had a coat and tie on and I said, "I was just sleeping." They said, "You can't be doing that over here." And so I never ventured back over there at all except when I became attorney general. So many times during those years [I would] drop by hearings, go to the floor of the Senate, you didn't have any televisions or those kind of monitors, you just had to see what was going on. There'd be many times, and I had floor privileges, at that stage I don't know how I got them, well, I did. We had a guy named Bill Cochrane, who was the chief counsel of the Senate Rules Committee. And Bill Cochrane was like the third senator from North Carolina, no question about it. He was from Chapel Hill, he had been here for years before Senator B. Everett Jordan got here, and Bill sort of ran things. If you are on the staff of the Senate Rules Committee, everybody else thinks they can assign rooms and do this and do that. Well these guys can do anything they want to do. If they say, "This is the rule, this is the rule." And the parliamentarian, the secretary of the Senate, the sergeant at arms can't do anything about it. So Bill did lots of things like that for me. And he, uh—

Scott: He was close with Senator Ervin?

Edmisten: He worked with Senator B. Everett Jordan who was the chairman of the Senate Rules Committee and very fond of Senator Ervin. So there were times that I would go over to the Senate and there would be Senator Dirksen, and I'd walk in there and sit in those comfortable leather couches and they sat in the corner at that time and I think they've moved them, the comfortable ones. They kept you spell-bound because the oratory wouldn't allow you to sleep. They were wonderful sleeping times. I heard so many great, great speeches over there by Senator Wayne Morse of Oregon, Senator Stennis of Mississippi, John Sparkman of Alabama, these were all great statesmen, and they were generally well-read. They had studied the classics. They kept getting elected because they were from "safe districts" back then. They were some very intelligent

people who later would become demigods because of the civil rights movement. There I was at a time in history here when there were just some great towering figures, except John Tower who was about 5'5". He liked to fight, he was a little abusive. I ran across him a couple times and he was just sort of a nasty fellow.

Scott: When you came up here—I'm guessing you didn't have a lot of experience working in the legislative branch, you hadn't done anything of this stuff before—so how did you learn how the Senate worked? Who were your—did you sit down and talk to Senator Ervin?

Edmisten: I watched people. When I went to the Subcommittee on Constitutional Rights, there were people there already who, Paul Woodard was someone the senator had on for a long time from Mayberry, North Carolina. I learned from Bill Cochrane. I learned from hearings. I learned what—I went over several times and corrected the *Record* back behind for Senator Ervin, a little fact of which the public never knew. Sometimes you'd see something come out of there in the *Congressional Record* that was no resemblance to what was said on the floor because they had fumbled it up and you could correct the *Record* any way you wanted to. And that got abused, I don't know whether they still do that now or not?

Scott: They still do it.

Edmisten: They still do it, yeah. I learned that way. I learned by just watching and listening, you learned how to write a committee report. Early on I attended all of Ervin's hearings. As soon as I graduated from law school I became, not chief counsel, but counsel to the Subcommittee on the Separation of Powers—no, no, to the Constitutional Rights Subcommittee. That's the time when we were doing all kinds of things that were really irritating Richard Nixon to pieces. Ervin was looking into spying on the part of the military on the general population because Nixon and Agnew didn't like the fact that they were getting criticized. We looked at that extensively. We were looking at things like—

Scott: Some of the early work. In the mid-'60s you were looking at Native American rights?

Edmisten: Rights of the American Indians and because of this excellent staff member from Tembrook, North Carolina, named Helen Maynar Sherbeck, who was Lumbee. And that's a group in North Carolina that some think are descendants of the lost colony. Helen brought to the attention of the senator that you had all these little quasi-sovereign nations all over the country and another very capable person named Marcia MacNaughton who was a great researcher, a great writer, you had all these Indian trial

courts where no due process was afforded whatsoever. Now this was not to take away from the rights of the Indians to run their own business as they did for centuries or to abrogate any so-called agreements or treaties between the United States and Indians. It was to make sure that Indians, being citizens, got basic rights. You know some of these things were if you stick your hand into a pot of boiling water and you yelled, you were guilty. And one was almost based on Judaic law, if you steal one sheep, you got to give ten up. Just a lot of disparate rules everywhere depending on where you were in the country if you were an American Indian. Now if you were out of jurisdiction of the American Indian court, you of course faced the rights and the penalties of American jurisprudence. But on the reservation it was hit and run hopscotch. If you got in certain places—We conducted investigations and did all kinds of field trials. I recall that we decided to go to New Mexico and visit the Pueblo nation. Mind you, this is 40 years ago, I'm stretching my memory. The senator went along for about a half of [a] day, this senator from [North Dakota] named Quentin Burdick, I believe that was his name, he was somewhat elderly at that time, doddering. And he accompanied us one day though we had been provided good people by his staff to carry us to—there were 19 pueblos, we didn't go to every one of them—but we visited several. We were out there about a week, as I recall. We had a staff member with us, Helen Mayar.

