

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

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Arkansas Memories Project

Emon A. Mahony Jr.
Interviewed by Kris Katrosh
August 17, 2011
El Dorado, Arkansas

Objective

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Transcript Methodology

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

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

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

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

Citation Information

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Kris Katrosh interviewed Emon A. Mahony Jr. on August 17, 2011, in El Dorado, Arkansas.

[00:00:00]

Kris Katrosh: This is an interview recorded by the David and Barbara Pryor Center for Arkansas Oral and Visual History. The interviewer is Kris Katrosh. The interviewee is Emon A. Mahony Jr. and the recording is taking place at the Mahony residence in El Dorado, Arkansas, on the seventeenth day of August, 2011. Mr. Mahony, you will receive a copy of all materials, including a full transcript to review. Once you approve the materials, the interview will be made publicly accessible on the Pryor Center website and other publicly available sources. If you agree with this process and statement, please say now—say so now, and we'll proceed with the interview.

Emon Mahony: I agree.

KK: Thank you so much. Hardest part's over. I'm not gonna ask you anything you don't know, so it'll be easy from here on out. What we like to do is—uh—we'll—we'll start with your name, and then we'll go right into, like, where you were born and kinda go chronologically, more or less. It's okay to veer—veer off that,

but that's kind of our normal process.

Bruce Perry: Watch . . .

KK: So . . .

BP: . . . watch your left hand.

KK: Okay. So if you would, let's start out by—uh—saying and spelling your full name.

EM: Emon—*E-M-O-N*—middle initial—uh—well—Armstrong—*A-R-M-S-T-R-O-N-G*—Mahony—*M-A-H-O-N-Y*—Jr.—J-R.

[00:01:15] KK: M'kay. That sounds great. So when and where were you born?

EM: I was born on May 5, 1941, in Warner Brown Hospital. Uh—was run at that time by the Sisters of Mercy and—uh—Arkansas bein' the small state that it is, many years later—uh—I was associated with—uh—St. Edward's Hospital in Fort Smith as a trustee—run by the Sisters of Mercy. One of the ladies at the nunnery was—uh—one of the last people who had actually worked in El Dorado . . .

KK: Hmm.

EM: . . . and she was in her nineties at the time. She was a very, very interesting lady.

[00:02:00] KK: So you were born in El Dorado?

EM: Yeah . . .

KK: Okay . . .

EM: [*Unclear words*]

[00:02:03] KK: Great—uh—so if you would, if you'd tell us your parents' names, including your mother's maiden name.

EM: My mother's—uh—maiden name was Mabel Farmer.

KK: Hmm.

EM: Uh—and no one knows her middle name. She wasn't fond of it, [*KK laughs*] so I do—don't possess that information. [*KK laughs*] I'm also not sure of the year that she was born.

KK: Hmm.

EM: Uh—she kept that private, as well. But her name was Mabel Farmer. She thought she was born in Louisiana. That's where she grew up, but—uh—she wasn't. She was born at a—uh—uh—timber camp . . .

KK: Mh-hmm.

EM: . . . in—uh—near Horatio, Arkansas, which is in southwest Arkansas. And—uh [*laughs*]*—again, Arkansas bein' the small place that it is—uh—I think Horatio's most notable—uh—uh—person that was born there was Herschel Friday, who I later worked for . . .*

KK: Right.

[00:03:04] EM: . . . when—uh—at Smith, Williams, Friday & Bowen

law firm. Uh—but anyway, that's where she was born. My father—uh—who was—uh—Emon Armstrong Mahony—uh—he was also born in El Dorado and—uh—my older brother, Jodie—uh—I always remember when he was probably in junior high school—had a paper to write, and he indicated his father was born in a funeral home. [*KK laughs*] And—uh—that—that's part of this historic district here at the . . .

KK: Mh-hmm.

EM: . . . Young Funeral Home, but that's the house that Emon O.—over there, that was his house, and that's where . . .

KK: Mh-hmm.

EM: . . . my father went to live with him, [*KK laughs*] but—uh—he—he was born here in El Dorado and—and grew up here. And later that became—that home became a—a Catholic hospital. It wasn't Sisters of Mercy. It was a different group, I think, and—uh—then it became a funeral home after that. The hospital moved from there to Warner Brown when it was set up.

KK: Hmm. Okay, great. Hey, Joy, should I put something under his feet?

Joy Endicott: Uh—no. That's fine.

KK: It's not bothering you? Okay. Sometimes we put a pad down when people are movin' around a lot like you do . . .

EM: Oh, okay. Well, yeah, I do.

KK: I don't want you to not . . .

EM: I move around a lot.

KK: . . . I don't want you to not move around.

EM: Yeah, no I . . .

KK: I want you to just be yourself.

EM: . . . I don't have a choice. [*Laughter*] I don't have a choice. I have to do that.

KK: But I may put a pad under your feet at some point.

EM: Okay.

[00:04:29] KK: Um—and do you know much about your grandparents on either side?

EM: Uh—I do not know much about my mother's parents. Uh—she ran away from home when she was sixteen.

KK: Mh-hmm.

EM: And—uh—uh—I met 'em. I was around 'em some. They lived in—uh—Ruston when I met 'em. And—uh—as I told you, she was born in a—in a lumber camp in Arkansas, and—uh—he—he was a lumber crew foreman for many, many years.

KK: Mh-hmm.

EM: And he actually ended up in semi-retirement. I think when I knew him, he—he was takin' care of—uh—I think it's T. L.

James's place down in Ruston. He's in the construction business down there.

KK: Mh-hmm.

EM: Now my—uh—and I never knew my paternal grandmother. Uh—she was deceased already when I was born.

[00:05:29] KK: Do you know what her name was?

EM: Uh—yes, it was Roberta—uh—Armstrong Mahony. She—she was—uh—her maiden name was Armstrong. And—uh—then my grandfather—oh, I wanna say he was born in 1884. I—I could've had these dates, but at any rate [*unclear word*]. I can take you by all the tombstones. [*Laughter*] We could get 'em for sure . . .

KK: Exactly. [*Laughs*]

EM: . . . before you leave. But—uh—uh—he was born here in El Dorado and—uh—his father—uh—one day I was takin' a break from a commission meeting I was in, and I did some research on—uh—went through all the ships' manifests, and I knew that he had come into New Orleans, so I found where—where he had come into New Orleans from County Cork, and—uh—he was an interesting man. He—he—he was crippled. A wagon had run over him as a child, and as a result, among other—he trained to be a priest. Never took the vows but—but—but received an

education in the priest trainin'. And he took up a trade—uh—
became a tailor . . .

KK: Hmm.

EM: . . . because he, you know, he—he was crippled. He couldn't
work outside. And—uh—then he came to New Orleans, and the
way he got up here—er—he came up here—he was—uh—a tailor
in New Orleans, and a planter from up here—uh—convinced him
to move up here and he—and he had several daughters, and he
taught the planter's daughters how to—how to sew and tutored
'em. So that's how he came up here. Later on he ran a store. I
had an ad at one time—uh—both he and my—[clears throat] and
Roberta Armstrong's father, my great-grandfather on that side,
they both had stores downtown. Uh—the Mahony—uh—the one
that came from Ireland—his name was Edmund. He didn't get
married till he was, I think, fifty.

KK: Hmm.

[00:07:47] EM: My—he was sixty when my grandfather—uh—was
born. And—uh—as I said, they both—they both had stores
there, and the Mahony grandfather also was—uh—an agent for
the Singer sewing machine company, which I think was probably
a pretty—uh—secure thing to have at the time he was here. I
mean, that was really a hot item. And—uh—if you've ever read

much Faulkner—uh—V. K. Ratcliffe—Ratliffe, I think, was his name—uh—was a—was the sewin'—Singer sewin' machine character in all those—uh—uh—novels about the—uh—the Snopes and the Compsons and all those people. Very interesting.

KK: Yeah, that is. I—I would imagine that was a pretty lucrative—uh—piece of business.

EM: Well, secure anyway. There wasn't a lot of money [KK laughs] for anything.

KK: For anybody anywhere. [Laughs]

EM: Yeah, that's—that's correct, I think.

[00:08:48] KK: Well, I understand that. Uh—so now if—did I get that right that your great-grandfather came over from Ireland?

EM: That's right.

KK: Okay.

EM: And his name was Edmund. Edmund—I don't know his middle name.

[00:09:02] KK: Okay. And he came through New Orleans as far as you know, right?

EM: No, I know he came through New Orleans.

KK: Okay. He came . . .

EM: I found where he got off the ship.

KK: Okay. And then that's where your—and then your grandfather came from New Orleans to El Dorado and . . .

EM: No, no, no, great-grandfather.

KK: Great-grandfather came . . .

EM: Yeah, and . . .

KK: Okay. So your grandfather was born here in El Dorado.

EM: Yes.

KK: Okay.

EM: Yes. My great-grandfather married a woman named Mary Klopfer, whose father was a cabinetmaker. There's some question as whether they were from Saxony or Norway, but . . .

KK: Hmm. Mh-hmm.

EM: . . . I don't know. But we had—uh—oh, one of the relatives back there was named Signor—*S-I-G-N-O-R*—which I always thought was a Norwegian name. I don't know that, but I think it is.

[00:09:42] KK: M'kay. Interesting. All right. So—uh—your grandfather—uh—and your great-grandfather, I guess, you said they both had stores in El Dorado?

EM: No, my great-grandfather Mahony and my great-grandfather Armstrong . . .

KK: Oh, they both had stores.

EM: . . . both had stores.

KK: I gotcha.

EM: My great-grandfather Mahony had a smaller store.

KK: Mh-hmm.

EM: Armstrong's—uh—he had a—he had a pretty large business.

Uh—he furnished—uh—people, which was—uh—I guess a step before the sharecropper system.

KK: Mh-hmm.

EM: He—uh—had the store, and he furnished seed and farming materials to . . .

KK: Mh-hmm.

EM: . . . people, and then when the crop came in—uh—uh—he—uh—he would—the crop would be sold, and he would collect for what he had furnished them earlier. And—uh—around the turn of—two century turns back—uh—he held cotton for—for—uh—three years, keepin'—thinkin' the price would go better and—uh—went out of the bu—went out of business at the end of that third year.

[00:10:53] KK: Oh. So he took a gamble that it was gonna go up. Or did he—was he not gonna to be able to make money if it didn't go up or—uh . . .

EM: Oh, I—I thi—I think he probably didn't make money if it didn't go up. I don't think he was speculatin'. He just—it was so low, he did—he didn't . . .

KK: Yeah.

EM: . . . he couldn't—it wa—I—I suspect it would—it would've been a loss . . .

KK: Yeah.

EM: . . . all three years.

[00:11:13] KK: Gotcha. Yeah. Wow, that's a tough—that's a tough time. Bout what year would that've been or about what decade? Do you know?

EM: Oh, it was 1898 . . .

KK: Mh-hmm.

EM: . . . to two thousand—I mean, to 1901, somewhere—I think—I think around [18]98.

[00:11:27] KK: Mh-hmm. Mh-hmm. So was there a recession then that you recall?

EM: Yeah, yeah, yeah, yeah.

KK: Okay.

EM: It wa—it was—I'm pretty sure it was one of the banking panics—uh . . .

KK: Yeah.

EM: . . . the—but it—it would—there was great financial—uh—upheaval at that time.

KK: Hmm. Man . . .

EM: We . . .

KK: . . . that's so tough.

EM: Yeah, well, things happen.

KK: Yeah.

[00:11:45] EM: And he—uh—interestingly enough, he never declared bankruptcy, and I don't know all the details but [*clears throat*] it—the first oil well in—in Arkansas was found on his land. And—uh—so he was—he was—uh—back in more profitable situation again, and—uh—my grandfather went to Memphis. Uh—most of the things in his store he had purchased from people . . .

KK: Hmm.

EM: . . . in Memphis, and of course, when he ran out of money, he didn't pay all those debts. So in the [19]20s, which would've been, well, twenty years later—twenty to twenty-five years later—my grandfather went up to Memphis and contacted the people that he had been doin' business with because he had some money now, and he wanted to pay off his debts if he could. And—uh—they told him that—told my grandfather that they didn't have any records of anything from back then.

KK: Yeah.

EM: They had no idea. You know, "Thank you very much, but we don't have any way to tell you anything." So any rate—but they

made the effort.

KK: Wow, that's interesting. You know . . .

EM: Yeah.

KK: . . . and I know that people took those types of debts ver—
extremely seriously.

EM: Yes, yes. And—uh—he wanted—wanted to do that.

[00:13:10] KK: Yeah, that's neat. So did your father follow in your
grandfather's footsteps in terms of tryin' to have a store or
anything like that? Or did—would—would . . .

EM: No. Uh—his oldest—there—he had—uh—four sons—Edmund did.
The oldest of his sons, Bartholomew, was in the retail business
in New York for some period of time. I don't know how long.
And he had a store at Felsenthal, which is southeast Union
County. And—uh—that was a community founded by the
Felsenthal family, and at—at one point they—they had a—a
partnership of my grandfather and my—and two of my great-
uncles, and—uh—the Felsenthals, and they had a store down
there, and Bart ran that store for a while.

[00:14:02] KK: Hmm. I see. So—uh—your grandfather had the
cotton and . . .

EM: Great-grandfather.

KK: . . . and you—you—you mentioned—uh—that the—he

furnished—uh—growers with things they needed. Uh—talk a little bit about that because I think—uh—off camera before, you told me that was called furnishing . . .

EM: Yes.

KK: . . . being a furnishing store. Please describe for people who don't know what that is, what that means.

EM: Well, as I understand it, furnishing was the—was—uh—before it was a—an—a—a institution or device or whatever you call it—before they went to the sharecrop system. And in furnishing, it was just that you would sell on credit—uh—to people who were farmin', and then when the crops were sold, you—you hopefully got repaid for what you had furnished at a profitable level, of course.

[00:14:56] KK: Mh-hmm, mh-hmm. Gotcha. And—and so he wo—his store was referred to as a furnishing store, in part, wasn't it?

EM: Yes. Yes.

KK: Yeah.

EM: And it was—uh—D. W. Armstrong and Brother. I don't know much about the brother but his—and his mother was in business with him as well for a—a while. I—I don't . . .

KK: Mh-hmm.

EM: . . . really have any details to speak of—uh—for that. But—uh—

that great-grandfather, David English Armstrong, was born here in Union County, and I think in 1848, maybe.

KK: Mh-hmm, mh-hmm. So your grandfather gets out of that business because times are bad; he can't pay off his debts but then . . .

EM: Now that's my great-grandfather.

KK: I'm sorry. Great-grandfather.

EM: Yeah.

KK: But then they find oil on his land.

EM: Yes.

[00:15:43] KK: So tell us about—I mean, that must have been a monumental shift in the beginning of a huge shift for the whole area. Talk a little bit about . . .

EM: Oh, absolutely.

KK: . . . talk a little bit about that.

EM: I mean it—I mean, as you see when you drive into town, Arkansas's Original Boomtown, and it was a boomtown. And—uh—uh—by that time—uh—in 1896, my—uh—great-uncle, Emon Ossian Mahony, had—uh—uh—he had—he had—uh—hailed logs by day and studied law at night and become a lawyer in 1896. About that time—uh—I think his father was—Edmund was already dead. His mother, Mary Klopfer, was basically on—on—

uh—her deathbed. And uh—she had a lingering ill—but I mean, she was very ill. And—uh—so he took over the family responsibilities. Uh—he—he—uh—was very fond of St. Patrick's Day, so he was admitted to the Bar on March 17, 1896. And—uh—several of the things he did were on that day, like, you know, bein' signed up to practice before the Eastern or Western District of Arkansas or different legal things. And—uh—so he took over the family responsibilities. [00:17:18] He sent the next-oldest brother—and he had a little bit of time at the University of Arkansas, not much. Uh—they had inherited some land from—uh—Edmund, and if I recall correctly—uh—Emon sold his part of that land to go to college. And—uh—he didn't last long. He—he—we have—uh—a rebellious gene in [*KK laughs*] our father—in our family line, perhaps legitimately—uh—handed down from Ireland, but—uh—uh—he had a disagreement with some people at the university and left. I think it had to do with him spittin' tobacco through a knothole in the floor if the story's right, [*KK laughs*] but at any rate, he—uh—uh—sent his next-oldest brother. His name was Fergus, and for some reason they called him Ferry, and his name was Fergus Olamph—*O-L-A-M-P-H*, which was that Norwegian-Saxon group. And he—he became a—uh—he went to Tulane med school, became a

doctor, and practiced here in El Dorado. Uh—although I've seen some material to indicate that he—he—I don't know why, but if you take the southeast confer—uh—quadrant of Union County—in other words, you go due south out to here [looks to the left and points over left shoulder] and then east to the Ouachita River and down to Felsenthal, there was a lot of—uh—that's where the family operated, in that quadrant. [00:19:04] For example, this farm—Mr. C. H. Murphy, Charlie Murphy, the progenitor of the Murphy clan, he—uh—he and my great-uncle had a herd of cattle, which they kept—uh—here in the winter and spring. And when you had the floods in the river bottom—and then they drove the cattle down there to the Felsenthal area and—and kept 'em there, and they went back and forth with that herd of cattle. Uh—and then my grandfather, who was a good bit younger than Emon O.—uh—basically, he raised him.

KK: Hmm.

EM: And carryin' on with the rebellious [*KK laughs*] streak, when he was at the university, his older brother had gotten word that he was comin' home on the train—that he had been offered a choice between takin' a whippin' [*KK laughs*] and leavin' school. He said he believed he'd leave school so when—and I'm pretty sure this story is accurate; I've heard it so many times. When the

train came in, his older brother, Joe—Joe, my grandfather's older brother, was waitin' there with the whip that he had acquired some expertise with when he was drivin' that team of oxen, haulin' logs. And he was waitin' there with a whip, and he said—this is Emon—he said, "Joe, you have a choice. That train goes down to the roundhouse and turns around and goes back to Fayetteville. You can stay on it and go back to Fayetteville and take that whippin' they promised you, or you can get off, and I'll whip you." [*Laughter*] So Grandpa said, "Emon, I believe I'll go on back to school." [*Laughter*] So he went back to school.

[End of verbatim transcription]

[00:20:55] EM: But there were lots of—oh, everybody in our family [*unclear words*—most families—but in our family's had an alcohol problem at one point or another. My grandfather quit drinkin' when he was twenty-one. He didn't have a drink from the time he was twenty-one until he was about seventy-six. And the doctor recommended to him he have a glass of sherry each night that it would help with his rheumatism. And he thought about that for quite a while, and he says [*laughs*—he told me—he said, "Emon, at that point," he says, "I thought surely I'm old enough to be able to take one drink of sherry [*laughter*] at this age." So he religiously had a drink of sherry every night.

KK: That's funny. Yeah, so he was able to not overdo it, finally, at seventy-six.

EM: Yes, at seventy-six. [KK laughs] And I, myself, I didn't—I gave up drinkin' hard whiskey and fightin' and goin' to jail all at the same time.

[00:21:57] KK: Oh really. You want to tell us what story—what prompted that?

EM: Ah, it wasn't anything significant. I just decided that I was goin' to get in trouble if I drank. It wasn't a single incident. But there was enough to convince me that I shouldn't drink. And I drank beer and wine, but I quit. And I have a drink of whiskey now, one, and it doesn't seem to bother me.

KK: Yeah.

EM: But there was a time I didn't need to drink hard whiskey.

[00:22:27] KK: What age did you decide to stop the hard whiskey?

EM: I'm not sure. It was early twenties. It was early twenties. It woulda been [*sighs*]*—yeah, early twenties. That's all I can tell you.*

KK: Well, I think that's probably true of a lot of young men though. You know, like you say, it's not just maybe your [*laughs*] particular family.

EM: Well, for a long time, I asked—I just have a little deal—any time

I met somebody and, you know, enough to have a conversation with, I'd say, "Isn't it true that somebody—that there's somebody close to you in your family that has an alcohol problem?" And I never got but one answer, which was, "Yes, how'd you know that?" And I'd say, "Well, I never asked anybody the answer wasn't yes." [*Laughter*] So I mean, it's a—it's one of those awful problems that's not bad enough to completely shut itself down, but bad enough to be a problem. And so we fought it, as you know, for many, many, many years as a society, and different societies have fought it. It's a problem.

[00:23:37] KK: Yeah, yeah. So once oil was discovered on your great-grandfather's land and the oil boom started, how did that work exactly? They found oil on his land, so how did he get—what kind of share did he get out of that? Or do you know?

EM: I don't know any of the details on the money. He built that building where our office is now, the Armstrong building. He actually built two buildings there. The first one burned down. And the second one, he announced, was not going to burn down, and it's all steel and concrete and masonry. And somebody else has bought it, and they're remodeling it now. It's a national historic deal. But they're rebuildin' it, and he's assured me that,

yes, that's accurate. That [*KK laughs*] building's not going to burn down. There's not much flammable in it.

KK: Good deal, good deal. Well, obviously . . .

[00:24:36] EM: And so any rate, he had survived with some land, and the other interesting thing about him and—is that they were all very—extremely active in the First Presbyterian Church. And he and his—he was married three different times. The first two wives died. And any rate, they were very active in that church, I think, from the founding, and that's continued for a long time.

KK: Well, you know, that's a—of course, faith and church is a huge part of many families' lives and many communities' lives. You know, every community has a number of churches, typically. And in the turn of the century and, you know, certainly through the [19]50s, it was basically assumed that, you know, every [*laughs*] Sunday you were gonna go to church . . .

EM: Yes.

KK: . . . for many families.

EM: Yes.

[00:25:47] KK: And someone who is active, like you say, in the Presbyterian Church, I'm sure the whole family went regularly, I would suspect.

EM: Yes.

KK: Yes.

EM: Whether we wanted to or not. [*Laughter*] I mean, Sunday we went to church, and I mean, not every Sunday. If we were out of town—you know, and we duck hunted some on Sunday up in Gillett, Arkansas, and—but pretty well, you know, we were there and—I didn't go to church much after I left here until I came back, and when I came back, Kay said that—and she had been raised a Methodist and had raised our children as Methodists. It's—when we came back, she told me that if I would go with her, she would change churches and go to the Presbyterian Church. So that was an offer I couldn't refuse and I—so I went back. There was a pretty long gap in there, but I was, of course, very comfortable and have been reasonably active since then.

[00:26:55] KK: Mmm. That's neat. What else do you want to tell us about your great-grandfathers? Anything else you want to say about that before you move down to the next . . .

EM: No, I . . .

KK: Okay.

EM: That's enough about . . .

KK: Right.

EM: . . . them. And course, Edmund, the other great-grandfather, Edmund Mahony, I pretty well told you about him as well. I

would move on to—right—when the oil boom hit, Emon O., the first lawyer—and he had been—he was elected, and I don't know the order, but he served as county judge more than once. He was circuit judge, prosecutin' attorney, and he was a US attorney for the Western District of Arkansas when he died. And Joe, my grandfather, became an attorney as well. He sent him to University of Arkansas and then to University of Chicago Law School for a while, about a year, I think. And they were practicing law together, and I found some letterheads that say "Joe K. Mahony, Prosecuting Attorney," for whatever this district was, and then "Emon O. Mahony, US Attorney, Western District of Arkansas." So they had—I mean, that's what was—you couldn't do that now. I mean . . .

KK: Yeah.

[00:28:40] EM: . . . the rules are different. But that was a pretty good letterhead to have. [KK *laughs*] And when my grandfather became prosecutor, he had a real good friend named Lamar Smead from Camden, who was also an attorney. He had—he played baseball for the university, and I think my grandfather was manager for the baseball team at one point. And they were very close friends. So his first murder trial, the defendant hired his brother, which apparently was okay—hired his brother, Emon

O., to represent him and not knowing that he stood in [*clears throat*] relationship as a father to—and as all sons and fathers are, he would rather beat him [*KK laughs*] than anybody else on [*laughter*] the face of the earth. So he got a murder conviction. So the second defendant—murder trial—was—his attorney was Lamar Smead, my grandfather's best friend. Well, that was the person he second most wanted to beat. So he got another murder conviction, at which point my great-uncle and Lamar Smead got on their horses and rode all over the district and said, "If we don't stop that crazy kid, he's gonna put everybody in the district in jail." [*Laughter*] And he lost his next eleven trials. So any rate, there's that competitive, rebellious streak that's been around for a while and is still kind of around.

