

California State Archives
State Government Oral History Program

Oral History Interview

with

HON. JOHN D. BABBAGE

California State Assemblyman, 1949 - 1952

November 30 and December 4, 1987
Riverside, California

By Enid Hart Douglass
Oral History Program
Claremont Graduate School

RESTRICTIONS ON THIS INTERVIEW

None

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PREFACE

On September 25, 1985, Governor George Deukmejian signed into law A.B. 2104 (Chapter 965 of the Statutes of 1985). This legislation established, under the administration of the California State Archives, a State Government Oral History Program "to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history."

The following interview is one of a series of oral histories undertaken for inclusion in the state program. These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms. They also offer an increased understanding of the men and women who create legislation and implement state policy. Further, they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state.

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews, this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs.

Participating as cooperating institutions in the State Government Oral History Program are:

Oral History Program
History Department
California State University, Fullerton

Oral History Program
Center for California Studies
California State University, Sacramento

Oral History Program
Claremont Graduate School

Regional Oral History Office
The Bancroft Library
University of California, Berkeley

Oral History Program
University of California, Los Angeles

The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source, enriching the historical information available on given topics and allowing for more thorough historical analysis. As such, the program, through the preservation and publication of interviews such as the one which follows, will be of lasting value to current and future generations of scholars, citizens, and leaders.

John F. Burns
State Archivist

July 27, 1988

This interview is printed on acid-free paper.

INTERVIEW HISTORY

Interviewer/Editor

Enid Hart Douglass
Director, Oral History Program and Lecturer in History
Claremont Graduate School
B.A., Pomona College [Government]
M.A., Claremont Graduate School [Government]

Interview Time and Place

November 30, 1987
Mr. Babbage's law office, Reid & Hellyer, in Riverside,
California
Morning session of 2 1/4 hours

December 4, 1987
Mr. Babbage's law office, Reid & Hellyer, in Riverside,
California
Morning session of 2 1/4 hours

Editing

The interviewer/editor checked the verbatim manuscript of the interviews against the original tape recordings, and verified proper names. Insertions by the editor are bracketed.

In February 1988, the edited transcript was forwarded to John D. Babbage, who edited some language in detail, but not in substance. He returned the approved manuscript on May 2, 1988.

The interviewer/editor prepared the introductory materials.

Papers

Mr. Babbage has not tried to hold a collection of his papers. He has a few miscellaneous papers at his law office.

Tapes and Interview Records

The original tape recordings of the interviews are in the Oral History Program Office, Claremont Graduate School, along with the records relating to the interview. Master tapes are deposited in the California State Archives.

BIOGRAPHICAL SKETCH

John D. Babbage was born in New York City, New York, on March 28, 1916. He attended primary school in Newton Center, Massachusetts and finished high school at Miami Military Academy in Florida. Mr. Babbage enrolled at the University of Southern California in 1934. After three years, he transferred to Columbia Law School, where he had been awarded a scholarship. In 1940, Mr. Babbage earned his LL.B [Bachelor of Laws] degree from Columbia and returned to the University of Southern California to finish his B.A. [Bachelor of Arts] degree.

Upon completion of his degrees, Mr. Babbage was recruited by the Federal Bureau of Investigation and worked for the bureau during World War II (1941-1946). He married Marjorie Tolbert in 1946, and they have two children, James T. Babbage and Elizabeth Robyn Dodd. John Babbage returned to California and served as Deputy District Attorney of Riverside County (1947-1948), at which time he established his residence in the the city of Riverside. In 1948, he entered private law practice in Riverside.

Mr. Babbage, a Republican, was elected to the 76th district seat in the California State Assembly in 1948 and served two terms (1949-1952). His principal committee service was as a member of the Crimes and Corrections, Education, and Judiciary Committees. He played a crucial role in obtaining funding for the establishment of the University of California at Riverside.

After retiring from the assembly, Mr. Babbage remained active in the Republican party, acting as finance chairman for several Republican candidates in the Riverside area from 1953 to 1985. He was vice chairman of the California Law Revision Commission from 1954 to 1959, and he was a member of the California Constitutional Revision Commission from 1963 to 1970.

Mr. Babbage has been engaged in full-time law practice since leaving the assembly. He first joined the firm of Best, Best & Krieger and worked there for fifteen years. He then formed an association with two other attorneys to establish the law firm of Reid, Babbage & Coil. This firm is now known as Reid & Hellyer. He has served as president of the Riverside County Bar Association.

In 1957, Mr. Babbage ran for the 29th congressional district seat in Riverside, but he lost to Dalip S. Saund. He has been a member of the Riverside Junior Chamber of Commerce and the Kiwanis Club. He also has been active in nonprofit organizations such as the United Way, the American Red Cross, and the Visiting Nurse Association. He has held several offices in the UCR [University California, Riverside] Foundation and been a member of the UCR Citizen's University Commission.

I. BACKGROUND

[Session 1, November 30, 1987]

[Begin Tape 1, Side A]

Parents and Early Education

DOUGLASS: Mr. Babbage, where were you born and when?

BABBAGE: I was born in New York City in 1916, March 28.

DOUGLASS: And why was it that your family was living in New York City?

BABBAGE: At the time, my father had a position in business in New York City. My mother and father were living there.

DOUGLASS: And were they both New Yorkers?

BABBAGE: No. Neither one of them was a New Yorker. Would you like for me to expand a little?

DOUGLASS: Yes. A little bit on your family background.

BABBAGE: Well, interestingly enough, my father was from Kentucky, and my mother was from Atlanta, Georgia. And I believe he was in business in Atlanta at one point, where my mother and father met. He was in the printing machinery business, in the sales part of it, which involved him in changing places of residence every once in a while. After we were in Boston, rather after we were in New York, the first place that I really remember is Boston. Because we went to

Boston about 1922. We lived in a suburb of Boston called Newton Center.

DOUGLASS: Yes. I know that area well. So had you started school in New York City?

BABBAGE: No. I had not. The first school that I remember going to was a grammar school in Newton Center. And we were there until about 1927, I think, at which time my father had some financial problems. My mother and I--at that point I had a younger brother--and he moved to Atlanta, back to her hometown. And we lived there with her sister for a while.

Then about 1928, I believe, my mother and my brother and I went down to Miami, which was my mother's idea. My mother and father were separated at the time. I don't know the details. Presumably, at least, it was for some economic reasons. I went to a junior high school in Miami. It was actually in Coral Gables, which was where we were living at that time. And through the generosity of one of my mother's relatives, I was afforded an opportunity to go to a small military academy in that area called Miami Military Academy. I was in that school until graduation, which was 1932 or '33.

Move to California and College Education

Obviously, things were pretty tough in

those days. It was the middle of the Depression. My father was having difficulty earning adequate funds. My mother, who was rather a strong-minded person, thought that it would be in the best interest of my brother and myself to go to California. Which was a pretty ambitious thing to do. We had a Ford car of some sort. We took off across the country and wound up in Los Angeles.

DOUGLASS: Did she know anybody in the area?

BABBAGE: No.

DOUGLASS: A lot of courage.

BABBAGE: Yes. At least, I don't recall her knowing anyone. She asked directions to the nearest university when she got to the outskirts of town. So somebody pointed her towards USC [University of Southern California]. So she said, "I want you to go down there and start going to school at USC."

I was pretty unsophisticated to expect that I could just walk in there and say that I wanted to go to school. But USC was quite accommodating and enabled me to find employment on campus, as well as off campus. I had a couple of jobs which enabled me to earn sufficient funds to keep us going and pay my tuition on a stretched-out basis.

DOUGLASS: It was not a scholarship. They were simply giving you an economic opportunity? Jobs.

BABBAGE: Right. Yes. I paid pretty much as I went because I was fortunate to get a job in a service station, which was kind of a preferred job in those days.

DOUGLASS: Right. People were driving their cars, regardless. Where did you live?

BABBAGE: We lived near campus. Actually, we lived in a flat, a second-story flat, which is now right on campus, right in campus. I cannot remember exactly when we moved because we moved around to a couple of different places. But we were still in the Los Angeles area. At one point, the situation became a little bit complicated because I had an opportunity to take a scholarship to Columbia Law School which was adequate for my needs, but it was not adequate to take care of my mother and brother.

DOUGLASS: Then your brother was also going to USC?

BABBAGE: No. He was younger than I, much younger. He was only in high school.

DOUGLASS: So, you were sort of the breadwinner then?

BABBAGE: Sort of. There were times. . . . It was really tough, though. My dad tried to help us.

DOUGLASS: And your mother probably stayed at home.

BABBAGE: She was just a person who was a homemaker.

Columbia Law School

DOUGLASS: Were you interested in law when you went to USC? When did you decide that that would be your interest?

BABBAGE: Well, that is kind of an interesting little coincidence. When we lived in Newton Center, in the twenties, going to and from grammar school, there was a lake there. Crystal Lake, they called it. In the wintertime, when it was frozen over, we would walk across that lake, not because it was any shorter but because it was kind of fun.

One day, two or three of us were walking across the lake. One of our number was a young girl. We were probably seven or eight years old, something like that. And, contrary to instructions that we had received from our respective parents, she was tapping some of the portions of the lake where fishermen had made a hole to catch fish through the ice. And she went into the hole, and I pulled her out. It was kind of a little dramatic experience, fishing around and getting her, and so forth.

But she survived, and, as a result, I got a certain amount of publicity for this feat, at my age. [Laughter] Probably acted completely on the basis of response time, rather than being particularly well aware of what I was doing.

But this article got published in the Rotagravure section in the New York Times, of all places.

By coincidence, there was a lawyer in New York who had the same surname as ours, Babbage, and he wrote me a letter, congratulating me on my experience in saving this little girl, or at least pulling her out of the lake. So he invited me to have lunch with him some day when I was in New York, which seemed to be a rather farfetched opportunity at that time.

But over the period of several years, we kind of kept up a communication. Then, on one occasion, we did go to New York. My mother and my father and my brother and I. And we told him we were coming, and he did take me to lunch. He was a lawyer. I don't know that that really caused me to be a lawyer, but he was certainly a person who had a good practice, a well-established lawyer in New York City.

DOUGLASS: So that is one of the things. Well, at USC, what was your major?

BABBAGE: I majored in political science and economics.

DOUGLASS: But was law school in the back of your mind?

BABBAGE: Yes. It was. I was thinking of going to law school, although I was not quite sure how I was going to make it.

DOUGLASS: This opportunity to go to Columbia came when you were offered a scholarship, you said.

BABBAGE: Yes.

DOUGLASS: Did you have to turn that down?

BABBAGE: No, I didn't. My mother was somewhat reluctant to my going away, so to speak. But she finally agreed to it. I was able to borrow some money from the Kiwanis Club of Beverly Hills, and get some outside jobs at law school, which provided funds I could send home.

DOUGLASS: Now, you must have been a very good student to get into Columbia and to be offered a scholarship?

BABBAGE: Well, I was a hardworking student. It was one of those things which does not happen very often.

DOUGLASS: Well, given the times and the number of young men who would have needed financial help and the status of Columbia, there is a reason why you were chosen.

BABBAGE: I was very fortunate. Apparently, Columbia Law School embarked on a program of making scholarships available in different parts of the country, to kind of give a broader base to their law school.

DOUGLASS: So when did you enter law school?

BABBAGE: That was in 1937.

DOUGLASS: Did you go immediately upon graduation from USC?

BABBAGE: No. I had not finished USC. I had only been there three years.

DOUGLASS: Oh, I see. You had three years and then went on to law school, without the B.A. [Bachelor of Arts] degree.

BABBAGE: I picked up the B.A. degree. I could not get it from USC because I did not go to law school there. I could not get it from Columbia because I hadn't gone to undergraduate school there. So I took some additional courses while I was going to law school, and in the summer at USC when I came back to work at home in Los Angeles.

DOUGLASS: So, did you end up with a Columbia . . .

BABBAGE: I happen to have an A.B. [Bachelor of Arts degree] and a LL.B. [Bachelor of Laws degree] all in the same year.

DOUGLASS: From Columbia?

BABBAGE: No. The A.B. was from USC.

DOUGLASS: Oh, you finished at USC.

BABBAGE: You see, I got them in the same year, but it was a little different.

DOUGLASS: Yes. So what year was it that you finished law school?

BABBAGE: Nineteen-forty.

DOUGLASS: Nineteen-forty. So the war years were beginning to loom.

Work for the Federal Bureau of Investigation
(1941-1946)

- BABBAGE: Yes. Apparently, the FBI [Federal Bureau of Investigation] was soliciting law students to go into the FBI before the war started.
- DOUGLASS: Before we were in it.
- BABBAGE: Yes.
- DOUGLASS: Had you specialized in preparation for law school? Did you have any particular kind of law you were interested in practicing?
- BABBAGE: No. Quite frankly, there were not very many students that were college students, at least at the time I was going to school, that were sufficiently sophisticated or oriented or directed toward college courses that would necessarily help them become lawyers, or help them become better law students. Generally speaking, a prelaw student was one who took English and economics and political science and maybe basic mathematics. Public speaking.
- DOUGLASS: By the time you finished law school, did you feel that there was any branch of the law that you wanted to practice, or any particular career line you wanted to follow?
- BABBAGE: No, not really. I had not established in law school a special thrust in the law.
- DOUGLASS: It would have been general practice.
- BABBAGE: Yes. Again, times were pretty tough. This is

the late thirties. Another serious depression in 1937. So one was not really optimistic about what the chances were. Of course, you had the bar to pass. Take the bar and so forth.

DOUGLASS: So did you become a member of the bar before you went to work for the FBI?

BABBAGE: No. After.

DOUGLASS: After. Tell about how you were recruited for the FBI?

BABBAGE: Well, one of my law school friends called me one day, and he said that he was joining the FBI or had joined the FBI. He thought that it might be something I'd be interested in. So, he recommended that I go to the Los Angeles office of the FBI and ask to make an application. Which is what I did.

DOUGLASS: So this was just after you had finished law school?

BABBAGE: Shortly after.

DOUGLASS: So they were looking for young lawyers then?

BABBAGE: Yes. Their qualifications have basically been lawyers and accountants. For the most part, that is still the case, unless there is someone that is fairly well specialized in chemistry or physics who works in some unique area.

DOUGLASS: So did this sound like a good opportunity for you?

BABBAGE: Well, it did to me, because unless you had a

place for yourself in a large law firm, lawyers were not making very much money. It was the difference between earning probably \$150 a month and earning \$300, \$400 a month, going in. As a matter of fact, maybe it was \$500 a month. So, I was in the FBI for about five years.

DOUGLASS: So, when did you actually start to work for them?

BABBAGE: It was around February of 1941.

DOUGLASS: You were in the Los Angeles office?

BABBAGE: No. Their so-called training program first involves going to Quantico, Virginia. Then you are sent from that training experience, which lasted a couple of months, maybe only a month. Then you were sent to a field office for short durations. I never could quite figure out why the changes, but that was part of the routine of the FBI.

DOUGLASS: They moved you around.

BABBAGE: It is kind of like the routine of any large government organization, I guess.

DOUGLASS: Where were you? Where did you first go?

BABBAGE: I first went for a short time to New Jersey. Trenton. Then to Miami, Florida. Then to El Paso, Texas. And while I was at El Paso, they asked me to come back to Washington and train for work in what they called their SIS

[Special Intelligence Service] Division. It was kind of a secret intelligence service, or something like that, where you didn't act like an FBI agent. You didn't have to wear a hat.

DOUGLASS: Was any of this related to border problems because it was El Paso?

BABBAGE: No. It was related to. . . . You mean the fact that they asked me to come back there?

DOUGLASS: The fact that you were in El Paso.

BABBAGE: Not necessarily. No. They were not involved in that. It was primarily, crimes against the government. The FBI was not involved in immigration.

DOUGLASS: So were you being tracked for a particular training job, or did this sort of evolve?

BABBAGE: Oh, I think that they reviewed your statistics and made some determination that you were the kind of person that they could take a chance on, wandering around a foreign country alone. Which is about the size of it.

DOUGLASS: So, you did go out of the country?

BABBAGE: I went to some countries that I am not at liberty to mention. I was in that service for about three and a half years.

DOUGLASS: Out of the country?

BABBAGE: Yes.

DOUGLASS: So, you were in that during the time we went to war then?

BABBAGE: Yes. And I came back from that service and served in a couple of more offices of the FBI here in the United States proper.

DOUGLASS: Where were you then?

BABBAGE: I was in Parksburg, West Virginia. In Philadelphia. And my mother was with me. My brother had been killed in the war. And she was quite upset by it all, of course. And she wanted to come back to Los Angeles. And, generally speaking, the FBI, at least in those days, was not too inclined to let agents go wherever they wanted to go. You were assigned. But if you had a personal reason for it, they would consider it.

I asked them if I could be transferred to Los Angeles because of my mother's needs. I mean, it was a little difficult in going to these different offices and not having a very stable home. I mean, you are living in hotel room, or a apartment of some sort. So we moved back to Los Angeles.

DOUGLASS: When was that, Mr. Babbage?

BABBAGE: Well, let's see. That would have been about 1945. Yes, 1945.

DOUGLASS: In the spring of '45.

BABBAGE: That would have been in the summer of '45.

DOUGLASS: So the war was ending, about to end.

BABBAGE: Yes.