Scott: And you just drove from pueblo to pueblo?

Edmisten: We drove from pueblo to pueblo, somebody provided the transportation. And we visited and asked them about their situation, their laws, and there were a lot of individual Indians who came up and said, "I've been railroaded" or "bull whipped" or something like that. You learn a lot about the Indians. They all wear cowboy hats out there. We did some good visiting, too, because those pueblos, cliff dwellers, were just incredible people to do what they did.

Scott: Incredible history.

Edmisten: We got into Arizona a little bit too, there are some pueblos out there. That was a very interesting trip as I recall, I had to miss a lot of law school that week, but it was worth it. We did extensive hearings. Another thing, one time Averill Harriman appeared before the committee. We had a professor Bickell who later became a judge, I think he is on the court somewhere now. During that time we are getting closer and closer to the Watergate thing, so the majority of the work done in those years leading up to Watergate were on things that Nixon was doing that led to Watergate. Surveillance by the military of civilians, and led right into the next work that I had. It would have been, the date escapes me, it might have been 1970, about '70 when I—Ervin had a committee that was called Separation of Powers.

Scott: I'm looking at my paperwork here, Senators Mansfield and Dirksen co-sponsored the resolution creating that special subcommittee in 1966.

Edmisten: In '66.

Scott: In '66.

Edmisten: Yeah, in '66. So somebody had it before I did. Maybe it was that I didn't get it at that time, maybe mine was about 1970 when—well, memory slips me but, I became, named as chief counsel and staff director of the Senate Subcommittee on Separation of Powers. And then that's when a lot of the things started in earnest leading up to Watergate. A lot. We were studying such issues as pocket veto, impoundment of funds, Nixon was real bad about that. Congress would appropriate funds and he'd just impound them. What are you doing? You're defeating the will of the Congress?

Scott: Just the idea that there needs to be a committee to investigate the issues related to the separation of powers, can you say something about what this subcommittee was supposed to do? What's the purpose of it?

Edmisten: The purpose of the committee was to make sure that we kept the various branches of the government in balance because it had been slipping and sliding away ever so much because Lyndon Johnson was a prolific, let's admit it, let's not only talk about Nixon, let's talk about Johnson. He—and it's funny that people that come from up here are generally the worst about grabbing power from the Congress! Here you had Johnson—

Scott: Who had been majority leader.

Edmisten: A creature of the Senate. I just finished reading the Senate years by—

Scott: Robert Caro²?

Edmisten: Yeah, it's just fascinating. And there's just a whole bunch in there about Ervin, he was just mortified about Ervin's civil rights bill.

So here's Johnson just down there left and right violating the living daylight out of separation of powers, every time you turned around. Course, FDR was bad about it, too. When you've got crises, it's time, always a time that presidents just cut corners, I

² Caro, Robert. *Master of the Senate*. New York: Vintage Books, 2003.

don't care who they are because they say, "Look, I'm commander in chief," all this other stuff is subservient. Commander in chief means that this other stuff is okay, but if I'm named the commander in chief, if I say we go bomb somebody, we go bomb somebody. I'm not going to call it a war, I'm not going to call it an intervention, or something like that.

Scott: And Congress had also, to be fair, not been very assertive on some of these issues. Later some senators came to regret their vote for the Gulf of Tonkin Resolution, for example.

Edmisten: Over and over again, after it was over with.