[00:30:26] KK: Was it kind of a fairly rare thing for rural Arkansans like that to have law degrees? I mean, there weren't probably a whole lot of lawyers.

EM: No, and Emon didn't have a law degree.

KK: Right.

EM: He studied at night and read for the Bar. And Joe didn't have a law degree. He just had some law school education. So yes, it was rare. It was rare.

KK: It certainly seemed to run in the family and continues to do so.

EM: Yes, there's [*KK laughs*] my great-uncle, grandfather, father. My aunt went to law school for either one or two years. She didn't become a lawyer. My mother read for the law, and she's a lawyer. And of course, I was a lawyer. I haven't practiced in a long time. Both my brothers; and we have a first cousin; one of my brother's daughters, my niece; and then my son, are all attorneys. So yeah, [*KK laughs*] it's a curse, family curse.

KK: Well, I don't know if you call it a curse, but yeah, that's pretty neat.

EM: And as far as beatin' your father and all that sort of business, I'll shorten this story, but my father was on the Arkla board, and he and Witt Stephens were pretty good friends. And Witt had hired my father and my grandfather to represent him when he bought Arkla from, I think, City Service, and my father had been ver— had been active. He'd been Arkansas's representative in the Interstate Oil Compact, which used to be a lot bigger deal than it is now. And he had gotten acquainted—I [*vocalized noise*]—trouble like everybody else with names. I can't call his name, but it was a man from Monroe, Louisiana, that was on the Federal Power Commission who had to approve—had jurisdiction over electric and natural gas, and they had to approve this transfer. So they hired him to represent 'em, and sometime

after that, Witt put my father on the Arkla board. [00:32:51]

And Arkla had a monopsony, which is a one-buyer market, for a long time, which gave them a lot of advantages. And I remember early family arguments around the Thanksgiving and Christmas dinner tables between my uncle, who was a producer, and my father, who was on the Arkla board, as to how well this monopsony situation worked, and I didn't usually think my uncle had the best of arguments around that table, but I remember thinkin' he was right about that. So skip forward quite a period of time, and Witt had hired me to run the Arkansas-Oklahoma Gas Company in Fort Smith, and he was disassociated with Arkla at that time, and he wasn't quite as fond of that monopsony situation at that time as he had been when he was runnin' Arkla. So he was determined to do somethin' about it, and we got heavily involved in that. [00:33:54] So I had complained to my father about this one time, and he told me that if I didn't like it I should build my own bleep pipeline. [KK laughs] And so about five years after that, I called him up one Friday afternoon, and I said, "Well, Pop, I just did what you told me to." And he said, "What's that?" And I said, "Well, you know you told me a few years ago when I was complainin' about how y'all treated producers that we should build our own bleepin' pipeline." And

he said—and I said, "We just dedicated it today. It's in service."
And he said, "Huh! I did tell you that, didn't I?" [*Laughter*]
[00:34:41] And it's like—I mean, I see the same thing in myself
now. I mean, you—the fathers wanna beat their—sons wanna
beat their fathers, but nobody roots for 'em harder than their
fathers. So I mean, it's . . .

KK: Yeah.

EM: . . . you know, that's not a serious deal. But I mean, it's—it is to
the kid. It was to me, and I see it in my son. He—you know,
it's an incentive to work harder.

KK: Well, nothin' wrong with hard work.

EM: No. No. No. No.

KK: But I know what you're sayin'. That's an interesting thing. I can
remember some examples like that in my family, too, and not in
a law area but in other areas.

EM: Yeah. And everybody has it. I mean I've always thought that a
woman has to come to terms with her mother. And a man has
to come to terms with his father somehow or another, and
you're at such a disadvantage dealin' with your father. And so,
you know, I mean, you got all the psychological ramifications of
that. But I very clearly remember—and my father, he could get
me like nobody else could. [*KK laughs*] And occasionally he'd

work on you, and he was workin' on me one day, and I just looked at him and started laughin'. And he sat there for a minute and thought through that and never hassled me again. [*Laughter*] I don't know why. It just struck me as really funny. I mean, it wasn't serious. He was just hasslin' me so—and I laughed very sincerely, and that was the end of that.

KK: That was a relationship-changing moment.

EM: Yes, it was. Yes, it was.

KK: Yes. He realized you had grown up, I suppose, and felt [*someone clears throat*] . . .

EM: We . . .

KK: . . . unthreatened by it.

[00:36:22] EM: . . . we grew up in a just unbelievably competitive environment.

KK: Are you talking about not only within the family but . . .

EM: No, I'm talkin' about in the family.

KK: Yeah.

EM: In—oh man, once you got out—it was downhill once you got out of the house. [*KK laughs*] But my family was very intensely competitive, and we grew up playing card games and a little chess, and we all read an awful lot, and we were encouraged to have heated discussions . . .

KK: Yeah.

EM: . . . and did all our life.

[00:37:04] KK: Hmm. So does that go back to some of your earliest memories of the family, seeing that competitive spirit go on?

EM: It was with us always. It wasn't occasional. It was just—it was a fact of life, all day, every day.

KK: That seems like that would really sharpen your thinking skills.

EM: Yes, it does.

KK: Yeah.

EM: Yes, it does. And it makes you careful about what you say.

KK: Right. Because somebody's gonna remember it, too.

EM: Well, and if you don't say it just right, you're gonna get contradicted [*laughter*] and have to eat your words, and that's not fun.

[00:37:44] KK: Exactly, exactly. Okay, so great-grandfathers on both sides, grandfathers. Sounds like you're kinda getting into your father's age now a little bit with your history here. Did your father on—then, in some sense, inherit the success of your great-grandfather and your grandfather through the oil discovery, or was it more diversified than that?

EM: [*Sighs*] My father was a superb attorney, and he wasn't a trial attorney, but he wrote a lot of the oil and gas statutes in

Arkansas. He was heavily involved in what they call the unification of fields, which is—and as I say, he served on the Interstate Oil Compact for a long time. The Delhi oil field in northeast Louisiana, which was a very large, well-run field, had three hundred wells in litigation at one point . . .

KK: Wow.

[00:38:54] EM: . . . on title and they—I think they won either all those cases but one, or they won all of 'em. And I mean, that was a big deal. And it was the first—I think the first—people have told me—the first oil field in Louisiana that was really intensively managed. And Sun Oil Company out of Pennsylvania had the biggest chunk of it, and of course, the Murphys had a lot of it. Well, we were partnered with 'em, and that's one thing that's fascinated me historically around here, and I made a little short talk on it one day. Mr. Murphy was in the timber and the oil business, and he was also a banker, and he had a desk in what became the First National Bank and—but he—I don't think he was president of the bank. He was a high officer and owned most of the stock. But the way he liked to do business was to set up partnerships or joint ventures, and he would handle the financial part of it. My grandfather and great-uncle were, course, attorneys and did legal work. He would usually have

somebody employed that actually ran the business, and he set up a number of those partnerships and, as a result, was very influential not only in the acquisition of his own fortune, but of many other peoples', as well, who were partners with him. And they were kinda headquartered on the First National Bank here in El Dorado. It was across the street from my office, the corner of Main and Washington. But it—I mean, he was quite a guy. He gave my mother a copy of Adam Smith's *Wealth of Nations* and told her that if she would read that and master it, she would have the key to wealth. And I can't find it now, but she obviously had read it very closely and was very interested in that. So—and in fact, I mean, that's just been a wonderful relationship. [00:41:30] There was a joint venture called Murphy Land Company that had about twenty-three or -four thousand acres, mostly in southwestern Union and southeastern Columbia County, that they bought, I think, in 1905. And they kept it. I mean it's a classic—was a classic investment-consumption decision. They bought that, and for, I don't know, thirty or forty years never did anything but improvement cuts on it. They weren't tryin' to take the money out. They were tryin' to build a forest then. They kept it until about, I think, about 2001. We split it up, and each person took their representative

part. Deltic Timber had ended up with that and they—well, we all agreed that it was time to split it up, so we did. But we still have the minerals under it together and still all work together closely and everything. But it was a—the only reason they ever started cuttin' the timber was because it got too big for the local sawmills. And there's a size that once you get above that size, you can't run it through a—any particular sawmill has a maximum size log they can go through, and that's why they started cuttin' it. It's some beautiful timber. [00:42:56] So when the oil boom came in, my grandfather was the prosecutin' attorney, I think, at that time, and he had quite a few adventures. There was a—there was an institution here called the Star Clothing House that had been originally owned by a fellow named P. G. Lake, who was close friends with H. L. Hunt, who was also here. And I think [*vocalized noise*]*—*anyway, Lake and Hunt were associated together in the East Texas Oil Field when that came in. And there was a—later, one of the Armstrong branches ended up runnin' that. And the gentleman that did their tailorin'—that's where we always—if I bought a suit, that's where it came from. And the guy that tailored it, his father was sheriff when my grandfather was prosecutin' attorney, and he used to love to tell us about the shootouts they

had [*KK laughs*] with bootleggers and so on and so forth. My grandfather was an active prosecutor.

KK: Yeah.

EM: He didn't wanna leave it all to the sheriff, as . . .

KK: Yeah.

EM: . . . far as apprehending criminals was concerned.

[00:44:11] KK: I see. I see. Well, and for those who don't—may not know much about the history of the oil boom, it was pretty wild . . .

EM: Absolutely.

KK: . . . when that all started comin' in.

EM: Absolutely.

KK: I mean, you had all kinds of . . .

EM: Right, just like a . . .

KK: . . . field workers and you—it was a giant influx of people, and it kinda overran the territory in terms of it outstripped the natural—the laws that were in place and everything else just by sheer force.

EM: People lived in tents, and there was "Hamburger Row" down there where they had the—and of course, I'm sure there was quite a bit of prostitution and—it was just like a mining camp. I mean . . .

KK: Yeah.

EM: . . . the same phenomena. People livin' in tents and the town pretty disrupted, lots of violence and all that.

[00:44:59] KK: You were talkin' bout unification of oil fields, and you were also talkin' bout how there was a lot of litigation. What—describe for us what—why was there so much litigation, and why was there so much turmoil about ownership of these oil wells or the revenue from these oil wells?

EM: Well, for a long time in the history of Arkansas we were, particularly down here, land poor. The land would grow corn and cotton for a few years, but it would be exhausted fairly quickly. My—when my father was a child, I think there were ten or twelve cotton gins in Union County, and when he was grown, there weren't any. So the land had been worn out. It'd gone back to pine. And during the 1800s in Arkansas, land was not regarded as a particularly valuable commodity. And for instance, in the timber business, they didn't start replanting timber and really carin' for the forests unt—I mean, it was cut and—it was slash-and-burn mentality. They'd come in and cut and move out. And there's really a wonderful book about the clearin' of the Ouachita forests that was written, I think, by Ken Smith. It's just a magnificent book I would recommend to



anybody. And that had a lot to do with the Bemis family, but that's another story, down out of Prescott and Texarkana. And a man named Buchanan, I read a biography of him. He was back during that period, as well. But they went in and cut and slashed, and this Buchanan family that I'm familiar with from Texarkana had a lot of north Louisiana land. And it was a significant decision to replant after you cut. I mean, it costs a lot of money, and you look at the—if you goin'—if you're gonna full-grow 'em, it's gonna take fifty, sixty, seventy years to get a return on your money. And that's a daunting thing, particularly in a time when cash money is short.

KK: Yeah.

EM: And Mr. Murphy had a lot of vision when he got into that. But my whole point is, with that much land around and people not valuing it that much, sometimes they weren't quite as careful as they should've been on transferring title, and the records were not as good as they should be. So that—where there's money and opportunity, there's always lawyers. [*Laughter*]

[00:48:03] KK: So then when the oil money started comin' in, there was a lot of dispute about who owned the land the oil was comin' from, is what you're saying.

EM: Oh yeah—it—if there was any defect in the chain of title, it would

provoke litigation. And that oft—so often happens where you have widows and orphans, and the title gets messed up, doesn't get correctly recorded, and it's not worth enough for people to do anything, and all of a sudden one day it is worth a lot . . .

KK: Yeah.

EM: . . . and these things haven't been tended to, and so they have to try to straighten 'em out. One of my earliest memories as a child, my grandfather ke—my father kept a card table at home, and it would be stacked this high [holds hands up to indicate height of about two feet] with abstracts, where he was readin' abstracts, passin' on title. And that was in the late [19]40s, early [19]50s. That was, you know—I mean, there was still some exploration goin' on, but that was after the peak of it.

[00:49:10] KK: Mh-hmm, mh-hmm. So that—his stack is just a small indication of how big it must have been . . .

EM: Yeah.

KK: . . . when it was in its prime.

EM: Yes, yes.

KK: Exactly.

EM: Yes, there was lots and lots and lots of work. So any rate, I've digressed as usual. But my father—my grandfather had been a trial attorney. But he quit practicing at about age fifty. He had

a heart attack. He was active politically. He was considerin' runnin' for US senator and was drivin' to east Arkansas to meet with some political leaders, and he had a gallstone/kidney stone attack. Ran off the highway and took it as a sign. Dropped out of the race and went back home.

KK: Wow.

[00:50:04] EM: But anyway, he had been a trial lawyer but it—but that—but he had a—and then he had a heart attack not much after that, so he slowed way down on practicin' law. My father was much more of a office lawyer. He did a lot of corporate work, and he did some oil and gas commission work and a lot of bank work. He was the First National Bank attorney from—for a long time. And then my two brothers, their partners were the Yocums, Henry and Henry Jr. My two brothers came in and associated and practiced with them. Jodie spent most of his time on the legislature—most—a big chunk of his life. But my younger brother's practice was very—a lot of wills and estates—my father and younger brother, too, and the bank work and commercial law.

KK: Well, that might be a good stoppin' place. I see Kay standin' over here, which . . .

EM: All right.

KK: . . . tells me you probably . . .

EM: You ready?

KK: . . . need to go to lunch.

Kay Mahony: Yes, I am.

EM: All right.

[Tape stopped]

[00:51:13] KK: All right. Let's talk a little bit about growin' up in El Dorado. As a kid, what was your first house like? Did you—I mean, we've interviewed some people who didn't even have running water and electricity.

EM: Right.

KK: You're not old enough for that but . . .

[00:51:28] EM: I wanted to do a little insert in here . . .

KK: Oh, good.

EM: . . . about my grandfather. And you know, I told you about that southeast corner.

KK: Mh-hmm.

EM: It used to be called the dark part of the county. I'm not quite sure why. It wasn't racial. It was . . .

KK: Uh-huh.

EM: . . . it was heavily wooded and sparsely populated. Any rate, he had a—Ferry, or Fergus, had a—part of his practice was in Huttig



for a while. There's a big sawmill down there, and a railroad was built through, and the railroad built the sawmill, and it's still there. It's a great big sawmill. But I was in a store down there, and Huttig's a small town, and the storekeeper looked at me and said, "You're a Mahony, aren't you?" And I said, "Well, yeah, I am." And I said, "How'd you know that?" And he said, "I could just tell, lookin.'" And I sai—he wasn't particularly friendly, so I thought, "Well, what is this?" So I went back, and I asked my father what the deal is, and he said, "Well," said, "back when your father—grandfather was prosecutor"—now—and let me give you a caution. My grandfather was like everybody else about race and racial matters, and he wasn't particularly standin' out, but as far as the law was concerned, he had his lines in the sand. And this has always been a pretty tough part of the world, down there in that corner of the county. And some night riders had killed a little, nine-year-old black girl, and against some very strongly expressed opposition, he had prosecuted the perpetrators and put 'em in prison. And they still remembered it thirty, forty, fifty—I don't know how much later it was, but it was a whole lot later.

KK: Yeah.

EM: And I guess it was my eyes. I don't know what it was, but I

mean, he knew I was a Mahony when he looked at me, so he had spent some time lookin' at a Mahony, [*laughter*] not necessarily with love in his heart. [00:53:38] And there was another incident, and this is always—you know, everybody says, "All politics is personal," but you know, just so much of life is personal.

KK: Yeah.

EM: And my grandfather had—it was a black guy, and my grandfather had gotten him out of prison, and he felt indebted to him. And one day they were walkin' thr—he was walkin' through an alley. He had left a political rally on the—downtown on the courthouse square. And a guy came up behind him and pulled a gun on him. And this black guy had been followin' him and saw what went on, and he comes up behind the guy who gets the drop on my grandfather and sticks a gun in his back and says, "Don't turn around." He says, "This is a gun. You drop that gun you got on Mr. Joe." So he did. And course, he wouldn't ever let him turn around and made him lay down to where he couldn't see, and they left. First thing Monday mornin', the guy that'd had the gun on my grandfather is in his office, demandin' to know who the black guy was that pulled the gun on him. Well, to make a long story short, he wouldn't tell him.

KK: Yeah.

EM: But it was obvious to me when he told me this story that he understood why the guy felt justified in demandin' that he tell him who it was because of the way the world turned. So any rate, I—those stories don't mean anything, but they just have always come home to me about the way things were. Okay? All right.

KK: Now . . .

[00:55:27] EM: Our house when I was born, roof leaked a lot. You couldn't get shingles in World War II to fix it. So I remember lots of buckets and [*laughs*] water drippin' and all that sort of business. And I was shocked—we built a new house when I was, I don't know, twelve, thirteen years old, and it was a lot bigger than our old house. And I was shocked at how small the house I grew up in—you know, as a little fellow, it looked big to me and—but it wasn't. And—so it was a very modest house. And of course, my father was off to the war most of the—my first few years growin' up. And there was nothin' particularly noteworthy about it. Big pecans—you got your tree in the backyard. Some hydrangeas that I really liked that were by the garage, and that's—and there was a great big sweet gum tree out front that I played with my soldiers at the foot of.

KK: [*Laughs*] Exactly.

EM: That's all I remember.

[00:56:44] KK: So what did your father do in the service?

EM: He was in the transportation corps, and he was behind—right behind the frontline troops, bringin' supplies up. He watched the parachute drop across the Rhine, which had quite a impact on him. But that's—you know, he—I think he may have started off in the Army Air Corps, I don't know, but any rate, that's where he ended up. And that's what he did.

KK: He didn't . . .

EM: He wasn't in combat. He didn't do combat.

KK: A lot of people didn't say . . .

EM: Well . . .

KK: . . . a lot about their service.

EM: Yeah. Well, and he never did say much about it.

[00:57:37] KK: Mh-hmm, mh-hmm. So you grew up in, you know, a modest house . . .

EM: Yeah.

KK: . . . in El Dorado. Where in El Dorado were you guys?

EM: [*Whistles*] Corner of Seventh and Madison—one house off the corner of Seventh and Madison. You would've been right across from Mellor Park. We had a park right across the street from us

where a lot of kids hung out and played baseball and tennis.

There were tennis courts there. It was a good place to be.

[00:58:03] KK: Did white and black kids play together at that point, as young kids?

EM: Not there. We did out here. There was a black family out here, and it was really a—it was a grandfather and his grandchildren. And his grandchildren were pretty close to the ages of my two brothers and I, so we played together all the time.

[00:58:27] KK: Mh-hmm. But of course, when you were in school it was segregated at that time.

EM: Absolutely.

KK: Mh-hmm. And was that true all the way through high school?

EM: Yes.

KK: Okay.

EM: Well, see I got out in [19]58. Little Rock deal was in [19]57 and . . .

KK: Right.

EM: . . . you know . . .

KK: Hadn't happened yet.

EM: . . . Hoxie and I think Fort Smith had—both had some integration before Little Rock, but there wasn't much.

KK: Yeah. And Dale Bumpers has noted that Charleston also . . .

EM: Yeah.

KK: . . . was integrated early. But very few places were.

EM: Right, right. And the very earliest ones were places where there weren't gonna to be much problems . . .

KK: Yeah.

EM: . . . because there—the percentage of the minority was very—I'm sure Charleston's percentage was 1 or 2 percent or somethin', I would guess.

KK: Exactly. It's really different than having 20 or 30 percent population . . .

EM: Yes.

KK: . . . of black and tryin' to . . .

EM: It's a different . . .

KK: . . . integrate at that time.

EM: . . . situation.

KK: Yeah, it was.

[00:59:30] EM: But I'll tell you, Arch Ford always told me that the small, in his opinion, the small towns were never gonna be a problem. The problem was always gonna be in the big cities.

KK: Yeah.

EM: And I think he was right.

KK: That pretty much bore up to be true when you see the trend

happen.

EM: Yeah.

KK: Yeah, yeah. Well, that's interesting. So anything notable . . .

EM: But while we're on that whole subject . . .

KK: Mh-hmm.

[01:00:00] EM: . . . one of the most fun things I was ever involved in was integratin' Boston when I worked for John McClellan. And I mean, I was doin' leg work. He did it. But I was workin' on the Senate Equal Educational Opportunity Committee. Walter Mondale was the chair of it. And at the very first hearing—well, McClellan was the Southern guy on that committee. And I never forget Danny Inouye—you know who he is . . .

KK: Mh-hmm.

EM: . . . one-armed Japanese, Second World War warrior—came because he was, I mean, he was ready if there was gonna be any problems. I mean, he was gonna be right in the middle of it and all that kind of business. And McClellan was a Southern guy. But I remember he came to that meeting and sat there the whole meeting and never came back because whatever it was he was worried about wasn't gonna happen. One of the very first hearings, the superintendent—or former superintendent of schools in Boston was a witness, and he talked about how they

had a program in Massachusetts that Ed Brooke had been associated with that was a widely touted, progressive integration program. Well, he testified that it had been used to segregate, not integrate. And they had used—it was a school-transfer thing—that they had used it to let minority whites move out of schools, and it had increased segregation, not decreased it. So for—it—you know, all the next steps in that are obvious, given the Kennedys' proclivities for helping the Southern United States with their racial problems . . .

KK: Yeah.

EM: . . . it seemed only fair to return the favor. [*KK laughs*]

And . . .

[01:02:01] KK: What—about what year was—decade was that?

EM: This was in 1971.

KK: I was thinking it was the [19]70s.

EM: Yeah, [19]71. And so McClellan got involved in lots of ways in lots of places and just kept insistin'. There and Berkeley, California, was the other place that had not lived up to its own hype. And he insisted, and I could not have agreed more, that we would never, ever work out [*bell chimes*] or have a chance of solving those problems if different parts of the country operated differently. We had to be all on the same page, operatin' by the

same rules, if we were gonna have a chance of workin' it out. And that was the thesis, and he stuck with it until he got it done. And without any help [*KK laughs*] from the ma—well, Ed Brooke was okay. I'm sure he wasn't a problem, but the other Massachusetts people . . .

KK: Yeah.

EM: . . . were more lip service. Then when they got home, they wasn't quite so keen on things as they were other places. And that was just a really interesting, fun thing to do. [01:03:13] One thing about it that was—Nixon was president. John Mitchell was attorney general in a—McClellan wasn't at that first one. I came back and told him about it, and any rate, we got workin' on it. And John Mitchell and a guy named Jerris Leonard, who was head of the Civil Rights Division at Justice, were testifyin', and McClellan was askin' 'em about this. Said, "Did you ever get complaints from any of the senators up here from Massachusetts or anything?" And—working through that angle, you know. "What kind of complaints have you had about this situation that the superintendent of schools says exists up there?" "No, we haven't from heard anybody about that. Don't know anything about that." Well, when we got back to the—well, I'm—I guess it was NBC, but one of the networks was there, and they—this

interrogation of Mitchell and Jerris Leonard by McClellan was featured the next morning on the morning show or one of those morning shows. And they said, "No, we haven't heard any [*unclear words*] this." Well, a kid named—I won't get his name. His last name was Cohen, I think, but he was a young schoolteacher in there, and he said, "The heck they haven't heard any complaints from anybody up here. I have complained." And he says, "Faxes of documents to follow." So he had correspondence between—complainin' about this situation to Jerris Leonard, who had written him back.