DOUGLASS: I assume that because you were involved in FBI activities that took care of any drafting of you for war service. You were automatically deferred.

BABBAGE: Yes.

DOUGLASS: I realize you can't answer every question, but would your overseas activities have had anything to do with the war. The war activity.

BABBAGE: Yes.

DOUGLASS: I hope you will say what you can say. I still wanted to pursue that.

BABBAGE: Yes. That's about as far as I can go.

DOUGLASS: So, in August of '45, you are now back in Los Angeles. Did you leave the FBI about that time?

BABBAGE: I left the FBI in the early part of '46.

DOUGLASS: Why did you leave?

BABBAGE: Well, it did not seem to me that the future in the FBI was quite what I had in mind, in terms of what would be interesting to me on a longtime basis. Different people have different views about that. But I had a feeling that I would rather be more or less independent in making a judgment as to what things I wanted to do. I studied to be a lawyer. I basically thought that I wanted to give actually practicing law a shot.

The FBI does not necessarily require the

practice of law, but it is desirable to have had the legal training. As a matter of fact, the FBI really sharpened a lot of the capabilities that I may have had, in terms of becoming a lawyer. Their routine was rather strict, and their methods of communication were required to be succinct, understandable. I remember one thing, in particular, you would dictate a memorandum or a letter or a report, and you would never see it again, unless there was something wrong with it. In those days, you dictated and somebody else signed it.

DOUGLASS: That was it.

BABBAGE: Yes. You had to be pretty careful that it made sense, so that whoever read it could understand it.

DOUGLASS: To what degree was your lawyer's training utilized in the work that you did for the FBI? Was it thoroughly utilized, or was it part of an enriched background which you brought to your job?

BABBAGE: The intensity that one usually goes through in applying themselves to the kind of study that is required in law school really sharpened one's ability to understand a lot of things. For example, law really doesn't teach you very much. It really teaches you how to learn. It's like a

lot of higher education. You are not salting away information that you are necessarily going to use; you are really learning how to learn more about the subject in which you are interested in which you have the major focus.

So, I think that one of the reasons why they had such a high degree of lawyers in the FBI was because the kind of training that lawyers get tends to make them somewhat more perceptive in understanding the regulations and laws that we had to deal with as the FBI. Understanding people. Interviewing people. Asking the right question, so to speak.

DOUGLASS: So did this help you later in practicing law? These experiences?

BABBAGE: Oh, there is no question. The combination is really quite desirable.

Attorney in Riverside District Attorney's Office

DOUGLASS: All right. We had you then deciding to leave the FBI and needing to pass the bar? Is that right?

BABBAGE: Yes. So I took the bar in the spring of 1946. I was pretty certain that I wanted to practice in Los Angeles. But my father--at that time, things had turned better for him, financially--was anxious that I could come back to the east coast, where he was involved in the investment business.

DOUGLASS: Was your mother in Los Angeles?

BABBAGE: Yes. It was always a little problem there. My mother was alone. My brother had been killed in the war. And she felt some degree of dependency on me.

I left the FBI in January or February of 1946. I took the bar in Los Angeles in March or April of that year. After taking the bar, I went back to Washington, D.C., at my father's request--he asked, I guess I should say--to discuss with him the likelihood of my getting into a law office back there, or some kind of investment business, neither of which appealed to me.

In September of 1946, I was married. I was very fortunate to have met my wife-to-be while we were both working in the Los Angeles office of the FBI, she as a legal secretary. Although she was from Washington, D.C., she was willing to live in California. My wife and I came back to California in October or November of 1946.

At that point, we spent some time trying to decide where we wanted to work, or where I wanted to work. [Laughter] My mother was still needing help. I did some part-time work for a lawyer in Los Angeles. But, in the meantime, my wife and I pretty much decided we did not

want to work and live in Los Angeles. We wanted to get further out, so to speak.

We looked at a number of neighboring communities, one of which was Riverside. And, aside from finding the appearance of Riverside very desirable, our reaction to Riverside was improved by the fact that I was able to get a job in the district attorney's office.

DOUGLASS: Riverside County district attorney?

BABBAGE: Yes. I went to work there, I think it was in February of 1947, as a trial deputy, and was there until about April of '48, at which time I took a leave of absence to run for the legislature.

DOUGLASS: How did you happen to work for the county D.A. [district attorney]? Did you know anybody, or was it just a job opportunity?

BABBAGE: I forget exactly how that happened. I know that each community. . . . I went to Santa Ana, Oxnard, Ventura, and places like that. I forget exactly what led me to the D.A.'s office, except that it appeared to me that my background might appeal to a district attorney.

DOUGLASS: This was going to put you into the courtroom, right?

BABBAGE: Right.

DOUGLASS: Which you actually had never done?

BABBAGE: That is right. And I enjoyed it. I had some

interesting trial experience.

II. ENTERING POLITICS

Decision to Run for State Assembly in 1948

DOUGLASS: So what led you, after you had settled all these things, to run for political office?

BABBAGE: I thought we were through. I was about to go to lunch. I can't remember ever telling anybody all this stuff before. I guess it gives you some background.

DOUGLASS: Yes. It gives you a feeling for people's background that they bring into the legislature.

BABBAGE: Well, that was a kind of interesting development.

BABBAGE: Philip L. Boyd was retiring, after having been the assemblyman for two terms. There was a fairly close-knit group of people from Riverside who represented the Republican party, not the organized Republican party, but they all were, for the most part, Republicans, or maybe two or three of what we then called "Southern" Democrats. Their people had been unified in their support of Phil Boyd, who ran as a Republican. There was cross-filing, as you know, in those days. It reduced the expense of a campaign considerably if you could run someone who was sufficiently noncontroversial.

DOUGLASS: Did Boyd win in the primaries?

BABBAGE: As I recall, he did. If you found someone who was not too upsetting to people, you might get him elected in the primaries.

DOUGLASS: Save a lot of campaigning.

BABBAGE: Yes. So this group provided finances for the campaign. I had saved up some money, not a lot of money, but it was not as if I came to Riverside as a vagabond. I had made some plans. I had been able to save some money along the way. My wife and family still think that I am little bit tight, almost penurious, in view of the experiences I have been through.

DOUGLASS: The Depression.

BABBAGE: Yes. So I had been careful to save some money. It was not as if I had to say to these people, "Look, I can't do it unless you feed me."

DOUGLASS: Now, did they approach you to run?

BABBAGE: Yes.

DOUGLASS: Did you know Mr. Boyd?

BABBAGE: No. I got to know him and others because I made some talks around town. There was not a heck of a lot going on in Riverside in those days. Things had quieted down. The war was over. The troops were gone. Television had not gotten started. There were a lot of service clubs and town meeting sort of activity. So, if someone came to town that was willing to give a

spiel about something that was not too boring, word got around.

DOUGLASS: What would you talk about?

BABBAGE: Well, I would talk about a couple of places I can tell you I went. I would talk about Cuba. I could talk some about Mexico. I could talk some about some other countries in South America.

DOUGLASS: This was from your FBI work?

BABBAGE: Yes.

DOUGLASS: They were probably very interested in that.

BABBAGE: Yes.

DOUGLASS: So you would go to the Rotary Club. The Kiwanis Club.

BABBAGE: Yes. So when they were looking around for someone to run for the assembly, my name came up; and I am sure they may have asked a hundred people before they got to me, but I guess I showed the most interest.

DOUGLASS: You were relatively new in town.

BABBAGE: Yes. But it was not a very exciting opportunity, in those days, for a young man who was trying to make a living.

DOUGLASS: You said, "was not." Because it was going to be a drain?

BABBAGE: Yes. [Laughter] Dislocating yourself.

DOUGLASS: Had you ever thought of running for a political office up to the time that they approached you?

- BABBAGE: Oh, I am sure that I thought about it. I think practically anyone who takes law, political science, and economics can't help but have some interest in what it would be like in office.
- DOUGLASS: But you had not run for a local office. And, of course, working in the district attorney's office, you are part of the county government.
- BABBAGE: Right.
- DOUGLASS: When you agreed to do this, how did you figure how you would work it out economically, since the pay was low?
- BABBAGE: Well, I figured that I could make a deal with a lawyer in Riverside with whom I had gone to work at the time I decided to run. He said, "If you want to share offices with me, I will charge you so much." I was optimistic enough to think that I could go back and forth to Sacramento and would have business on the weekends and supplement what I would receive in Sacramento, to keep me going.
- DOUGLASS: Well, at this time, Mr. Babbage, had you left the county district attorney's office?
- BABBAGE: Well, the interesting. . . . Your questions are very good, do you know that?
- DOUGLASS: [Laughter] I have done this for a while.
- BABBAGE: I hope that I am not too verbose.
- DOUGLASS: Oh, no. You are excellent. I just want to make

sure that it is clear what you were doing. You were thinking of leaving or were about to leave?

BABBAGE: No. Not really. I was kind of pumped up about trying cases. I had taken some speech work in college. I thought it was important to know how to speak clearly.

DOUGLASS: So would this arrangement that you had been discussing with this lawyer have been something you would have done on the side?

BABBAGE: No. What happened was when I made the decision to run for the office, I decided that it would not be desirable, from a political standpoint, for me to stay on the payroll at the D.A.'s office. There was nothing to prevent me from it, as I recall. But it did seem that it could make me the target of some objections. So, I thought, "Well, gee, if I can get in with this fellow, who was a rather prominent attorney, I would have my own office there. A lot of people would get to know me because I was running for office. And I might get some business. Some clients." It started out pretty good.

DOUGLASS: So that was your plan.

BABBAGE: Yes. I was encouraged. My foresight at that point was that this would work.

DOUGLASS: Now, had you any opposition in the primary on the Republican ticket?

BABBAGE: Yes. But I can't remember, though.¹ These are things that are available in the newspapers. I imagine that I have a scrapbook somewhere that would show some of this stuff.

DOUGLASS: Yes. You were not concerned about the Republican vote. You were focusing on the Democratic candidate when you went into the primary.

BABBAGE: Yes.

DOUGLASS: And who was the Democratic candidate?

BABBAGE: I don't remember.

DOUGLASS: But you were trying to win the primary.

BABBAGE: Yes.

DOUGLASS: And what happened?

BABBAGE: Well, I won both. Then, of course, we had from June until January to get up to Sacramento.

DOUGLASS: So once you were truly elected, did you firmly establish this law practice? Or was that sort of evolving during this time?

BABBAGE: I had the space in his office. We had a small suite of offices. And one of them was mine, and the somewhat larger one was his. And we had a library and a reception room.

DOUGLASS: So when did you leave the district attorney's

1. Dorothy N. Hall was the next strongest candidate. She received 4,202 votes on the Republican ballot and 2,884 on the Democratic ballot. Babbage received 9,663 (Republican) and 7,422 (Democrat).

office? In the spring?

BABBAGE: It was in March of 1948. About the time that the campaigning got going.

DOUGLASS: Okay. So that was behind you when you went out and opened a campaign. You could say that you were a lawyer.

BABBAGE: I was not working for the county anymore. I was a former district attorney and Sunday school teacher. [Laughter]

DOUGLASS: Had you had a chance to join any organizations in the community?

BABBAGE: I think that I was in the Kiwanis Club, the Junior Chamber of Commerce.

[End of Tape 1, Side A]

[Begin Tape 1, Side B]

BABBAGE: I was involved in one of the churches. Episcopal church. Something called the "Present Day Club." Something called the "Riverside Breakfast Forum."

DOUGLASS: You must have been very active because you were named "Outstanding Young Man of the Year" in Riverside by the Junior Chamber of Commerce. You must have been very active during that period. The short period that you lived here.

BABBAGE: Yes.

DOUGLASS: To be given that award.

BABBAGE: I had quite a bit of energy.

Campaigning

DOUGLASS: What was campaigning like in those days?

BABBAGE: Primarily, making speeches at luncheons about government. I can't remember what issues I dwelt on, but probably followed the line of the current topics of the day that seemed to be receiving attention in the news, as they dealt with statewide problems. I don't recall any particular controversial things that came up.

DOUGLASS: Were you pretty much in agreement with Boyd, do you think, in terms of substantive matters?

BABBAGE: Oh, I am sure I was.

DOUGLASS: Boyd endorsed you, I assume?

BABBAGE: Yes. He actively campaigned for me. As a matter of fact, he frequently went with me to these functions. There was a lot of travel involved. The district covered the whole county.

DOUGLASS: It's a big district, isn't it?

BABBAGE: Getting from Riverside to Blythe. You know, you had to go to Blythe. [Laughter]

DOUGLASS: A lot of miles.

BABBAGE: And you had to go more than once, too. The roads, you know, were not that acceptable in those days.

DOUGLASS: Did you enjoy the campaigning?

BABBAGE: I didn't find it too much of a burden. I enjoyed meeting people. As I say, I am not an

oratorical type of person, but I enjoyed discussing things in what I felt was sort of a businesslike, perhaps casual, sort of way.

DOUGLASS: Did you have any meetings in high school gymnasiums in the evening, or any kind of community things, other than the organized luncheon? Say, you went into a small town, Blythe?

BABBAGE: I don't know if there was very much of that. See, the voters were pretty much divided between Republicans and Democrats. So, in order to cut across the party lines, rather than concentrate on trying to get groups together, to get a cross section, you could achieve a cross section better by going to existing community organizations, because that cut across both the Republican and Democratic party.

DOUGLASS: Were there any debate type of forums between you and the principal contender, who I assume was a Democrat?

BABBAGE: No. I can't remember any at that point?

DOUGLASS: And radio. Did you use it at all?

BABBAGE: I can't remember using radio. There could have been interviews.

DOUGLASS: Ads, maybe, on the radio?

BABBAGE: Yes, and some ads.

DOUGLASS: Do you recall what the percentage was for

Republican and Democrat division in your district? Approximately.

BABBAGE: I would think that it was probably a shade in favor of the Republicans. Maybe more than that.

DOUGLASS: But it had been returning Republican assemblymen, though?

BABBAGE: Yes.

DOUGLASS: So it was important to get that group that crossed.

BABBAGE: Yes.

DOUGLASS: Other than Boyd, did you have any other endorsements that you would consider important to you? Were there any statewide people who endorsed you? Republicans?

BABBAGE: I can't remember.

DOUGLASS: Like the governor. Did the party hierarchy tend to rally around?

BABBAGE: I just can't remember.

DOUGLASS: Had you been active in the Republican party?

BABBAGE: I think an interesting factor is that I was registered "declined to state" at the time I was asked to run. Which came about largely because the district attorney who hired me was somewhat concerned about his position, politically. And if I recall correctly, he more or less encouraged the people working for him not to identify themselves by a party label. So that kind of cut both ways. Some of the Republicans

felt that I was not sufficiently dyed-in-the-wool. Of course, Democrats might think that I am a little more broad-minded.

DOUGLASS: Yes. "Declines to state" usually are toward the left. Would you have registered as a Republican, do you think?

BABBAGE: Yes. I am sure.

DOUGLASS: On that ballot, one thing that was on that was passed was Proposition 4, adding Article XXV to the Constitution, which was a liberalization of old age and blind security payments. The reason I am even bringing it up, even though it passed, is there was an immediate campaign launched to repeal it.

Do you remember anything about that coming up in the campaign, or immediately after? It would have been that first session that you were in the legislature. I noted there was a committee appointed to study this question, and there was concern in the legislature about the high degree of activity to repeal it.

BABBAGE: Was that one of the ones that was sponsored by a specific group? Was there a particular leader?

DOUGLASS: I am not sure. I would have to check that. It was quite a controversial . . .

BABBAGE: Well, there was one that was led by an individual who was quite prominent and had been

the spokesman for the aged and infirm.

DOUGLASS: Like the Ham and Eggs campaign.

BABBAGE: I don't recall.

DOUGLASS: I think that was earlier.¹ I am not sure. But you don't recall that being an issue in the campaign particularly. That proposition.

BABBAGE: No.

Nature of District and Issues

DOUGLASS: Well, let's talk about your assembly district. It was the 76th district. You just mentioned that it was large. Could you describe the perimeters of that district?

BABBAGE: Just the whole county of Riverside.

DOUGLASS: Nothing more? It was exactly the county.

BABBAGE: Exactly.

DOUGLASS: Which is a big county. Do recall the area?

BABBAGE: Not as big as San Bernardino, and it only had one assemblyman.

DOUGLASS: Travel was a factor in terms of covering your district? Distance?

BABBAGE: Very definitely.

DOUGLASS: And the centers of population. Some were quite isolated?

BABBAGE: Well, yes. You've got Riverside. You've got Corona. You have Banning, Beaumont, Hemet. San

1. The organizer for Proposition 4 was George H. McLain, who had organized Ham-and-Eggs, which had failed.

Jacinto was very small. Palm Springs was rather insulated. Indio was small. Blythe was small.

DOUGLASS: What were the things that were important to your constituents? When you went to the legislature, what did you feel were the priorities for your district?

BABBAGE: Well, primarily agriculture. And, although, the voting population of places like Coachella, Indio, Blythe were not great, there were a lot of people who had invested in agriculture. They owned orange groves, or lemon groves, or other agricultural land. Individually and as investors in them. They were primarily concerned about the standards used for grading and marketing crops. As far as Riverside, you see, Riverside was the hub of this, but Riverside was primarily interested, of course, in the development of the campus of the University of California here.