Scott: So it seems to me that some of the separation of powers is also Ervin and other senators' recognition that Congress needs to get itself together—

Edmisten: Get some backbone. I agree totally. And Mansfield—the southern senators were very good about that. What had happened—what happens, too, there's this insidious favoritism that comes in, the executive branch will do something to curry favor. They'll appoint somebody's friend, or something, to the U.S. Attorney's office, or U.S. Marshal, something like that. If they are smart at the White House they'll keep very good notes about who is naughty and nice. And then a favor comes along and it's just like poor Robert Morgan. He later was U.S. senator from North Carolina after Senator Ervin and his vote for the Panama Canal, over the Panama Canal issue, where we ceded the Panama Canal back to Panama, cost him the election, there's no question about it. Now I'm sure he felt he owed President Carter some sort of something for something that happened. You got to look at it this way too, you've got 100 prima donnas over on this side and 435 over on the other side, and that doesn't add up to 1, which is the executive. The president, he's said it a million times, he has the bully pulpit. Except in case of a couple of them, they don't generally disagree with themselves. [Both laugh] It's always [an] inherent disadvantage to the Congress, if they are not willing, and the best time in the world to pick off the legislative branch are times like now when you have all this unlabeled animosity and turmoil and trenching in. That's a perfect time for the executive to do what they want to do. Especially when you have—if you have at least one party, one house on your side, you're okay. You got to remember this, back when Nixon was being investigated by the Watergate Committee, both houses were controlled by Democrats. All kinds of things that I think were as bad, or worse, maybe not worse, but many things as bad as [the] Watergate scandal occurred during George [W.] Bush's days and when he had a majority over here, nothing happened. And the Democrats do the same thing. It's a function of who's here. So the Separation of Powers Subcommittee did lay a good groundwork of what to expect when you started unraveling Watergate. It was

aggrandizement and aggregation of powers over and over again. I always thought that impoundment of funds was one of the worst. Not too many would get all riled up about that, well you voted so many millions of dollars to build something here and, "Nah, ain't gonna do it." That's just total—and you've noticed that more and more and more, the Congress has resorted to what other branch, the courts. That's why the courts have become so important to these parties. What did we do in Watergate when the committee subpoenaed the tapes and Nixon said do you-know-what with them, we went to court. I saw my name in a hearing book, my name signed along with other staff members in a petition to the court. He never turned the tapes over to us until after the Supreme Court told him to.

Scott: It was unprecedented for a congressional committee to sue a president.

Edmisten: Absolutely, I understand, I can't prove it, but I think I'm right. I think that I'm the—the subpoena I served on Nixon for the White House tapes was the first time that a committee of Congress had ever subpoenaed a president. That was the whole significance thing. Anyway, we were getting into this general discussion of the separation of powers.

Scott: Well, I do want to ask you something about how committees are set up and how committees are run. Particularly in this case where you are the staff director and you are the chief counsel, you have a lot of stuff to do. Can you describe that, what would a typical day be like for you?

Edmisten: Yeah. Well, first of all, your committee is going to be responsible for a certain amount of legislation that a senator wants to push. He had some legislation in at that time. He would have brought back some of this power to the Congress, leveled it out, and that's your job, to first watch out for that. Then you've got—mind, that committee was not that large, so I didn't have that many people to worry about—but some of these larger committees, you have all this kind of staff to worry about. The hiring and firing and that kind of business is something that I've always hated. Most elected officials do. Ervin was never a detailed man about finding out—there are little things, okay, you establish a Separation of Powers Subcommittee—where do you put them? Up here on Capitol Hill, as you are well aware, two of the most important things to a member of Congress is my space and my parking. [Scott laughs] Those are the two most important things. So little things like that, at least when I became the chief counsel, staff director, of the Separation of Powers Subcommittee, my friend Bill Cochrane again, who was the chief counsel of the Senate Rules Committee, found me some room over in the Dirksen Building with a nice office for myself and a couple committee rooms because there were about six or eight of us on the committee. You just got to administer the thing and keep it

going and then really be prepared, with appropriate questions and things like that for the hearings. Now in my case it was very easy because you didn't need to make up any questions for Senator Ervin. I cannot begin to tell you the times, and I would think about it meticulously for days, of questions that maybe we should ask. We called Rehnquist several times, he appeared before our committee just oodles of times when he was the office of counsel or something like that down at the justice department—you know, former Chief Justice Rehnquist. You know, I saw him one time and I did say, "Mr. Chief Justice, I do remember you very well because you used to come before Senator Ervin's Separation of Powers Subcommittee," and he didn't seem to, he certainly didn't recognize me, I was hoping to get some glimmer—[Scott laughs]

Scott: He didn't?