[01:05:01] So any rate, things took their natural—but it was good for McClellan, and that worked for showin' him that this was the way that Congress is supposed to work. You know, somethin' unexpected comes up, and you have this—well, with cross-examination with McClellan, he was a pretty accomplished examiner, and it turned out well. And I suppose it coulda hurt him in Arkansas, but he didn't, well, he didn't care. [*Laughter*]

He was convinced what he was doing was right, and he was gonna do it. And he thought it would materially aid the country in dealin' with what's obviously a very difficult problem for a lot of people. So any rate, that was a good experience to have, and I really enjoyed it. And incidentally, there's a biography of

McClellan comin' out this fall that I had the privilege of workin' with the author on some, and that's in there, among a lot of other things. That was a good period of my life, but let's go back to . . .

[01:06:13] KK: Well, but before . . .

EM: . . . growin' up and . . .

KK: . . . we leave that subject, you know, for those people who may not know, I mean, McClellan was obviously on the side of having a smooth integration or desegregation process and knew it needed to happen, and I'm assuming that the complaining teacher was concerned that that wasn't happening or . . .

EM: Oh yeah.

KK: . . . you know . . .

EM: Yeah. It was bein' used to segregate instead of integrate the schools, and he was a young, Jewish kid.

KK: Yeah.

EM: Liberal, you know, all that and—so yeah, I mean, that's why he had written and so on and so forth.

KK: Yeah.

EM: And my grandfather and McClellan—McClellan doin' the prosecutin'—and you get attached to the law, okay, and you get attached to fair and equal treatment, a lot of people in that

position, and they shared that, you know, and [*unclear words*]. Lots of ifs, ands, and buts in there but that—the basic principles, you get attached to 'em. And [*sighs*] goin' back to school, grade school.

[01:07:32] KK: Did you have a favorite teacher?

EM: Yes. I went to her funeral. The fifth grade. Ms. Comer. She was just a really good teacher, and it was the middle of summer, and I didn't have anything nice to wear except wool. And I'm bein' terribly upset about going to that funeral in a wool suit [*laughs*] in the middle of the summer. My mother never did that to me again. But kind of an amusing story. My mother was, I guess, ambitious for her children, and so I started school when I was four. You know, they had a little private school here in town. And Jodie went there, too. And so Jodie started school in the second grade. He didn't go to the first grade 'cause he'd—you know, this other thing. [*Bell chimes*] So my mother, just always going the next step further, when it came time for me to go to school, she started me in the third grade. I remember [*laughs*]—I only lived about two blocks from the [*KK laughs*] school, so I walked home for lunch. And I remember Papa hollerin' at her, "Mabel, this time you've gone too far. I want that boy back in the second grade tomorrow." [*Laughter*] So I



got demoted after about two weeks in school. I got moved back a grade and—so—and that has an impact on your life. I was always the youngest kid in the class. I . . .

KK: Yeah.

EM: . . . and Jodie was, too.

KK: Yeah.

EM: I was a little bigger than Jodie, so it wasn't quite as hard on me. But that make—and my father had skipped a grade, and like I said, my mother'd left home at sixteen and gone out on her own. So—but any rate, that's part of that whole drill. And—but I enjoyed it. I would do that over again. I—that was good. And our son, born in September, which was fairly close to the line and back then—this was thirty years ago. He'll be thirty in two weeks. A lot of people were holding kids back and not startin' 'em in there. But I was off—I mean, I think it's good to be pushed, okay. And—but everybody's got their own theories on that. [KK laughs] [01:10:07] And I never thought that the—I mean, I tried to play athletics in high school, and I wasn't that good, but I did. But I just never thought that was the most important part of life. I was always more attuned to how much you learned and when you learn it and all that. And I played some basketball and played tennis but—I mean, you know,

something that basically ends for most of America when you're eighteen, I don't think it's [*laughs*] worth all that much attention there for three or four years. But there—each—to each his own.

[01:10:47] KK: You're speaking about the focus on athletics?

EM: Yes. Yes. And you know, athletics is good. Our son swam the whole time. But I mean, I always thought it was more important for him to have that experience than how good he was at it, and it was. It was good for him. He doesn't swim now. He runs, but I mean, that just has a—has its place in life, but it, yeah, it's over when you're eighteen for almost everybody.

KK: Mh-hmm. Sure. No, I understand.

[01:11:19] EM: All right. So I got through high school. I had some interesting conflicts with the superintendent of schools. He was glad to see me leave town. I was glad to leave. [*KK laughs*] But I went to Georgia Tech. Stayed there two and a half years. I was a physics major. My last quarter there I decided to make or break whether I was gonna be a physics major. Took thirteen hours of physics, three hours of differential equations, and economics. And my next school experience was at Tulane. [*Laughter*] At the end of that—I'll never forget. I stayed up three straight days and took five finals in three days so the last—my parting shot at Georgia Tech. That was a fascinating

school experience. As freshmen we went to school thirty-two hours a week for twenty hours' credit.

KK: Wow.

EM: And it was a tough grind. And they had a pretty calloused attitude. It was a state school, and they had to take everybody, and they were trimmin' down their class, and they would do some tough things that would be hard to justify. And I don't think they do now, but any rate, that was an interesting experience.

[01:13:00] KK: Highly competitive, sounds like.

EM: Hmm?

KK: Sounds like it was highly competitive within the student body to continue on there.

EM: You're fightin' for survival.

KK: Yeah.

EM: You weren't competin'. You [*laughs*] were fightin' for survival. It wasn't so much with your other students. It was with the system.

KK: Yeah.

[01:13:18] EM: With the system. I mean, and they had a [*sighs*]—they did some strange things. They—their P.E. program—you had your first two years there, you had this mandatory P.E., and

you ran track, you did gymnastics, you swam, and then you played football and basketball, too. But that swimming course—had a kid—not a kid—a guy named Freddy Lanoue. He had a clubfoot and—but he was in great shape. He wasn't that big a guy. But he had developed a survival swimming course for the US Navy in World War II. And his goal was that as long as you had two appendages functional, you could stay up indefinitely in the water. And he gotcha there. Lord, he'd start you out—he'd tie your hands behind your back, and you had to swim a certain distance and do all kinds of things and stay up a certain amount of time. And then he would tie your feet up under you. You had to do it. And then the grand finale was when he'd tie your hands behind your back and tie your feet together where the only way you could swim was a dolphin deal.

KK: Wow.

EM: And you had to swim, you know, quite some distance. Had to swim the pool underwater like that. It was somethin'. And I always swam well, so that was not a particular problem to me. But it was just amazing. And he had one guy that couldn't swim that crawled the bottom of the pool, the whole thing, [KK *laughs*] to get out. So it was quite an experience. [01:15:01] And then I went to Tulane. I thought I'd died and gone to

heaven. I went from being a physics major to an English major with a math minor. And I didn't excessively enjoy New Orleans really, but I enjoyed it a lot, and I like being down there. I love the people, and then I went on to law school down there, where I—I was not a real serious student in college. I was in law school. [01:15:34] And I also fished all day Sunday, every day Sunday, which kept me sane. And it's just—I mean, I had one day of the week that was totally different than the rest of my life. And I—it was seventy-five miles by car and fifteen miles by water before I ever threw the first lure, and I mean, I was in the back side of nowhere, out in the swamps. Very, very, very, very good experience. And I used to sleep in my boat out there. Any rate, small boat, fourteen-foot johnboat, [*laughter*] and I slept in it on an army cot. But any rate, that whole law school experience was very good. We had some excellent professors. There was one professor there named Lowell Turrentine, who had taught for—at Stanford for a long time and reached mandatory retirement age. Tulane's retirement age was later, and so he came and taught for, I guess, the three years I was at Tulane. I had five courses under him. But that was a good experience. I think, I don't know, but I think he was the reason that I got in the master of laws program at Stanford, which was

another fascinating experience. But I—well, I enjoyed law school very much, and it was—when you get on the competitive stuff, it was—it's—law school's a competitive atmosphere and a lot of back and forth, and you find out a lot about yourself and how well you cope with things and how well you can push your point of view and all those sorts of things. And I just enjoyed it very much. [01:17:48] Interesting, I've never been the sort to make a whole lot of friends. You know, I tended more to make a few good friends. I don't think you have—or I never had enough time. I mean, friends take time, and you know, you just—you don't have enough to really have a huge bunch of friends, or I don't think. Acquaintance is fine, and people you get along with fine, but friends, you just don't have time for that many. And it's really also strange that it seems like people you know in high school, those friendships seems to last longer than any others. My college—there were a few, mainly from Georgia Tech. I guess as you get older you get focused more on work and less on people, or I did. But any rate, that—I don't know what to say about law school. I mean, I did pretty well in law school. [01:19:07] And then I went to work for Smith, Williams, Friday & Bowen. Worked with them for two and a half years. I had some really interesting work. I worked on some asphalt

antitrust cases that there was a lot of attention paid to in the press. And it wa—and that was really a wonderful experience. You wouldn't know these guys, but the attorneys on the case were Alston Jennings, who was the Wright, Lindsey, Jennings Jennings; a guy named Leon Catlett, who was a well-known and respected lawyer; John Williams from Smith, Williams, Friday & Bowen, who I was workin for; and a guy named Oliver Clegg from Magnolia, who was a well-known oil-and-gas lawyer; and my father. And when they were workin' together, they would always have lunch. They would—I got to join 'em. [01:20:24] I was the only one [*laughs*] out of the bunch that had ever had an antitrust course in college, and I had an advantage. I'd had four years of law school, and I'd—I had—I actually had had two antitrust courses out at Stanford. And so that was a real break, gettin' to work with them, and then when we had a lower-court decision that was appealed to the Supreme Court and they were trying to decide who—I'll never forget. We were sittin' there at lunch one day, and they said, "Well, who's gonna argue the case?" And Leon Catlett says, "Well, young Emon there oughta argue the case. He wrote the brief." And course, I was holdin' my breath. I knew my father was not gonna say anything. And John Williams, who I worked for, he said, "Well, that'd be all

right with me." And so that was it. And they let me argue the case, and here's these five distinguished, brilliant lawyers behind me, and I'm a kid, you know. I'm twenty-five or something, and any rate, it was a real treat.

KK: Yeah.

EM: And I—when I walked out of the courtroom from arguin' that case and got in my car, it was already packed to move to Washington. When—I mean, it was my last [*laughter*] day on the job, so I sure truly worked to the last minute on that job. And that was a fun job. Those guys all treated me nice.

[01:21:53] KK: Well, did you win?

EM: Hmm?

KK: Did you prevail in the case? Did you . . .

EM: On that point, yes. But I mean, that wasn't—I didn't care. I just—gettin' to argue. It was [*laughs*] a procedurals point. But at any rate, that was kind of beside the point to me, at any rate. Workin' for Herschel Friday at that law firm, I got hooked up with Allied Telephone, and I'll come back to that, but that was the big thing I did with Herschel. I worked on a case or two with Judge Smith and spent a lot of time with him, learned a whole lot from him. And Bill Bowen was the main guy I worked with. I was supposed to be a tax lawyer. And the Allied Telephone thing

was a lot of general corporate work, but it also was their first SEC registration. And that, again, was quite a learning experience. And I met and became good friends with Joe Ford, who was and is one of the best friends I've ever had, along with his son, Scott, and that's just been a wonderful relationship. And then the bonus to it, that whole experience, was that I was the youngest guy there at the firm. [01:23:16] So there are some scut work assignments you get when you're the new guys . . .

KK: Yeah.

EM: . . . you know, everywhere in the world. And one of the first things Judge Smith—and I, you know—you know when you're being tested, and I guess I ought to back out. Comin' from a advantaged background, there's always somebody wantin' to test you. So I—they wanted to rearrange their library at the law firm, and I was told I was to do that. Okay. So what I did was come in thirty, forty-five minutes before everybody else and stay an extra thirty, forty-five minutes and move these books around. Get 'em like they wanted. I mean, this was a huge job now.

KK: Yeah.

EM: It was a big law firm, and they had lots of books. So I did that and never complained. And I also—I had another rule. I didn't

work on Saturday and Sunday. I fished or hunted, and I had gotten accustomed to doing that at Tulane, and I was very jealous of that. So I mean, I wanted people to know I was comin' in early and stayin' late 'cause I did not want to come in on—and I'll get back to that. [01:24:44] The other job was to cover the legislature. There was a guy named Johnny Wells, I wanna say. He had somethin' called the *Daily Record*, which kept up with the legislature. And it circled around, and everybody followed that.

KK: Yeah.

[01:25:01] EM: Well, there was a lobbyist for MoPac named Charles Frederick Coleman, and Coleman had known my grandfather. And you know, yeah, I'll back off a little bit. You talk about bein' advantaged, you know. When we moved from that small house to a much bigger house, I was—we were—all the kids were embarrassed by that, you know, we—you know, you wanna be invisible.

KK: Yeah.

EM: And I'm a middle son, so I think when you are a middle son, you even more wanna be invisible. That's hard on you as a kid, but when you become a teenager, bein' invisible's really great [laughter] to the extent it works. But any rate, Fred

remembered my grandfather. He had worked with him, and my grandfather was kind of an aggressive guy, as was Coleman. So there was a guy named Edward, who did jobs, ran errands, made the coffee, you know, did odd jobs around the office.

[01:26:11] And Edward and Fred and I would meet about six-thirty every morning, and we'd wait on Johnny—Johnny's *Daily Record* to come in. And I typed. It wasn't all that accurate, but I was fast, and I would get that *Daily Record* and type up a report for Fred, and Fred had never had, I don't think, anybody that was interested in doing the job do it before, much less that gave him a typed report and put it on the desks of each of the lawyers and went over it with him. Where when the big guys got to work, this report was on their desk, and he had gone over it with me, and I had told him some legal aspects of it and stuff, and it made his life a lot better. And I'll get back to Fred, but Fred was a very effective lobbyist. When he retired, the Arkansas Legislature, you know, gave him a standin' ovation, passed a resolution, talked about it. "Good to work with you. Sorry you're leaving." All this kind of stuff. But I mean, he was quite a guy. And he also was the only person ever known to get along really well with Oren Harris, Wilbur Mills, John McClellan, Bill Fulbright, and all those lawyers with the Smith firm and the

MoPac bunch. [01:27:51] So—well, I just got to that—many years later—or a couple years later, my then-wife was determined to get a graduate degree in foreign languages, which wasn't available there. So I'd agreed to go to Washington to work, and I had a job with the Federal Communications Commission, the cable part of it. And I got up there, and I called in on Friday to tell the guy I'd be in to report to work on Monday, and he said, "Well, Mr. Mahony, there's been a little problem." And I said, "What's that?" He says, "I found out I wasn't authorized to offer you this job."

KK: Oh.

EM: [*Laughs*] Well, Fred was good friends with McClellan, and McClellan had an openin' he knew about that I didn't really want to do, but I didn't want to be unemployed either, so I took that job. And we'll get back to that. It turned out to be a good thing.

KK: Yeah.

EM: But I mean, I really needed Fred [*laughter*] that day. I was unemployed. Any rate, that—it had all the makings of a real mess. So—all right, well, let's . . .

[01:29:17] KK: So when did you first get married? When did you first marry—get married?

EM: I've been married three times. My first marriage was right after I finished undergraduate school. That lasted a year. We got divorced at the end of my first year of law school.

[01:29:36] KK: No children involved in that one?

EM: No.

KK: Okay.

EM: Second marriage was right after I graduated from Tulane. She was a Newcomb-Tulane undergraduate. We both got accepted out at Stanford, so that worked out pretty good because it was really unusual . . .

KK: Yeah.

EM: . . . for both of—and they don't take many senior transfers out at Stanford either. So anyway, it worked out good. And that lasted nine years, bout nine years. One daughter. Then Kay and I got married, and she had three and I had one, and then she and I had one together. And I like to tease her, which is true. When he left home, she had had children in her house for forty years, which is quite a while.

KK: [Laughs] Yeah.

EM: But my daughter, then and today, had a very special relationship with Kay. And I can best illustrate that by a conversation with her husband. Her husband—let's see. She and her husband and

I and—there was another person there. And I had introduced her as my daughter, and this guy looked at her and said, "Well, I bet you were a daddy's girl." And her husband speaks up and says, "No, she was a step-mommy's girl." [Laughter] And she was. I mean, they were—they have an extraordinarily close relationship that has been enormously beneficial to her. I mean, I [unclear words] need all the family details, but any rate, it's been absolutely wonderful, and it's a relationship that has warmed my heart on many occasions.

[01:31:56] KK: So you moved to Washington. You ended up working on McClellan's staff.

EM: Well, it was Criminal Laws and Procedures. He was chairman of Criminal Laws and Procedures. There was a fellow named Robert Blakey who was the chief counsel on that. And again, you know, you learn to deal with the perception and the reality of bein' advantaged. When McClellan asked him to interview me, he went to great pains to tell me that McClellan was clear it was his choice, that he didn't have to hire me, that he had known my grandfather and worked with him and so on and so forth. So—and that worked out well. That wor—we worked on the Organized Crime and Control Act in 1970, and it was—there were, like, eleven subparts to it. It was an extremely crucial

piece of legislation for prosecutors. It dealt with grand juries and immunities. It was designed to increase the tools available to attack organized crime, kay. [01:33:11] But it had a lot of little extras in it. And one interesting thing that nobody's ever really focused about—once again, it's in his biography because she talked to Blakey extensively, as well as me, about it. But both Bill Clinton and—Bill Clinton was—a lot of his problems came from these procedural changes on the immunity statute on grand juries and so on and so forth. And Nixon, a lot of Nixon's problems came from this procedural statute, and they were not—I mean, they've been—there's no longer any controversy about 'em. The civil rights people were against them on principle, but they've worked well. And one of the most important parts of it was RICO, the Racketeer Influenced and Corrupt Organizations chapter that—a lot of people were tryin' to put extraordinary penalties on organized criminal activity at the time, and treble damages, which is a remedy from the antitrust laws, was something that they pushed really hard. Well, there's a remedy in equity, and the equity portion of the English common law is a very pragmatic branch of the law, of dealin' with specific problems in a fair and equitable manner. And there's a remedy we call tracing and—that allows you—if

somebody has stolen some money or taken somethin' that's not theirs and then taken that cash and invested in something, tracin' lets you follow it and go back and get the end product. It might be worth a hundred times the amount of money that was taken, but it'll let you do that. So we put that in the RICO statute, and I wish I had the number for you. I think it may be in that book. But it's in the billions, the amount of money that they have recovered from organized criminals because of this tracing provision, which was a new and unique thing.

[01:35:48] But anyway, Blakey was quite a guy. He had been with organized crime, part of the Department of Justice, and worked with them for years. And he had worked for Bobby Kennedy, and course, Kennedy was mentored by McClellan, among others, and I mean they had worked together extensively on investigations. And Blakey was really good at his job, and they got all that through. And if McClellan had lived another year, they would've completely written—rewritten the United States criminal code, and it would be better for it. But . . .

KK: Wow.

[01:36:24] EM: . . . McClellan died before they got that finished. But anyway, I worked for that for a year, and then I went over to Equal Educational Opportunity, and we got that—you know,

[*sighs*] so much of life is bein' awake and watchin' when an opportunity goes by you, [*KK laughs*] and you either jump on or you don't, and you either recognize it or you don't. And I mean, there's a whole lotta luck to life, in terms of havin' the opportunities come by. But the part of, you know, people bein' lucky that work hard is true, too. You know, if you're there poised and waitin' when it comes by, then you've got a lot better chance of grabbin' it. And so that Equal Educational Opportunity experience was very good for me. I spent a year doin' that.

[01:37:16] KK: Well, explain more about what that was and why it was important.

EM: Well, it was an attempt to explore how much equality of educational opportunity was afforded in the United States and what could be done to make it better. And it was a fun experience for me. Mondale and others—Brooke was on there. He had some people. The people that I identified most with in the whole thing were some black staffers because we were all from the South, and we come from a common—and my—in my immediate family, my mother was big on underdogs. She had fought hard all her life, and she felt strongly about that, and no racial terms were allowed to be spoken in her house, and it was important to her. [01:38:39] So these guys—and I've never

been a crusader. That's not my deal. I've never been out there, but it—but you get a chance every once in a while. I—the night the Civil Rights Act of [19]64 became effective, at midnight some friends of mine from law school and I gathered to make sure that some black friends of ours didn't have any trouble havin' their first drink in a white bar that night. And we didn't have any problem, but that's a personal basis. But any rate, these guys—one of 'em was named Delano Lewis, and I think he later may've been the DC representative to Congress; and John Lewis; and another guy, whose name I can't call, who was just one of the most remarkable people I've ever known. He had worked for the Ford Foundation, and he was black. He worked for the Ford Foundation, and he had spent over a year in the Americus, Georgia, jail . . .

KK: Wow.

EM: . . . as a part of a civil rights protest, which just astonishes me. And he always told me the thing that stuck the most in his mind out of all that was that he and the sheriff were the only two people in town who really appreciated a good cigar. [*Laughter*] So his friends would send cigars for he and the sheriff. That made his life a little easier. [01:40:04] But it was an extraordinary group of people, and I got to know them, and we

would—you know, they worked for Brooke, and we weren't after Brooke. We had filed for Kennedy. We weren't mad at Brooke. And we had one day—let's see if I can remember what we were gettin' into. We were always tellin' them what we were gonna do so that Brooke would be prepared. [*Sighs*] And it was one of these dual-standards things, and I'd told 'em what McClellan was gonna do that day, and they went to Senator Brooke and told him what was gonna happen.

KK: Yeah.

[01:40:50] EM: And they said, "What are you gonna do, Senator?" He said, "I'm not doing anything. I'm stayin' right here. I'm not goin' down for that." [*Laughs*] They said, "Well, what do you want us to do?" Well, let me back off. I looked at 'em across the—we—they were Republican, and I was Democrat, and so it was the other side of the apparatus there. And they would—they were sittin' over there, and they would look down like this and do like this [*leans over, looks down, and shakes head*]. They'd look at each other. They'd laugh, and they'd—I said, "What are you guys doin'?" So they told me this that they were talkin' to the senator, and he says, "I'm not doin' anything." "Well, what do you want us to do, Senator?" He said, "Go down there and hang your heads." [*Laughter*] So they were over

there hangin' their heads. That's just a sideline but . . .

KK: Yeah, that's a—yeah, it was the only message he could send, I guess. He—they could see 'em.

EM: Yeah, well, hangin' your head's kind of a Southern . . .

KK: Yeah.

EM: . . . deal anyway.

KK: Yeah.

[01:41:47] EM: I mean, that was part—and I, you know, I—we could communicate with each other better than we could the other people. But it got on and moved on from that. McClellan's campaign came up in [19]72. And then I moved back. Practiced by myself. June [EM edit: December], I got married. I practiced by myself for two and a half years. I was again closely associated with Allied Telephone. My office was in one of their buildings. They helped me get my furniture, et cetera, et cetera, et cetera. They were very good to me and gave me over half my work that I had. So we had two and a half years of that. And I forgot one case that I worked on when I was in—I worked with Bowen on, with Smith, Williams, Friday & Bowen, which was a minority shareholder suit against the Palmer Media, representin' a minority shareholder. That got settled, but it was a very interesting case and a lot of fun.

KK: What . . .

EM: Richard Arnold was representin' the media. That's when he was still married to Gale Arnold. And it was an interesting case. All right.

[01:43:32] KK: Well, what was interesting about it? What—why was it a fun case for you or an interesting case for you?

EM: I really shouldn't talk about it.

KK: Okay. Understood.

EM: You know, because of legal things.

KK: Sure.