DOUGLASS: When was that established? This campus. It was brand new, wasn't it?

BABBAGE: Yes. When Mr. Boyd was assemblyman two years before I became, the governor had signed a bill¹ establishing the basis of the Strayer Report. It was an organization for the studying of

1. A Report of the Survey of the Needs of California in Higher Education (1948), prepared by Monroe E. Deutsch, Aubrey A. Douglass, and George D. Strayer.

locations of colleges. It established that there should be a general campus of the University of California in Riverside. And it appropriated funds to acquire some two or three hundred acres, as I recall.

DOUGLASS: So, that was about '47, I suspect.

BABBAGE: So the big push, the big primary source of my responsibility, was working toward obtaining funding to provide for the building of buildings on this land. That was a matter of primary interest to the western, most highly populated area of the county.

1950 Election

DOUGLASS: All the spinoffs that would come with that were important. Just to jump ahead to one thing covering your election experiences, when you ran in '50, was it pretty much the same story? Did you have a Republican opponent of any stature?

BABBAGE: Yes. I had some opposition in '50. I still think that I was elected by both parties. Was I not?

DOUGLASS: In the primary?

BABBAGE: Yes.

DOUGLASS: I believe so. But within the Republican party you had opposition. You had somebody else contending for the position to be the candidate?

BABBAGE: Yes.

DOUGLASS: Do you recall who that was?

BABBAGE: I think his name was Bledsoe?

DOUGLASS: B-L-E-D-S-O-E? [Marvin B. Bledsoe]

BABBAGE: Yes.

DOUGLASS: What did he do for a living?

BABBAGE: I think he had some kind of production business in west Riverside. I think that he was working in a family enterprise.

DOUGLASS: Was there any particular issue that he was hyped up about?

BABBAGE: Yes. His issue was the smudge pots. And that they should be abolished.

DOUGLASS: Was it an air pollution type of thing?

BABBAGE: Yes.

DOUGLASS: Now, he was the Republican. But what about the Democrat opponent?

BABBAGE: I can't remember the Democrat.

DOUGLASS: So, it was a matter of winning your party. If you got that, you felt that you had it.

BABBAGE: Yes.¹

DOUGLASS: Do you remember in that election any injection of higher people in the party for endorsements or assistance with finance?

BABBAGE: No. I think that Riverside was recognized pretty much as a relatively safe Republican

1. In the primary, Mr. Babbage won both nominations. Marvin Bledsoe was the chief contender in the Republican and Democratic primary. Joseph L. Williamson ran in the Democratic primary only.

district. Why would the Democrats spend money if they knew that they would not likely to be successful? Why would the Republicans spend money if they know that they have already got it?

DOUGLASS: Yes. So a lot of attention was not focused on it. Did that ever bother you? Did you feel pretty happy with the way things went?

BABBAGE: I don't recall a precise recollection. It seemed to me that it was just the name of the game. It used to upset my wife and some of my friends considerably, the kind of things that people would say as propaganda. Criticizing me for this, criticizing me for that.

DOUGLASS: Also, the fact that you were not getting a lot of help from the party.

BABBAGE: That didn't bother me.

DOUGLASS: You knew that was part of running in Riverside.

BABBAGE: Riverside, I think, had indicated, to the extent of the expense of campaigns of that time, that they could kind of handle it comfortably locally.

Governor Earl A. Warren's Platform

DOUGLASS: To get you up to the legislature, I was really impressed with the times. I have here a list from the governor's message of Governor Warren. Here you were a brand new assemblyman coming in, and the agenda the governor laid out as to the

problems that had to be addressed. He made the point that California had lived through a depression period with very little money to spend on things, then there had been the war. And now there was this tremendous growth of people coming, plus economic growth. There was a lot of catching up that had to be done.

I am sure that you know these issues well. Education, from the university to the state colleges to the public schools. The hospitals for the mentally ill. The youth authority. Unemployment insurance, disability insurance. The need to build highways. Public health. And it goes on; he lists about seventeen things that needed to be addressed. Because it was the beginning of a real postwar area. Were you impressed with all the problems that you had to address when you went up there?

BABBAGE: I was certainly cognizant of what was being set forth. Those were matters that were certainly facing the state of California. My recollection is that I had the feeling that the legislature, which was Republican at the time, was responsive to Governor Warren's ideas that we were faced with then, as I am sure it is today. That whatever he proposed, the Democrats wanted that and more.

So that even though the things involved might have been considered quite liberal, in terms of historic Republican attitudes, if you voted along with the governor on these matters, you were doing something that you felt would be desirable for the state; and then [you would] not get into any trouble about it, in your home district, if it is Riverside.

DOUGLASS: And you might even win some friends in the Democratic party?

BABBAGE: Yes. You could say that you voted for these issues, but you didn't vote for the bigger Democrat bills because the state could not afford it at that time. Same old story. I think a lot of us in the legislature felt that we were really on the verge of dramatic change in the development of California.

DOUGLASS: Was it exciting?

Pressure for University of California Campus

BABBAGE: I thought it was pretty exciting, but I must say a great deal of my effort was dedicated in trying to get this appropriation for the university. That was one of my big problems is that there were two or three other assemblymen or districts or locations in California that thought that they should have the campus before Riverside. So this meant that I had to be nice to a lot of people in the legislature and had a

lot of encouraging people from Riverside. And, thankfully, the University of California had a representative at that time--a lobbyist we would call him--who was quite effective. James Corley.

DOUGLASS: Set me straight on this, Mr. Babbage. At that point, had it been decided that there would be the campus at Riverside, or was that still debatable?

BABBAGE: Oh, I think that it was debatable in the sense that all the state had done was bought some land and agreed to the purchase of more land. The argument was made that "fine, you've got the land, but it is just not your turn to have a branch of the university yet."

DOUGLASS: To have buildings. So that gets very crunchy, doesn't it?

BABBAGE: Yes.

III. FIRST TERM IN ASSEMBLY (1949-1950)

DOUGLASS: I suppose that means--to get into your first impressions of going into the assembly--there were some committees that you particularly wanted to get on. One would be Education and one would be Agriculture. Is that right?

BABBAGE: Right. Very definitely.

DOUGLASS: Well, let's talk about arriving in the assembly as a new assemblyman. Sam [L.] Collins was the

speaker, and he was the one who was going to decide what committee assignments you had, pretty much. Right?

BABBAGE: Right.

DOUGLASS: How did you get along with Sam Collins?

BABBAGE: Fine.

DOUGLASS: And did he respect your requests?

BABBAGE: I think so. I don't remember any disappointments in that regard.

DOUGLASS: What was he like personally?

BABBAGE: Well, he seemed to be a hail-fellow-well-met. He seemed to have pretty good control of the assembly. Well-spoken, congenial. I don't ever recall having a man-to-man conversation with him about any particular subject. I felt pretty green at this thing, and I felt that it was very important for me to be cautious in my activities, in terms of whatever positions I would want to take on things, because I was primarily interested in getting this campus going.

DOUGLASS: Yes. You had your own agenda.

BABBAGE: It would have not done me any good to turn out to be one of the most outspoken opponents of the spoil system, or whatever else was going on.

Lobbyist Arthur H. Samish

DOUGLASS: This is the period where his name is beginning

to be linked with [Arthur H. "Artie"] Samish, wasn't it? This whole scene was going on.

BABBAGE: Yes.

DOUGLASS: I gather that just after you left the legislature there was a reaction and [James W.] Silliman was voted in for a term (1953-54), as speaker. Could you see that coming?

BABBAGE: Oh, yes. I mean it was just getting pretty raunchy. I never even achieved the stature of being spoken to by Samish. [Laughter] Never even got a free lunch off him.

DOUGLASS: But I guess that fact that Collins was tolerating this, or maybe even doing more than that, was beginning to bother people in the legislature?

BABBAGE: Oh, yes. There was a pretty strong resentment developing towards Samish. There was a group of us that came in as freshmen legislators at the time as I, and I think almost to a man--and there was woman in that group--we pretty much decided not to let ourselves become exposed to some of things that were going on.

There was actually a competition between Samish and what were considered to be the more responsible lobbyists, the people who had established a rapport with legislators but who had not put the hammerlocks on them, so to speak. And had not tried to own them, but just

trying to get a vote once in a while. And Samish was kind of regarded as overdoing it considerably.

DOUGLASS: So you were backing off, this group?

BABBAGE: Oh, yes. To say I wasn't catered to may have been the same thing with four of five others. I suppose if I had made any overture toward exposure, I would have had no difficulty of having a chance to talk to him. I wasn't even curious. The guy just sort of scared me.

DOUGLASS: And he had been around a while by then. I guess the publicity was beginning to get out in the press about it.

BABBAGE: And there were people who were obviously on somebody's payroll. It was very difficult up there to get by on the salary that was paid. Unless you had a pretty sizable nest egg or some angel, it was just hard making ends meet.

DOUGLASS: So people had positions on the side, a variety of positions?

Travel from Riverside to Sacramento and Moving Family

BABBAGE: Yes. And the further that you lived from Sacramento the more difficult it was. Getting from Riverside to Sacramento, it is kind of hard to believe, but it was very difficult to even get there by auto.

DOUGLASS: Right. You didn't have any choices.

BABBAGE: The train was about as good a way as any, but that was expensive. Maybe once a day or all night or something like that.

DOUGLASS: From here how would you take the train? Did you take the Santa Fe? What would you do?

BABBAGE: You could get on the train here at San Bernardino, I think it was. Actually, I did a lot of my travelling by bus.

DOUGLASS: The Greyhound?

BABBAGE: Yes.

DOUGLASS: Coming down the valley and out this way?

BABBAGE: Yes. But that was tedious, you know.

DOUGLASS: And then driving, the roads were not what they are today.

BABBAGE: Oh, they were terrible.

DOUGLASS: How long did it take you to drive from Riverside to Sacramento in those days?

BABBAGE: Oh, about twelve to fourteen hours.

DOUGLASS: Let's talk about your arrangements. Did you have an apartment or something in Sacramento?

BABBAGE: In the first place, it was very difficult to find any place to live in Sacramento, in the latter part of 1948.

DOUGLASS: There was a housing shortage everywhere.

BABBAGE: Let's see, this election took place in '48. So, I went up to Sacramento specifically to find a place for my wife and son and daughter to live.

It had to be modest, in terms of the rent we could pay, but it had to be respectable, or else people would think that we were really in need. So I could only find two places that looked to me that would even begin to meet my wife's expectations, which I had painted to her in very negative terms, anyway. And she was kind of pumped about this business of going to Sacramento, naturally.

So we drove up there with a travel trailer. Got up there on a rainy night. We left here about ten o'clock in the morning and got up there about midnight. I had decided that of the two places, there was only one of them that would possibly be satisfactory. Well, we opened my wife's door of the car, her purse and some other things fell out in the gutter where the water was running. And we got into this house, which was somewhat barnlike and had furniture that looked like the Goodwill [Industries] had left it there. She said, "This is all right, honey. We will get something better tomorrow." [Laughter] There was no tomorrow. That was it.

She, being a legal secretary, was able to get a job in the capital. She made \$300 a month, and I made \$100 a month. So you could tell who was going to be boss of that show. But we did get ten dollars per diem.

DOUGLASS: Per diem while the legislature was in session.

BABBAGE: While the legislature was in session.

DOUGLASS: How old were your children then? Did they go to school in Sacramento?

BABBAGE: Our son did. Our daughter was not old enough.

DOUGLASS: So what did your wife do about child care?

BABBAGE: We had someone come in.

DOUGLASS: So you did essentially move to Sacramento.

BABBAGE: For the first go-around, the first year, which was January, recess in February, and then come back in March. We managed to get through that.

DOUGLASS: Did you keep a house down here?

BABBAGE: Yes. Although we rented it out. The most publicity that I got in the legislature was when an airplane crashed in our backyard. It got my name on the front page of the [Los Angeles] Times.

DOUGLASS: Was this a small plane?

BABBAGE: A four-seater plane. It is surprising what newspapers do. One of them described it as a country estate. [Laughter] Another described it as a chicken ranch.

DOUGLASS: What was it really?

BABBAGE: We had a lot on the side of a hill that had about a fourteen-hundred-square-foot house on it.

DOUGLASS: No one was hurt.

BABBAGE: Not in our house, but all four people in the

plane were killed.

DOUGLASS: What did you decide to do during the February recess? Move your family back here?

BABBAGE: I forget what we did. I believe we made arrangements to come back. At least my wife and children came back during that first February recess. Maybe we stayed through that. I don't recall. But the next year would have been just February [session]. So we didn't take a place up there. But in the next term, we took another place out by the airport.

DOUGLASS: So during the regular sessions you would try to live up there. So how often would you try to get down to your district?

BABBAGE: I wasn't that concerned about getting down to my district. I could keep in touch by telephone and mail and stuff like that. And not many people knew who an assemblyman was. People were not particularly interested in being bothered by an assemblyman if it was not election time, unless they had some particular ax to grind.

DOUGLASS: So you were not expected?

BABBAGE: I was not expected to show up.

DOUGLASS: If they needed you, they could contact your office.

BABBAGE: Yes. Although we did not have offices in the district.

DOUGLASS: Yes. In Sacramento. So you probably did not make the trip too often.

BABBAGE: I made the trips more frequently to try to keep up with my law practice. Which really was pretty rough.

DOUGLASS: So this idea of coming down for the weekend to practice law was pretty difficult?

BABBAGE: Oh, yes.

DOUGLASS: What was the name of that law firm, incidentally?

BABBAGE: It was not a firm.

DOUGLASS: Oh, it was just an association that you two had?

BABBAGE: Yes.

James Silliman Replaces Sam Collins as Speaker

DOUGLASS: Well, to go back to this business of talking about Collins and Samish, by the time you left the legislature you could see that perhaps Collins would be pushed out as speaker?

BABBAGE: I was not surprised.

DOUGLASS: Why was Silliman chosen?

BABBAGE: Well, I think Silliman was very highly regarded as a strong legislator and an honest legislator. Forthright. I think he was a close friend of the governor. I think that he had been a success in his own right. I think he had been in farming on the west coast. Do you remember what district he was in?

DOUGLASS: Yes. Silliman was on the Agriculture Committee

and the Ways and Means Committee. I think he was way north.

BABBAGE: I think that he was near, west of San Jose. Gilroy. It was not Gilroy. It was southwest of Gilroy. There are some farms up there called Silliman Farms.

DOUGLASS: I can tell you right here. He was from Salinas, Monterey County. So he was somebody people could rally around. He was not controversial.

BABBAGE: A good disposition.

DOUGLASS: This was making a statement to both Collins and Samish?

BABBAGE: Yes.

DOUGLASS: So you never directly dealt with Samish, but as soon as you got there, you were probably well aware of the activities.

BABBAGE: Right.

DOUGLASS: And they did cast a shadow on the speakership.

BABBAGE: Yes.

Committee Assignments

DOUGLASS: As far as the committee assignments, during your time in the legislature you were on Agriculture, Education, Judiciary, Crimes and Corrections, and then Ways and Means. I gather that you got what you wanted in Agriculture and Education. And did you ask for Judiciary because of your law background?

BABBAGE: Yes.

DOUGLASS: And had you asked for Crimes and Corrections, which was an interim committee established to investigate custodial institutions?¹

BABBAGE: Probably.

DOUGLASS: You were only on that for one session.

BABBAGE: Yes.

DOUGLASS: Then you went on to Ways and Means. How did you happen to get appointed to Ways and Means? That is quite a committee to be assigned to? That was your second term.

BABBAGE: I don't know. Silliman was. . . .

DOUGLASS: No. Silliman didn't come in until just after you left. Usually, that is a committee people want to be on.

BABBAGE: I suspect that the governor had made some recommendations to Collins on who he would really like to be on the Ways and Means Committee. And I got along pretty well with Governor Warren. I think that is how it happened.

DOUGLASS: What was the relationship between Collins and Warren?

BABBAGE: Well, they were both Republicans. You don't normally have a Republican speaker and a Republican governor who don't try to reach some

1. This interim committee was established in 1947 and continued past the time Mr. Babbage completed his terms.

kind of consensus.

Bills Relating to Criminal Procedures and the Courts

DOUGLASS: That seemed to go all right. Well, to start looking specifically at that '49 session, you had this challenge that the governor had laid out which was a lot of things to tackle. I have a list here of bills that you did introduce, particularly the ones that passed.

BABBAGE: Incidentally, you wouldn't find anything in the bills introduced regarding the campus here because it was all done in connection with the budget.

DOUGLASS: That was what I was going to ask you.

BABBAGE: It was amended into the budget.

DOUGLASS: But that took quite a bit of your time, is what you are saying. Most of the bills show a relationship to your interest in criminal procedure. And your district. There was A.B. 234, which had to do with the judges in your district. The Code of Civil Procedure seemed to be amended frequently, and you, apparently, got this bill passed for an additional superior court judge.¹

BABBAGE: Yes. That was in Indio. That was to create a new superior court in Indio.

1. A.B. 234, 1949 Leg. Sess., Cal. Stat. 1564 (1949).

DOUGLASS: Why did you pursue that? Was there a particular problem there?

BABBAGE: In order to create a new court, there had to be legislative action for it. And if it is in Riverside County, and if you are an assemblyman from Riverside County and refuse to carry a bill to create a new judge in an area that is asking for it, you might as well retire. But I recognized it as a need, personally.