Edmisten: No, no. To be prepared for that because everybody who was on the committee had somebody that they were in charge of, that sat back behind and they got their questions there for the particular senator, unless you have Sam Ervin. Sometimes, though, the staff would have to go and it'd be some senator's turn and then you just turn some of your questions you had for Senator Ervin, that you knew he wasn't going to use, over to them.

Scott: Over to them and maybe they would use them?

Edmisten: Yep. And then your job is, a lot of times, to do very mundane things like, where can we have the hearing? You've got to get up with the Senate Rules Committee and see what room you can have for that particular day. You have to alert the press if you think there is any publicity you think you are going to get out of it. You can generally tell. If it's going to be Jennifer Aniston coming—

Scott: The equivalent of Jennifer Aniston in the 1960s.

Edmisten: Yeah, right.

Scott: So tell me a little bit about notifying the press. That is an important component of this committee work. If you don't inform the public about these issues then—

Edmisten: The typical way was that you have somebody who's in charge of the press on this subcommittee and that one was Polly Demint in my case, and: June 17, 1972, they are going to break into the Watergate. [Scott laughs] And a hearing will be held in the next week and they are little bulleted things. However, if you really think of

something that's really important, you have to have contacts, which I had with the Connie Chung's of the world, Leslie Stahl, Meyers at the Post. You give a personal call to them. If a guy like Averill Harriman was going to come up and testify before the subcommittee, you call up Meyers and say, "Look, we've got Averill Harriman." A great old guy. He's the one that said something like, "That's a helluva way to run a railroad." I have forgotten what it was. These hearings were not very sexy, they were more academic. This was an academic practice on the Separation of Powers Subcommittee. There were very few fiery, fiery things of anywhere. We had professors of Harvard. You look at some of the hearing books and I did a lot of questioning witnesses there myself and that was a completely wonderful precursor to the Watergate thing. We had been studying those very things. All the people who had been writing things on Watergate will tell you that it was heading more and more like a showdown with Nixon. They didn't know over what. Nobody was dreaming of a Watergate type of thing, but it was more and more headed toward a—

Scott: Constitutional crisis.

Edmisten: Constitutional crisis. Have you read the book yet that Karl what's-his-name wrote on Ervin?³

Scott: Yes, Karl Campbell. Yes.

Edmisten: Karl Campbell, yes. He and I were on a radio program together one time about that. And I thought he did an excellent book.

Scott: It's a great book.

Edmisten: He really did. Hell, it took him 14 years.

The part he got from me was back when I was a kid. I disagreed with him one time. He thought that the senator was inherently a little bit racist. I said, "Karl, I don't care what somebody told you." I said, "If anybody would know," I said, "I traveled, I ate, slept, and traveled with Sam Ervin for damn near 10 years and somewhere along the way I would have caught some kind of innate racism." Never the "n" word. And Karl had said somewhere in there that they used to get back in the cloakroom and they would joke about the "n" word and this and that. And that Roman Hruska had told him that. Well that dummy can—he was from Nebraska? He's the one who said we need a little mediocrity on the court. Yeah, coming from him. But I do not believe that, because southern gentlemen do not do that. Now one time they might have said the word "nigra" or

³ Campbell, Karl E. *Senator Sam Ervin, Last of the Founding Fathers*. Chapel Hill: University of North Carolina Press, 2007.

something like that. That's not what I call racism. Yes, it was a paternalism that was around if you, if you grew up in, hell, the late 1800s.

Scott: He was born in 1896.

Edmisten: Right, and you go to WWI and all, it's just a different culture. The people that try to do revisionist history, to my mind they are just intellectually dishonest. To try to attribute things to people in the eyes of today when you have to go back and take the context of the time. It's just like—my wife does historic preservation. And she has to judge everything in the context of the period of time that you are in. You can't judge things in 1920 by the standards of today. Hell, I hate Frank Lloyd Wright's stuff but I don't have to live in it [Scott laughs] 'cause you can't stand up in it, in some of those places.

Scott: Let me ask you this question about Senator Ervin's, what some people have thought is Senator Ervin's sort of duplicity on the issue of let's say broadly defined civil rights. He did push legislation, wrote legislation, sponsored legislation, to support more protections for certain groups of people like the American Indians and even better treatment for people who were in prison. He famously was a proponent of—

Edmisten: He didn't like no-knock entries—

Scott: Right, he wanted to protect privacy rights and Fourth Amendment protections. So do you see any inconsistencies there?