EM: It was just interesting and—all right. And it worked out well. So I'm back for two and a half years, and as I told you, my father had been on the Arkla board. [01:44:09] My—I got a call from a friend of mine I had worked with named Don Smith. He was the securities commissioner under Rockefeller and went on the Public Service Commission under Rockefeller. And he was a big guy but very light-footed and a damn fine government employee. Rockefeller put him on the PSC. Bumpers reappointed him to the PSC. Richard Nixon put him on the Federal Power Commission, which turned into Federal Energy Regulatory Commission, and Jimmy Carter reappointed him to the Federal Energy Regulatory Commission. So I guess, by

definition, he was a middle-of-the-road, do-what-you-think-is-right kind of fellow. He wasn't a politician. He was a good employee, a good regulatory employee. And he called me one day and said, "I want you to go out"—he was down in Little Rock on PSC, and he says, "I want you to go to dinner with me tonight." And I said, "Okay." I said, "What's the deal?" And he said, "Well, Arkla is up here workin' on this interstate pipeline, and they wanted me to come up and help 'em, which, you know, I'm gonna do." And he said, "They're havin' a big dinner tonight, and I want you to come." I said, "Well now, I expect they're paying for the dinner." And he said, "Yeah." And I said, "Well, I don't recall them invitin' me." [*Laughter*] And he said, "Don't worry about it. They'll be just delighted to have you there if I say so." And I said, "Well, why you want me there?" And he said, "Well," he says, "there ain't no tellin' what Witt Stephens could talk me into if I'm there all by myself, [*KK laughs*] so I need some help." And I said, "Well now, Don, you know my father's on the Arkla board. I ain't sure how much protection I can give you." He said, "Don't worry about that. I want you there. Come." "Okay." So I went. [01:46:19] And McClellan helped him do the Anadarko pipeline. And I did a little work on that. And it was very important to Arkansas. Arkansas was out

of gas.

KK: Right.

EM: And that's how they were gonna get the gas in from Oklahoma, western Oklahoma. And we got all that worked out. [01:46:49] When I ca—and then in the [19]72 campaign, I was the liaison between McClellan and Witt Stephens. And so we got through that. Witt helped him. He won. And then when I was down there practicin' law, he would invite me to come down and eat lunch with him. This was before he started having his big lunches. He had just left Arkla, and he was tryin' to figure out what he was gonna do. And so I remember he would get a cheeseburger for each of us from the Coachman's Inn, have it brought up there, and we would eat there in his office and talk. Well, Witt's just one of the best talkers the universe ever had. And I loved to talk to him. I mean, it was just fun and interesting and—now I'm the sole means of support for my family. I'm a single practitioner, and if I ain't workin' [*laughs*] there wasn't any money comin' in. And every time I went down there, I'd say, "All right, I'm gonna leave no later than one-thirty. I'm not gonna keep"—well, I'd stay till two or two-thirty or whatever, and I'd curse myself. [*Laughter*] But the next time I'd—you know, I just loved talkin' to him. [01:48:12] So a

couple years after, he asked me did I want to go up Fort Smith and run Arkansas-Oklahoma Gas, and I said, "Well, yeah, I think I would." I thought that nobody else was gonna offer me a company to run, the first thing, [KK *laughs*] and then the second thing is I will get paid to talk to him, you know. [*Laughter*] I won't be deprivin' my family by spendin' my time enjoyin' myself talkin' to him. So there's a lot of reason—and then that turned out to be true. I mean, we . . .

KK: Yeah.

EM: . . . had just a wonderful relationship all the way to the end.

[01:48:52] And I had—with those lawyers at the Smith firm, with the Allied Telephone people, which was Joe Ford and Hugh Wilbourn and Charlie Miller and all of them and then Max Bobbitt and Bob Shults and a guy named Harry Erwin, who had—who was what I'd call a super accountant. He was on that Alltel board and our Allied Telephone—Alltel. Char—Harry was just a absolutely brilliant man. His son Chuck runs an accounting firm in Little Rock now, and they're very quietly instrumental in lots and lots and lots of things that you don't ever see. They don't surface. But Harry worked for—well, he was Don Tyson's probably best friend. And he did Don's accounting work forever. At Allied Telephone, when they formed that company, Hugh

Wilburn had fifty shares; Charlie Miller had fifty shares; and they gave Harry one share just to break all ties. That's how much they thought of him as a young accountant.

KK: Wow.

EM: He was Riceland Foods' accountant.

KK: Wow, man.

EM: He did lots of work for Stephens Inc. Pioneer Foods down in Stuttgart, he was their accountant. And I could go, you know, on and on.

KK: Yeah.

EM: But I mean, he was just a quietly, very influential and effective man in a lot of major businesses in Arkansas. [01:50:39] So. [*Sighs*] My relationship with both McClellan and Stephens was work. I mean, it was enjoyable. Had a good time workin', but I mean, it—this was—these were workin' relationships more than personal, although Witt, a little more personal than with McClellan. And this is all on my mind 'cause I helped that lady with her book a little bit. So he sent me up there. And the natural gas business was in the throes of change. Don Smith, that guy I'm talkin' about, was—worked a lot. He and Bumpers were friends, too. I—well, he put him on PSC, but they worked together a lot in Washington. Don had a lot of impact on the

natural gas deregulation. Bumpers was on the committee that did that. They had jurisdiction over federal energy regulatory—well, they created it, I guess, FERC, at that time. And any rate, they worked very hard on that, and they were deregulating.

[01:52:05] We got the competing pipeline I told you about earlier. You had to compete with Arkla. I did one of the first—I had always, you know, just been sure that competition in the natural gas business and a free—and a—best we could get to—closest we could get to a free and open market would be the very best thing for the—for everybody. You get economic warps when you have a monopsony or monopoly, and if you've got enough people to make a real market, you—I think things work better. So I did one of the first contracts where the price was set by an index. There was some people down in, I think, Houston or Austin puttin' out what they call the Natural Gas Clearinghouse Publication, which published prices for different areas. And I set my contracts up where they were the arithmetical average of all those prices. So I mean, you know, this is the market prices and the arithmetical match of around the whole region. And now we were coming out of the regulatory environment. We needed some protections. So we put in a cap and a floor in it where the price would be reset

annually, but it could only go up or down 10 percent. And that worked all right. So any rate, that worked very well. But that was . . .

KK: Yeah.

EM: . . . a huge change, and we were competin' as a little company with Arkla and ONEOK over in Oklahoma, and you develop a different mentality in that situation. You think more like Ho Chi Minh than you do a [KK *laughs*] US Army general. [01:54:10] And—but I mean, that—those years were a lot of fun for me, and we had a small company, but we were pretty close-knit. And that's been one of the greatest experiences in my life. First, workin' with Witt Stephens and Witt Stephens Jr. I can't imagine better people to work for. I mean, they're just extraordinarily good people to work for. And lots of back and forth, lots of disagreements . . .

KK: Yeah.

EM: . . . lot of discussion. But I mean, it—I mean, there were—big Witt hated to tell anybody what to do and so did my father, so did my grandfather. And . . .

BP: Thirty seconds.

[01:54:56] EM: . . . so you reach decisions differently when you're with somebody like that. And I mean, they'd argue like crazy,

and they were [*laughs*—two times down at Prattsville—
Prattsville's where big Witt was raised, and he had the farm
down there and just a really lovely place that was designed to be
comfortable to talk in. He loved to have a bunch of people in a
big conversation. One day out there . . .

BP: Thirty seconds.

EM: . . . he put me on a—right between he and Billy Walker. Billy
Walker ran Stephens Production Company, and he was the
former president of the gas company. And they wanted me to
do somethin' that I didn't wanna do. I was sandwiched between
a couple of really tough customers. [*KK laughs*] And they
worked me over . . .

BP: Tape out.

KK: Okay. Hold on a second. Let me change tapes.

[Tape stopped]

[01:55:48] EM: . . . biggest advantage I had dealin' with the two of
them is that they had both been in my chair, kay. I was sent up
to Fort Smith so that Billy—Billy had been runnin' three
companies, and his father before him, with two totally separate
groups of shareholders.

KK: Wow.

EM: And you talkin' bout a tough job—a production company and a

distribution company run by one guy and the—they had different sets of shareholders, both of 'em. Well, Witt had ended up with all of both of 'em, and Billy Walker had run that, and he was, I mean, he was—he needed a little relief. [Laughter] He had too much to do. And he was also very instrumental in the civic life of Fort Smith. So I went up to run the gas company, and they split 'em up and—so I had to negotiate with him. I mean, he was sellin' me a lot of gas. The Public Service Commission is focused on this "perhaps less than arm's length," and it really was arm's length, but on the face of it, it's questionable relationship. And fact, I got Bill Clinton overturned twice in the courts because of rulings by the Public Service Commission. [01:57:15] And every time we went down there, they would allege this, allege that about—so I had to structure the closest thing to a free market that I possibly could if I was gonna defend my actions. And so that's probably had a lot to do with why I came up with that indexed contract and entered into it with Texas Oil and Gas, which was the biggest non-Arkansas company involved in that area at the time, and then we'd do the same contract with Billy I had done with them. That was the max protection I could get. And it—and you know, these were fair. They stood up with—against contracts all across the

country. They were in the ballpark, and they worked out. But I had to constantly, you know, know I was gonna be sittin' in a witness chair defendin' what I did. [01:58:07] So they wanted me to—I had—this is kind of complicated, but I had set up a transportation agreement. One of the problems that they had, producers comin' into the area, was they couldn't get their gas out. So we had this big gathering system, and I would take their gas and move it for a pretty low price to Ozark pipeline; go to the East Coast. So the advantage to me was [*audible noise*] that I got a little money for movin' their gas, but I had first call on that gas during the peak use period at a—at—not at—at the price that—well, I negotiated those prices, indexed prices, with 'em and, then I released it, and then move it off the system at a small charge or fee. So I got these extra reserves to take care of my customers at a reasonable price, and I got the gas dedicated to my system. I mean, it was a good thing for everybody. I'll never forget Witt one day said, "All right, Mahony, tell me how this works again. [*KK laughs*] You buy these guys' gas at a fair price." "Yes, sir." He said, "And you get to use it on peaks—not a peak price, but just a regular"—"Yes, sir." "And they pay you when you don't take it." [*KK laughs*] And I said, "Yes, sir. That's how it works." He

said, "That's the damndest thing I ever heard, but now you just [*laughs*] keep right on." But see, there used to be a take-or-pay contract where the company had—the distribution company had to pay 'em if they didn't take the gas. [02:00:02] Here we were bein' paid for not takin' it. The [*KK laughs*] money was goin' the other way. And at any rate, there was a lot of competition, and I was movin' a lot of gas for TXO. And a lot of it was from inside of Fort Smith, which is particularly hard to get gas out 'cause of the difficulty of layin' the pipelines in the streets and all that kinda business. And we had a franchise, and the others didn't, and there were a lot of advantages. And that's what this particular disagreement was about was whether—how big an effort I was gonna make to move TXO's gas for 'em. And I later found out that when I reached an agreement with TXO to do that, that I was, I think, two hours away from losin' all that gas, and they were gonna run their own pipes. I had run the numbers. I knew they could do it. It was not hard. I mean, they . . .

KK: Yeah.

EM: . . . for what they were payin' me, they could pay for their own pipeline. So any rate, we worked that out. I did it, and it worked out good for everybody. [*KK Laughs*] Luckily, but . . .

KK: Sounds like a close call though. [*Laughs*]

EM: I don't really think so. [02:01:20] But like I said, Witt just hated to tell somebody what to do. He didn't—he wanted to talk. He wanted to persuade you to do it. And he was pretty good. He could usually get that done, but you know, if you didn't, that's all right. And I don't—I have been extremely fortunate in my life and work experiences in bein' associated with people that I can learn a whole lot from, that would take the time to teach me and, you know, paid attention. And I drove McClellan to work durin' one period of difficulty with my second ex-wife. She ran off to France for a while, and I got my daughter. She was three or four years old. [*Vocalized noise*] So I got her in school up on Capitol Hill, and she and I'd go pick up John McClellan every mornin'. I was his driver, and we would go to school. She'd ride in his lap, [*KK laughs*] and I would take her to school, and then we had an afterschool thing, and then we'd go back home. I didn't always take him home then, but any rate, it was quite an experience, and you can imagine a—oh, he was probably seventy-four at the time, with this [unclear word] four-year-old in his lap, [*laughter*] goin' to work every day. She loved him because he always had Doublemint gum and [*KK laughs*] would share with her. That was one of her

boyfriends. I think I saw a tape when we were lookin' through some stuff where Kay and I had done a voice tape of her, and we'd asked her who her boyfriends were, and she said, "Johnny Gitchel," who was a teacher at her school that played the guitar, and "Senator McClellan." She thought Senator was his first name. [*Laughter*] Johnny Gitchel and Senator McClellan. But we had a lot of—any rate, I've been very fortunate, and I've been in situations where I've been able to learn a lot.

[02:03:21] The deal with Allied Telephone—I worked on that initial SEC registration, public offerin', and then after I'd been up in Fort Smith for two or three years, they decided they were gonna put a couple of other people on their board. Well, Herschel Friday had gotten off. Small world. Herschel was on there. And well, I replaced their chief financial officer, who was on the board and left. And then right after that, Herschel moved to the Southwestern Bell board and got off the Alltel board. And I went on that board, and the time I went on, a fellow named Carl Tiedermann from New York went on at the same time. And they were just—that was the first step in really expandin' their board. And they did lots of mergers and so on and so forth. And I got to be—quite a few people from Ohio and Pennsylvania I got to be very good friends with on the board. And they were

growin' right when the regulations of corporate America was changin' significantly. I helped 'em set up their first audit committee. And I set up the first audit committee for the Federal Home Loan Bank in Little Rock, too. I was on that board for a little while. But I did a lot of work on the audit committee, pension-trust investment committee, and once again, it was a tremendous learnin' experience that I would never have had, had they not asked me to be on that board. And I did some good things for them from time to time. But they, once again, they were absolutely wonderful people to work with, and I was on that board for twenty-seven years, I think. So that's a long, long time to be on the board. But they—it was good, and I still have some contact with them, of course.

[02:05:49] KK: Twenty-seven years. That seems like a long time to serve on a . . .

EM: Yeah.

KK: . . . corporate board.

EM: Yeah, it was. I went on pretty early and . . .

KK: Yeah.

EM: . . . just got to see a world of . . .

KK: Whew!

EM: . . . change in the corporate world and be a part of it.

[02:06:04] And they really did, that group of people, they really did do a remarkable thing. [*Scratching sound*] They started with a little old telephone company, servin' Sheridan, Arkansas. Hugh Wilbourn and Charlie Miller were brothers-in-law, and they had both been linemen for Southwestern Bell and bought a telephone company. Bought it from Witt Stephens [*laughs*] and made quite a company out of it.

KK: No kidding.

EM: Yeah.

KK: Obviously.

EM: Yeah, they did. They really did well. And that transition from Joe Ford to his son, Scott Ford, runnin' the company is one of the smoothest transitions you'll ever see. Now that's extremely close family. Joe's father, Arch, and Joe talked every day when Arch run part of Education and Joe was doin' Alltel. But they talked every day, and I think Scott and Joe had the same kind of close relationship. And Joe brought him in to run it because it had—well, because he was better equipped to run it the day he brought him in than Joe was, and Joe knew that and brought him in, turned it over to him, and never did, you know, blindsided him or hindsight him or anything. He just helped him, and that's a fun thing to watch. It really is.

[02:07:35] KK: Well, I suppose in a big corporation that usually when you have a transfer of power like that, it can be very difficult.

EM: Sure.

KK: Different . . .

EM: Sure.

KK: . . . personalities, different . . .

EM: Any time you have family mixed with a business, it is difficult. The relationships between spouses of senators and their staff, always very difficult. I mean, they're com—both competin' for the person's time. It's the most important person in their life, and they're in direct competition and not enough time available.

KK: Yeah.

[02:08:29] EM: And any time you have a corporation that is run by a family, you have all the nepotism questions that have been with us from time . . .

KK: Yeah.

EM: . . . and you know, some people deal with 'em better than others. Sometimes they're legitimate. Sometimes they're not. And—but I mean, they have to be dealt with, and so . . .

KK: Yeah.

EM: . . . here we go. Witt and Jack Stephens's relationship at

Stephens Inc. was just absolutely fascinating. They had Jack's guys and Witt's guys, and that was the people that reported to Witt and the people who reported [*laughs*] to Jack. And they ran their own areas, and their people reported to them and not across. And they each ran their own show, although they were part of an overall whole. And they were both very strong-willed people, so that was very interesting from time to time. But they stayed together, worked out their differences, and obviously prospered and did very well.

KK: But apparently, I guess, what you're indicating is maybe they didn't always agree.

[02:09:42] EM: Oh no. [*Laughs*] Oh no. Well, and while we're talkin' bout corporations, let me go back to my family corporation that I'm runnin' now. My grandfather and father were not particularly corporate oriented. When they set up Murphy Oil, they were invited to put their part of the Delhi oil field in there, and my grandfather's reaction was, "Why would I put that money—put my money and property in there just to see if I could get it back out?" He said, "Seem like a lot of [*laughs*] trouble to me to do that." So he didn't do it. But in nineteen [*vocalized noise*]
—I can't remember whether it was [19]73 or [19]76—somewhere in there. My father decided that he wanted

to take his real property and his oil and gas assets and put it in a family corporation. He invited my two brothers and I to join him in doin' that, so we did. [02:11:02] And we all thought—he wouldn't ever tell you anything, but we all thought that the reason he did it was to make it to our advantage to work together and provide a vehicle for doin' so. Now he did more to run it than anybody else for a long time—his oil and gas and timber. And then after he died in [19]91, my little brother, Mike, was the primary person doin' it. I mean, we all did things, but he was the main one. And then I was in the process of movin' down here because Mike was in ill health, and Jodie was gonna spend most of his time with the legislature, no matter what. I mean, he was just . . .

KK: Yeah.

EM: . . . totally committed. And [*scratching sounds*] so when I came down—Jodie and I had always been very competitive, and this corporation was the first thing that all three of us had ever, you know, really worked closely together. We never had any disa—major disagreements and we—our rule was that if any one person didn't wanna do somethin', we didn't do it. And it was real easy to not do somethin'. You didn't wanna buy the piece of land, thought the price was too high, say, "No, that's it." We

moved on to the next thing. We never talked about it once somebody said no. And when Mike died and it was Jodie and I, I said to him—I said, "Look, you know, you're gonna be spendin' most of your time in the legislature. I'm gonna be [unclear word]"—that was—I, well, I was then and still am workin' part-time for Stephens's crew, Witt Jr. [02:12:56] And I said, "Well, let's take turns bein' president, and you be president for five years, and then I'll be president for five years, and then we'll worry about it after that tenth year," which never—we never got to. But he said, "Fine." And so we did it that way. And I was the one here. He was in Little Rock a lot, more than I was. And—but I was doin' the oil and gas, and he was doin' most of the timber. And Jodie and I did not have a single harsh word the last—at least the last eight years. You know, we just worked together very smoothly, which was a joy and a pleasure to both of us. And—so I've got that now. My board is Jodie's son, my nephew; one of Mike's daughters, my niece; my son, and I, are the officers and directors. And [*sighs*] if I get run over, they won't be cold turkey, [*KK laughs*] but it won't be easy because, you know, you need somebody down here.

KK: Yeah.

EM: And that—Michelle's a lawyer in Houston. My son's workin' for—

in the utility department of the state attorney general's office. And Michael Emon's runnin' a real estate operation out of Santa Fe, a nationwide real estate deal out of Santa Fe. So everybody's busy, and we haven't solved that problem yet, but at least they want to know what's goin' on, and I keep 'em posted a lot more than I would normal directors.

KK: Right.

EM: Yeah. I mean, I pretty well tell 'em what I'm doin', and they've been easy to work for. You know, it's worked well. [*Vocalized noise*] Ask me a question.

[02:15:07] KK: Sure. [*Laughs*] So when you were invited by Witt Stephens to run the gas company, I think Archie Schaffer [*unclear word*]*—*the way he had mentioned it to me—I assume this is the same event—he said, "Ask Emon what his best lunch ever was [*laughs*] with Witt Stephens." And I assume that was the day.

EM: Oh no. No, no, I think that's a true question.

KK: It's a different story.

EM: Yeah, I'm—no, I don't think it's—I don't think he has a story to go with that. He just enjoyed those lunches, as did everybody that went to 'em, and Archie was a frequent guest. [02:15:56] He could be talkin' about the day that Jim Powell and Orval

Faubus sat down at the same table together for maybe the only time ever, which was—if I'm not mistaken, that—and John Robert may've, Starr, may've been there, too, and Bill Clinton came in. He had announced for president across the street at the Old State House. Certainly, that strikes me as a [laughter] good crowd. But I just loved that whole deal. Ike Murray and Witt ran the lunches. They were the conversation provokers, and that was their part of it. [02:16:44] And it was the most open, interesting conversations I ever got to be privileged to, and when I came back from those lunches, I would always give Kay—you weren't supposed to talk about what was talked about at the lunches and stuff, but I would come back and give her a verbatim replay. You know, there was absolutely fascinatin' lunches, and so I would give her a replay of the repertoire. And she still remembered 'em, and we've had a wonderful relationship in that I've always—you know, a lot of people don't tell their spouses everything. They keep finances separate, or they don't—but we've always had just a wonderful, open relationship where she would listen to everything I would tell her, which was everything I knew. [02:17:43] And so I replayed these lunches, and I did a writing up my memories of workin' for Witt one time for Witt Jr. And I dictated it when she

and I were drivin' back and forth to Shamrock, Texas, and I'm not sure whether we were quail or turkey huntin'. I think turkey, but she had several contributions. Things she remembered, I had forgotten and—because she still remembered me tellin' her about these lunches, which by then were ten or fifteen years old.

KK: Yeah.

[02:18:23] EM: And so that's been good. Been a wonderful relationship. Our—I think old men's children have more fun. Our last child just, I mean, just spent his life with us till he left. He was ready to go when he left but—we took him fishin' the first time when he was three weeks old. I had a picnic basket with a mosquito net over it. I guess we were around mosquitoes. And he went duck huntin' the first time when he was three, and it was rainin' that day. And we were in a canoe, and we had a—put him on boat cushions and put a poncho over him. He slept. It wasn't any problem to him. [KK laughs] But any rate, he grew up with us. I mean, he spent every weekend with us. He—I asked him one time—I said, "Did it bother you, you did all that with us?" He said, "I thought that's what everybody did [*laughter*] with their parents." And he grew up learnin'. I mean, we loved to cook and drink wine, and that was

our idea of a big Friday night the whole time he was there
was . . .

KK: Yeah.

[02:19:37] EM: . . . you know, spend two or three hours cookin' a big meal and drinkin' a little wine. Lot of conversation. And I hope all that's been good for him. I think it was. Given what all I'm talkin' about, I'll preach a little bit. Every night Kay read to him when he was a little bitty baby. I mean, before he had any idea of what she was doin', she read to him every night. And one of the biggest nights in his life was when he turned two and got a regular bed and a big cushion back that he could sit in and read. Course, he couldn't read, but we had those Sesame Street books where they—you played the tape while you turned the pages and stuff. And then—so—and he saw us readin' all the time. I mean, that—that's what I've done all my life. I read all day long. I come home, and I read. I even read in the turkey blinds. [KK *laughs*] When I—when Sarbanes-Oxley came through and we were redoin' all that Alltel audit committee stuff, I spent a lot of hours in a turkey blind readin' that. And I can't—still can't believe I did that, but I had to. I mean, I was gonna turkey hunt, and that was the only time I had time to read that. [KK *laughs*] So that's what I did. [02:21:15] But I really think

that reading is the single most important thing that parents can do for their children. That boy and the little bunch of—he ran with an exceptional group of people. They all went to Fort Smith Public Schools, but Fort Smith schools were really good. And a bunch of 'em were—swam together and everything. But they always had a book. Now they had the electronic games, too, but they always had a book. And if there was a lull, they'd reach down [*laughter*] and pick out their book and start readin'. And I tried to tell all our children that I think that readin's just like pumpin' iron. The more you do, the better you get at it. And it doesn't make any difference so much, or quite so much, what you read as that you read. I mean, it's a skill.

KK: Yeah.

[02:22:06] EM: And that's the best way to get information from outta here into here is readin' [points to head]. That's the fastest way to do it. And whether you're readin' a book or a computer—I still prefer a book, but it's important. And the faster you do it, the more you can get done in a smaller period of time. So that . . .

KK: Yeah.