DOUGLASS: Well, it passed.

BABBAGE: Yes.

DOUGLASS: All right. That was to fill a need in Indio, at least a felt need there. Another one was . . .

BABBAGE: There are now about six judges, eight judges in the Indio and Palm Springs area. [Laughter]

DOUGLASS: It is a little different now. Another one was a bill to amend the education code for the sale of school district bonds.¹ That must have come out of your work in Committee on Education. Do recall anything about that?

BABBAGE: I don't recall any details about that.

DOUGLASS: Here is another one, A.B. 2084, to amend the penal code pertaining to the trial cases when a minor is detained as a material witness.² That came out of the Judiciary Committee.

1. A.B. 1591, 1949 Leg. Sess., Cal. Stat. 29 (1949).

2. A.B. 2084, 1949 Leg. Sess., Cal. Stat. 917 (1949).

BABBAGE: I don't have a specific recollection of that other than that it probably came up with my connection with the probation department, when I was in the district attorney's office.

DOUGLASS: You had seen this.

BABBAGE: The problem. Yes.

DOUGLASS: Then there is another bill having to do with the sessions of the superior court.¹ I assume that was a . . .

BABBAGE: Again, I think that would be related to the Indio deal.

DOUGLASS: There were a number of other bills that did not pass. A lot of them, again, were amendments to the Code of Civil Procedure. Here is what I was talking about in terms of Proposition 4. There was a house resolution which directed the Governmental Efficiency and Economy committee to study the constitutional amendment, Article 25, which was passed as Proposition 4 on November 2²nd of '48. There was concern over its impact and the effort to repeal it. That was a resolution which you and many others had voted to pass. That issue seemed to come up right

1. A.B. 2755, 1949 Leg. Sess., Cal. Stat. 2755 (1949).

2. H.R. 129, 1949 Leg. Sess., relative to passage of Proposition 4, an initiative constitutional amendment increasing aid for aged and blind and lowering age and residence requirements for aged aid.

away about that amendment.

BABBAGE: I think that is the [George H.] McLain bill.

DOUGLASS: Well, you were on a couple of interim committees that had reports of particular interest. One was the [Assembly Interim] Committee on Crime and Corrections, to study juvenile and adult custodial institutions, their construction cost, management, and parole methods. There was an interim report. You had just come into the legislature, but there was a primary report, and you served on that with Vernon Kilpatrick, who was chairman. And there was [Montivel A.] Burke, [Elwyn S.] Bennett and [Gordon R.] Hahn. It was an interesting report about the prison system. Do you remember working on that?

BABBAGE: Yes.

DOUGLASS: Could you reflect on that. What the concerns were?

BABBAGE: Well, I think that we were concerned with dealing with the prison populations. Dealing with what kind of work prisoners could engage in and receive some kind of compensation. When I say concerned with "prison populations," we were, then as now, dealing with how to get more prisons.

One instance that I remember, going over to San Quentin, the members of the committees and

their wives were invited to have lunch at the warden's office at San Quentin. And it was just a magnificent meal. Beautifully served. You could have thought you were in Chez Carey. It had waiters, polished silver. The table was perfect. Two or three waiters were around. Everything served beautifully. Of course, these guys were trustees doing it. The house was just spotless. It was old, but it was beautifully maintained and spotless.

[End of Tape 1, Side B]

[Begin Tape 2, Side A]

BABBAGE: That is not a very substantial response to your question about the work of that committee, but I thought it would be kind of an interesting beginning. Then I had a very good impression of the man who was Director of Corrections at that time. McCann or something like that [Richard A. McGee], who I regarded as a very effective and understandable person.

IV. GOVERNOR EARL WARREN

I did have some acquaintance with Governor Warren, which perhaps was not too unusual. Hemet has a farmers' fair and festival and the Ramona Pageant, around April of each year. I invited the governor, at the request of the people who put on that pageant, to come to the Ramona Pageant. So he and his wife agreed to come down, and he asked my wife and me to join them. So we had the trip together. My wife sat with Mrs. [Earl A.] Warren.

DOUGLASS: You mean all the way down.

BABBAGE: Yes. And all the way back. It was pretty interesting. He was really a very persuasive person. He was just so obviously conscientious in his thoughts and his approaches. He used to also have lunches for a group of ten or fifteen of us that were relatively unsullied, you might

say, as not being too overly responsive to lobbyists, where the governor would discuss his programs.

You came up with the view that what he had been doing had been pretty well thought out, pretty well worked out. That he was trying to do these things, and even though he was regarded as somewhat as a liberal by doing them, he said, "We are doing them at a price we can afford to pay." And he said, "There are a lot of other things that people want us to do, but we will run the risk of putting the state into a disadvantaged fiscal position if we try to respond too generously to some of these requests." I imagine that is something that any governor could say, but it was interesting in the context of Warren's subsequent activities that he came across so conscientiously at that time.

DOUGLASS: In this opportunity that you had at close quarters with him, did he talk about issues in your district or did he ask you about them? Or did you talk about statewide things? What was your impression of the tone of the conversation?

BABBAGE: Oh, I think it was pretty much state and even nationwide. I think that this was the year after we had obtained the funds for the campus here. So he had approved the amendment to his

budget for that purpose. But I think he regarded some of us as being pretty conscientious, and perhaps naive, but conscientious, in what we were trying to do up there.

DOUGLASS: This would have been '50?

BABBAGE: This would have been '51.

DOUGLASS: So you had been in the legislature for a while. I have heard Mrs. Warren was a very nice person.

BABBAGE: Very pleasant. She just abhorred flying in an airplane. She had to sit on the inside seat and did not want to look out the window.

DOUGLASS: You were driving or flying?

BABBAGE: We were flying. The governor's plane. An air national guard plane.

DOUGLASS: So you flew out of Sacramento to Riverside.

BABBAGE: Or to Hemet. There is a landing field out there.

DOUGLASS: I see. So this was not pleasant to her to have to fly on an airplane. Were there any other impressions you had of Warren, particularly?

BABBAGE: He certainly had a delightful personality and an amazing recall for names. He was very genial with all the members of the legislature. He would have functions at that governor's mansion, that old rickety place which was held together by hairpins, or whatever.

DOUGLASS: Did you feel that you had, in other words, some

access to him as governor? You had opportunities to talk to him?

BABBAGE: Yes. I don't think that I ever sought to have a personal conversation with him in his office. He did have these periodic meetings in which ten or fifteen or so of us were invited to lunch.

DOUGLASS: Now where would he have you to lunch?

BABBAGE: I think that it would have been at the Sutter Club.

DOUGLASS: Maybe that lessened the need for people to see him individually in his office?

BABBAGE: Right. And you could chat with him individually at those meetings.

DOUGLASS: So you felt that he was approachable?

BABBAGE: Very approachable.

DOUGLASS: Then I assume that you felt he had a quite good relationship with the legislature.

BABBAGE: Extremely good.

DOUGLASS: And what about the Democrats? How do you think they felt?

BABBAGE: Oh, he was very highly regarded. Some of the more liberal Democrats felt that he did not go far enough. And there were some Republicans who felt that he went too far.

DOUGLASS: But do you think that the Democrats felt he would talk to them?

BABBAGE: Oh, yes. There was not any kind of feeling where there seemed to be an effort to create a challenge.

DOUGLASS: Adversarial.

BABBAGE: Yes.

DOUGLASS: You and Warren shared a bit of similarity in your backgrounds because he had been the Oakland district attorney. Did you see that, the effects of that in what he did as governor? Do you think that skewed him at all?

BABBAGE: No. I don't think so.

DOUGLASS: So where did his social agenda come from, do you think?

BABBAGE: I think it came from his life experiences. His family, if my recollection is correct, was of very modest means. He probably saw, as district attorney and attorney general, a lot of deprivations people were experiencing. And I suppose at any stage of development of any city, state or nation there are going to be people of that sort. The question is: How much can you do? How far can a person go without being considered as unrealistic in his or her attempt to correct the problems?

V. ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS

DOUGLASS: To go back to this committee you were on and the report, the committee [Assembly Interim

Committee on Crime and Corrections] to study juvenile and adult custodial institutions, I have here the interim report. There is some interesting testimony in front of that committee. And a lot of it seems to speak of the need to humanize the prison system. Of course, it addressed the housing problems.

The final report recommended a need for medical personnel in the Youth Authority, and the increased use of probation as being the wisest course to follow, humanewise and in terms of costs. Plus some kind of concern over parole officers and whether parole officers tended to be former policemen and whether that brought the right talents. Does any of that ring a bell with you, in terms of what was being discussed then?

BABBAGE: I think that there was a strong feeling amongst a number of people who were involved with crime at the time, whether adult or juvenile, that by proper treatment you might enhance their opportunities to overcome their difficulties.

I can remember here in Riverside that we had a camp up in the mountains that the probation officer, the Riverside County probation officer, had sponsored. It was a home where about forty or fifty young adults, some teenagers, were on probation, who worked and

lived at this camp up there. And they were just having remarkably good success, the success rate in reformation.

It is a little different when you get into the prison itself. The tendency of our group was to think that if you made things a little bit more interesting to prisoners that it might be beneficial. I must say that we were not aware, at the time, of some of the kind of physical abuse that goes on amongst the prisoners, at least that which is described today. It is kind of hard to believe it was not going on, but, for some reason or another, we never heard it.

Of course, another thing which has accentuated the problem, of course, is that we did not seem to be aware of dope as a factor in the prison system at that time. And I am sure if it had been, it would have been disclosed. Wouldn't you think?

DOUGLASS: You would think so.

BABBAGE: So these are, perhaps, some events that have occurred since then--we are talking about forty years--that things are getting worse in the prisons, in spite of anything that anybody tried to do to make them better. It is extremely difficult to deal with.

DOUGLASS: There was one recommendation that the committee made which reflects a problem that was perceived. It says, "This committee feels that the closed hearings and authoritative attitude of Adult Authority and its agency, the Bureau of Paroles, is unwholesome and should be corrected at once."¹ And I believe that it spoke to a procedural matter of how to handle paroles and what decisions were being made about them, which were not public. Do you remember that? This must have been a concern. And it was a criticism of what was going on. The fact that the hearings were closed and the parolee or his representatives of the family had no way of knowing what the decisions were.

BABBAGE: I think, again, I might have been a little less harsh in my attitude about things than the committee, although I was not involved in the minority report. I had a high regard for Mr. McGee, who was the director of corrections. And he was really anxious to improve prison facilities and get more funds for prisons. We also had a black man whom had recently been made either chairman or member of the parole board, who we knew here in Riverside. We regarded him with. . . . When you know personalities that

1. Journal, California State Assembly, April 15, 1949, p. 2241.

are involved in something . . .

DOUGLASS: You trusted him?

BABBAGE: You trust them. Some of these things that you might look at with more objectivity, it makes you likely to be a little less critical about them if you have confidence in the administrators.

VI. ASSEMBLY COMMITTEE ON EDUCATION

DOUGLASS: All right. That first year, do you recall, was there one committee that you spent most of your time in? Among these, Agriculture, Education, Judiciary, Crime and Corrections?

BABBAGE: I think that the most time was spent in Education.

DOUGLASS: Again, because of this interest, or just because it had more to do?

BABBAGE: Well, it had more to do. You are probably more familiar with this than I. I got the impression that a school or school teacher or school janitor or anyone connected with the school could not do anything unless there was a specific provision in the education code saying it could be done. You look at codes and laws as guidelines. We want to make you a principal, now we want you to do the best job if you can; but we don't want you beating up the kids unless you have to. But to put down chapter, letter,

and paragraph, virtually everything that a person could do from the time they walked on to a school grounds until the time they leave. And even after they go home at night, I guess, they are still restricted in some respects.

DOUGLASS: What you are saying is the state code seems to have to cover every little thing?

BABBAGE: Have you ever seen it?

DOUGLASS: Yes.

BABBAGE: It's enormous.

DOUGLASS: So how do you account for that in California? Is that a California phenomenon?

BABBAGE: I am not sure that it is. Of course, from a lawyer's standpoint, we used to say that there is no common law of education. California is kind of getting the same way with law, though. The law, the codes we are dealing with, the civil code, the criminal code, and others are getting so that practically every act that you could think of is either permitted or not permitted by one of the codes. So that California is getting away from a system where the law was made by custom and by precedent, and what the courts decided, where there was a certain amount of flexibility.

DOUGLASS: But at this time when you were on the Education Committee, a sort of a germinal period, you can

look back at it and, in perspective, it was immense then. I wonder if there are a couple of reasons. Could it be that because in our constitution, education is supposed to be the top priority of the state's responsibility? Or could it be because education brings out all of these interest groups? You get so many people speaking before the legislature. What do you think?

BABBAGE: My view may have been somewhat tainted with connections I had with members of school boards who I would be more likely to encounter as a politician than I would teachers themselves. My view was that the teacher's organizations, and the administrators, were just going overboard thinking of new things to put into the education code. And they primarily had to do with providing greater advantages for teachers or administrators.

DOUGLASS: They wanted to get it into the law.

BABBAGE: Yes. I remember at the time that of all the committees, Education seemed to have the longest agenda. It would start at seven o'clock at night and frequently would not get over until one o'clock in the morning. So many of these things considered were pretty minute.

DOUGLASS: So that meant if you served on Education, it was an immense investment of your time.

- BABBAGE: Right.
- DOUGLASS: Now Francis Dunn, Jr. was chairman of that committee, and, as I recall, reigned as chairman for a long span of years. What do you recall of him?
- BABBAGE: I don't know. My recollection is not clear enough to make a very pointed response. My impression is that he was pretty well willing to let the educators take their course. He was not inclined to raise very many objections. I don't know if this was--maybe the same thing was true with other committees--that the people who were interested in the legislation would kind of work it out with the chairman and his vice chairman before they brought it to the committee itself.
- DOUGLASS: Perhaps it is a self-fulfilling prophecy. They had such a big workload, it had become so organized and set before the committee met?
- BABBAGE: Like the tax code.
- DOUGLASS: Well, other people on that committee were Ernest [R.] Geddes. Did you know him?
- BABBAGE: Yes. I thought very favorably of him. Wasn't he from the district where you are? Claremont?
- DOUGLASS: Yes. He was.
- BABBAGE: I forget what his background was. Was he in education?
- DOUGLASS: No. He had been in business. He had grown up in Mexico and had a varied background, and he

was in business in the area. He was very interested in education and very interested in the state library and libraries in general.

BABBAGE: Is he still alive?

DOUGLASS: No. He died about five years ago.

BABBAGE: Did you get a chance to interview him?

DOUGLASS: Yes. I did a long interview with him.¹ He is a very interesting man. A major part of his service was on the Education Committee. Well, others on there were [Luther H.] Lincoln, who later became speaker.

BABBAGE: Yes.

DOUGLASS: Do you recall much about him?

BABBAGE: Not really. Was there anything he was particularly involved in?

DOUGLASS: Well, he was on Education.

BABBAGE: Where was he from?

DOUGLASS: Lincoln, I think, was from up north. Yes. He was from Oakland [Alameda County]. Well, your picture of that committee is a lot of work. Also, I suppose, though, were you on a budget subcommittee or anything? You had this interest in the university budget. Did you work that through the Education Committee?

BABBAGE: No. I worked that through individual members of

1. Ernest R. Geddes, California Assemblymen, oral history interview manuscript, Claremont Graduate School Oral History Program. Mr. Geddes died April 9, 1983.

the house.

DOUGLASS: On the budget committee.

BABBAGE: Yes.

VII. ASSEMBLY COMMITTEE ON AGRICULTURE

DOUGLASS: So that was an activity outside of the structure. Now, in the Agriculture Committee, Silliman was on that also. You were with him on several. But the chairman was a man named George A. Clarke from Merced. Do you remember much about how he ran that committee? I have the names of other members.

BABBAGE: The recollections of that committee were kind of interesting in that one of the main things that came up while I was there was the difference between the amount of sugar that was permitted to be in grapes that were grown in the San Joaquin Valley before they could be harvested and the amount of sugar in grapes from the Coachella Valley. And this became a matter of great concern as to whether the California bureau of standards was permitting the people in the San Joaquin Valley to harvest grapes before they should, because it is hotter in the Coachella Valley and the grapes ripen sooner.

The problem was that the San Joaquin Valley grapes were competing in the Los Angeles market

with Coachella Valley grapes, and they were not distinguishable to the eye. But if you got the San Joaquin Valley grapes, they would not be nearly as sweet and tasty as the Coachella Valley. The Coachella Valley people were taking the position that by their trying to rush their grapes on the market too soon, which they were permitted to do under the bureau of standards at that time, that it had a disastrous effect on both kinds of grapes. This was because there was no way they could properly designate to the public which grapes they were actually buying.

DOUGLASS: And, actually, Coachella lost their advantage?

BABBAGE: It finally got worked out whereby there was sort of a compromise. Plus they changed some varieties in both places so the mix was resolved. It was quite a technical problem to get involved in.

DOUGLASS: What other kind of issues did the Agriculture Committee discuss in those years? Did you find that the San Joaquin Valley tended to dominate? You were representing an agricultural area out here which grew certain kinds of things.

BABBAGE: Primarily oranges and lemons.