Edmisten: From today's standards, I do. However at that time they were not. He was asked about this many times. I heard all the answers over and over again. And these other instances of building rights for people he thought that their rights had been taken away. In the case of the so-called civil rights bills he thought they were placing one race on an economic plane above another. And the quotas, I remember he was the first one to pick up the Philadelphia Plan. And guess who instituted that, by the way.

Scott: Richard Nixon.

Edmisten: When I tell all my Republican friends that, they just about drop their drawers.

Scott: Well most of today's Republicans don't think of Richard Nixon as a true Republican.

Edmisten: He was a liberal! He was an incredible liberal!

Scott: He was not a conservative.

Edmisten: No he was not conservative at all. He didn't care about that. He cared about foreign affairs and some kind of whacky relationship with B. B. Rebozo. That's not fair.

Scott: I can take that out.

[Both laugh]

Edmisten: Smart ass. I was there along with his other aides at that time. I knew the senator's situation then. They had a black lady that came in and cleaned and cooked. But she was like a member of the family there. They didn't consider that servile. As I said, I never heard the senator use the "n" word in my life. And I think that I would know because when you travel with somebody as I did and under the circumstances I did, you're going to hear a few things here and there—[phone vibrating].

I know this Karl Campbell was totally convinced that there was an inconsistency, but an honest one. All these other books written, there's another book written on him by somebody at the UVA. That guy, I'm blanking on his name, Ervin hated the book.

Scott: [Looking at bookshelf] I'm sure I have it here.

Edmisten: Yes, you've got to. He did an exhaustive search on Ervin. He did more on Ervin as a child than anybody else.

Scott: You're not talking about [Paul] Clancy, are you?

Edmisten: No, I knew Paul very well. Clancy's is not as good. It's a, this other guy was more of a scholarly approach, too. Geez, he was trained from UVA, I think, and he spent months and months and months with Ervin.

Scott: You're not talking about Stanley Kutler's *Wars of Watergate*?

Edmisten: No, what's that one anyway? I'm not even sure of that. Oh you've got to have read it. If you haven't read it.

Scott: I'm sure I've read it, I just can't—

Edmisten: [Dick] Dabney?

Scott: Oh! Dabney! Absolutely, I've read it.⁴

Edmisten: Yeah, Dabney gets into this too, and Karl is not. A lot of people are entranced with the Watergate era and Karl does the real job of being a full historian.

Scott: That's right, his is a much broader treatment of Senator Ervin, thankfully.

Edmisten: But I disagree with Karl on the fact that he thought that Ervin really had some racism in him. It wasn't racism, it was that, "Yeah, I grew up this way and these civil rights bills are designed to put people on an economic and social planes with no effort on their part." It's easy to disagree now. I would have done some different things. I think that some of the civil rights bills did go overboard. I remember back one time when I was a—it was early in the '60s. I was still in law school and we had an extremely active North Carolina Democratic Club and here are all these wonderful black folks around here. I think more people worked from North Carolina than any place in the world. I really do. We had this wonderful man named Weldon who was from down in Surrey County and Weldon kept—I know one time he had a really bad road problem but I knew the highway commissioner and I called him down there and that afternoon before Weldon could say "skat" he had three feet of gravel out his road so he could get in and out of there, his family said. You know, it's just the way things worked back then. They'd put you in jail over it today.

Scott: It's a little different now.

Edmisten: But you are doing something worthwhile. And Weldon kept talking, "I'd like to come to that Democrat Party meeting sometime." I kept thinking about that. I knew that the club had a policy of no blacks. This is in 1964 or '5.

Scott: Washington was a really segregated city. That was part of the context.

Edmisten: Right. I one time brought that up with the current president of the club who at that time was associated with Senator Ervin. They would switch around. There'd be somebody from the congressman's district or somebody like that. And she said, "No, no! You don't even think about that!" The more I thought about it the madder I got. Why couldn't Weldon be a member of the club? We wanted his vote all the time. I got real brave one night and I brought up the motion and it passed.

⁴ Dabney, Dick. *A Good Man: The Life of Sam J. Ervin*. Boston: Houghton Mifflin, 1976.

Scott: Did it? You remember what year that was? Was it still in the '60s?