EM: . . . that's all important. No, I—I'll indulge myself. I'll tell you my favorite [*sighs*] school story, educational story. I had some

problems [*laughs*—I always had a few disciplinary problems, and this buddy of mine and I sat on the fifth—first and fifth rows, twentieth seat, in a two-hundred-seat study hall that had a hundred people in it. So we were as far away as we could be from anybody else in the room. Well, that was pretty dull, so I started goin' to the library every day. And they had these readin' machines in the library that had a metal sheet and a spring-loaded—and you put a book in, and this metal sheet would slide down over the page, and you had to read to stay ahead of it. And it was a speed-readin' deal, and there was an instruction book there, and I had read that. And I was practicin' every day, and I was competin' against myself, and I was gettin' faster. And I honestly don't know how fast I got, but it was fast. And the librarian came over. She, too—I—there was more friends of my grandfather's than you can imagine, and she was friends with my grandfather. She came over there, and she said, "Emon, I've noticed that you—you've been really workin' at this the last couple of weeks." "Yes, ma'am. I have." She said, "Well, how many words a minute can you read?" And I told her. And she says, "Oh no, you can't read that fast." "Yes, ma'am. I can." "Oh no. Nobody can read that fast." I said, "Pick a page, any page." And we put it in there, [*laughs*] and I was so mad.

My adrenaline was runnin' [*KK laughs*] rampant through my body, and I said, "All right, say go." She said, "Go," and I looked at that page and memorized it. And I said, "Okay." And I finished it way before the thing [*laughs*] came down. And I said, "Ask me a question, any question." She asked me one, and I answered one. I said, "Ask me another one." She asked me another one, and I answered it. And then I quoted her the last paragraph [*laughter*] on the page. And I won the battle but lost the war because she immediately confiscated my reading machine. [02:25:09] There were about fifteen reading machines in the library, and I never, ever saw anybody else touch one of those readin' machines. But she took my readin' machine and put it back on the shelf. And she says, "You already read too fast. You're not allowed to use this anymore." [*Laughter*] [*Claps hands*]

KK: Wow.

EM: That's my educational story of the year. But I had—but [*unclear word*] had to be fair. I was, I'm sure, provocative, and she wasn't [*unclear words*] you know, the teachers don't like kids gettin' in their face.

KK: Yeah.

EM: And I had peaked out. I wasn't gonna get any faster. I wa . . .

KK: Yeah.

EM: I had figured out I was peaked out. But it was an interesting experience.

[002:25:49] KK: But did you use that skill ongoing?

EM: Oh, sure. Now when you read that fast or when you read as fast as you can, however fast that is, you don't really retain it like you do somethin' else. And there's all kinds of reading, and I do a lot of entertainment reading—you know, novels. I love readin' novels. Witt got me started—I'll talk about this—Witt got me started readin' biographies. The first biography he gave me to read was a fellow named Marriner Eccles that was on the Federal Reserve Board, who Roosevelt put him on. He was a Mormon from Utah. And he said, "Now Mahony, this is my kind of banker." He said, "When he went on the Federal Reserve Board, he had two banks. When he came off, he had eleven.

[*Laughter*] My kind of banker." But anyway, he was a absolutely fascinating guy, and I gave that book to Clinton. I've never asked him whether he read it or not. I think he did, and I think it helped him when he got where he was goin'. But in my huntin' camp—huntin' and fishin' camp—and well, even today, I'm on volume five of Dumas Malone's Jefferson biography. But I read finance and accounting texts and biography and history at

the huntin' camp because the—I do a fair—a reasonable amount of heavy, hard readin', and you don't wanna come home and read a whole lot of biography and history and stuff when you do that. So—but at the huntin' camp I didn't read anything else. I didn't even have a paper. So I read lots of—and still, always have.

KK: Yeah.

[02:27:51] EM: And so I've read a lot of biography—the early presidents—a few later ones—Harry Truman and Grover Cleveland, and it's been really enjoyable. And that's another thing that I—is fun about gettin' old is I've reread some books. I've reread a lo—a whole lot of Faulkner books, and I'm just astonished at what I missed the first time I . . .

KK: Yeah.

EM: . . . read those. I needed a little more experience to understand a lot of what Faulkner was talking about. And the same with this six-volume Dumas Malone biography of Jefferson. I'm just aware of so much more rereadin' it thirty years later than I was when I first read it . . .

KK: Sure.

EM: . . . that it's been quite an experience to read that.

[02:28:47] KK: Hmm. I can remember tryin' to read Samuel Beckett

as a young man. You know, Samuel Beckett's not an easy read.

EM: [*Laughs*] Yeah.

KK: And my brother's about four years older than me, and I was readin' this stuff, and I was readin', and I finally called him one day and said, "I'm kinda havin' trouble with this." He said, "You might wanna wait a few [*laughs*] years before you tackle that again."

EM: Well, Samuel Beckett and his runnin' mate, James Joyce, were both . . .

KK: Yeah.

EM: . . . difficult reads at time. When I read *Ulysses*, it took me from Easter till the Fourth of July to finish it. But it was one of those books where I could pick it up and read three pages. Pick it up two weeks later and read ten more pages, and it was like I had never put it down. It stuck in my mind like that. And I loved *Ulysses*. The one book I failed at reading in my life is—what's his last book? I'll ask Kay when she gets back. But [*vocalized noise*] can't believe I can't think of—anyway, Joyce's last book. I wouldn't say it's a novel, and I can't tell what it is, but I can't read it. I've tried—I'm gonna say I've tried pickin' it up ten times and tried to read it and I just—I can't get through it. So whatever.

[02:30:08] KK: Well you know, it was a very interesting time, you know, when he was writing. You think of . . .

EM: And he was blind, too. That was another problem he had.

KK: Well you know, and you had people like these geniuses like Ezra Pound and all these people, and they're all communicating with each other, editing each other's work, and so it, you know, it was a really interesting time.

EM: Yes, it was.

KK: And those books are not easy to [*laughs*] read. That's all there is to it.

[02:30:35] EM: In fact, let me give you a little poetry from—you know Wallace Stevens?

KK: Yeah.

EM: You know Wallace Stevens?

KK: Sure.

EM: From "Peter Quince at the Clavier." "Just as my fingers on these keys / Make music, so the self-same sounds / On my soul [EM edit: spirit] make a music, too. / And thus it is that what I feel, / Here in this room, desiring you, / in your blue-shadowed silk / Is music." It's my favorite poetry.

KK: Wow.

EM: I read that to her all the time.

KK: Very, very nice.

[02:31:06] EM: It really is. And he was an insurance executive.

[*Laughter*] He was an insurance executive, but he was quite a poet. In fact, the only good thing I can say about Greenberg these days is that he's very fond of Wallace Stevens and quotes him in his columns [*KK laughs*] from time to time. Other— further deponent sayeth not. [*KK laughs*] But that's the best I can come up with, if Archie had anything specific in mind.

[02:31:37] KK: Well, he just said, "Ask him what his best lunch was with Witt Stephens," and I wonder if he's talkin' about the one where Clinton came over or if it's somethin' different.

EM: Yeah, that probably was it.

KK: Yeah, it sounded like a pretty . . .

EM: That probably was it. And Archie . . .

KK: . . . interesting day.

EM: . . . would likely have been there that day, too. Archie would likely have been there that day.

[02:31:51] KK: Well, what was so special about that day? I mean, obviously, there were a bunch of interesting people there, but were there certain things said or was it just the group of people that were there?

EM: No, just a bunch of interesting people there, and it was a really

big day that he was . . .

KK: Yeah.

EM: . . . announcing for president. And he did show—he did come by right towards the end of the thing, and I think maybe Powell and Faubus were both at the table without Powell throwing up.

[*Laughter*]

[02:32:15] KK: That's interesting. That's quite an interesting group of people. If you take Arkansas history from Faubus up to Clinton, have those people at the same table, that's just unbelievable, really. It's . . .

EM: And those conversations that day were really somethin'. Henry Woods . . .

KK: Hmm, yes.

EM: . . . was very active in the conversation always, and of course, Richard Arnold was there all the time. Bill Wilson was there a lot, and we had a lot of federal judges. And—but they were all fine conversationalists.

KK: Super . . .

[02:32:51] EM: And Ike Murray was really quite a guy. He kept things movin'. And who I haven't mentioned that I really do need to mention is Vernon Giss. Vernon was an investment banker from Chicago. His firm and Witt's group did a lot of

business together, and Witt eventually recruited him to come in and run the municipal fund part of his business. And Vernon was the lubricant that kept Witt's machine movin' and people workin' together and gettin' along. He was the voice of reason. Very bright, very intelligent guy and just a wonderful fellow. He was really good to me. When I went up to Fort Smith, I was a long-haired hippy liberal lawyer from Little Rock in Fort Smith. Wow! [*Laughs*] So I needed some help, and I had—you know, I didn't have any business background. I was a lawyer. And Vernon and a guy named Byron Smiley, who's Walter Smiley's brother, really helped me a whole lot. Vernon went on my board, and Byron would come up with him when he went to the board meetings, and they were very, very, very helpful to me. [02:34:18] Let me give you one other side note I've thought of two or three times and keep—I'll finally get it in. Both John McClellan—all right, back up. Charlie Murphy and his bank connection—and he handled the finances. Banks, to my mind, are nothin' today compared to what they used to be. They were the center of all activity in the town. There was not that much money. They had what there was, and if you didn't get along with them, you didn't have access to money, and you couldn't do much. And that was the center of financial activity in every

small town in Arkansas. John McClellan caught a lot of criticism for ownin' bank stocks. But he bought stock in a number of banks around Arkansas because his plan had always been to come back and be in a law firm with one or both of his sons, and he was gonna trade, buy and sell things. And his entrée into all this was ownin' these bank stocks and knowin' the bankers and havin' a—somewhere to go—somebody he knew with—had somethin' in common to [EM edit: somebody he knew with whom he had something in common with him] when he went to town was the banks. Well, Witt was the same way. Witt had—usually ended up with more [*laughs*] stock than the senator did, but I mean, that was his whole deal, and he owned a lot of banks around the state. And so his political network was set up with his bank connections. And the bankers were also the center of a lot of political activity. He would sell the bankers municipal bonds. From time to time they would do things together jointly, politically and everything else. But he had a ready-made organization he had regular contact with because they were buyin' and sellin' . . .

KK: Yeah.

[02:36:31] EM: . . . bonds. And they did things together, investin' financially. So this talk I made a few years back was comparin'

the way Witt did his deal and the way Mr. Murphy did his. But they both operated with partnerships, and they had just different ways of puttin' 'em together. Now Witt's—well, Witt's one of the few people that, you know, legitimately put makin' money and politics together and just—he had a—just a whole big group of people he regularly talked to. And they were bankers, and so they were influential in their communities, and he could have a—it's a way of leverin' yourself. Mr. Murphy could never have done what all he did if he hadn't figured out a way he was comfortable with to lever himself by settin' up these ventures where he handed the finance to somebody he trusted and knew had good skills runnin' it and so on and so forth.

[02:37:38] KK: That's interesting. That's very interesting. You know, a common theme that has run through your entire interview is that you had a chance at a young age or you had a chance in your career where you were inexperienced in an area somewhat to be mentored by really good people.

EM: You betcha.

KK: And also given the opportunity to do somethin' that maybe you were—that was challenging and . . .

EM: No problem.

KK: . . . rewarding.

EM: No problem. Plenty of challenge.

KK: Yeah.

[02:38:04] EM: And I had another advantage. [*Sighs*] And I've told you I always had a few good friends. I'm workin' in Washington. Paul Berry, Randy Wilbourn, my father and little brother—I could keep up with what was goin' on by—because these were people I knew had lots of interaction with other people, and I could keep up with what's goin' on. And when I've lived in, you know, different places, I've—and Joe Ford—and I had people that I regularly talked to that I could learn what I needed to know about what was going on. And then when I was in Fort Smith—now I call back there to a few people the same way. But Witt and my father and my little brother, my bro—my brother-in-law—Don Smith ended up bein' my brother-in-law. He's married to Kay's sister. And the ability to keep up with what's of interest to you and your life in a very short conversation is priceless.

KK: Yeah.

[02:39:38] EM: I mean, it really is. And—just like the *Wall Street Journal*. I think I've read every edition of the *Wall Street Journal* for the last thirty, maybe forty, years. And it's really a good newspaper. When I was advising John McClellan, most of the factual information that I relied on to advise him came from the

Wall Street Journal. I never—not the editorial pages . . .

KK: Right.

EM: . . . I ain't gonna say what unspeakable things I do with them, but the rest of the newspaper, the reporters are just really good. In fact, last week I saw the first really bad piece of reportin' I've ever seen out of there and it—maybe that's Rupert at work but [KK laughs]—when you frack—they were describin' frackin' an underground gas well as puttin' water and sand under pressure in a well to push the oil and gas out. What you're really doin' is you're goin' in there and puttin' the sand or other proppant and water in there and breakin' it open so that the gas and oil that's under pressure can flow out. You're just openin' it up an avenue. You're not puttin' any pressure down there except to break it open, so it can then come out. And I've never seen 'em have anything that wrong in forty years. And I was just shocked. I mean, it was that wrong. But they—I mean, that has really been a wonderful resource to me, and I, of course, I had to—it was no more difficult to get the *Wall Street Journal* than the *New York Times* or the *Washington Post*. And any rate, that had the information I wanted in it, and I'm very big on 'em. [02:41:48] They've gotten over into literature and the arts and lots of areas they didn't get into. And I've bought more books

off of book reviews in the *Wall Street Journal* than I have other places—any other place. Very interesting. That's where I first saw *No Country for Old Men*. Have you read that?

KK: I have not read it.

EM: Then you . . .

KK: I have not read it.

EM: Do . . .

KK: But I need to.

EM: You do. That is the hardest book I ever read.

KK: Really?

EM: Ah!

[02:42:18] KK: Is it because of the dialect or because of the complexity of the . . .

EM: No, it's—I mean, it's cold. He is a spare writer, and it's the most vicious, violent . . .

KK: Yeah.

EM: . . . coldly vicious, violent book I've ever read, and I've read a lot of—I like his books—Cormac McCarthy. I knew I'd come up with his name in a minute but I—he wrote *The Road* right after that, and he wrote some things when he was younger. Just a fascinating writer.

KK: Yeah.

EM: And totally different. Totally different from almost anybody else. Very interesting fellow. But I do particularly remember readin' that review in the *Wall Street Journal* and gettin' that book because of it.

[02:42:58] KK: You know, 'cause I think of, like, the *New York Times* and all that as being kind of the book review type of, you know, place where you go to look for book reviews.

EM: I think the book reviews in the *Journal* are better.

KK: Well, that's interesting. I . . .

EM: I really do.

KK: Maybe I need to subscribe.



[02:43:11] EM: Course now, my—I have a fundamental belief that the world begins and ends with economics. And that's what turns it, and it just—I'm as convinced of that as I could be of anything. Now whether that's right or wrong, I have no comment on. But that's the way the world works. That's what turns it, and that's what's important. And if you don't understand economics, you don't understand what's goin' on in the world you live in.

KK: Well, it must be very painful for you to hear slogans and sloganizing in a time of economic crisis because it's infuriating to not just be able to hear facts, I think.

EM: I don't finish near as many news articles as I used to, no matter where they occur.

KK: Yeah.

EM: I don't. I mean, it's—people are not so interested in putting out factual information as they are on convincing you of their point of view. And I don't—you know, what I always loved about the *Journal* the most is that they just gave you the facts. They were not—they didn't editorialize. And they still don't very much. But even there, it's creepin' in. People want to convince you of things, and so I increasingly find I just get out my BS stamp and move on to the [KK laughs] next article because I—I'm not lookin' for opinions when I'm readin' news.

KK: Yeah.

[02:44:51] EM: And I, of course, I get so much more off the Internet now than I used to. *Arkansas Business*, I think, does just a really good job with its news things. And there's an outfit a friend of mine works on in Fort Smith called the *City Wire* that keeps me up and all—and that's gettin' back to the point of havin' somebody you can talk to that keeps up with what's goin' on and will tell you quickly. Well, I still call Michael Tilley from time to time, but I don't need to because I can read [laughs] what he knows in a lot less time because I get those things

every day. And it's a—it's—that whole world's changin'.

[02:45:37] KK: And Michael Tilley is at Fort Smith?

EM: Yeah, he used to—he was the best reporter when I worked up there for the newspaper that I dealt with. And a guy named Jack Moseley was the editor, and Tilley was the best reporter. Course, Moseley kept on reportin' some, even though he was the editor. But I had a wonderful relationship with that newspaper, and the *Gazette* just doesn't get it done. The best read, every survey they ever did, the best-read part of the Fort Smith newspaper was letters to the editor. That was that—more readers read that than anything else in the paper, and they looked forward to it because they would get people interested in writing, and they would go back and forth. There would be an exchange in there, and they didn't censor it. Make any difference what the newspaper's point of view was. If they had somebody that was writin' somethin' that would provoke some interest among the readers, hell, they were there to sell newspapers, not sell schlock, and so they would run 'em, and that was fun, I mean, for everybody involved. It really was. Nobody dominated it, you know. [02:46:55] But I wrote a [*laughs*—I wrote—I still don't believe I didn't get lynched. Southside Rebels, that's the mascot of the Southside High

School. So Moseley was on a campaign the whole time I was up there to get Rebels off and get a different mascot. It's a bad image, you know, and it had the old Confederate soldier and all that stuff. And it was mostly white. Northside had more minorities. And so he was on this campaign, and he was gettin' a bunch of flak about it, and I thought, "Well, I think I'll help old Jack out." So I wrote a letter in which I said that I just didn't understand what all the controversy was about. That, generally speakin', in my experience, people that wrote—they had picked their mascots to be, you know, some kind of fierce critter, like a wolverine or a cougar or a panther or a tiger or whatever. And you know, maybe everybody down there hadn't gotten the word, but I don't know why they would name their team after a losin' group. [*KK laughs*] That group didn't win the war, and you know, the object is to win the football game or basketball game, and you name it after a loser deal. Here's [*laughs*] the good part. I said, "Why don't they name it after a winner, like Ho Chi Minh or [*KK laughs*] Martin Luther King or"—I forget who the third one was [*laughs*] I put it in there. And I hadn't been there that long when I wrote that but I, you know, I never—I don't know. Jack may have censored it. There never was an answer came in the paper. Nobody ever accosted me on the street

about it or anything. I [*KK laughs*]*—it's been long enough now I've probably gotten by with it. But any rate, that's the most provocative single letter I ever wrote. That had to cross some eyes. [Laughs]*

[02:49:01] KK: No kidding. [*EM laughs*] No kidding. I mean, you evoked the whole Southern heritage thing [*EM laughs*], the loss of the Vietnam War, and the—you know, all the thing all at once. That's about as much as you can put in one sentence.

EM: [*Laughs*] It sure was.

KK: It's gonna be provocative. [*Laughter*]

EM: But we had a lot of fun with that.

KK: Well, that's [*unclear words*] . . .

[02:49:22] EM: Well, and that's another just fascinating experience I had up there. I was the head of the Fort Smith Water Task Force. Fort Smith ran out of water in the [19]80s, I guess, and they were tryin'*—they had settled on damming Lee Creek. There was a lot of environmental objections. Strib Boynton, that was the city manager, called me one day and said, "Mahony, I understand your brother-in-law is a FERC lawyer—used to be on FERC. He's off, and he might could help us." Or maybe he just asked me to help. Anyway, I put him with my brother-in-law.*

[02:50:03] And an interesting sideline, I've told very few people

this, but one day [*laughs*] he called me up and said, "Mahony," said, "I just wanted you to know at the firm meeting this mornin', one of my partners asked me why I was givin' the brother-in-law rates to the [*KK laughs*] City of Fort Smith with their water supply." [*Laughter*] I said, "Did you tell 'em?" He said, "Yeah, I told 'em." So at any rate, he did do—I mean, he took care of their business for 'em and did not charge him what he woulda charged anybody else, which was—I didn't ask him to, but I appreciated it. Any rate, they got through that. It was a big brouhaha, and I had gone on the Soil and Water Commission to help 'em get the lake. I mean, they had to have water. So we worked through all of that, and I enjoyed that term on the Soil and Water Commission. And then come time to get some more water, and they were havin' the usual back and forth and everything, so the same city administrator asked me would I chair the task force, which I did. And we held, you know, lots of public meetings and built a big record and did what, apparently, was the best thing, both economically and environmentally, and it went right on through. But when we got through and made our recommendation, the board director [EM edit: city board of directors] didn't do anything. Just sat there. Asked us to keep the task force in the event—in existence for a while longer, and I

said, "No." And I talked to them. "We're through. We did what you asked us to. We've made our recommendation. We're convinced it's the way to go. There's no reason for our existence anymore. We're gone. Goodbye. Sunset." [*Vocalized noise*]
[02:51:54] Any rate, it took two or three years before they did anything, and we were runnin' out of water. In fact, Fort Smith did run out of water and had to use some Arkansas River water before it was all over with just simply 'cause we dillydallied around and didn't do anything. And when they finally did build it, it got built under budget and on time or a little early, you know. It—but any rate, they got—they have lots of water now, and it's a good thing. And I never did figure out the opposition. I think it may lie in the fact that Mark Twain said that "Whiskey's for drinkin'; water's for fightin'." [*Laughter*] Everybody loves to fight about water. So at any rate, I was makin' a speech about this to the Rotary Club, and there was an engineer who valued his talents more than I did. And he had lost the water company's business. We were with a big, international outfit out of Kansas City, and he had—was always resentful that his firm had lost the business. I won't get into that. But any rate, they claimed that we were doing what we were doing the way we were doing it so Witt Stephens could sell some more bonds to

build it and all this crap. And he had just gotten an award for thirty-five years without missin' a meeting at Rotary or somethin' like that. Obviously, a club stalwart. And he raised his hand back there and said, "You didn't rule out" this or that. It was some anti-Witt Stephens remark. And I think Witt was already dead and I—the more—and I was already mad at him when I got in there. [*KK laughs*] And he came out with all that, and I'm sittin' up there with the publisher of the paper and the editor. You got two city directors that had been blockin' it out in the room. So I stood up and said, "You're a damn liar." I said, "Is that clear enough for you? Do you understand that?" God, the room, you know, erupted. But—next meeting, the two directors voted for the [*laughter*] water project, and we got it goin'. And the newspaper boys had them a front-page story, and [*laughter*] it was fun.

BP: Five minutes.

KK: Okay. We're gonna take a break here pretty soon.

EM: All right. Take one right now if you want to.

KK: No, five minutes.

EM: All right.

[02:54:40] KK: We got five minutes of tape left here. You wanna talk any about your Game and Fish Commission . . .

EM: Oh, sure.

KK: . . . work?

EM: I'll talk about anything.

KK: Let's talk about that a little bit. How did that—obviously, you're an avid hunter and fisherman. Have been all your life. But that's not the only reason one gets to be on a Game and Fish Commission or wants . . .

EM: No, it's not.

KK: . . . to be on a Game and Fish Commission.

EM: No, it's not. We had a pond down here when I was growing up, and a lady that worked for us who was a mentor and a mother, back-up mother, for me used to take me fishin' down there, and I loved fishin' with her. I loved her. She was a wonderful woman. And I taught my father how to fly-fish, which I learned from readin' books. [*KK laughs*] And any rate, and I fly-fished, and I fished all over Louisiana and California and Arkansas and Virginia and have done a lot of fishin'. I did more fishin' than huntin'. [02:55:49] Took up huntin'—really got the most interested about my senior year in law school when I had a friend that had a—access to a log cabin in the swamps just outside of New Orleans. And I really got intrigued with duck huntin', and so when we came back and Kay and I got married

and I was in that huntin' club we're still in, and I thought, "Well, ain't nobody gonna call d—call ducks for me with five kids and a wife." And my family always was invited. We always went together, and so I had to learn how to call ducks. And [KK *laughs*] then I got interested in deer huntin'. Kay can't eat beef. She's—she developed a beef allergy. [*Tapping sounds*] Venison doesn't bother her. So if we eat red meat, you know, if we have tacos, it's with deer, which I now like better than beef, but that's another story. And my father had been active in the—with some of that. He went up to Wisconsin on a train in the [19]30s, and they brought—most of our deer down here are Yankee deers. That'll make your red neck fall off, but they're mostly [KK *laughs*] Wisconsin deer. They went to Wisconsin and brought 'em down here and put 'em in a preserve, and they multiplied out from there. And our closest thing to a family work project ever was the Felsenthal reservoir down here. I was workin' for McClellan when it got funded. My little brother, Mike, had been put on Game and Fish by Bumpers, and so he was the Game and Fish part of it. Jodie was in the legislature. And Jodie and Mike and Papa, *pro bono*, did most of the title work on the reservoir down here, so we all had a role in that. And we'd grown up fishin' down there, and we were very interested in it. So there's

a political huntin' and fishin' connection right there.