DOUGLASS: Citrus?

BABBAGE: Citrus. Yes.

DOUGLASS: Did you have any problems giving a voice to your needs here, as contrasted to those of the other

members of the committee?

BABBAGE: No. Very seldom did the interests between districts come in conflict, as I can recall, regarding problems affecting agriculture. It seemed to be that it was pretty much confined to what the standards required for particular products as to ripeness, taste, or color, within that district itself that farmers were trying to get the department to adopt.

DOUGLASS: So it was an internal problem within the districts. You were trying to get the executive branch to do something. Did you get cooperation out of the Department of Agriculture?

BABBAGE: Yes.

DOUGLASS: Was water being discussed at that time in the Agriculture Committee? Water conservation?

BABBAGE: It did not come up too much as far as our district legislatively was concerned because as far as the Coachella Valley was concerned, it had an abundance of water. For the western part of the county, the Metropolitan Water District had finished its line from the Colorado River just prior to the war, as I recall. The Supreme Court had not yet decided that Arizona would get so much water from the Colorado River.

DOUGLASS: So it wasn't a big issue yet?

BABBAGE: No. And Los Angeles was about a third of the

size it is now.

DOUGLASS: Yes. I noticed that Governor Warren did speak about the need to prevent contamination, water pollution. Had water pollution begun to be any kind of a concern in your district?

BABBAGE: I don't recall. Of course, air pollution became quite involved. Interestingly enough, people locally were pretty slow to react to air pollution. This fellow Bledsoe, who ran against me for a second term, made a big deal out of the fact that smudge pots were being used for oranges. And it was just terrible! People were repainting the interior of their houses frequently as just a way of life in Riverside. You expected to get it all smudged up every year.

DOUGLASS: The interior?

BABBAGE: The interior. You know, that silt goes through the windows. You don't have airtight windows and doors like we have in this building. But a few years later Riverside became very concerned, as you know, about the air pollution.

DOUGLASS: Air pollution, the smog, that sort of thing.

[End of Session 1, November 30, 1987]

[End of Tape 2, Side A]

[Session 2, December 4, 1987]

[Begin Tape 2, Side B]

VIII. FOUNDING OF UNIVERSITY OF CALIFORNIA, RIVERSIDE

The Strayer Report on Higher Education

DOUGLASS: You had said in the last interview that a lot of your energy while you were a legislator was devoted to obtaining funding for the new University of California at Riverside campus. I feel that we should really talk about that a bit. First of all, why don't we go back to what the Strayer report recommended and what the status of this campus was at the time you assumed office. The Strayer Report was published in 1948.

BABBAGE: Yes. I see that by the report itself, it was dated March of 1948. The Strayer Report, as other information which is available to you will reflect, was to determine to what extent the University of California should be expanded to additional campuses. When it became known that Riverside was one of the campuses, one of the areas being considered for a campus, it generated quite a bit of interest in the community. One of the reasons, of course, as is set forth in the Strayer Report, that Riverside was considered desirable was not only its geographical location, but it had land

surrounding the citrus experiment station which provided a basis where the university already had this established, well-known citrus experiment station.

DOUGLASS: Does that mean there was enough land to assimilate a new campus? There was not a need to buy more land?

BABBAGE: No. There was additional land that needed to be acquired. But that was largely because, I am sure, although I was never involved in the discussions of that, but I am sure that the citrus experiment station would have been very reluctant to relinquish very much of its land for a new campus, for a general campus.

DOUGLASS: Was the fact that the institution existed the main reason why you got the campus at Riverside, as contrasted to, say, San Bernardino? Or do you think Riverside was logical whether or not there was a beachhead here?

BABBAGE: I would think that Riverside would be logical whether or not there was a beachhead. But by comparing it to San Bernardino, it made a lot more sense to have it in Riverside because the citrus experiment station was already here. My recollection is that, at the time, there was also consideration given to Bakersfield and Fresno. And without refreshing my recollection on the Strayer Report, maybe some other cities

as well. I just wonder if at the time, Orange County and Santa Ana in Orange County was one of the places that was considered.

DOUGLASS: That map [in the Strayer Report] shows in what areas the university campuses were considered. I also have a map of Area 10, which is your area, in which there seems to be the only site for a university campus there. It shows junior colleges and other institutions in the area.

At the time of the Strayer Report, though, it seems as though, in looking at the listings and the financing, Riverside is the only one which shows up through that report.

BABBAGE: Yes. And I think that the [University of California at] Irvine was established after Riverside. [Established in 1965.]

DOUGLASS: Yes. It was.

BABBAGE: And I think that [University of California at] Santa Cruz was after that.

DOUGLASS: Oh, yes, in 1965.

BABBAGE: I don't know about [University of California, San Diego] La Jolla.

DOUGLASS: That was later too, 1964. Fifty-four is when this campus actually opened, apparently.

BABBAGE: Yes.

DOUGLASS: By the time you took office, it was an accomplished fact that, yes, there would be a

University of California campus in Riverside?

BABBAGE: That's right.

Funding to Establish the Campus

DOUGLASS: So your challenge was to get money to realize this campus?

BABBAGE: Yes. To acquire the additional land and to budget for the buildings that were originally estimated as being needed.

DOUGLASS: Now, the report says that it estimates that \$4,740,000 would be needed, projected need for building . . .

BABBAGE: I think that would be just the initial phase.

DOUGLASS: Yes. Just the initial building costs.

BABBAGE: I think that is the appropriation that we were working with. Four million or four and a half million to five million dollars that was amended into the budget.

DOUGLASS: Now, in terms of trying to get this money, were you still having to deal with representatives from other areas who thought they might be going to get either a state college or a University of California campus?

BABBAGE: Well, there were these other places. In particular, there was Bakersfield, Fresno. Those are the only ones that I particularly recall.

DOUGLASS: Bakersfield was trying to get a state college. Or was it trying to get a university campus?

BABBAGE: It was trying to get a university campus at that time.

DOUGLASS: And their argument was that they didn't have an institution of higher education for miles around. I talked to Senator [Walter W.] Stiern a little about that.

BABBAGE: Right. But whatever the extent that these other locations were interested in a campus of the University of California, there was still the problem of the fact that the governor had not included an appropriation in his budget for this campus. I can't recall the reasons, if I ever knew, why he didn't include it in his budget. I presume it was because if he included one for us, he would have been the one that was facing all the pressure to put others in. So the logistics of the thing was that he dropped it kind of in Riverside's lap to come up with reasons why his budget should be amended to include assets.

DOUGLASS: Now, at that point in the evolution of a new campus, it is not in the budget for the University of California yet? Is it something apart from the University of California budget that you would be dealing with?

BABBAGE: I don't know exactly what the item in the budget said.

DOUGLASS: What I am trying to get at is would the [University of California Board of] Regents have had to approve of any budget items?

BABBAGE: Oh, I think so.

DOUGLASS: So it would probably be both.

BABBAGE: I would assume that the funds, knowing how the University of California works, the funds would have gone to the regents for this purpose. That it would not have been put into a separate entity called the "University of California at Riverside."

DOUGLASS: It would have to be under the aegis of the University of California budget. So how did you go about this? Who did you approach?

BABBAGE: Well, initially, personally, bearing in mind that it was my first term as an assemblyman, that I had not had previous legislative experience, I needed considerable help from the people in the community in Riverside. The people in Riverside also talked to friends of theirs outside of Riverside that could have had some influence on the legislature in recognizing the desirability of funding the campus that had been established, the location of which had been approved by the Strayer Report.

One of the things that was done periodically, I would have people from Riverside come up to Sacramento for a luncheon to which we

would invite various members of the assembly. For those events they would usually bring up whole crates of oranges. It kind of identified Riverside, and it was an unusual thing to do because it was kind of catchy; and everyone in the legislature was aware of these oranges being shipped into the capitol. That got some attention.

DOUGLASS: Who would go to these luncheons? Who would you ask in from the legislature?

BABBAGE: There would be various members of the assembly. I don't recall exactly how we made the selection. It was my purpose to get as many as we could, but realize that you could not have eighty all at one time.

DOUGLASS: Would there be people other than those from the legislature? Would there be someone from the governor's office? Or from the University of California? Were you just focusing on the legislature?

BABBAGE: There would have been a representative of the University of California. They had a representative at the legislature in Sacramento. A very fine man. James Corley.

DOUGLASS: Who was their lobbyist?

BABBAGE: Yes. He had been there for a number of years, and he was highly regarded, and, of course, was

a great help in convincing other people from the legislature.

DOUGLASS: Would you have people from your area ask questions or speak of the need to get the campus going?

BABBAGE: It was largely through these luncheon arrangements. Plus, however, remember I described Mr. Boyd, who was initially involved in this. He was highly thought of. I think he was only there for two terms, however.¹ He was very well recognized as an extraordinarily capable man.

DOUGLASS: So would he come in and help with this?

BABBAGE: He would. He had developed some friendships among some of the leading legislators, too, who respected his opinion. He would make trips to Sacramento occasionally. He wrote fine letters and kept in touch by mail and by telephone calls. He was a very reserved but articulate person.

DOUGLASS: My question about the luncheons was this. When you got these people up there, did you get them up there to tell the other legislators how much they needed the campus? What happened at the luncheons, in other words? What would be your format?

1. Assemblyman Philip L. Boyd served 1945-1948.

BABBAGE: Well, the luncheon format, I wanted to keep it kind of easygoing. In other words, we were not going to lecture the legislators on "You've got to do this." Or when you have to do it. Just to explain to them "that's why we are here. We hope that you will see it as an important thing for the state. We think it is a desirable place to have one. We just wanted you to know how interested we are in having it." That's about it. Legislators tend to be quite convivial. It is a little bit different than going to a duplicate bridge game where you have never met anybody before. [Laughter]

DOUGLASS: They are a gregarious lot.

BABBAGE: Very gregarious. So it is not difficult to get into a conversation with any of them.

DOUGLASS: So this was informal. You had the oranges and the whole thing sort of going.

BABBAGE: Yes.

DOUGLASS: What about the institutions of higher education already located here? Private colleges and the junior colleges. Were they of any assistance to you in this matter? Did they take a stand?

BABBAGE: I can't recall their having taken a stand. My recollection is that they really didn't feel it was a threat because it was a different kind of level of education. We had a city college. I

think that La Sierra College at that time was very minor. I doubt if there was even a campus established at that time. The California Baptist College did not exist at that time.

DOUGLASS: How about the University of Redlands?

BABBAGE: Well, I don't think that Redlands was concerned.

DOUGLASS: Was this campus going to be started with the last two years of college and assimilating the junior college people? Do you recall that?

BABBAGE: I think it was to start with the first two years, early on, and I just would not have any way of really knowing unless we talked to somebody who was more familiar with the academic history.

DOUGLASS: I was thinking of how the junior colleges might view it, because actually it might be helpful to them if it is a place for their college-bound students to have a campus here, instead of going a distance.

BABBAGE: Yes. I am sure that was taken into consideration. My recollection is that the so-called "junior college transfer" was not quite as popular then as it is now.

DOUGLASS: More of a terminal degree. Did you get any help out of the governor's office? Was there someone on his staff, or in the department of education, with whom you worked in this process?

BABBAGE: I don't recall that. As I mentioned in our last

conversation, I was amongst this relatively small group of young, newer legislators that the governor was kind enough to invite to luncheon once in a while. There was no question but what he knew my keen interest in trying to get this campus established. That is, funds to build it. I am sure there was no real concern about his approving it, his accepting it in the budget, if the legislature voted for it.

DOUGLASS: So he was indirectly supportive?

BABBAGE: I am sure he was.

DOUGLASS: But it was up to you to get it into the budget?

BABBAGE: He was not going around lobbying legislators for it.

DOUGLASS: Did you focus on the members of the Ways and Means Committee? Education Committee?

BABBAGE: I focused on everybody. Even Democrats.
[Laughter] I am kidding.

DOUGLASS: How about in the senate? Did you ask senators, too?

BABBAGE: The senate situation was quite ably handled by Senator Nelson [S.] Dilworth, who was a very strong force in the legislature and who was extraordinarily active in educational affairs, as you know.

DOUGLASS: Yes.

BABBAGE: As a matter of fact, I would have been

embarrassed to try to encourage anyone in the senate to act favorably on the matter, for fear that the senator might have thought I was stepping into his bailiwick.

DOUGLASS: Did you meet with him on this subject? Did you keep him informed about what you were doing?

BABBAGE: Oh, yes. We were quite close. He was not a gregarious type of person. He was a bit of a loner. He was unique. He was not of the typical, happy-go-lucky legislator class. He was a very serious, quite religious person. But we had good conversations. We did not tell each other jokes very often. He was just a good, solid person who was equally behind the effort.

DOUGLASS: So you left it up to him when it got to the senate.

BABBAGE: Of course.

DOUGLASS: To talk about the senate a minute. You characterized him a little bit. Was this rather typical of what a state senator was like then? Or was he atypical? Did they tend to be more removed a little bit?

BABBAGE: Somewhat, but he was atypical. He was extraordinary in his demeanor and his dedication.

DOUGLASS: Had you known him earlier?

BABBAGE: No.

DOUGLASS: When you ran, for instance.

BABBAGE: I became acquainted with him when I ran. I really didn't know many people, as you know, because I was pretty new in town. Kind of new on the block, so to speak.

DOUGLASS: Did he stay out of the assembly district election? Did he take a stand for anybody?

BABBAGE: I should be able to remember. I think he was rather cautious when I first ran. As I said, he was a bit of a loner.

DOUGLASS: So it does not mean that he took a negative stand, but he may not have taken any.

BABBAGE: He may have confidentially expressed views that were supportive. It seems to me that his wife was openly more supportive than he was. She was active in the Republican women's group, and she would invite me to meetings of the Republican women, and I don't imagine that she would have been doing that unless he approved.

DOUGLASS: Yes. I don't either. The women were the workhorses then, weren't they?

BABBAGE: Yes.

DOUGLASS: Does anything else come to mind to you in getting the amendment to the budget through? Obviously, you were successful but how long did it take?

BABBAGE: We were up near the end of the session by the

time it was resolved.

DOUGLASS: Now, is this the 1949 session?

BABBAGE: Yes. I think it was around June. I don't have a specific memory on this, but I notice that this recognition I got at UCR [University of California, Riverside] two or three weeks ago as founder, designated as a "founder" of the University of California, Riverside. The fellow that wrote the newspaper article had apparently looked up something and discovered that there were three or four votes pro and con on this thing.¹

I had remembered going through virtual agony with the fact that I would canvass the assembly, and, you know, there are eighty people there. Usually, there were not more than fifty or sixty on the floor. I remember there was one occasion when I got it approved to go through, well, let's say forty-one to twenty-five. I would get it up to forty-one, and then somebody would call for reconsideration of the vote for the next day. On the next day, it would come out less than forty-one for it.

DOUGLASS: Who would be the kind of person who would ask for a reconsideration of that vote?

1. Richard Martinez, "700 Join in UCR's Second Founder's Day Celebration," The Press Enterprise, 7 October, 1987.

700 join in UCR's second Founders' Day celebration

By RICHARD MARTINEZ
The Press-Enterprise

In the history of an institution there are occurrences that, though significant, are often forgotten until the participants stop to recall the evolution. At Founders' Day at the University of California, Riverside yesterday a few of the participants took some time to reflect.

Among the honorees at the outdoor ceremony that attracted 700 people was John Babbage, a Riverside attorney, who in 1949 as a Republican Assemblyman from Riverside shepherded a \$5 million budget appropriation through the Assembly. It eventually was approved by then-Gov. Earl Warren and led to the opening of the Riverside campus in February 1954.

Last year the university held its first Founders' Day to commemorate the event and to honor people who played an important role in the campus's development. Campus officials decided then to make it an annual event.

Standing in the late afternoon shade at UCR yesterday, Babbage acknowledged that a largely forgotten fact is that his first attempt to get funding for the Riverside campus placed for consideration in the 1949-50 state budget was rejected by the Assembly, 35-23.

"Not many people remember that vote," Babbage said before the ceremony began in front of Rivera Library.

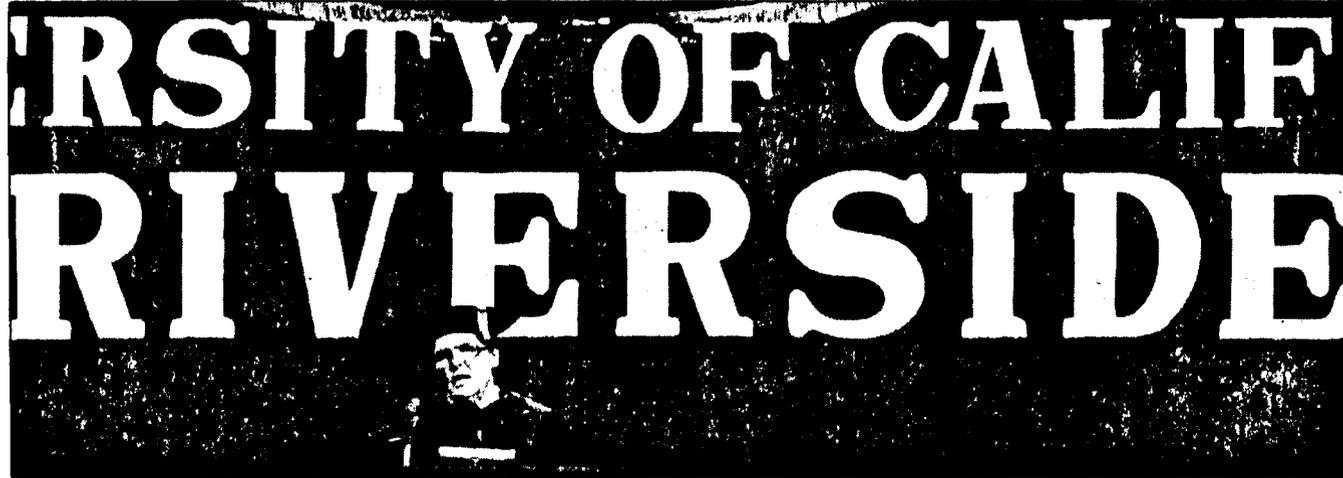
"That was the most dramatic point of my time in Sacramento," not to mention a dramatic point in the genesis of the Riverside campus, Babbage said. "A lot of people had worked to establish a college in Riverside and suddenly you see it slipping through your fingers."