Edmisten: Yeah, oh yeah. Still in the '60s. I'd have to look because I've got—you'll have to come down now.

Scott: Okay, and look through the files. I'd like to do that. That'd be great.

Edmisten: You'll have to do that. And then I can pinpoint the date. She calls me and she says, "You have absolutely ruined the club. You have ruined it. It will never be the same. And Ervin is going to be furious with you."

I was a little bit worried about what she said at the first, but I wasn't worried about the last one. Later that week, I knew she'd run and tell Senator Ervin and I went up to him sheepishly and I said, "Well Senator, you know, ours is not exactly a private club and we ask folks like Weldon for his vote and I don't know why he can't be a member. We ask him to vote with us all the time and then he can't come to a meeting?" He said, "It's alright, you did the right thing."

Scott: And that was it.

Edmisten: That was it. Look, he had been a judge all his life. I've had stories told to me that were not in the Dabney books that Senator Ervin would bend over backwards with black defendants before him to make sure they got a fair shot. More fair, fairer, than maybe otherwise, if they were white. It might have been paternalistic, but when you know that a man is innately good, and you look at the speeches, you read the Caro book on Lyndon Johnson, Johnson feared Ervin more than any of them because he said he's the constitutional man. And the rest of them blabbered and Ervin supplied the—

Scott: The actual meat for the arguments.

Edmisten: The intellectual background, meat for it. Those were heady years. That's when so much of the stuff that I was, I would attend the Senate Armed Services Committee hearings where the senator was. And everything to do with Judiciary, I was there. I remember one time that there was this big fuss. This must have been after I got here, shortly, I wasn't really in the leadership at that time, but there was a big flare up in a room back behind one of the hearing rooms where you had Bobby Kennedy in there, who was attorney general, and it was about a judgeship down in Louisiana and Senator Eastland wanted somebody to be a judge and Bobby Kennedy, I remember I was sitting there close as I am to you, and Bobby Kennedy says, "Senator, this is not going to happen

because he's absolutely racist and we're not going to submit his name." And Eastland said, "I'll be damned if you won't submit his name because I won't vote for any of the rest of 'em you've got if you don't." And it was about to get into a match. And Senator Ervin starts telling a joke about old Uncle Ephraim, or the two most cross-eyed men in Burke County. [Scott laughs] And so it breaks everybody up for a while. He would do that just a multitude of times. The book writers will pick that up but they didn't see some of the ones I did see that were in a place where they'd be almost to fisticuffs. Not really that, but just real nasty. It's funny that you couldn't use those kinds of jokes today. Sometimes he'd do a dialect. You can't dare do it. I'm not sure the one that I find so funny that you could use today about the two most cross-eyed men in Burke County, one was named Manly McDowell and the other was named Bob Hennessy. Manly and Bob were walking down the street one time and they bump into one another. Manly says, "Bob why don't you look where you are going?" And Bob says, "Manly it don't do a damn bit of good because you don't go where you are looking." [Scott laughs] I think that's so funny. But maybe you couldn't do it!

Scott: One thing that has changed is that all of the committee hearings, except for those in executive session, are televised. That does change the atmosphere in a room, right?

Edmisten: Let me tell you about Watergate! The first time, yeah, except a little bit of the McCarthy hearings, except not everybody had a television. It immensely, absolutely immensely changed. Ervin was a person that nobody feared in the Senate. They knew his ambitions were not beyond being a U.S. senator. Why did he get to be chairman of the Watergate Committee? By the way, everybody in the world wanted on that committee. They were pestering him to death. Teddy Kennedy really wanted on it because they knew as time went on that this was going to be something on a big national scale and everybody has written about it, but the truth of the matter is that Mike Mansfield wanted people on the committee that were not ambitious. Certainly Montoya wasn't, Gurney wasn't, Herman Talmadge wasn't, Weicker was. God, they thought he leaked all the time. They knew that Ervin wasn't.

Scott: Baker?

Edmisten: Didn't Baker one time talk about running for president? Seems like he did? It may have just been talk, was that it?

Scott: I think it may have just been talk.