KK: Well, let's hold that thought until after this tape change, and we'll finish . . .

EM: Okay.

KK: . . . that story.

[Tape stopped]

[02:58:02] KK: Well, jump . . .

EM: [*Unclear words*]

KK: . . . right in there.

EM: To start out, I wanted to say that it has always been my belief that the one unacceptable excuse for losin' a case as a lawyer is that the out—other side outworked you. That's not acceptable. Never was to me, and I don't think it is to most lawyers. That just—that's not an acceptable excuse. He had asked me while you were gone about an overview about—let me give you a little overview, and then when I get through with this—no, I'll finish the Game and Fish first. [02:58:44] Witt Stephens Jr. had been—my little brother was the youngest Game and Fish commissioner appointed until Witt was appointed, and now he's the youngest one. And I watched him really do a super job as the Game and Fish commissioner. And that got me interested in it, and you know, I think anybody that hunts and fishes a lot is

interested in makin' some contribution in that area. I will have to tell you that it's a bigger job than I anticipated it would be when I came in. And that's not 'cause of all the controversy; it's just the fact that it's such an enormous undertaking in the state. It is a great big job.

KK: Yeah.

EM: And it has not changed as much as I think it needs to in terms of incorporating modern business practices and techniques. And we've spent the last couple years workin' very hard at doin' that.

KK: Yeah.

EM: And whether it's—anyway, we have a lot of unfinished work there . . .

KK: Yeah.

[03:00:05] EM: . . . and it's been very enjoyable, and we've been harassed by frivolous lawsuits, but they've both now been thrown out. And there was a huge controversy about the turkey season, but even the newspaper reporter that started that has now referred to our decision as prescient, and so I think that that's pretty well over. [KK laughs] And you know, we're gonna go and do, but it has highlighted a lot of things about how closely related the challenges of running any large organization are. And I mean, we have, at Game and Fish, we have the same

problems with the—they may not come up the same way, but we have the same problems with the EEOC. We have the same problem with media relations. We have the same problems with financin'. We have the same problem with how we manage our people and our business and—so we're going through a lot of change in that area, and of course, the whole world's changin' . . .

KK: Yeah.

EM: . . . and we'll have to change with it as we go forward. But that's been the most interesting and surprising thing to me. And it's just a—I think our budget's maybe \$80 million, you know, per year. I mean, that's a big organization.

KK: Yeah.

EM: We have five hundred employees. I can't even tell you how—I will be able fairly soon but I—how many acres of land that we manage, and we don't manage it up to speed yet. We're gonna get organized. We're plannin'. We're just gonna do a lot of—a lot more than we have been doin', and the staff's ready to go. I mean, we're—so we're gonna do it, and it's gonna be fun. And I think we'll show some results.

KK: Yeah.

EM: I certainly hope so. All right, I did that, and I talked about the

[03:02:09]—oh, the overview. I like to—particularly if there's some other lawyers around, I like to say that I went straight thirty years ago and quit practicin' law. [*KK laughs*] But you know, the fascinating thing about law is that so many people—well, the lawyers are the lords of the universe in our society. Now whether you like it or not is a different—that's another question, but they are, and they run our world, and they have for a long time. I mean, you know, just like the form you gave me when I signed to start this interview. That's necessary, whether you goin' to the doctor's office or the dentist's office or dealin' with your stockbroker or whatever, you know, you—the lawyers get the first lick at the relationship. And so I practiced law two different times. I wrote laws in Washington. I had a brother who was a very active law writer, and my father did it. And runnin' a utility, you are constantly in court. And at the Game and Fish Commission we've been constantly in courts. And when I was on the Soil and Water Commission tryin' to build the Lee Creek Reservoir, constantly in court. So you learn a lot of things in that process about how law interrelates with society and what kind of impact it has and—[*unclear words*] we just finished another great big lawsuit over this Turk plant—the siting of the—that coal plant that's right next to . . .

KK: Yeah.

EM: . . . four hunting clubs that she and I have ownership interest in. And so there's more and more and more things subject to litigation, and it's more and more helpful to have the background to understand what's goin' on, particularly if you have a role in managin' the litigation. [03:04:17] For example, one thing that you don't see people talk about much but is very important is how the lawyers handle media relations. Now we ran things a little different in Fort Smith than they do a lot of other places. Most of the utilities in the state were very sensitive to public opinion and what the newspapers said about 'em and so on and so forth. And I had a good relationship with my newspaper. That's not to say they didn't say bad things about me, but we had a pretty good relationship. But we had a lawyer representin' some industrial clients that filed a proceeding—I guess with the Public Service Commission—and then put out a press release before the commission or us got a chance to see what he had filed. I took exception to that and filed a complaint with the ethics group. Now I think they're misnamed because they don't have much to do with ethics that I've ever been able to see except lawyers are let go. But in this particular case, apparently it was a very controversial thing 'cause it took 'em two years to

rule on whether the guy had been unethical in operatin' in this fashion. The Public Service Commission—and I didn't talk to 'em; I just watched 'em—refused to set a hearing on this until the ethics complaint was disposed of. Well, this ended up costin' this guy's clients four million dollars, and I laid it out to 'em when we got back together, by just this delay because I was willin' to do then what I was two years before. Would've done it in a negotiation to start out with, but they decided they were gonna run over me and that I would fold under media pressure. [03:06:25] Well, if you're lookin' for love, you ought not run a utility. [*Laughter*] You're gonna be very disappointed. It's kind of like runnin' for office, you know. That was Lyndon Johnson's problem. He was still lookin' for love and not gettin' any when he was president, and that's what killed him. But I mean, you just, you know, you—if you're not—if you can't take the heat, that's the kitchen you best stay out of. And Game and Fish the same way. And—but any rate, that's all part of a spiel, and I have enjoyed goin' through that and watchin' that and enjoyin' that, and if anybody gets where they will do anything because of media pressure that might be applied to 'em, they're on the road downhill fast. I mean, that—because people understand that about you, they will take advantage of you then. And—so you

don't wanna make decisions on that basis has been my experience. [03:07:29] There was a time I thought I could predict, if I knew the lawyers and the court, how most litigation would be resolved. I don't feel quite that strongly now but—and one reason I quit practicin' law was that I couldn't stand to lose as a lawyer. I'd get so wrapped up in things, and obviously, if you can't [*KK laughs*] handle that, you need to be out.

KK: Yeah.

EM: But it never bothered me to lose as a client as much as it did as a lawyer. I don't know why, but that's just the way I am. And I think that was a good decision. I don't think I would've been happy continuin' to practice law. And you don't see very many old trial lawyers. They wear out. It's a very wearing-out process, and any rate, we do have a very good, albeit imperfect, system of justice and system of lawmakin' and so on and so forth. The weakest link in that, in my opinion, is the reporting community which—but it has been my experience that the electorate has gotten very good at evaluating the information that they receive from the media. Some of 'em have gone overboard with ?over typing? the media, but that relationship's gonna go on for a long time. [03:09:31] But a part of all that is that the next generation doesn't read newspapers. And

somebody had to point that out to me. [KK laughs] I didn't notice it myself, but they don't. And so even with a monopoly, the *Gazette's* havin' real trouble makin' money. The transition to electronic news dispensing has gone in fits and starts. One really attractive thing about it is that anybody that wants to be a publisher is, and if you can somehow get the word out that people ought to read you, and they do, there you are. You're there. So that's a bit of a positive development. And there's so many blogs where you do get some conversations goin' where, you know, you have an opportunity to have a voice. But a—you know, I come on back to the theme of bein' advantaged several times. And I have been advantaged in terms of bein' able to have an impact in most areas that I've been interested in.

[03:10:49] And you know, part of Nelson and my dispute goes back to when we built that Ozark pipeline, and I went after his monopsony, and he got very upset about that. And then when he was runnin' against Bill Clinton, I obviously was on Clinton's side, and people pointed out how much less the gas I cost—I sold cost than his gas. And I was runnin' more efficiently somehow and sellin' it for less. And he said there was an advantage I had because I was little company, and I didn't have all the problems that a big company had. And I invited our

readers in Fort Smith to check out with their local merchants and see how much an advantage they thought they had over Walmart [*laughter*] as little companies fightin' a big company. I said, "And I think they'd have trouble gettin' people to agree with that." So at any rate—and that hurt him up there. Bill Clinton beat him in Fort Smith, and I think that shocked Clinton as much as anybody. But you know, I've seen lots of—I've only been involved in one political race just totally, and that was the [19]72 McClellan race. But I've been involved to a lesser extent in, you know, in several of 'em. Fascinating business.

[03:12:18] Mike Beebe is the best governor I've seen in my lifetime, and I think the best I will see, and that's not to take away from Bill Clinton, who is a very special, extraordinary person. There's very few, if any, people like him anywhere. But insofar as runnin' the state of Arkansas and bein' thoroughly and totally prepared and dedicated to that task, that's Mike Beebe.

And I mean, he is really good.

KK: Yeah.

EM: He knows what he's doing. He's conservative financially. He's—or economically—he's responsible socially. He's good at economic development. He used to tell people that thought Clinton was too liberal—I said, "Look, he spends all his time

worryin' about economic development and education, and those are two things I care about most from a st—that's what I want from a state government is a good educational system and economic development. And why would I not like him? I mean, he does what I think needs to be done and does a good job of it." And Beebe's awful good at both those things. And—but he understands the nuts and bolts of state government in a way that very few people do. He spent a lot of time studyin' and workin' on it, and of course, his sidekick, Morril Harriman, is the only other person who knows as much as he does, and so he gets the benefit of that as a bonus . . .

KK: Yeah.

EM: . . . all the time. And—so any rate, I've watched enj—I've enjoyed watchin' them work on the state and been very comfortable about it, as I think almost everybody in the state is of both parties, you know. [*Dog barks*] [03:14:12] This area is possibly on the verge of an economic boom bigger than the original oil boom. The—and it's always been dependent on natural resources. And we may be gettin' some other things at some point, but it's difficult. And we're gettin' better highways but there—they—they've spent, oh, \$2- to 300 million in the last three years lea—takin' leases on what's called the Brown Dense

of lower Smackover. And I—we don't know if it'll work. It's gonna require extensive fracking, but it has the possibility of bein' a very productive oil play. And it's already had a huge impact. They've spent \$300 million down here, and now it didn't all stay here. Some of it went to out-of-state landowners—leases—and the mineral rights—but a lot of it did. And there's some real hope there. Now we don't know, but we'll know soon. They're gonna drill a couple more wells here in the next few months, and if we do, you're gonna see this area go back to the boom days. [03:15:38] And the part of north Louisiana that's impacted by this is just south of here in Union and Claiborne Parishes, and they're very similar economically to us. Monroe and Shreveport are, of course, a little more advantaged, but this is the center part of north Louisiana. And it'll be a fascinating to see what happens because it—if they hit, what they've spent on the leases is nothing compared to what they're gonna spend drillin' those wells 'cause they'll talk—take about ten million dollars apiece to drill the wells. And if the acreage was leased for, and this'll be pretty close, if the acreage was leased for 128,000 and it takes 10 million to drill the well, then they've already spent 300 million. These numbers . . .

KK: Yeah.

EM: . . . could go up pretty quickly, and there's all the transportation requirements and steel pipe requirements and pipelines and high-end drilling equipment—machin—it's quite an undertaking, and it'll be a lot of money spent, and a lot of good things, economic things, will happen. There'll be some other problems, too, but that's the way things go. But it'll be a boom situation again. I would hope that this next time we would be able to keep our focus on other things, as well, and do some things that will last longer than the natural resource play.

KK: Mh-hmm. Well you know, is it . . .

EM: Time will tell.

[03:17:29] KK: [*Laughs*] Yeah. Well, it's interesting because you guys, the city and county and leadership down here—as we've come back year after year to do interviews and watch it change, you look at how much infrastructure they've put in, you know, brand new high school, upgraded community college, downtown square renovation. That's a huge part of being prepared to take advantage of a boom from an outsider's perspective. Would you . . .

EM: Well, it is. And the effort that they're now mounting to make this a city of celebrations, okay? The arts have always been supported by surplus money.

KK: Yeah.

EM: Kay. That's not first dollars spent. It's surplus money. And so we have a boom, there would be more of that, and there'd be opportunity to get that kind of thing goin'. Kay and I went out to Oregon to Ashland three years ago just 'cause I had always heard about it, and we had not spent any time to speak of in Oregon, so we went out there and spent a week and spent three days of it in Ashland. And it's quite an interesting community to visit. It was very nice. We watched quite a few plays, had some good meals, went to some wineries. We won't have wineries here, but they've got wineries out there. Oregon's a fascinating state. But any rate, doin' that same kind of thing here, if you do have a boom, it will be easier.

[03:19:16] KK: Mh-hmm. So how does Ashland, Oregon, compare in terms of as an example for the El Dorado area? What about it was inspiring for you for . . .

EM: Well, they—their theater effort is spectacular, and it's Shakespearean. You know what they do, they put a lot of Shakespearean plays—they have the Victorian reconstruction theater and other theaters, and they just do a wonderful job of bein' a place for the arts to flourish. And it—a lot of people go there, watch plays, stay a few days, eat in the restaurants. Best

Thai restaurant I've ever eaten at was there.

KK: Really?

EM: Really good food.

[03:20:04] KK: Let's talk a little bit more, if you don't mind, about the McClellan [19]72 race since you were involved in that and it was such a interesting race and it was . . .

EM: It was.

KK: . . . such an interesting time in Arkansas politics. You had . . .

EM: Yeah.

KK: . . . all these people comin' up who later would play a huge role in Arkansas politics. It was almost a sea change time between the older generation of the Wilbur Mills and McClellans, Fulbrights, and then the new generation of Bumpers, Pryor, Clinton. Is that—it—would that be a . . .

EM: McClellan just held it back by two years. [KK laughs] When Dale Bumpers filed for senator, I went in McClellan's office, and I said, "Well, we just got a new senator." And he said, "What are you talkin' about?" And I said, "Well, Dale Bumpers filed, and he's gonna win in a walk." I said, "I—it's not gonna be a contest." I personally supported Fulbright out of loyalty. He had represented the economic interests of Arkansas well for many, many years. My family had personal obligations to him for the

way he had conducted his business, for the way he had helped us, and I didn't have a choice. And—but it wasn't 'cause I thought he was gonna win. I was convinced he was gonna lose, and a million dollars was a lot to spend in 1974, and he spent a million dollars and didn't change a vote.

KK: Yeah.

[03:21:34] EM: His polls goin' in were the same as the vote to the last day. He didn't change any votes, and it was—closest thing I've seen to it was Blanche Lincoln's race. She didn't change a vote from start to finish. And that's life.

KK: Yeah.

EM: But the McClellan—and I've got here—I don't think it would be helpful to you. I think I have it here. I have the master's thesis that a fellow named Rob Wiley wrote on that debate, and I think the debate is what changed that election result and I th—I don't know, but I think David would agree with that. I didn't know it at the time, but I bet he did. On Friday before the election on Tuesday, I think David had 47, 48 percent of the vote; McClellan had 31. This on Friday before a Tuesday election, and that changed that much in four days? That's absolutely astonishing. I mean, I've never heard anything remotely close to it, and the only thing that happened during those four days was the debate.

Any rate, a fellow wrote his master's thesis on it named Rob Wiley. Do you know—is that name familiar to you?

KK: Hmm, yes.

EM: Oh, okay. All right. Well, you know him.

KK: I don't know him personally, but I'm . . .

EM: Yeah, all right.

KK: . . . aware of the . . .

EM: Yeah.

KK: . . . writing.

EM: Yeah. Well any rate, he wrote it. He was in—I guess he was in television at the time or workin' for a TV station or somethin'. But he was an interesting guy, and Paul Berry's wife, Mary, and I both spent a lot of time talkin' to him and Paul about that. And that particular election has had an enormous influence on my life. Some of my best friends over many, many years, Craig Campbell, Paul Berry, Mary Berry, came out of that election. Charlie Baker came out of that election. And it had an enormous influence on a lot of people, and it slowed David down, but obviously it didn't stop him at all.

KK: Yeah. Yeah.

[03:24:04] EM: And in fact, I think he came back stronger as a result of his experiences. I really do. And course, he did quite a job as

governor and senator. You know, he had quite a career. But it was—I never wanted to get into another campaign like that. You go crazy, you know.

KK: How so?

EM: You just get so focused on winnin', and if you can't stand to lose as a [*KK laughs*] lawyer, you sure can't stand to lose a political race. And that's what McClellan used to ask young, aspiring people that would come ask him should they run for an office. First thing he'd ask 'em is "Can you stand to lose?" He lost a couple races early in his career and it—he found it very difficult to deal with, and he [*laughs*] thought people oughta worry about that in advance. Make sure they could stand to lose.

[03:25:04] KK: Well, let's see. David Pryor lost a race. McClellan lost a couple of races. Bill Clinton lost, you know, a race. A lot of—everyone who has been even terribly successful—just about everyone has lost a race.

EM: Well, and Bill Clinton losin' that race, I think did more to help him than probably any other single event in his life. He was just ridin'. Things were too easy up to that point, and then I think that helped him. I really do.

KK: Well, challenges almost always make you better.

EM: Yeah. McClellan lost the race for, I think, mayor of Malvern early

on. And then he lost to Hattie for senator.

KK: Hmm, Hattie Caraway. Mh-hmm.

EM: Yeah, that's the two that he lost.

[03:25:49] KK: Mh-hmm. Was that the Huey Long-assisted race
that she ran?

EM: Now let me think . . .

KK: 'Cause that was her first . . .

EM: Let me get this straight. I don't think so.

KK: That may have been later.

EM: I think it was—no, earlier.

KK: Well, the first—yeah, the first time she was fulfilling her
husband's final years . . .

EM: Term. And she ran again, and that's when he ran against her
and it—I think Huey maybe was—no, Huey had to be—I don't
ever get this straight and I—I'm sorry.

KK: I'm thinkin' that is the one because that was her—but it may not
have been. It may've been—but I know that they became
friends while she was in office.

EM: Yes.

KK: And then . . .

EM: That's correct. They became . . .

KK: And then he . . .

EM: . . . friends and were seatmates; they sat . . .

KK: Right.

EM: . . . next to each other.

KK: And then when she decided to—it coulda been a different term, but I was thinkin' that when she decided to actually run outright, that she was havin' a little trouble. But when he came up and barnstormed for her, that that was what turned it. But it may not have been that one. It may've been a couple years later or four years later.

EM: No.

KK: I don't . . .

EM: No.

KK: It may've been that one.

[03:26:59] EM: `Cause she won the one where he helped her, and her next race was Bill Fulbright.

KK: Well, there you go.

EM: And Bill Fulbright was elected in [19]44.

KK: That's such an interesting story. So McClellan was in that race, too.

EM: No.

KK: Oh, he was in . . .

EM: McClellan was elected in [19]42.

KK: Oh, okay.

EM: And his opponents were Dave Terry, Jack Holt—it's all familiar names—Dave Terry, Jack Holt, the REA guy who was the congressman from the third district. I can't call his name right now, but he went on to run REA for a long time and was back workin' for McClellan in [19]72. And the fourth one [*unclear word*]*—any rate, there were four of 'em. And there was a run-off, and McClellan run—ran the run-off, and Mayor McLaughlin—is that his name—from Hot Springs was a big issue in that race. And I think maybe it was McClellan and Holt in the run-off. I'm not sure.*

KK: Interesting.

EM: And course, Dave Terry was a congressman from Little Rock, but he didn't score high. Damn. I can't think of the name of the guy from the first district. Trimble was after him, and I can see this guy. [*KK laughs*] I knew him pretty well. But . . .

KK: Well, that's, you know, that's—it's hard to remember all those names, especially when you go that far back. You hadn't thought about it in a long time.

EM: Yep.

KK: Well . . .

[03:28:53] EM: That—but the [19]72 race, I think a lot of dies were

cast at that time, and labor lost—went all out and lost, and they were not—I don't think they've ever again been near as much as they were then. And they weren't enough then. That's an interesting sideline. A lot of the material that was talked about in that race came from the machinists, and they were run by a guy named Tommy Landers. And they were—they came out in a right-to-work suit that had been filed in California, and they had gotten discovery of Tommy Landers's papers. And for whatever reason, they didn't have a protective order on 'em, and the guy brought those. And that detailed a lot of work that they didn't necessarily want people to know had happened in the organizin' of the campaign against McClellan and how heavily involved labor was. And when I went to Fort Smith and to the gas company, well, who did I sit down and negotiate the first contract with but Tommy Landers? *[KK laughs]* And I got to where I liked Tommy pretty well. We had a good time *[laughs]* goin' over old times and negotiatin'. And right after that, the Teamsters came in and took the unit away from him, organized it, and I never did understand that, but that's another story. But I never had a strike and I never—you know, I—my negotiating experiences with the unions were interesting. And those lunches with Witt—I devoted most of my conversation in one lunch to

advocatin' the position that havin' a labor union was, in a lot of respects, pretty much a breakeven to not havin' one because the benefits that you got from havin' one that you didn't have if you didn't. If you had a union, OSHA was not on your back. Union's happy. They were happy. Same with the EEOC and lots of government-regulative bodies. If you had a union, they didn't worry about it as much as if they didn't. And your disciplinary matters are handled in a lot more rigorous fashion, and you didn't have any problems with that. As long you had a union, they were represented. We never lost a grievance all the . . .

[03:32:08] KK: By "we," you mean . . .

EM: By the union. We never lost a filed grievance that they filed.

KK: When you were running the gas company . . .

EM: Yeah.

KK: . . . in Fort Smith's . . .

EM: Yeah.

KK: . . . when you're referring to.

EM: Yeah, we never lost a grievance.

KK: Yeah.

EM: And probably if you were just negotiatin', it would've been a little bit different. That's another interesting thing about that company. Since I left, it's been run by two lawyers. Both of 'em

are friends of mine, and I stayed on as chairman for a long time after I left as president. And then this—the third one I hired, so we've had a real consistent administration 'cause all three of us think alike and it—you know, tend to do things . . .

KK: Yeah.

EM: . . . the same kind of way. So it's been a real interesting experience to see—I guess—I mean, it's changed. One reason I retired is I'd been there nineteen years, and you run a utility for nineteen years, you're pretty close to burnt out. I mean, it's constant stress, and you can get caught up on that. But any rate, been a lot of continuity of management and been down the same road, and the company's in real good shape. That's somethin' I've always been happy about is the succession there. And I never—I always responded to anything they asked me, but I didn't—I'd had my time. My views were—if they wanted 'em, they got 'em; otherwise, they didn't get 'em. I didn't . . .

KK: Sure.

[03:34:02] EM: . . . ever try to control anything after I left. But I still talk to this guy that's there right now. I talk to him once or twice every week, and it's nice to have, you know, some continuity, somethin' to fall back on. And he uses me well to help him with it—what he's doin', and I easily conform to his

requests . . .

KK: [*Laughter*] Well, that's nice. I'm glad . . .

EM: . . . for information and support and everything else.

KK: Sure.

EM: And they got the same problems. We've always had the same problems, so it's a lot easier to—if your approach is the same one the previous two guys took and for the same reasons, and it just helps you.

[03:34:51] KK: Well, also it gives you confidence, doesn't it, knowing there's a history of how these problems have been dealt with?

EM: Exactly right. And if he says somethin', I say, "Well, that's—that was our experience, as well, and that's the way we dealt with it." And they're like, "Yeah."

KK: Yeah.

EM: It's a help.

KK: Yeah, no doubt.

EM: And it's easier. There are always changes that—what happens after you run a company for a long time is that you get friends at the company. It's hard for you to do—to take strong actions that are easy the first ten years. It gets harder and harder. It's harder to discipline people. It's harder to do different things, and you need somebody new in that can take a little different

approach and make some hard decisions that you don't wanna make.