After the rejection the freshman assemblyman moved for a "call of the house" to muster the absentees. Meantime, he worked on the dissenters. On a second vote the item passed 34-32 and down the line was approved by Warren.

Babbage said the change in the vote was not because of any statesmanship or fancy politicking on his part. "I wasn't sophisticated enough to do that," he said with a grin. He gave the lion's share of the credit to other prominent Riversideans who did some lobbying of their friends in the Legislature.

Babbage added of his work on the Assembly floor that day in 1949, "That's what I got the \$100 a month for."

Besides Babbage, others hon-



CARLA CONTI/The Press-Enterprise

Chancellor Rosemary S. J. Schraer addresses crowd at Founders' Day celebration yesterday at University of California, Riverside.

ored with Founders' Awards yesterday were former UCR Chancellor Ivan Hinderaker who served from 1964 to 1979, and Daniel G. Aldrich Jr., who started his University of California career as a junior chemist at UCR, served for 22 years as founding chancellor at UC Irvine. Aldrich later served as acting chancellor at UCR in 1984-85.

In his remarks Aldrich recalled that when the UCR campus opened its doors in February 1954 he was part of a faculty quartet that taught students UC songs and the alma mater led by pianist Homer Chapman, then-dean of the Citrus Experiment Station. "We were known as the Salt Flats Quartet," Aldrich quipped.

Aldrich also quoted Chapman who remarked during that first semester when 127 students were taught by 47 faculty, "Never have so few been taught by so many." Chapman, 89, was honored with the faculty emeritus award for public service.

Hinderaker said his biggest challenge when he got to UCR was trying to unite as a single faculty academic unit the veteran scientists from the Citrus Experiment Station with the relatively new Letters and Sciences faculty. Resistance was too great the first year, he said.

In his second year, Hinderaker said he formed a joint com-

mittee that "fought furiously until one night when (biochemistry professor) Randy Wedding had them over for cocktails." An agreement eventually was hammered out and the campus was on its way to becoming a full-fledged teaching and research university.

"Many people here today were on the wrong side of that battle," Hinderaker said.

In her remarks yesterday, UCR Chancellor Rosemary S.J. Schraer told the gathering that "the process of founding does not end with the first casting. So too our institution continues to evolve."

Noting a record enrollment that may reach 6,800 students this fall, Schraer, who assumed the chancellorship in July, said that UCR "will grow not only in size, but in prestige."

Along those lines, Schraer noted that the campus has been awarded a Ford Foundation grant to establish an undergraduate student Honors Program.

"Our commitment, however, is not just to be larger, but to be worthy, not just to be famous, but to be of superb quality."

Also honored as part of the festivities yesterday afternoon were four faculty members, a staff member and the Riverside mayor and City Council. Three UCR graduates were honored at an alumni dinner last night.



Founders' Awards recipients from left, Daniel Aldrich Jr., John Babbage and Ivan Hinder-

aker chat during Founders' Day yesterday at University of California, Riverside.

- BABBAGE: Well, it could be somebody from Fresno or Bakersfield, or somebody who was just irritated with the University [of California]. Somebody who was conservative who didn't think we should be spending money on building new campuses.
- DOUGLASS: I suppose there has always been a group who has been very positive toward the university, and some very negative, in the legislature.
- BABBAGE: Right. So it went back and forth three or four times that way. Finally, it went through. I almost felt toward the end that some of these fellows were just having a little fun with me.
- DOUGLASS: The new fellow on the block.
- BABBAGE: Yes. You know, like coming up there for the first term and asking for five million dollars. It was very difficult for me even to consider anything else at that at the time. I was so wrapped up in trying to keep everybody in line, and walking up and down the aisles. "Remember what you told me yesterday. Remember meeting so-and-so." Saying that. It was a little bit like trying to run for president of the student body, or something.
- DOUGLASS: So you really thought that you had to use a very personal approach. Every single, individual assemblyman had to be talked to.
- BABBAGE: Yes. That's been my approach. I don't know that there was really any other way, unless you

have an awful lot of weight, have an awful lot of influence, where people are going to jump up and down when they get a letter from you. But I didn't have that sort of stuff. If I could not do it personally, I did not see any other way to do it, except through the mechanisms that I have tried to describe so far.

DOUGLASS: Was that in '49 or '50 that you finally got that through?

BABBAGE: It was 1949.

DOUGLASS: So that would have been all of your first year spent on that. The funding you got was this \$4,474,000.

BABBAGE: Yes.

DOUGLASS: And was that, basically, to start the building?

BABBAGE: This little information here is the best that I have on it. [Showing papers to Douglass]

DOUGLASS: Somewhere in there the additional land must have been acquired?

BABBAGE: Yes.

DOUGLASS: Once you got it in the budget, I take it there was not a big problem on the senate side.

BABBAGE: I don't recall. I don't think that there was.

DOUGLASS: That was not the end of the challenge, I expect. Did you continue to have to monitor this?

BABBAGE: Well, once it is in the budget, it is there. Once the budget is adopted you send the money up

to the university to monitor.

DOUGLASS: Do you recall any particular problems with the way they handled it?

BABBAGE: I don't recall any political problems. There was the Korean War which we were involved in about that time. When these funds became available, there was quite a limitation of building supplies. We got pretty heavily into that. Locally, we had to do things. When I say "we," I mean this citizen's university group which had been working on the project from the beginning. It made extraordinary efforts to get supplies to commence doing the construction work on the buildings.

DOUGLASS: Did that become a formal community committee after you had accomplished this? Was there a continuing group that was organized?

BABBAGE: Yes. It was called the Citizen's University Committee. It was organized, actually, before we got the appropriation. It was not a large group to begin with. My recollection is that it was about ten or twelve people. It has survived till today. It is called the Citizen's University Committee. It has got about 300 members now.

DOUGLASS: The governor signed the budget. No problem there. You were on your way once you achieved that. You must have felt very good about that.

BABBAGE: Oh, extremely good. I was very pleased about it.

IX. 1950 BUDGET AND EXTRAORDINARY SESSIONS

DOUGLASS: Perhaps we could talk a little bit about the 1950 session. This was a budget session, but there were always these special sessions, extraordinary sessions, called. I have here a listing of the things the governor wanted addressed in the First Extraordinary Session called by him. There are a variety of things including assistance to children and the needy. Lobbying legislation. State funds for the public schools. And air pollution and research. Do you recall anything particular about that?

BABBAGE: Well, I think on the air pollution and research, we worked to obtain funding, as I recall, for the University of California to set up a facility here at the UCR campus, once it got going to do that sort of thing.

DOUGLASS: To monitor and to do research.

BABBAGE: Yes.

DOUGLASS: That was really the beginning of the long-standing efforts from your district in air pollution.

BABBAGE: Right.

DOUGLASS: One thing that did happen in this session was, apparently, there was a bill passed relating to

lobbying. And it was passed by the Committee on Judiciary, which you were on, and the governor pocket vetoed it. And I was just curious as to whether you recall anything about that. Why he did.

BABBAGE: No, I don't. I can't recall.

DOUGLASS: This is the beginning of a whole lot of legislation evolving on the lobbying question.

BABBAGE: Does that report on whether or not I voted for that bill?

DOUGLASS: You were a person who sponsored that bill, along with a lot of other people. It was A.B. 11.¹

BABBAGE: Well, of course, that does not mean very much because they get amended.

DOUGLASS: It had a long list of sponsors. And it did pass the legislature, but it was vetoed.

BABBAGE: Well, as I was going to say, lots of times you get on those bills at the beginning, and, particularly, a new legislator feels kind of pumped up that somebody comes along and asks him to join in as a coauthor. Some people even kept statistics on how many bills had their name on it. Something you could use for your campaign literature. But frequently they were amended to the point that, assuming you knew what was in it to begin with, you had no idea

1. A.B. 11, 1950 Leg. Sess., 1st Spec. Sess.

what was in it by the time you came around to voting.

DOUGLASS: It is a little different from a bill you introduce yourself and shepherd it through.

BABBAGE: Right.

X. SECOND TERM IN THE ASSEMBLY (1951-1952)

DOUGLASS: Well, let's then get to the 1951 session, which was a regular session. And you did introduce a number of bills that passed. Let me just mention a few to see if you recall anything about them. One bill was related to the powers of the Riverside County Flood Control and Water [Conservation] District.¹ And it passed. Did you work with the flood district and its problems? Do you recall anything about that?

BABBAGE: Well, I can't remember having had a very substantial involvement with them. It's obvious I would have been meeting with them. Discussing whatever was involved in this bill.

DOUGLASS: Let me focus on this then. You did introduce a bill, on the request of Assemblyman [Stanley T.] Tomlinson, to amend the penal code related to selling, giving away, or exposing for sale

1. A.B. 101, 1951 Leg. Sess, Cal. Stat. 1374 (1951).

intoxicating liquors.¹ Does that ring a bell? It was passed by the Committee on Boards and Commissions and passed by the legislature, and, again, the governor pocket vetoed it. Now that means you did it out of courtesy for someone else. You introduced the bill. Who was Mr. Tomlinson?

- BABBAGE: He was from Santa Barbara. He was the assemblyman from Santa Barbara. And sometimes you do that when he himself does not want to be on the bill, to be the author.
- DOUGLASS: I see. Liquor bills are very touchy. That's why I was sort of interested in it.
- BABBAGE: I think that was because it was in his district, I think it may have affected something in his district. I think that was done occasionally. Where if you had a liquor bill that was going to affect the person's district, that if you can get someone who is from, let's say, a more materialistic district like someplace like Los Angeles or San Francisco to carry the bill.
- DOUGLASS: It probably had something to do with giving away or exposing for sale intoxicating liquors. Sounds like something was happening that needed to be controlled.
- BABBAGE: Now what was the title of that again?

1. A.B. 3448, 1951 Leg. Sess., Cal. Stat. (1951).

DOUGLASS: It was A.B. 3448. Here is a copy for you. Do you have that set of papers?

BABBAGE: Let me see. [Looks at papers] I can't remember.

Legislation Pertaining to Justice System

DOUGLASS: Okay. There were also a series of bills that you and Earl W. Stanley, who was the Orange County representative from Balboa Island, introduced. They seem to have to do with probation officers, juvenile halls, detention homes. Things that probably grew out of your interest in crime and corrections and perhaps the Judiciary Committee. Do you recall working with him particularly?

BABBAGE: Yes. We worked kind of close. I believe he sat very close to me in the assembly.

DOUGLASS: You must have served on the same committee. Your two names showed up repeatedly.

BABBAGE: No. We were good friends and had mutual interests.

DOUGLASS: I was particularly interested--if you could look on that list--in A.B. 271, about the appointment of probation officers, and the next one, A.B. 272, the duties of probation officers.¹ I was wondering if that grew out of your interest in the judicial system and the judicial process.

1. A.B.271, 1951 Leg. Sess., Cal. Stat. 431 (1951); A.B. 272, 1951 Leg. Sess., Cal. Stat. 1070 (1951).

And, I think, that I mentioned it in the last interview that it was critical of some of the work and recordkeeping of the probation department.

BABBAGE: When you say the "probation department," what do you mean?

DOUGLASS: Not the probation department, I mean the work of probation officers. I think the background was they tended perhaps sometimes to act like policemen. They often were former policemen and tended not to be trained enough, I guess, was the point the committee report had made. Also, the way hearings were held was criticized.

BABBAGE: Having had my experience in the district attorney's office, I had gotten quite well acquainted with the probation officer of Riverside County and his deputy and some of the several probation officers there. I can't remember exactly what the changes were that were recommended, but, for the most part, they had to do with increasing the qualifications of the probation officers and increasing their pay. And this was true with the juvenile hall situation.

In other words, there was a desire to kind of upgrade those functions, because there was a view that these probation departments could do a

great deal in a sort of reform, in reforming the habits of some of the children that were getting into problems.

DOUGLASS: I think that would be reflected in A.B. 273,¹ sponsored by you and Stanley, which passed, relating to the establishment and maintenance of schools in detention homes, in juvenile homes and camps. It sounds like he and you shared an interest in this.

BABBAGE: Yes. We did. I don't recall what was in his background that encouraged it. But I know that we just got along quite well.

DOUGLASS: You had a high degree of success, apparently, here.

BABBAGE: Yes. In that area.

DOUGLASS: Well, one other thing, in looking at that list, you and [Ralph M.] Brown introduced a bill that passed, A.B. 1477, for construction of municipal courts in districts in Riverside County.² What do you recall about that?

BABBAGE: Well, that was that they were establishing municipal court districts in Riverside, as distinguished from justice courts.

DOUGLASS: Going up a step in the organization.

BABBAGE: Yes. Going up from justice courts. Having the

1. A.B. 273, 1951 Leg. Sess., Cal. Stat. 341 (1951).

2. A.B. 1477, 1951 Leg. Sess., Cal. Stat. 1566 (1951).

court before it went to the superior court.

DOUGLASS: Now a justice court is more of a floating system, right? Could you describe that?

BABBAGE: Yes, but there are very few justice courts now.

DOUGLASS: Not now. I was reading about this. They apparently did not have the permanence of a municipal court. Was the justice court something like a circuit-riding system, where a judge would move around?

BABBAGE: In some cases. Yes. It depends on the population centers within an area a justice court was supposed to serve. For example, if you were in the justice court in Elsinore you would serve Sedco and a couple of towns. Wildemar and places like that. You might not even meet in Elsinore. I can't remember exactly the geographical limits of these justice court districts. But there seemed to be a justice court in most of the cities. It was not a very active court, except maybe in Riverside. There was an active court in Riverside.

DOUGLASS: It would appear that, at this point, it was felt that it would be worthy to have a permanent seat?

BABBAGE: Yes. It was part of an overall effort to improve the judicial system, in the sense that if you had municipal court districts and set

municipal court salaries that you could attract people, judicial-type people, qualified people to serve on those. And, at the time, I don't think that justice court judges had to be lawyers even.

DOUGLASS: Yes. I think you are right. So this also meant that they would just meet in one place always. They wouldn't be moving around.

BABBAGE: They could have several places but it would be within the municipal court district. For example, we have a district called the Three Lakes Municipal Court District, where Lake Perris is involved. Elsinore is involved, and some other lake, which I can't remember offhand. There are towns in each of those, near one of those lakes, but the municipal court judge traveled from one of those to the others, depending on the scheduling of matters to be heard.

DOUGLASS: This is sort of a reflection of the increased density of population, that you would go to this.

BABBAGE: Yes.

DOUGLASS: So this then had to be, more or less, set up in this legislation.

BABBAGE: Yes.

DOUGLASS: To prescribe the number and composition of the judges. All right. There was an Assembly

Constitutional Amendment No. 2 that related to
grand juries.¹ You, [Donald L.] Grunsky, Brown,
[Patrick D.] McGee, [Edward M.] Gaffney, [Robert
C.] Kirkwood, [Herbert R.] Klockslem, and
[Stanford C.] Shaw were all in that. Did that
become law? Do you remember?

BABBAGE: The amendment passed the legislature.

[End of Tape 2, Side B]

1. A.C.A. 2, 1952 Leg. Sess., Cal. Stat. 168 (1952)
was Proposition 19 on the 1952 General Election ballot. It
required that grand juries consist of nineteen jurors,
including three to nine members of the preceding year's
members. No grand juror could serve more than two
consecutive years. It was defeated: 1,895,033, Yes;
1,980,302, No.

[Begin Tape 3, Side A]

DOUGLASS: The constitutional amendment, you got it passed in the assembly, but it had to be voted on by the people.

BABBAGE: That's right. That was kind of an unusual experience. The concept that was involved was a carryover concept. The grand jury was made up of, I believe, nineteen people. And all nineteen of them were selected fresh every year. It meant that by the time that they got organized, chose their chairman, it was a month or two into their term. They were all starting fresh. Normally, members of the grand jury are not necessarily sophisticated in government matters. So whatever they were exposed to by the various department heads was pretty new to them, and they really did not have any way of going back to prior years. They could have, I suppose, if individual members were seriously interested enough to try to look up previous grand jury reports. But that is rather a heavy burden to place on the members of a grand jury.

So, I came up with a concept based on a number of people who I knew in Riverside who had served on grand juries. "We no sooner get started, than it's over. The next group that comes is doing what we are doing all over

again," they said.