Edmisten: Yeah, yeah. But the committee system, you had a lot of senators that took very, very much interest in the administration, they had to know everything. Ervin was the kind of guy who delegated to his staff because he was going to spend time reading law and doing these big arguments of history. He viewed his role in the Senate as being a defender of the Constitution, whichever line that fell on. And oftentimes he would tell me, "We had this thing divided up. Everett [Jordan], he's the businessman. He knows business. Now I don't know a thing about business. We are going to let—whatever Everett says on that, I'll do." That way when you don't try to be all things to all people you get a hell of a lot more done. A lot of people who didn't like Ervin would try to debunk his constitutionalism. Well, I can tell you one thing, I learned more sitting at his feet in a month than I did in three and a half years in law school. It's just amazing to me, people don't believe me when I say it, he could take exact quotes out of various cases. *Marbury v. Madison*, just on and on and on. One time when he went over there to the Supreme Court to argue a case—you know, senators could do that at that time. And they did often. This was the Darlington Mills case and the question of whether or not a company can go out of business to avoid unionism. I wanted to go with the senator and I asked him, "Can I go with you?" And he said, "Yeah." So I toted, there's a passel of books about like that picture that we saw today in the [CVC].

Scott: Yeah, like this [gestures to stack above shoulders].

Edmisten: I was carrying that. We got over there and we sit down and I sat with him there at the Supreme Court and I got there and there were all those characters there. And Earl Warren and he argued his case and of course didn't refer to the book at all. We're carrying them back and he said, "You now know the weight of the law." [Scott laughs] That's what they always talk about, the weight of the law, meaning more of it's in favor here and there. I learned the weight of the law.

Scott: Did he have a photographic memory?

Edmisten: Yep. No question in my mind. His mind would work so quickly sometimes. They always made, not light, but had thought about his stammering and his eyebrows moving up and down. His mind worked faster than his physical capacity to deliver the words. I've seen sometimes those eyes, eyebrows, just darting back and forth. Just ready to flow. Over there in the Watergate hearings, "What don't you understand? It's my mother tongue! It's English!" Whatever that was, with Haldeman's lawyer or Erlichmann's.

Scott: Would he say things like that?

Edmisten: Oh, yeah. "It's my mother tongue, it's English!" Yeah, he generally spoke in that kind of, sort of post-Victorian era iambic pentameter that I told you about. In a very choppy sort of way. He was not the kind of cool preacher type. He sometimes had a real jagged edge about his speaking. You could bet your boots that he was going to lace it full of humor every time.

Scott: He always injected great stories and references to people back in his home state and things that had happened to him when he was judge.

Edmisten: I found myself when I was running for public office—actually, in primaries and all I think I probably ran about 11 times statewide—I would find myself unconsciously doing so many of them. Doing Ervin, I had heard them so many times. I never got tired of them. He'd tell the same thing every day for three or four weeks at a time on the campaign trail. I just laugh my butt off. [Scott laughs]

Scott: Tell me a little bit about the process of writing legislation for let's say, separation of powers since you were the staff director and chief counsel there. For example, I know that you had some paid consultants on the payroll, like Arthur Miller who was a law professor. And his thing was privacy rights, he had written a number of books on those types of issues. One of the things we always like to know about is, how does a committee choose the experts, if you will, that they are going to have help them, either to figure out legislation or come and speak at hearings? How did you do that? Did you have connections to him?

Edmisten: Well, people get him confused with another Arthur Miller that used to appear on television all the time. He was my professor at GW.

Scott: Oh, no kidding?

Edmisten: Professor Arthur Miller. At one time I said to him, "Professor, would you be interested in possibly being consultant to a committee up here on Capitol Hill?" He was just ecstatic about it. I brought him up and introduced him to Senator Ervin and the senator liked him. He'd get real nervous when he got around the senator but the senator liked him. Then he helped us get all the rest of them because those were top scholars. He'd get you one and then you'd ask another one. It's like the domino effect. Just like [Samuel] Dash did on Watergate, he had that role of choosing most of them. I chose a lot of the staff. Then they would help prepare the legislation. Of course you took it to bill drafting, your general outline, just like you do in a state legislature instead of just coming back with some legislation to look at.

Scott: So you'd have someone on the committee whose role was just to write the bill, draft the bill?

Edmisten: Sometimes it's a joint thing. I never wrote it myself because I never figured I was good enough in that area to do it. One of the good things about being in any job that you've got is to know when you shouldn't be doing something. [Scott laughs]

Scott: Especially as staff director, right?

Edmisten: Yeah, that's right. Even though they might call you chief counsel— [phone ringing] let's see what Cheryl wants.