KK: Yeah.

EM: And I had that happen after I left, and I applauded it [*laughter*] every time because they needed to be done. So . . .

[03:35:44] KK: Well, I see how that could make sense. Absolutely. So your children—now I know you had a child. Kay had three children when you got married, and you had another child. But did your children primarily go to school and grow up in Fort Smith because of your move there, or were they already somewhat grown up by the time you got there?

EM: Well, the oldest ones—Kay's first three children were junior—ninth grade, junior, and senior. No, junior—seniors. And they didn't wanna move. But that older daughter had seen one of her classmates gunned down at junior high school in Little Rock, and you know, they were havin' some problems. And all of Little Rock was havin' problems in the schools. We were ready to get 'em out of there, and it was good. Fort Smith was a better place for 'em to be, and they adapted pretty well, and that worked out. Two of the three of them have ended up with degrees, and the one that didn't, could have. She just, you know, got married and had a child and lost interest. Then my daughter came to

Fort Smith to live with us when she was [*whistles through teeth*] eighth or ninth grade and badly wanted to come. She had visited us a lot. She had friends there. She wanted to be in Fort Smith. And she's back in Fort Smith because she likes it now. And that was a very good experience for her. She went to the University of Tulsa and got her master's in education. She and her husband moved to Springfield, Missouri, and she taught there, and he worked there, and they moved to Fort Smith. And that's—they have two sons. The oldest boy has one son; the second child, a daughter, has a daughter; and then the youngest child has son and a daughter. And our child has been married and is divorced. No children. And he's workin' for the attorney general's office in the utility division and, I think, enjoyin' his work very much. I think he's in good shape. He had a good—he had a lot better academic career than I did, and he's performed well. He worked for Judge Dawson, Bob Dawson in Fort Smith his first year out of law school. And then in between he worked for Stephens Inc. for a couple of years before he went to law school as an analyst.

[03:39:06] KK: That's a pretty strong background.

EM: He's got a good education. And the place where everybody is—well, the only place everybody has ever assembled is our huntin'

camp in southwest Arkansas. We've always spent every Christmas but one there since Kay and I got married. And we spent every Thanksgiving there, and that's thirty-five, thirty-six years. So it's been a—thirty-seven this year.

KK: So . . .

EM: And that [*scratching sounds*]*—and they never would all come back to Fort Smith, and they never have come down here much, but that's where they go. They'll go there. And it's a fun place. And we built it big enough to sleep everybody and we—we've continued to enjoy it. It's a good place.*

[03:40:01] KK: Well, that sounds like a pretty good-size group, includin' all the grandchildren.

EM: Seventeen.

KK: Hmm. [*EM laughs*] That sounds like a lot of fun.

EM: That's the most we've slept there is seventeen. But we can do it. You have to be on good terms, but we can do it. [*Laughter*] But before we built this new house, we had about a twelve-hundred-square-foot house that we had most of those people in and . . .

KK: Wow.

EM: Yeah, it got where people got in a fight as to who could carry the garbage to the dump just to get out of the house. [*KK laughs*]

But that house, we never were in it much. We were always outside doin' things and—but if it rained a lot, it was—it got kinda crowded.

KK: Mh-hmm. Mh-hmm. And you're talkin' . . .

EM: And we heated those houses with Franklin stoves. We didn't have central heat and air for twenty years, I guess. But it was a good place. Very good memories.

[03:40:59] KK: But again, you're talkin' about a twelve-hundred-square-foot house down at your camp, right?

EM: Yeah, that's camp. Yeah.

KK: Yeah. Yeah, yeah, that makes sense. You don't . . .

EM: It was a fun place, really was. And all we did was hunt and fish, and nobody got in trouble down there. [*KK laughs*] That was another benefit that . . .

KK: Well, huntin' and fishin' . . .

EM: . . . it afforded us.

KK: . . . takes a lot of energy.

EM: Yeah. We had a lot of fun there.

KK: Well, that sounds great.

[03:41:26] EM: And raised children—they learned a lot. Really did.

And of course, that's, you know, part of the Game and Fish deal.

I mean, that's how we—I mean, we went—we probably spent

fifty days a year down there.

KK: Wow. Yeah.

EM: I took my vacations, at least in part, Thanksgiving and Christmas. We spent both those weeks, so that's eighteen days startin' off [*unclear word*]*—*with four days' vacation, eighteen days at the camp, so that's where we spent our holidays and three-day weekends when we could get 'em, and it was very relaxing and enjoyable for everybody, even for the girls. When my daughter moved down, she and I signed an agreement that—Yellow Creek was what we called it—is part of the deal, and that she didn't get to protest—that just [*KK laughs*] we did it a certain way and that she was part of it. She never backed off. That was fine. And our oldest daughter, who probably had more problems with it than anybody, nevertheless, we observed a lot that she got away from peer-group pressure when she was down there. It was the only time she was—and she had a lot of introspective, alone time down there that she enjoyed.

KK: Mh-hmm. Gotcha.

EM: Yeah.

[03:42:56] KK: Well now, how did you and Kay originally meet? Did you know each other pretty well before you started goin' out?

EM: No. Her sister's husband was—Don Smith was my very good

friend, probably my best friend, eventually. And I met her through them.

KK: Makes sense.

EM: She and her sister were and are very close, and so we spent a lot of time together. I had met her through them, but later, you know, we spent a lot of time together.

KK: Mh-hmm. Mh-hmm. But you guys live here in El Dorado. You've been in El Dorado now a pretty good long time again, right?

EM: Nine, ten years.

KK: Right. So . . .

[03:43:52] EM: See, and—oh, that's one thing I did mean to tell you. Witt Stephens died—no, my father died the first week of November of 1991. Witt Stephens died the first week of December of 1991. Her father died the first week of January of [19]92, and then her brother-in-law and my best friend died April of [19]93. And right there I had lost the people that I talked to. I mean, they were my information sources. They were my remaining mentors and judgment. McClellan was already dead and—so any rate, that had a huge impact, dislocating impact, on my life. And then I moved back down here, and Mike died in [20]01 right as I was in the process of

movin' down, and then Jodie died in December of [20]09 and—so I've had another dislocating process occasion by that. But I mean, that's just part of it. These things happen . . .

KK: Yeah.

EM: . . . and you have to make your adjustments and—but when you're the last surviving member of your generation in your family, it's a bit disconcerting . . .

KK: Yeah.

EM: . . . and you have to come to grips with how much of your decisions in your life were impacted by talkin' to your family and you—they ain't there to talk to anymore . . .

KK: Yeah.

EM: . . . so you have to do things differently. But we've always been—I mean, Papa's experiment with that corporation worked, and it did make us work well together, and at this point it's now moved on to the next generation. They know each other much, much better than they otherwise would have if they didn't have to work together on that corporation. So he has been really successful with that effort that he made.

[03:46:13] KK: So he would probably be very happy to see that it went . . .

EM: Oh, no question.

KK: . . . not just to the—you and your siblings, but also . . .

EM: Yeah.

KK: . . . down to . . .

EM: Oh yeah.

KK: . . . another set.

EM: Oh yeah. Very much so.

KK: Yeah.

EM: Because he gave all of them an interest in that corporation.

KK: Yeah.

EM: So . . .

KK: Yeah. Yeah.

EM: . . . his plan worked.

[03:46:34] KK: So did you and Kay have similar interests when you started to spend time together?

EM: We have both always enjoyed food and drink. She got interested in fishing as a result of us bein' interested in each other . . .

KK: Yeah.

EM: . . . and we've done an awful lot of it. I mean, just a huge amount of it. She had never duck hunted before, and you know, she's—over the thirty-six years of our marriage, [*whistles through teeth*] way over half the times I've done either have

been with her. Probably two-thirds. And it's been just wonderful.

KK: Yeah.

EM: I mean, it's been the basis of our relationship, and we still cook and eat and drink wine. It's still a major part of our life. We have a friend—a couple that are friends of ours in Memphis, Tennessee. He was a stockbroker and was a really good one. And he and Don used to come down every Veterans Day when the duck season was opened in Arkansas—not—I mean, Oklahoma, not in Arkansas. And we would hunt three, four, or five days, dependin' on what day of the week Veterans Day—I mean, if it was on a Wednesday, we would hunt five days, and if it was on a Friday, we'd hunt three. Thursday or Tuesday, we'd hunt four. But it was somethin' we'd look forward to. We would have faxes goin' back and forth continually the week before they showed up. We ate well and drank well, and she fished [EM edit: hunted] with us, and it was just a—really a highlight of the year. And both of their wives came at different times to join us, and it was somethin' we really looked forward to. But the huntin' and fishin' was always just a major part of our life. And we had people from the company down to the camp and over in Oklahoma. It was—a lot of that was company huntin',

and we took a lot of different people. It was a social occasion. [03:49:01] And the Walkers were the ones that showed me all this and—the places in Oklahoma. And I discovered my own, but they got me started. And they had a big dove hunt every year. In fact, I'll probably go up there this year to hunt with 'em. And it—it's just been an extremely valuable part of our life. And when we had that Turk plant lawsuit, she and I spent nineteen days together listenin' to that—long, hard days listenin' to that suit. She got tremendously interested in it. She hadn't been interested in any of the legal proceedings before, and since then our life has taken on some additional dimensions. She's more interested, so I tell her more about what's goin' on with different—I have a lot of legal proceedings in my life. And so that's made us a lot closer. And our—not just our huntin' and fishing and our romantic attachment to each other and the food and drink, but the more intellectual sides of our interests have come closer together in the last ten years that we've been livin' here. She reads the *Economist* more than I do now. But I've always had a lot of scientific interests, goin' way back. She's gotten more interested in a lot of those things. And she's taught me one whole lot about people and about children that I wouldn't've known otherwise. And like I say, we talk about

everything. [03:51:16] So most of my significant decisions in my life and certainly the last ten years have been in large part—consultations with her have been a very important impact on that, and she has always been pullin' me back a little bit if I get a little exuberant in combativeness.

KK: [*Laughter*] Well, sounds like a wonderful balance between the two of you.

EM: She has been a voice of reason, and that has helped me a lot. And she also has always [*laughs*—particularly when we were in Fort Smith and during that controversial period, she always kept the windows covered out of an aversion to seein' her husband drive-by shot. [*Laughter*] So she's worried about those things more than I have, but probably right.

BP: We got nine minutes left.

[03:52:12] KK: Okay, so when you refer to the Turk plant, you're referring to the southwest Arkansas energy plant or which—when you said . . .

EM: Yeah.

KK: Yes. Okay.

EM: SWEPCO.

KK: The SWEPCO plant has been so much controversy there.

EM: Southwestern Electric Company.

KK: Yeah, right, right.

EM: Which is a subsidiary of AEP.

[03:52:29] KK: Right. And so for those people who don't know, how has that turned out so far?

EM: Well, it's been settled. I was one of the complainants or plaintiffs or whatever before the Public Service Commission and testified, and the court dwelled on some of my testimony in ruling for us and overturnin' the Public Service Commission. But there's a justice named David Newbern—used to be on the Supreme Court—was a special appointee on that, who I'd heard lots of good things about all my life but had never met him until this proceeding. And we had a very interesting conversation while I was on the witness stand and he was examining me that I think helped us a lot. [03:53:22] And one of the things he asked me was that what could SWEPCO do that would satisfy me, and I told him four things. And they did all of 'em in the order. So at that point, in order to have any credibility, I thought I had to—I couldn't appeal. They had done everything I had asked 'em to, so I didn't appeal, and all of those hunting clubs dropped out. One hunting club stayed in and they—well, when we got 'em stopped at the PSC on the certificate of convenience and necessity, they then said, "Okay, we're a

merchant plant, and we're not gonna sell—the rates for this plant are not gonna be set by the Public Service Commission, so we're not subject to their jurisdiction." So the Grassy Lake club down there kept the litigation goin', and they settled it a couple of weeks ago. [03:54:25] And basically, they got reinstated everything that we had gotten in the Public Service Commission hearing, plus some other stuff. And they hadn't released all the terms of it, but everything except shutting the plant down has now been accomplished. They have agreed to track mercury in the area—do a mercury study before they start and after it—the impact of mercury on the environment down there, and put lots of devices in place and new devices as they become available to hold down the pollution. So I think they did a good job of makin' the best out of a bad situation, and they said the reason they settled it is that every court that ruled on anything that came before 'em seemed to take the same approach was that . . .

KK: Right.

EM: . . . they had assumed the risk when they did this and there were some problems with the way they did it, and they were—they decided the best thing's to settle it and go on. So it's now settled, and I'm very happy about that. I'd been happier if they were shut down, but I never did think and still don't th—it's

almost impossible . . .

KK: Yeah.

EM: . . . to shut down a \$1.5 billion . . .

KK: Yeah.

EM: . . . plant. I mean, it's . . .

KK: Just too much at stake.

EM: . . . that's mind boggling.

[03:55:40] KK: Yeah, it's just too much at stake economically, you mean?

EM: Yeah.

KK: Yeah.

EM: And you know, but the courts kept tellin' 'em, "You assumed that risk. Nobody made you. You could've stopped the buildin' and put it in abeyance until the court proceedings were worked out, but you decided not to do that." So—but . . .

KK: It was a huge risk, I would think.

EM: Hmm?

KK: I would think that that was a pretty huge risk on their part.

EM: Yes, it was. Well, it's not over yet. The—I should tell you though—Audubon Society in the Ozark—yeah, the Sierra Club, I think—are still involved in the lawsuit and still tryin' to stop 'em, so who knows? But I'm not workin' on it in the middle of the

night [*KK laughs*] anymore, and that's a plus. [*Laughs*] That's a big plus, you know. I don't know whether you—you look—you may not be old enough to wake up constantly and worry about things in the middle of the night, but it'll . . .

KK: Usually it starts about three . . .

EM: It comes to almost everybody.

KK: . . . three-thirty.

EM: Three-thirty. [*Laughter*] Oh, don't tell me that. Yeah, you're right. But that's a difficult thing to deal with, as you know. And it's just . . .

[03:56:51] KK: Well, you know, I think that you're—you know, you and Kay are a bit of an inspiration to me because you're workin' at it as a team, and you're now moved on to a point in your life where maybe you don't wake up at three-thirty worryin' about it all the time.

EM: Less.

KK: Yeah, I think that's good inspiration for me.

EM: Good, because we—our relationship is, you know, an inspiration. That really is a tremendous inspiration. Incidentally, that poetry I quoted to you, I read that to her at a meeting of the Fort Smith Chamber of Commerce in front of about five hundred people one day and really enjoyed doin' that. I don't think anybody in the

audience knew what I was sayin', but I did it, and she knew what I was sayin'.

KK: Yeah.

EM: It was great fun.

[03:57:40] KK: It was almost like an inside joke.

EM: [*Laughs*] Yeah.

KK: Well, and it—not a joke, but an inside conversation.

EM: "Just as my fingers on these keys / Make music, so the self-same sounds / On my soul [EW edit: spirit] make a music, too." Ha!

KK: Very pretty.

EM: Beautiful.

KK: Yeah. Okay, let's stop that tape now.

[Tape stopped]

[03:58:02] EM: And I keep talkin' about banks, and I'm not a great fan of banks. I never have cared for 'em. But—and I used to borrow some money way back there when I first got to know Mr. Stephens, and I bought stocks on margin, but soon as I got enough laid by, I quit that. First National Bank here was run by—my father was the counsel and my little brother after him. It was run by a fellow named Henry McKinney, who was one of my father's best friends, and they regularly went on fishin' trips

together—the two of them and a fellow named Thurman from Little Rock and occasionally, oh, Pete Raney and Clark Barton. But any rate, my father used to say that Henry McKinney, for the bank that he ran, was as well trained as anybody could be. His bankin' interests were farmin', timber, oil, and gas, and his personal experiences and trainin' early on really very well qualified him for that. And that First National Bank was really the center of this community for a long time because of Mr. Murphy and because of Henry McKinney, who was a very accomplished banker, and that bank, you know, was a very, very successful bank. [03:59:43] As far as growin' up in the community, I never was a real outgoin', sociable person. I can remember one day when I was, I don't know, thirteen, walkin' home from the movie. Everybody went to the Sunday movie, and I often walked home, which was a pretty good walk, because my parents played golf and played bridge, and they were busy. And I remember thinkin' and decidin' that I was—I just needed to change my life and get out more and do more and be more active. I was always a good student. In some sense, I regarded teachers as a challenge. And I never—I would not have been my favorite student, were I a teacher. I liked to challenge professors. I was at times a discipline problem. I

actually got me a professor at Stanford when I was out there, which was quite an accomplishment. A lot of times law school teachers bully students who are cowed by 'em, and they're—particularly a school like that where people are very success oriented and so on and so forth. And I had—we just had a few days off between semesters and I—and it—I didn't have anything I wanted to do at that time in January in Arkansas, so I stayed out there instead of comin' home over semester break. And so nothin' else to do, I knew what courses I was takin', and I read ahead and this guy—it was a course I really didn't wanna take very much, and he didn't wanna teach it. [KK laughs] So he was in there one day, and he asked a question, and I shook my head no, and he looked up there and said, "Well, Mr. Mahony is shaking his head no, so you can all write down yes because he's not correct." Needless to say, this irritated me. This was about like my experience [KK laughs] with the junior high librarian. So I got my book out and—hmm, hmm, hmm—raised my hand and said, "You should tell the students that they should put down no because Mr. Mahony was correct in what he said. The law has changed since the professor has read it. And if you'll turn to page such-and-such, you'll see that that's the case." Well now, in a practical sense, that was a retarded

performance by me. I mean, this—but—and I got my worst grade out there, but I didn't care. [*KK laughs*] I was very happy because he looked up, and he said, "Well, I told you all this course was gonna be taught one day at a time, and Mr. Mahony has taken unfair advantage of me, and he's read ahead. [*Laughter*] He is correct." So any rate, that was somewhat reflective of my attitude. [04:03:14] There was another time at Tulane—this professor hunted and fished with me some and was a friend of mine. Very good professor. But even in law school, I didn't get to interact in class. I was always active participants in classes but I—you know, you—no good professor's gonna spend as much time talkin' as you want. So one day in class I had—I really had the material in mind well, and I started clippin' my fingernails and obviously payin' not one bit of attention to what was goin' on in class. So I saw him out of the corner of my eye get a leer on his face and asked me a question. He asked me to brief this next case, and I didn't even look up from clippin' my fingernails and recited the case to him and [*laughter*] briefed it and told him everything. I could see the smile, but he thought he had me there. He's—I saw the smile go off his face. But that made school more fun for me to have some kind of, some kind of competition goin' on. And the way we were raised to be

compati—combative and that nothin' was sacred, and we were encouraged to disagree, if we thought we could handle it, with our parents. And like I say, my parents—my father had an aversion to makin' you do anything. He didn't believe in it. He would rather teach by example and argue you down, but not command. He just didn't believe in it. So all that has a great impact on your life. [04:05:07] I started—I had always played tennis some. I started playin' basketball as a sophomore. The coach almost ran me off then because of lack of quality performance. But any rate, I stuck it out, and I was the sixth man on the basketball team my senior year and was gonna letter. And we were up in Little Rock playin' Central, I think, and I got very discouraged with my performance in that game. I was playin' in most games and I—so I quit basketball on the way back, and you know, when I went and told him, he was just as exasperated as he could be. He said, "You know, I—if I woulda—I've never run a player off, and if I would have, it woulda been you because you just weren't that good." He said, "But you stuck in there, and you hung it out, and you know you're gonna letter this year, and so now you quit. What's the deal?" And I said, "Well, Coach, I just—I've gotten as good as I can get, and it's not good enough. And I'm not gonna get any

better. And I'm just not very important to the team whether I play or not, so it's time for me to do other things. I just—I've done all I can do." And [*unclear word*] any rate, I went back to regular PE and enjoyed the hell out of it, and you know, I was a year behind, and my main two problems with basketball were I couldn't run and couldn't jump. I could shoot pretty good, but I couldn't run and couldn't jump. And I just didn't have the athletic skills to do that. And I have to learn physical things. I can do 'em, but my best asset playin' basketball was my ability to think ahead. And it's more of a mind game for me 'cause that's all I brought to the table. And tennis, I was fairly good. [04:07:14] But any rate, my friends in high school were mostly the basketball team. And their fathers were—one of 'em was a painter, and the other one was a foreman of a construction crew at a plant here in town. But I mean, they were not—they were just folks. And I ran with three different groups. I ran with them, and I hunted and fished a lot with them. And then there's a group—we played poker, and I hunted and fished with them. And then I had some friends that were in the more advanced courses with me. One of them, a fellow named Robert O'Bannon, I was—he was interesting. This guy, his nickname was Roach, and he was the kind of kid that would have a few

drinks and curse the gods and, you know, make everybody run for cover. [*KK laughs*] But he was a very interesting, intellectual kid, and he and I were good friends and spent a lot of time together. And I'll never forget—and this was a significant—turned out to be a kind of significant event in my life, but I was here probably my freshman year. And he said, "Mahony, there's a couple of songs I want you to hear over here on the jukebox." He said, "Nobody else ever plays 'em, but I think you'll like 'em." And the two songs were "Yellow Dog Blues," which is an old W. C. Handy blues number that you don't hear very much that was really good. And it was clarinet lead, I think. And the other one was "Take Five"—Brubeck. Now what these were doin' on the Dariette jukebox just beats the hell out of me. I'll never understand that. But I mean, there were both obviously great music, and that started a lifelong interest in jazz. And that's another thing that Kay and I did bring into our marriage together was a lifelong love of jazz. [04:09:28] So I don't know. I really thought I had a pretty unexceptional life as a teenager. I mean, I hunted and fished. I played sports. I worked hard at school. My junior year I had seven courses and no study hall, just—I mean, 'cause I wanted to take the courses, and I had to give up study hall to do it, and it wasn't a problem.

But I was never an integral part of the El Dorado community like my older and younger brother were. Jodie had a bunch of 'em that ran together that were, you know, from a higher economic strata than my friends were and so did my—and my little brother, Mike, he had a really exceptional class. He was with lots of doctors and lawyers and scientists and, I mean, just a really high-achieving group of people. And then I left. So the city stayed the same size until it started droppin' about fifteen years ago. But it stayed twenty-five thousand forever. That's what the sign said, you know, all that time. It's always been a very wealthy community, a lot of advantaged people in it. And so, like I said, I was the slowest, lowest-jumpin' guy on the [KK *laughs*] basketball team, and I was aware, always aware, that my physical abilities—at least that group I was runnin' with—and they [*laughs*] were the toughest kids in the school, too, I might add. Normally, it's the football team, but this basketball team was—fighters. [04:11:35] We were up at North Little Rock one night, and they had—they played on a stage, and their auditorium was a stage, and they played on it, and we had to have a police escort to get out 'cause the game got so rough. And we were the foreigners. It wasn't fun leavin' [*laughter*] the gym that night. But that had a great impact on my life is that I

ran with people who were stronger and faster than I, and that will give you some modicum of judgment about how you conduct yourself. I always thought it was important bein' a middle child. I think your childhood position has a lot to do with your attitude towards life and how you do things. [Sighs] But I never felt like I was a integral part of the community. I really didn't.

KK: Because you weren't . . .

EM: I'm much more now than I was when I left, and the most integral part I've ever been of a community and the community *qua* community that I've liked the most has been Fort Smith. I felt at home the very first day I walked in there. Crazy about the people. I liked the people I worked with at the company. Everywhere I've ever been, I've tried to have friends across a wide spectrum. And of course, you know, when you're runnin' the company, you have the opportunity to do that. And I hunted and fished with people all across the economic and social spectrum, and you learn a lot that way. And I did that here. Other places were more limited. I mean, law school, I ran with law students. You know, that's . . .

KK: Yeah.

EM: . . . what I did.

KK: Sure.

EM: But where I—and in Washington, you know, I ran with government workers. I mean, that's the only people you were exposed to. But where I—really livin' in a community and had the opportunity, I've tried to have a wide range, and Kay's the same way. Her ability to mix and mingle with people across the entire spectrum of a community is superb. She's really good at it. It helps that she's very nice. *[Laughter]* Almost everybody responds well to a nice woman. *[Laughs]*

KK: Yes, I would agree. I'm fortunate in that area myself.