So the concept I came up with was why don't we have a holdover of some of the jurors. Ten one year and nine the next, or something like that. And this seemed to be an appealing idea to the members of the assembly. There seemed to be very little, if any, opposition to it, and I was really astounded, after it got on the ballot, that some of the major newspapers in the state attacked it as unnecessary, on the grounds that it would further increase the strength of the grand jury and would make government more difficult, to have these people on the grand jury knowing more about what was going on. And they could build up a hierarchy of grand jury members who would attempt to exert political influence in the state.

DOUGLASS: But you were only talking about the two-year term, weren't you?

BABBAGE: I was only talking about one-half of it being for two years.

DOUGLASS: Yes. And every two years people would change.

BABBAGE: Every year they would change, but only half of them would change.

DOUGLASS: So if I went on now, then I would stay on into the second year.

BABBAGE: Right.

- DOUGLASS: So you would roll over half of the grand jury every year.
- BABBAGE: Yes. I was really kind of amused. At no time did I recall, when it was going through the legislature, any newspaper comment adverse to it. But, bang, it was almost as if they were lying in wait to give them something to write editorials about.
- DOUGLASS: So this would have been the major newspapers in California.
- BABBAGE: Yes.
- DOUGLASS: The Los Angeles Times, the San Francisco Chronicle?
- BABBAGE: Yes.
- DOUGLASS: Did anybody support it? Any of the major newspapers?
- BABBAGE: Oh, I didn't follow it that closely, but there were enough of the major ones that were against it that I knew it was doomed.
- DOUGLASS: Yes. So the citizens, the voters, were pretty much going by whatever the papers recommended.
- BABBAGE: Yes. In that respect. There are not many people who really know what the grand jury is. It is a pretty remote experience.
- DOUGLASS: So that is kind of one of those housekeeping things that seems logical that got shut down?
- BABBAGE: Yes.
- DOUGLASS: Well, one big thing did happen in '51, and

that is that an assembly house resolution was passed to create the Committee on Government Reorganization.¹ I assume it was beginning to become obvious that because the state was growing, and the state government had more functions, plus extending the ones it had, that you needed this committee. Do you recall that?

BABBAGE: Yes. Of course, in a growing society, as California is, there is always this desire to try to improve the functions of government. This is just something that legislators in general feel it is their duty to do. As an aside, legislators who are chairmen of committees, or chairmen of interim committees, who did not have very much else to do and who had some other source of income, this was really interesting to them, to be able to have a committee meeting in Los Angeles or a committee meeting in San Francisco, or in some other city.

They would get per diem that would compensate them for their out-of-pocket expenses. They were not paid, but based on how much they spent, they were allowed so much a day or so much a mile. A lot of people were involved in these interim committees with a real sense of a desire to accomplish something.

1. H.R. 203, 1951 Leg. Sess.

To others, it seemed to be more or less a way of keeping busy.

DOUGLASS: I gather that the assembly agreed that this was needed, though, in terms of the fact that the government was changing in its functions and needed to change its structure.

BABBAGE: Yes. Very definitely.

Appointment to Ways and Means Committee

DOUGLASS: This is the year you went on the Ways and Means Committee. That meant a pretty heavy load, didn't it?

BABBAGE: Yes. As we discussed the other day, I am not quite sure how that occurred, except that I was friendly with the chairman of the Ways and Means Committee. And I think that the governor was interested in having some of the younger Republican assemblymen on the Ways and Means Committee.

DOUGLASS: Marvin Sherwin was the chairman. I have a list of members: John [L. E.] Collier, George [D.] Collins, [James W.] Silliman, and [Laughlin E.] Waters.

BABBAGE: The chairman, Marvin Sherwin, who was very active, very diligent, very well spoken. He was a supporter of the governor. He fought down the efforts to amend the decisions that had been made by the Ways and Means Committee. In fact,

he was really regarded as a champion of maintaining a realistic budget without getting a lot of appropriation bills passed that could have created deficits. He was a hardheaded guy. Pleasant.

DOUGLASS: The reason why I mentioned the Ways and Means Committee is that you were also on Education and that has always been known as a very hardworking committee which met into the wee hours of the night. So did that mean quite an increased load for you between those two committees?

BABBAGE: Yes. I could see that the further I went in the legislature, the more work there was to be done. If you are to be conscientious about it, you don't go back to Riverside on weekends.

DOUGLASS: In addition, on the Judiciary Committee, you were chairman of the Impeachment Proceedings Subcommittee. You obviously had other subcommittee assignments, but what was that all about?

BABBAGE: Well, I don't recall ever doing anything in that subcommittee.

DOUGLASS: Maybe it was inactive. That was listed in the '49 session. It got my attention because I wondered why there was a need to investigate that.

BABBAGE: I guess we talked about impeaching elected

officials. We don't usually talk in terms of impeaching judges.

DOUGLASS: Do you recall that?

BABBAGE: No. We talked about admonishing them or investigating them.

DOUGLASS: Well, then you do not have any particular recollection of that. One other thing that passed in the '51 session was the establishment of a Regional Mobilization Office in Los Angeles, as H.R. 148, which you supported.¹ Was this the result of the Korean War and even the post-World War II period? I gather there was jockeying for where it was located. I am just curious if you remember what the regional politics of that were?

BABBAGE: Well, I am sorry I can't be of any help on that. If it was something that was going to be in San Francisco or Los Angeles, I probably would not have gotten too deeply involved in it.

DOUGLASS: I think the argument was that it was logical--because there was so much war industry in this region--to have it there.

Interim Committee on the Judicial System and the Judicial Process

All right. One other thing about '51 was

1. H.R. 148, 1951 Leg. Sess.

that you were on this assembly Interim Committee on the Judicial System and the Judicial process, chaired by [Ralph] Brown who was, of course, chairman of the full committee. You had been studying a lot of problems which we are still looking at today, including a lot on criminal procedure. There was a progress report made that said that most of what the committee had studied was passed, but that there was a need to further study the issue of the tort liability of the state of California. Then that became an ongoing topic. Your committee was saying then, "We'd better look at that." That is pretty early in the stage. Do you recall anything about that?

BABBAGE: No. Not really. I recall we went into the matter, but it was one of those things that, even then, was hard to get your teeth into because you had conflicting interests.

DOUGLASS: Right. You would, wouldn't you?

BABBAGE: Very definitely.

DOUGLASS: Your committee simply said, "It needs to be looked at." And, also, one of the other things [the report said] that, in criminal procedure, needed further looking at was the whole issue of wiretapping and illegally obtained evidence that might be used in court.

Again, it sounds as if it is sort of a germinal stage in terms of what is an ongoing, had been ongoing, dialogue. Was that a similar thing? So complicated that you said, "You have to keep working on it."

BABBAGE: Yes.

DOUGLASS: Then it also does mention that further study must be devoted to the new system of lower courts. Now, would have that been in reference to this municipal court system?

BABBAGE: Yes. There was definitely a desire to phase out the justice court system. It was too unsophisticated to be very responsive to the public needs, and, yet, on the other hand, these justice court judges, in many cases, wielded a lot of local political weight, just by virtue of the fact they could run around calling themselves "judges" or "justices."

DOUGLASS: You said that they did not even have to have legal training.

BABBAGE: Right. They were pretty offhanded in some of their decisions, and it was kind of a nuisance to change their decisions, because, for the most part, the amount of controversy was not sufficient to make a big deal out of it. But you had a lot of people that were getting fines for tickets that were too little and others who were getting them that were too high.

DOUGLASS: It seemed arbitrary?

BABBAGE: Pretty arbitrary functions. We had one judge in Riverside who, regardless of what the evidence was, no matter what kind of case you had, would cut it down the middle. [Laughter] If somebody owed you \$500. . . .

DOUGLASS: You'd get \$250? [Laughter] One other reference, too, in that committee report was the need to study further the substitution of the role of "comparative negligence" for the present rule at that time of one of "contributory negligence." Could you clarify that?

BABBAGE: Well, that was an oncoming thing because contributory negligence had always been a very frustrating thing to deal with, because the law, as strictly construed, any contributory negligence precludes the person who is "contributorially" negligent from receiving an award for an injury. Any contributory negligence. So, that was just the old English law, and it had been adapted here in the United States. But there were so many cases where it was obvious that the contributory negligence was so slight and the other negligent party was so gross, it was just completely unfair.

DOUGLASS: Like 5 percent and 95 percent.

BABBAGE: Yes. So "comparative negligence" was when you started getting into this business of trying to work out a deal where if one is 20 percent negligent and the other was 80 percent negligent, you kind of cut the pie that way.

DOUGLASS: That almost brings us right down to today, when the deep-pocket concept functioned. You are almost back to arguing that same distinction.

BABBAGE: Right. They are now down to the point to which they have amended it again, I think, to provide that the one which has the most money, even though he is not the most negligent, has got to pay the most part of the settlement. Like the city and the county.

DOUGLASS: It's the same problem being kicked around from several directions.

To move on to the 1952 session, which was your final session, it was interesting to me, in going over Governor Warren's message to the legislature, that civil defense appears as one of the things he said should be addressed. Which brings up a whole different view of the world from the one that is going on now. Do you recall the environment in which the civil defense topic was discussed, at that time?

BABBAGE: I am not entirely clear in my mind, but this civil defense concept went beyond the idea of

there being warlike activities. It was civil defense in terms of fires, and earthquakes, and. . . .

DOUGLASS: Yes. Mobilization of the community for an emergency?

BABBAGE: Yes.

DOUGLASS: But it was still a period when everyone thought that you could. . . . There was a lot more organizing done around potential atomic bomb problems, too?

BABBAGE: Yes. Very definitely.

DOUGLASS: Wasn't this kind of a reaction to that concern?

BABBAGE: Yes.

DOUGLASS: He [Governor Warren] did mention, too, that the plans for the southern crossing, parallel to the Bay Bridge, in the San Francisco Bay area, should move ahead. And there are other things about the Bay Bridge in here. Was there a big fight about the southern crossing and whether there should be funding for planning it?

BABBAGE: Yes. There was. And then they did get the funding for planning it, and, I think, we got started and then, didn't they cancel it?

DOUGLASS: I think so.

BABBAGE: It was never established.

DOUGLASS: A true southern crossing was never established.

There is the Dumbarton Bridge and the San Mateo Bridge, but there has never been a southern equivalent to that northern crossing. Was this a political football kind of thing? Was it controversial in that sense? Or was it just a matter of money?

BABBAGE: I think that there was conflict within the people in the San Francisco area about it.

DOUGLASS: As to whether it was needed?

BABBAGE: Yes.

DOUGLASS: I suppose today it would probably appear it was needed. But that is hindsight, isn't it?

BABBAGE: Yes. They've got the subway now, I guess.

DOUGLASS: Yes. But that does not help on the southern crossing too much.

Agricultural Subcommittee on Fairs and Exhibitions

Then, in '52, in the First Extraordinary Session, you were on an Agricultural Committee Subcommittee on Fairs and Exhibitions. That was chaired by George A. Clarke, and you were on it with others. Apparently, there was a question about how well the state fair was doing. This report refers to a survey that was made. Why people went to the fair. Why they didn't go to the fair. And the question of the facilities at the fairgrounds. Was the state fair under fire at this time?

BABBAGE: Oh, yes. It was always a source of inquiry and criticism by various members of the legislature, particularly those who were more or less city-oriented. The state fair itself was always being criticized because of the enormous--what appeared to be enormous--appropriations that were made to keep it going in comparison to the actual number of people who participated in it. The more the state fair got, the more the individual district fairs around the state wanted.

DOUGLASS: Yes. The county fairs.

BABBAGE: Yes. The so-called "county fairs," or district fairs. These fairs, of course, could make a claim that they were entitled to this money because, as you probably know, they were basically supported by a portion of the tax on racehorses, on racetracks. But I think it seemed to be involved in some conflict there between the racetrack people, not wanting things to get too far out of hand for fear it was going to increase the amount of "take" that the state would want from the racetrack people to support these fairs. Quite frankly, they turned them into circuses rather than fairs. Like your fair over at Pomona [Los Angeles County Fair] there.

DOUGLASS: The fun zone is the big item, rather than the original goals, such as showing livestock and

crafts, that kind of thing.

BABBAGE: I notice this year the Hemet Fair--which used to be held in the city limits of Hemet, where they had a big, huge, fifteen or twenty acres or more for it--has abandoned that because there is too much city around it. They are going to sell the land for commercial and industrial development. They moved it down to the Perris Valley, I think, temporarily. They experienced quite a decline in participation and quite a decline in the attendance.

I think the number of farming people in that area, of course, is being reduced by the commercial and residential development. So, that is another thing that created the problem for these fairs is that you get them in areas where you don't have very many farmers around. Its basic concepts are being eroded.

DOUGLASS: Was the state fair considered untouchable, in one way? That it was there and it was a matter of how you divided the pie between the county fairs and the state fair? Was that the contention?

BABBAGE: I can't remember exactly, but I do recall that the state fair was amply supported. It appeared, perhaps, as you say, untouchable because I got a lot of complaints about it, but

I didn't see any cuts in the budget.

DOUGLASS: So you really had the other fairs wanting part of this money. And I gather attendance may have been down because one of the questions in this was: if people didn't come to the fair, did they not come because they had a contrary obligation, or did they just not come because they were not interested, or attracted to it? Well, it was an interesting activity.

There was a second special session of the legislature in '52. One of the calls the governor made was for capital outlay for construction and improvement of public schools which, I presume, was an ongoing topic all through this period because of the pressure on the schools?

BABBAGE: Very definitely.

DOUGLASS: And, again, appropriations for civil defense emergencies. This topic is floating to the top. You had a bill, which passed, dealing with the municipal courts in Riverside County.¹ You amended the basic act that provided for the constitution of municipal courts and composition of the judges and officers. You may have amended it to increase or decrease any of these?

BABBAGE: Yes.

1. A.B. 39, 1952 Leg., 2d Spec. Sess., Cal. Stat. 10 (1952).

XI. DECISION TO RETIRE FROM ASSEMBLY AND ENTRY INTO
CONGRESSIONAL RACE

Law Practice

DOUGLASS: All right. Why did you then decide not to run, after the '52 session?

BABBAGE: Well, to begin with, the problem of supporting my family was more difficult than I had expected, even though the salary went up to \$300 a month from \$100. This business of going back and forth to Riverside on weekends was increasingly difficult. Sometimes there were long weekends. You could leave on a Thursday night and get back maybe at noon on Monday, but it was not working out. The fact that I would get down here, and I'd see people on the street, and they'd say, "I was going to come in and see you about a legal matter, but I thought you were in Sacramento." And I'd see somebody else on the street who would say, "What are you doing down here? Aren't you suppose to be in Sacramento?" [Laughter]

I did not use my position as a legislator for any legal employment regarding legislation. It was clear to me that a legislator should not be paid for getting up before a committee, for a fee, and proposing some amendment or supporting some amendment or opposing some amendment to a law. It smacked of being both a lobbyist and a

legislator at the same time. Also, about this time I received an offer from a prominent law firm in town to join it as a partner.

DOUGLASS: Now, at this time, did you still have this informal relationship where you had space in a lawyer's office? There was not a firm name or anything?

BABBAGE: That is correct.

DOUGLASS: Who was the offer from?

BABBAGE: From Best, Best & Krieger. I went with them and was with them for about fifteen years. Then two other attorneys and I started our own firm.

DOUGLASS: Now Best, Best & Krieger has a reputation for dealing with water and municipal matters?

BABBAGE: City government. City attorneys. Water, primarily. They are a massive firm now. I think they recently opened an office in Etiwanda.

DOUGLASS: You were with them, did you say, twenty years?

BABBAGE: I think, altogether, let me see, it would have been about thirteen or fourteen years.

DOUGLASS: Then what was the name of the new firm that was established?

BABBAGE: Reid, Babbage & Coil.

DOUGLASS: Were [Enos C.] Reid and [Horace O.] Coil active partners?

BABBAGE: Yes. We were all three active partners. We

developed a firm of about fourteen lawyers, and we merged to form this firm a couple of years ago.

DOUGLASS: Which is Reid and Hellyer?

BABBAGE: Yes.

DOUGLASS: Your firm, Reid, Babbage & Coil, did it have a particular specialty that it emphasized?

BABBAGE: No. We were a general practice firm.

DOUGLASS: But your experience with Best, Best & Krieger probably gave you some special strength?

BABBAGE: Strictly speaking, I would say that Mr. Reid and Mr. Coil were primarily involved in litigation. I was primarily involved in corporate law and estate planning. Probate matters.

Congressional Race of 1957

I don't know if it is material to the conversation, which is not uncommon, one does not get out of politics easily.

DOUGLASS: Yes.

BABBAGE: I would not say "besieged," but I was constantly requested to run for office again. Between the sense of perhaps I could win and the sense that if I run and lose, I would not be asked to do it anymore, I did run for congress one year which you may know.

DOUGLASS: No. I had not realized that you had run for the House [of Representatives].

BABBAGE: And that was not successful, but it was a very

valuable experience. As a matter of fact, I got sufficiently well acquainted with my opponent so that when certain matters came up in the district that he thought he needed an attorney in Washington, he would call me in.

DOUGLASS: So what year was that, Mr. Babbage?