EM: Yeah.

[04:14:13] KK: How has El Dorado changed since you were a kid to today?

EM: Very little. Out—same thing that's happened to change most of Arkansas—mixed-drink law and you have restaurants now. There were no restaurants here when I lived here. We took all our meals at home. Course, we still do. But that—well, that's an interesting thing. The mixed-drink law is what has made you have restaurants 'cause they—if they can't serve mixed drinks, it's very tough for 'em to make money. But in a same token, the antidrinkin'-and-drivin' laws and the enforcement thereof has made it hard to eat out and drink. That's one reason I hate to go out and eat because I like to drink wine when I eat, and I

don't wanna drink and drive. But that's probably the single biggest change in El Dorado is the restaurants.

[04:15:10] KK: Mh-hmm. You mean that you have more of them because of the mixed-drink law or . . .

EM: Oh, sure.

KK: Yeah.

EM: More of 'em and better. We just didn't have 'em. Hell, Little Rock didn't have 'em when I first lived up there. Chamber of Commerce has always been active here. The—Murphy Oil's always dominated the town. Murphy Oil and Lion Oil. Course, we used to have the American Oil refinery, and it's been changed. But I would have to tell you I think it's remarkably similar. And it's still a town of extreme economics, and like I say, I've been more—but I really ha—I'm really not more active. There's probably five or six people here that I know well and spend a fair amount of time talkin' to and sociali—ah, maybe ten. But from my perception and standpoint, it hasn't changed a whole lot. [04:16:26] Now see, we always spent summers out here. And I told you the three black kids and these three white kids, and we played with each other, and we didn't go to town much. [*Vocalized noise*] When I came back to visit that forty-five years I was gone, you know, I spent the time with my

family and not much with anybody else. And so, like I say, I never just have been integrated in this community like I was in Fort Smith. When I came back here, I was invited to serve on the advisory board at the First National Bank here. I'd been on the City National Bank in—board in Fort Smith, which was—ended up bein' acquired by—it was after it was acquired by BancorpSouth or First United Bancshares, as it was known then. But I didn't do that for a variety of reasons. And of course, Jodie was active with the Chamber, so I didn't have to be, and I had done that a lot in Fort Smith.

KK: Mh-hmm. I see.

EM: And so, *A*, I don't think it's changed that much, and *B*, I didn't really know because I wasn't that actively involved at either end of the spectrum, although I've, you know, I observed like I always have. And—but I honestly don't think it's changed all that much.

[04:18:01] KK: So you spent nineteen years in Fort Smith. Is that right?

EM: Well, twenty-five. I ran the gas company . . .

KK: Ah, twenty-five. Okay.

EM: . . . for nineteen. And we moved out slow. I retired in [19]96, and I was still on the Alltel board, which was pretty active, and I

didn't go back to work for Stephens until I moved down here. But I still was in contact with them all the time. And our son was in high school. Kay had moved. Her parents had moved her senior year in high school when she was in Blytheville, and her mother stayed down there with her while her father was up in Sikeston, Missouri. And she wasn't gonna—about to move a child at the—towards the end of the—and he had a good situation up there. I was very pleased with that. And so any rate, I went back to work with Witt Jr. and have this corporation to run and my personal business and Game and Fish. Game and Fish has taken a huge amount of time. Probably four days a week every month, you know, full days. But it's very interesting and very enjoyable and a lot of work to be done there.

[04:19:40] KK: Well, it sounds like you would be really happy to be able to leave behind some piece of legacy for getting the Game and Fish Commission on to its next level.

EM: Well, I'm hopeful that the people I serve with and I as a group can do that. I guarantee you that it is not all—no one man is gonna do that much. I'm not lookin' to set any individual marks. I'm hopeful that as a group and I—and we've got people in there that can do it—that we will move it on to the next level. I'm very optimistic about that, and it won't be because somebody

outworked us if we don't get there [*laughter*] 'cause we're gonna put in a lot of time doin' that. We got a lot—we have some really dedicated people that are workin' there now, so that'll be good.

KK: I like that philosophy; don't get outworked. That's a pretty good philosophy to have, I think, in anything.

EM: Well, and practicin' law, I think how hard you work is at least as important as how bright you are. Now if you're really bright, you get an edge. You get an advantage. But the hard work carries you an awful long way.

[04:21:05] KK: Did you think Bill Clinton could win when he announced in [19]92?



EM: Yes. Yeah, he came up to Fort Smith and talked to us. Wanted to know what he'd done wrong. [*Laughs*] And I fussed at him for bein'—I said, "The first thing you need to do is get up and leave this meeting. It's the one—people—things—people get mad at you about is that you're always late. And you're late. Wherever you're goin', you're already late. You were late gettin' here, and you're late goin' there." And he looked at me and said, "Well, I asked for it. Go ahead. Beat up on me." [*KK laughs*] And I said, "Well, that was an honest answer to an honest question, and I mean it. It makes people mad as hell at

you, and you ought not do it." He never took that advice.

[*Laughter*] To this day, I'm sure he's late wherever he went today. Well, on the other hand, you know, my goodness, whatever time he spends with you, you feel like you're the most important person in the world, and he convinces you of it. He's really good at it, so you don't really want him to go when he's there. The last time I saw him was the same problem. It wa— well, it was at Chip Murphy's house, Chip and Cindy's house, and he was goin' out, and I said somethin' to him, and he stood there and talked to me for ten [*laughs*] minutes on the way out. And he was late gettin' there, and he was late goin' to wherever he was goin' from there. But he wanted to talk about it, so we talked about it.

KK: Right.

EM: And just like everybody else, my experiences and time with him have been most enjoyable. [04:22:43] And like I say, I had beat him in court twice on Public Service Commission matters. And they never, ever made a finding that we had done anything wrong in our relations with Stephens Production Company and that we did not conduct it as if it were an arm's-length relationship, even though it was not. And we passed those tests and they—I think they've quit now. They're not pushin' that

because we've pretty well got it documented what we do and how we do it. And we still have good, low rates. [*Laughs*] And that's—but we have the lowest rates in the United States, continental United States. The only place that beat us was Anchorage, Alaska, and they had a special situation. But we did have low rates, and we did treat the producers better than they had ever been treated in Arkansas. And as a result, they found more gas and built more pipelines and brought in a lot of economic prosperity, and I lay that, pure and simple, to developin' a market. [04:23:58] And I'm a big believer in true markets. I mean, they really do work. And any time you get too few on either side, you have a problem, just because people run 'em, and people behave in a certain manner that's not good for the—for everybody—people. In spite of their sayin' that we never had a problem with bein' self-servin' in that situation—of course, it didn't hurt that everybody in the world was lookin' over your shoulder at everything you did. [*Laughter*] That helps you tread the straight and narrow. But I mean, we really believed in the market, and we pretty well created one. And it—Arkansas's real—had a lot of benefit from that. I'm not sure that shale gas [*unclear word*] would've ever gotten started like it did if the pipe—there already were several new pipelines in place

that would get that—started movin' that gas out. And the world's changed. It's a lot easier to build a pipeline now, particularly an interstate pipeline, than it used to be.

[04:25:08] KK: Technologically speaking?

EM: No.

KK: Legal. From a legal standpoint.

EM: Legal, regulatory standpoint.

KK: Yeah.

EM: Natural gas business has really been deregulated. The distribution companies haven't been, but most of the rest of it has either been *de facto* or *de jure* deregulated. And I have just been privileged to be a part of that all my life. I have thoroughly enjoyed it and had a lot of fun with it. And once again, I was local. I never went to a national convention the whole time I was runnin' the company. Never had any interest in it. We had plenty of problems here to work out and I [*laughter*]*—*and we worked on the national stuff. And I was lucky I got to work on the national stuff some because of Don Smith and Bumpers and all that. You know, we had a—some input, and it all got worked out, and course, Bumpers was [*snorts*]*—*he always had problems with the natural gas companies 'cause his family got very low royalties, and they were unhappy about it.

[04:26:29] KK: Hmm. So when you say—when you were talkin' about the legal challenges that are associated with Clinton, that was when he was attorney general or when he was governor?

EM: Governor.

KK: When he was governor. Okay, I just wanted to clarify that.

EM: Well now, when he was attorney general and I went up to Fort Smith in [19]77, we had the [19]78 Senate race rate case—Jim Guy Tucker, Ray Thornton, David Pryor. We had a rate case at the Public Service Commission. My—I'm just there—just went there. The rate case was filed before I actually made it to Fort Smith or shortly thereafter. I think before. We were the focal point of the [19]78 senate race, and I can't believe I forgot to tell you about this. And of course, Ray is Witt's nephew, and so Ray misses the runoff. We have been a focal point of the whole race because they were allegin'—Jim Guy's sister worked for—was in New York workin' with a consumer group, and they were—had an in with the *New York Times*, who came down and did a story on us. [04:27:53] At any rate, they were allegin' improper relations between Stephens Production and Arkansas/Oklahoma Gas and overchargin' in an attempt to take Ray out. David was governor, and it was his Public Service Commission, but Tucker had a guy named Scott Stafford, who

was loyal to him from his days as attorney general with some of the commission, and David put him on over Joe Ford's objections. But we were real focused in that race. The *New York Times* ran a story on Monday before the Tuesday election. I told 'em I would talk to 'em till I was blue in the face on Wednesday or Thursday. They said, "No, I have my orders. This story has to run Monday. You talk to me now or forget it." And I said, "Well, forget it." But any rate, that was a focal point of that, and there were all these allegations of—and Nelson was involved in that. He was supportin' Tucker. And anyway, to make a long story short, they—David—we ended up with David. David won the election. I negotiated, and I can't remember this guy's name, but he was assistant attorney general, worked for Clinton. I was talkin' to him and suggested a way out of this dilemma. The case had gone on for a long time, and they needed some way out. Bob Downie and—I think John Pickett had disqualified. And Downie and Stafford were on different sides, and they were locked up, and we had to get some way out of it. So this young guy that was workin' for Clinton, he and I talked and negotiated a—and I can't tell you the details of it, but it was a way out. He went and talked to Clinton and told him that he thought that we had a way to get out of it if he would

buy in on it. And you know, Clinton asked him for assurances that it was a fair way out in his opinion, and he said yes, and so Clinton signed the pleading and brief. And I think the next day the Public Service Commission [*laughs*] bought off on it and signed an order along that lines, and that was the end of it.

KK: Wow.

[04:30:37] EM: And it was a very, very—I didn't know Clinton. It was a very interesting experience for me. But any rate, I always felt indebted to Clinton because, I mean, if he had—I don't know how we would've ever gotten out of the box if he hadn't taken a position that was acceptable to everybody. I have to add that, obviously, it was acceptable to everybody. The PSC entered an order a day or two later. They all said, "Yeah, we can live with that," and off we went. [04:31:08] But Clinton opposed a couple of deals in rate cases, and we got him overturned. And one time he put Ellen Brantley on the commission, and she and Dr. "J" worked on us pretty good. And Senator [EM edit: Commissioner] Cherry entered a dissent based on the staff testimony that the majority had promoted. Any rate, we used that to overturn 'em. Based on the staff's testimony they used to reach result *A*, we took that and used it to justify goin' to *B*. And Senator [EM edit: Commissioner] Cherry wrote a really

strong, good dissent, and the Supreme Court bought off on it, and they overturned 'em. But I never had a fallin' out with him through all of that. I'm not sure why. Maybe because of that first thing he signed or just 'cause I thought as governor he did what I wanted, which is worry about education and economic development.

[04:32:14] KK: So you guys never had a personal confrontation, even though . . .

EM: Oh no.

KK: Yeah.



EM: No, no, no, no, no. And we were always a political target of one kind or another but—and we had several people that made the gas company a focus of their campaign. All of 'em lost. Now I say that not because we made 'em lose 'cause we didn't. We didn't have that kind of power and stuff. But they got focused on us, and I think that the voters up there were generally satisfied with our performance and their bills, and they knew they were good relative to other people's bills. And whereas they might get mad at us at times, still, overall, they weren't unhappy with what they had, and they weren't gonna vote some politician in 'cause they cussed us louder than anybody else. In that first—or maybe it was the second—in one of the

White/Clinton races, I had an ad made up. Witt wouldn't let me run it. That's [*laughs*] the only time he told me no on anything, but I had an ad run up, and I was gonna have a utility ass-kickin' contest. [*KK laughs*] And we were gonna count the number of times that the candidates made anti-utility remarks during the campaign in some two or three daily newspapers, and the one that got closest to the number of times [*laughs*] they bad-mouthed utilities was gonna win a prize. [*Laughter*] Big ad all drawn up, and this guy kickin' the donkey and an elephant, and you know, it was really a neat-lookin' ad. And I said, "What do you think, Witt? You gonna let me run this?" He said, "No." I said, "Why not?" He said, "It'll help your candidate more than it will mine." [*Laughter*] I said, "All right, it's your money. [*Laughter*] I understand that." So I didn't run it. [04:34:28] But I told Clinton that year that he had lost the Stephens. He was up in Fort Smith dedicating a—some kind of a factory. And I was up on the podium with him, and I told him—I said, "You think the Stephens are gonna support you?" And he said, "Yeah." I said, "I don't think you're right about that, and you better check that base." "What?" I said, "I'm just tellin' you. You need to know that." And he said, "Well, what about you?" And I said, "Well, they haven't told me I can't support you yet,

so unless they specifically tell me I can't, I'm gonna support you. But you know, I work for 'em." And "Okay." So they never said, and I supported him, and Witt was good about that. So any rate, I supported him, and I think that was the first one when he lost. And Kay was workin' for him, and Nancy Hernreich lived in Fort Smith then, and the two of them were workin'. But any rate, we had a lot of interesting experiences and conversations. And I've got clearly burned in my mind one day at the state chamber. We were all sittin' up on the podium, and Clinton was speakin'. He was governor. And I reached over and handed him a piece of paper, and Jerry Maulden about broke his neck tryin' to see what was on it. And what it was was the report that a guy in the geological department at Arkla had filed with Sheffield or whatever, sayin', "Don't sell the Deltic and—[EM edit: don't sell] the Cecil and Aetna fields because there's lots of gas in there in formations that we did not open up." And that was fun. [04:36:35] When Clinton came to Fort Smith—that's another thing I didn't talk about. I was a big Clinton supporter. Fort Smith had very few Clinton supporters and almost none that wanted to be publicly identified as such, even though—and I was. I was fine. I'm gonna say five straight years at the prayer breakfast, the chairman of the Chamber didn't go and asked me

to go in their place. And nobody else wanted to talk to Clinton, so I spent a lot of time talkin' to Clinton at public meetings because he got to talk, and I, you know, I liked him. I mean, he wasn't Witt Stephens, but he was sure a hell of a fun guy to talk to, and I enjoyed talkin' to him. So he and I spent most of his public [*laughter*] appearances in Fort Smith talkin' to each other. And that was enjoyable.

KK: Hmm. I bet.

EM: Yeah, and we had a good relationship, and of course, he and Jodie had a serious argument or two, but they were political allies and good friends and worked together and all that kinda business. So we had a pretty good run of it there. I used to write him when he was president. He'd write me back, usually in longhand—that left-handed, obviously left-handed, writing style. So anything else?

KK: Not unless you have somethin' else.

[04:38:12] EM: Well, all right. Well, I could probably talk all day. I can't believe I forgot all that Clinton stuff.

KK: Well, I'm really glad that you . . .

EM: Megan, you have any suggestions? She's through. [*Laughs*] All right. And I call her Megan. You know, I'm sure you noticed her . . .

KK: Yeah.

EM: . . . name's Kay but I ca—her name's Margaret Kay, and I call her Megan because Margaret Kay's too English for my taste. [KK *laughs*] I thought she needed an Irish name. And she's been very kind in respondin' to Megan for many years. [*Laughter*] In our less-than-formal conversation, I usually call her Megan. And I remember my father came up one day, and he started callin' her Megan, but he noticed it. He says, "Why do you call her Megan? Her name's Kay." [*Laughter*] I said, "Well"—and I explained that to him, and so he started callin' her Megan. He was fond of the Irish, as well.

KK: Mmm. That's funny. Well, we sure appreciate all your time today.

EM: All right. It's been enjoyable.

KK: It's been enjoyable for us, too. I learned a lot today, and I'm glad to get to hear some of these things that I hadn't heard those perspectives on before. And you know, we really haven't talked that much about utility stuff before. That was really good to get that.



[04:39:28] EM: Okay, well, the utility stuff, it's absolutely—I mean, it is the building block of your society. It's what keeps you warm in the winter and cool in the summer and enables your

communication. And if your utilities are unhealthy, your society and your economy are unhealthy. They really are a building block. And I didn't like utilities when I went up there, and I still don't. And I didn't like the utilities when I ran it. And—but it's a necessary evil, and so I tried to run it as well as I possibly could. And just like—I don't like rules. I've never liked rules. I detest rules. So it's always been my belief that that's who you want to make rules is people that hate 'em because [*laughter*] there'll be a minimum of 'em. And—but we do good. A lot of people tend to make too many rules, and the less the better, in my opinion. [04:40:35] But I'll gi—I'll tell you a story of my first time up there. I hadn't been there long.

KK: This is in Fort Smith, right?

EM: Fort Smith. And a guy got mad at the gas company. They cut his gas off. So he scraped together more than enough money to pay his gas bill. He was gonna show us, and he went out and bought him a wood stove, improperly installed it, burned his house down. I get up one day, and I'm readin' the Fort Smith paper. Front-page story about how it's our fault that he burned his house down, and look at this poor guy who burned his house down because the utility company collected from him and shut his gas off. I very clearly remember readin' that and thinkin'

about it and thinkin', "Well, I haven't been up here this long but I—these people got more sense than to buy a story like that, and that's not gonna sell." So I didn't—oh yeah. I've got one more story I got to tell you. So I didn't respond to it, didn't say anything, never heard another word about it. And sure enough, I mean, they just didn't buy it. [04:41:45] But let me give you a Freedom of Information Act story. This will be interesting to you 'cause of the recent Game and Fish [*unclear word*] Freedom of Information Act stuff. This guy named Bob Eoff ran one of the network television stations in Fort Smith, and he got all bent out of shape because the Fort Smith Chamber had a meeting on tryin' to four-lane Highway 71, and the press was not invited. Fact, they were excluded, except for probably Moseley, who was on the board, but that's another story, and he was very reasonable about economic developments and what he would and wouldn't print and all that kind of business. So any rate, we had the meeting. I was chairman of the Chamber or president or whatever—the chairman, I guess—and he filed a Freedom of Information complaint 'cause we excluded him from the meeting with Winston Bryant, who is an old acquaintance of mine from McClellan days. And I called up there, and I said, "Now I think I—I can't believe you're takin' this seriously but if you are"—and

I was talkin' to an assistant attorney general. Turned out the one that worked on it was the daughter of the guy that ran Hernreich's TV station up there. I can't remember her name. But any rate—"So if you're serious, give me a chance to tell you exactly what happened here because I think if you do, you'll agree that there was no FOI violation." [04:43:17] And what they had—Strib Boynton and Moseley [*clears throat*] had told Eoff that the Chamber had taken money from the city, and of course, FOI follows public funds. And what had happened was that the Chamber always raised money for the city in a tax election 'cause the city can't raise its own money. So we lost that election. Strib said we didn't do our part and this, that, and the other thing, and "Here's a \$5,000 contribution." "Well," I said, "you can't do that. [*KK sniffs*] We can't take that money for that election, and you know it. And I agree that you oughta be puttin' that up, but we can't take it. It's a violation of the law for us to take it, and we're not gonna take it." So we sent the check back to him. Well, he sent it back to us. And we had a group at the Chamber that was very much into fund-raisin', and he didn't think we could turn it down twice. So when he came in, we had a meeting of the executive committee, and I said, "I'll show you boys how to solve this problem." And they said, "Well,

good. How is that?" And I said, "Anybody got a cigarette lighter?" And I took it and lit the check. [*Laughter*] Put it in a big ashtray that was there on the table, and I burned a \$5,000 check. I said, "I know they're not gonna run that through the bank. That's the end of the story. No sense sendin' it back to him. It's gone." Well, strangely enough, nobody talked about that. I guess they were all embarrassed to have the idiot that would burn a \$5,000 check [*laughter*] runnin' the Chamber. So that's what they were relying on. So sure enough, here came Winston. He was whorin' for votes, and he found there'd been a violation of Freedom of Information Act, and I don't know what the findings were. I never saw it. But any rate, the prosecutor called me up and said, "Emon, I gotta make this call, and I know you understand that." And so I told him what had happened. He said, "Emon, if what you're tellin' me is true, and I have no reason to think it's not, I'll check it out." I said, "I'll tell you how to check it out. Go down there and ask 'em for the cancelled check at the city, and they won't produce it 'cause it's ashes." He said, "If I check it out and find out it's accurate, you'll never hear another word from me." I've never heard another word from him. That was the end of that experience. And that was really a lot of fun. [04:45:51] And I did ge—I don't always

agree with Max Brantley but—well, in fact, I seldom agree with Max Brantley. But he, in a conversation with somebody the other day, was talkin' about a FOI problem he had with Little Rock, and he recounted that story. I don't know where he got it, but he recounted that story pretty accurately—said, "If you do like Mahony and burn that check, I wouldn't have any problem with you." [KK laughs] So the story has some circulation 'cause Max had heard it. And I forget—I don't even remember who I talked to but they—he had told 'em that he knew that story.

KK: That's a pretty long memory on his part.

EM: I suspect it had been talked about recently. I don't think he knew it from way back . . .

KK: Right.

EM: . . . 'cause, I mean, there were very few people knew it. There wa—I mean, the—that small group in Fort Smith and the prosecutor and the Chamber people and—I mean, it wasn't widely circulated. That's not the kind of story FOI proponents like to run. [Laughter]

KK: One where they lost, you mean? [Laughter] Yeah, yeah.

EM: They don't lose many.

KK: No. I gotcha.

EM: They really don't.

KK: That's awesome.

EM: All right.

KK: Good story.

EM: That's good. I'm glad I remembered that. I thought of it . . .

KK: Yeah, that was a good story.

EM: . . . a couple of times earlier and . . .

[04:47:03] KK: Yeah, good, good. Well, you'll find that after we leave, you'll think of some more stuff. That happens all the time. But I think we had a really good interview.

EM: No, I think we've . . .

KK: We've covered . . .

EM: . . . covered plenty.

KK: . . . a lot of different issues and also some things that we haven't talked about much in our interviews. And I think that's been very, very valuable for us. So we really, really appreciate you spendin' a whole day . . .

EM: If I've been of any assistance, I'm happy.

KK: Well, you have been, and we really appreciate it.

EM: I've been privileged to do a lot of things and it—a lot of it's produced some stories and, as you say, a perspective that's different.

KK: Yeah.

EM: I've always tried to have a different perspective. I've worked . . .

KK: Good.

EM: . . . very hard at it . . .

KK: Good.

EM: . . . sometimes.

KK: Well, thank you.

EM: All right.

[04:47:40] JE: I would like one thing.

KK: Yeah.

JE: Can we get the "Proud to be"?

KK: The what?

JE: "Proud to be from Arkansas."

KK: Oh, yeah, yeah, yeah. We have this thing that we do. We—we've asked—we ask each interviewee to look in the camera. This is . . .

EM: All right.

KK: . . . the only time you have to look in the camera, and just say your name and where you're from and that you're proud to be an Arkansan, if you don't mind.

EM: I'm Emon A. Mahony Jr., most recently from El Dorado, but also from Fort Smith and Little Rock, Arkansas. And I'm extremely

proud to be an Arkansan and to have participated in all the things I've been lucky enough to participate in.

KK: Great. Now do one more, just even shorter, if you can.

EM: All right. I'm Emon A. Mahony Jr. from El Dorado, Arkansas, and I'm very proud to be an Arkansan.

JE: Thank you, sir.

KK: Thank you. You're finished.

EM: All right.

[04:48:42 End of interview]

[Transcribed and edited by Pryor Center staff]