BABBAGE: That was in '57, I think.

DOUGLASS: And who was it who won?

BABBAGE: The chap that won was an Indian. [Dalip S. Saund] He was one of these justice court judges from Westmoreland, in Imperial County.

DOUGLASS: An Indian from India.

BABBAGE: An Indian Indian.

DOUGLASS: He was a Democrat?

BABBAGE: Yes. When he first ran, [Jacqueline] Jackie Cochran, the aviatrix who was married to a fellow named [Floyd B.] Odlum. He was one of these wealthy financier-type people, and she got involved in politics and was very conservative.

It was at the time when a prior Republican candidate had--let's see if I can keep this straight--yes, it was the time when John Phillips, who was a longtime candidate, a longtime member of congress from Riverside County, had retired. There were a number of us who, perhaps unrealistically but conscientiously, felt that she was too conservative, even for some of us Republicans.

We didn't feel quite as comfortable as well as we would like to. Plus the fact that there was a chap named Fred Eldridge, who was more liberal a Republican than some wanted, but, as between¹ the two, we felt more comfortable with Fred.

So, in the primary a large part of the group that supported me for my terms in the legislature, supported Fred Eldridge, but Saund then won. And then I ran against him two years² later and lost.

DOUGLASS: I see. That is how he got in.

BABBAGE: Well, he was extremely well entrenched. It was really pretty naive of me to run at all. He was extremely well entrenched because it was so unusual to have a real Indian elected to the United States Congress.

DOUGLASS: It was probably a first.

BABBAGE: He got all kinds of publicity. He was a pleasant person. He had a nice way about him. Kind of well spoken, had a little accent.

DOUGLASS: The Republican party then supported you that election. The primary was not too difficult for you?

BABBAGE: No. I had no problem with the primary. But the

1. Results of the congressional primary in the 29th district in 1956 were: Fred D. Eldridge, 14,972; Jacqueline Cochran Odlum, 19,319; D. S. Saund, 16,875.

2. In the general election of 1958, the results were: Saund, 44,458; Babbage, 27,698.

party was not nearly as compactly behind me as when I was running for the legislature, because I had been part of this schism. Whichever way I had gone on that other election, the same thing would have happened. Since then, the Republicans had a tough time winning elections in this district, but we did get a seat or two since then.

DOUGLASS: Was this partly a reflection of a continuing increase of voter registration for the Democrats in Riverside? Is that true?

BABBAGE: Yes. It is getting to balance out a little bit now, however.

DOUGLASS: Did you get involved in the election of your successor to the legislature?

BABBAGE: Yes. A fellow named [L. M.] Backstrand. Yes, I was quite involved. I tried to do pretty much for him what Mr. Boyd did for me.

DOUGLASS: He won.

BABBAGE: Yes. He served for several terms (1953-1960). He did a good job for us. He is deceased.

DOUGLASS: Well, you just felt that to do a conscientious job as a legislator it was not possible if you needed to earn a living from a law practice?

BABBAGE: Right. Particularly, being this far away and the way transportation was. I imagine that I could have done somewhat the same as [Richard M.] Nixon did. You know, have this group of

fifteen or twenty or thirty people who would, in effect, subsidize him running while he was in congress. But I didn't feel comfortable with people financially supporting me. They were, in effect, saying, "John, if you really need some help, we will be glad to help you." I just didn't feel comfortable with that.

DOUGLASS: Did you like being a legislator? If money had not been a problem, would that have been your choice?

BABBAGE: Well, I can't really say. Maybe I got burned out a little bit with that effort for the university, too. When you put that much effort into something, you know, for that to be interesting, you've got to have a challenge. You've got to have something that is important to you. Not only to your district, but to you.

DOUGLASS: Also, Riverside is just so far from Sacramento. That is a real problem, isn't it?

BABBAGE: And the county itself. We are 150 miles or so from Blythe. Our present assemblyman, fortunately, is a pilot and has a plane.

DOUGLASS: I guess this gets me down to this question of the citizen-legislator, as contrasted to the move to the full-time legislator. I wondered whether you feel the full-time legislator concept has worked well? Or were there some

advantages to the citizen-legislator system?

BABBAGE: Well, the more complex the job becomes, the less likely you are to have an effective citizen-legislator. This is not to say that a professional legislator is necessarily going to do any better. But you've got to--just like congress--if you don't have a fairly substantial pay for a legislator, he is going to figure out some way to get supported by someone else. Which is, basically, not good.

Of course, it happens even with congress getting seventy-five or eighty thousand dollars a year, whatever it is. There are people always willing to take more, or, perhaps, even anxious to. The citizen-legislator, given the size of California, the population, the problems to me. . . . You either come up with subsidized people or you come up with people who are well-to-do.

DOUGLASS: So, you feel it was inevitable to go to a full-time legislature?

BABBAGE: Yes.

DOUGLASS: Also, how did you feel about the alternating budget sessions?

[End of Tape 3, Side A]

[Begin Tape 3, Side B]

BABBAGE: Well, it is very difficult to run an efficient legislative body, like the legislature or the congress, obviously, because the time that is

involved, with everybody having their say, results in a lot of wasted words. But, what is the alternative? Unless you go along with some kind of despotism, it is the only way we really know.

DOUGLASS: So the two kind of go together. I mean, the mode to have full-time legislators and the mode to go to regular sessions. It sounds like that was necessary and inevitable.

BABBAGE: Yes.

DOUGLASS: There is still a lot of comment, nostalgia, for the old system; the idea that people would not earn their living by being a legislator.

BABBAGE: The margin between breakfast and lunch, whether you had one or the other, was how many stamps you could get issued to you. [Laughter]

DOUGLASS: Also, you mentioned this problem, in the other interview, that people were on payrolls. This was partly out of necessity, but it also. . . . One example would be Francis Dunn [Jr.], who was chairman of the Education Committee; apparently, he had done some lobbying for CTA [California Teacher's Association] and was paid for it.

BABBAGE: Yes.

DOUGLASS: Which made him, at least, perceived as possibly being in a conflict position.

BABBAGE: Yes. Well, of course, the fact that it became

unfeasible for my wife to continue working up there, with our children going to school down here and the kind of housing that would be available to us with the kind of income we had. That, again, was just not a very satisfactory arrangement.

DOUGLASS: Yes. A lot of things came together for you to decide not to run again in 1952.

Governors Warren and Knight

You talked about Earl Warren. You mentioned the trip to Hemet with him. Did you have many personal interface situations with Warren?

BABBAGE: Other than that and the situations that I mentioned of his having lunches for some of these legislators, in rather small groups. It was about the major part of it.

DOUGLASS: You indicated that he was quite supportive, you felt, of the young Republican group coming in.

BABBAGE: Yes. There is so much going on. A governor has got so many things he has to do, even in those days. Unless you are very aggressive, unless you have some extremely important thing, you don't knock on his door.

DOUGLASS: You felt that he got along well with the legislature?

BABBAGE: Quite well.

DOUGLASS: What about his staff? You spoke highly of

Richard McGee, who was the Director of Corrections. What did you feel about the way his staff and cabinet officers worked with the legislature? Or did you work with any particular ones?

BABBAGE: Well, the ones with whom I was acquainted, I thought they were great. I thought they were great people. Of course, I might have been a little naive. I was pretty young in those days, perhaps not as critical as I might be now. As a matter of fact, I didn't hear too much criticism of them. Criticism was not so much about how things were done, it was just concepts.

DOUGLASS: So, it does not sound like there was a lot of tension between the executive and the legislative branches during that era?

BABBAGE: There did not appear to be. No.

DOUGLASS: Do you think that was probably because of Warren's personality? Or was it the times?

BABBAGE: I think it was both. But Warren's personality was very outgoing, friendly, somewhat on the humorous side. [Governor Goodwin J.] Goodie Knight, I think, followed him, did he not?

DOUGLASS: Yes. When Warren went to the Supreme Court.

BABBAGE: Goodie Knight was quite well regarded, too. Warren went to the Supreme Court, I think it was

in 1952, wasn't it?¹

DOUGLASS: It was the same time that Knight became governor.

XII. RALPH M. BROWN AND THE BROWN ACT

What about Ralph Brown who, of course, emerged later as the speaker? You must have dealt with him quite a bit. He was chairman of the Judiciary Committee.

BABBAGE: He and I were really quite good friends.

DOUGLASS: Had you known Brown before you went to the legislature?

BABBAGE: No. I think he was relatively new. I think he came to the legislature several years before I did.² Some of us got pretty well acquainted. But there are two things that I remember particularly about Ralph. One was that he liked to go to movies. If things got dull in the capitol, he would just go over to the movies. [Laughter] The other thing was that he was so amazed that the Brown Act passed.³

1. Earl Warren resigned October 5, 1953 to become chief justice of the U.S. Supreme Court.

2. Ralph M. Brown began serving in the assembly in the 1943 session.

3. A.B. 339, 1953 Leg. Sess., Cal. Stat. 1588 (1953). Required all meetings of the legislative body of a local agency to be open and public, with certain exceptions, and provided other regulations under which such meetings should be held.

DOUGLASS: Oh, really. Was he?

BABBAGE: He said, "I think that is the most dubious piece of legislation I ever handled." But the newspapers just carried it through for him.

DOUGLASS: That is interesting. Why did he handle it to begin with?

BABBAGE: He was a hail-fellow-well-met. It did not make much difference to him. He did not seem to be doing it because he personally saw any serious need for it.

DOUGLASS: That is interesting.

BABBAGE: He did not have any great concern about secret meetings of people who are trying to figure out what to do without having to tell the newspaper first.

DOUGLASS: And was he surprised when it passed?

BABBAGE: He told me he was surprised.

DOUGLASS: That's fascinating.

BABBAGE: But if you get a hold of a piece of legislation the newspapers want passed, like how much you have got to publish in the newspaper for a fictitious name statement, or something like that, you've got a pretty good shot of getting it through.

DOUGLASS: I see. I follow you. They would get the business of everything that had to be published, aside from the whole business of whether people

could meet in a nonpublic. . . .

BABBAGE: They would be allowed to get information that people don't want to give to the newspapers.

DOUGLASS: Right. Also, they would get more legally required, paid-for copy into the papers, maybe, too?

BABBAGE: I don't quite follow that. Newspapers want to know what is going on. They are not going to get any money out of this.

DOUGLASS: Only in the sense that if meetings are required to be with a more formal agenda and with all the things that go with it, some small newspapers would get more legal advertising.

BABBAGE: You know, I don't agree. I think the whole thing is that, to maintain readership, you have got to come up with controversial things. And the more information that you can get about what went on behind closed doors, the more interested the public is in reading and hearing about it. Turning to the present Nicaraguan Contra investigation, for example, you can force people to divulge what all these things are--I don't criticize them for it--it is just the way the media game is played in our country.

DOUGLASS: From what you are saying, it does not appear that Brown had some overwhelming concern about what was happening in city council meetings.

BABBAGE: No.

- DOUGLASS: I wonder who persuaded him to push the legislation?
- BABBAGE: Maybe the Fresno Bee, or something like that.
[Laughter]
- DOUGLASS: Did you see that he had a future in the legislature? You left, of course, and he stayed.
- BABBAGE: Oh, I thought so. He was an extraordinarily personable guy. He was a lawyer. He subsequently became a judge.
- DOUGLASS: That's right. That came up during the time of Unruh assuming the speakership. Some comment that perhaps [Jesse M.] Unruh helped engineer getting Brown offered the judgeship.
- BABBAGE: Well, Brown was a very capable fellow. He deserved all these. . . . He was from Modesto. I just thought he was a great guy. Had a terrific sense of humor.
- DOUGLASS: Did you keep in touch with him later?

XIII. SERVICE ON CALIFORNIA LAW REVISION COMMISSION AND
CONSTITUTIONAL REVISION COMMISSION

California Law Revision Commission

- BABBAGE: Yes. I kept in touch with a number of these people because I was vice chairman of the California Law Revision Commission from 1954 through 1959, following my experience in the legislature.

DOUGLASS: What was the function of that commission?

BABBAGE: Well, that was a commission to study laws in more depth than the legislature's capabilities, or facilities, would enable. Taking the whole body of tort law and probate law, and trying to unravel it, and make sense of it.

DOUGLASS: Were these mostly lawyers on the commission?

BABBAGE: All of them.

DOUGLASS: That must have been kind of interesting.

BABBAGE: It was.

DOUGLASS: Were there other former legislators on it?

BABBAGE: I think there was one. Stanford Shaw.

DOUGLASS: Who appointed that commission?

BABBAGE: The governor.

DOUGLASS: So Warren appointed it. No, it was Knight by then. Did you go on it right a way?

BABBAGE: It was pretty soon. It must have been Knight. I got along pretty well with Knight. I know that Stan Shaw was on it. Maybe one or more of these. [Looking at a list of legislators]

DOUGLASS: Returning to assemblymen, what about [Samuel W.] Sam Yorty? He was in the legislature then. Do you have any recollections of him at that time?

BABBAGE: He was quite a character. I never could figure out which way he really wanted to go. He seemed to be more of a talker than a doer.

DOUGLASS: I think you were on one committee with him.

BABBAGE: He was an extraordinarily capable speaker and

quite a vociferous one. And somewhat entertaining. I guess he remained that way.

DOUGLASS: Also, from the Los Angeles area, Laughlin Waters. Did you have anything to do with him?

BABBAGE: Yes. Laughlin and I were considered pretty good friends. He, again, I think, was amongst that group which came in the same time that I did.

DOUGLASS: It is an interesting group of people.

BABBAGE: Yes. Some of them are pretty capable.

DOUGLASS: Waters is sort of an interesting Los Angeles area person.

BABBAGE: Very. He got appointed judge, federal judge. I continued to have contact with a lot of them with these meetings of the Law Revision Commission.

DOUGLASS: Of that group that went in, it sounds as though quite a few decided to opt out because of this problem of earning a living and doing this, do you think?

BABBAGE: Yes. It is a very real problem. If you have a family growing up--I think they finally got the pay up to maybe \$600 a month when I left--it was nothing, compared to what it cost to live. And what they are getting now seems to be considerably more realistic.

DOUGLASS: Was there anybody else in the legislature who was colorful or interesting that you

particularly remember?

BABBAGE: [Looking at list] Well, some of these fellows I remember quite well, of course. Without knowing exactly what sort of reactions you are anticipating. . . . Well, of course, Robert Kirkwood was very outstanding. I think he wound up being head of the San Francisco Public Utilities that runs the water company and the airport. I don't suppose that this is included in your survey here. I could make some comment about each one, but I don't think it is exactly what you have in mind.

DOUGLASS: No. Just if there is some outstanding thing that comes to mind as you look at a name, in terms of what was going on in the legislature. Or their effectiveness as a legislator.

BABBAGE: I would say that Kirkwood was extraordinarily effective in education.

DOUGLASS: Did he have a particular mission?

BABBAGE: He was just bright. He understood the educational formula for ADA [Average Daily Attendance].

DOUGLASS: All of the educational vocabulary. He was a quick, bright man?

BABBAGE: Very. [Thomas A.] Tom Maloney was quite unique in that he was a Republican from a Democratic district in San Francisco.

DOUGLASS: He was speaker pro tem under Collins.

BABBAGE: He was pro tem. He was a bright guy.

Remarkably deft in going in such a way that he didn't upset his Democratic constituents too much. He voted with the Democrats on matters affecting San Francisco.

DOUGLASS: That takes talent.

Constitution Revision Commission

BABBAGE: I was also on the Constitution Revision
¹
 Commission (1963-1970).

DOUGLASS: I was going to ask you because that is what I first thought you meant when you mentioned the Law Revision Commission. That was a hardworking group.

BABBAGE: We spent a lot of time. It was a much larger group, of course, than the Law Revision Commission.

DOUGLASS: Yes. John [A.] Busterud was a key person in the establishment of the commission and then as staff to it.

BABBAGE: Yes.

DOUGLASS: Did you work on any particular phase of that commission's work? Any particular area? Or did it function as a whole?

1. In late 1963, the Joint Committee on Legislative Organization appointed a Citizen's Advisory Committee on Constitutional Revision to study and update the constitution. Its first series of recommendations were adopted by the legislature and approved as Proposition 1A in 1966.

BABBAGE: It functioned pretty much as a whole.

DOUGLASS: That is the kind of contribution people like you can make. How did you feel about the way all that came out? The success, or the lack of success, of some of the reforms that were passed?

BABBAGE: There were some people from over there in your area who were part of that.

DOUGLASS: Yes. John [A.] Vieg and [Marjorie] Marge Spear.

BABBAGE: Again, you have conflicting interests in the picture. You've got political characteristics involved. That is what makes it difficult. The Law Revision Commission, as a commission, didn't get involved in politics. We were trying to do so-called "pure legal research." But when some of the proposals we recommended got to the legislature, then there was political input.

DOUGLASS: You felt the Constitution Revision Commission had this problem incipient in it?

BABBAGE: Yes. The way it was put together, it was fragmented. It was put together as a method of trying to get a broad base of political, and perhaps economic, scope. It was just kind of a built-in little legislature.

DOUGLASS: The attempt was to hone the constitution to a real constitution. Reduce the length. That is a monumental task.

BABBAGE: Yes.

[End of Session 2, December 4, 1987]

[End of Tape 3, Side B]

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