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Calvin R. Gearhart

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ORAL HISTORY

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Date May 1, 1980

Carlisle R. DeLoach
(Signature - Interviewee)

4729 Richardson Rd.
Address

Ashtland, Kentucky

Date May 1, 1980

Richard C. Smoot
(Signature - Witness)

ORAL HISTORY OF APPALACHIA

PASPER MOUNTAIN

INTERVIEWER Calvin R. Gearhart

DATE & PLACE OF BIRTH March 19, 1922 in Wayland, Floyd County, Kentucky

INTERVIEWER Richard C. Smoot

INTERVIEW DATE May 1, 1980

PLACE OF INTERVIEW ~~Boyd County Courthouse, Catlettsburg, Kentucky~~

SESSION NUMBER 1 & 2

LEGAL AGREEMENT YES NO

NOTES:



MARSHALL UNIVERSITY

ORAL HISTORY OF APPALACHIA

HUNTINGTON, WEST VIRGINIA 25701

The Marshall University Oral History of Appalachia Program is an attempt to collect and preserve on tape the rich, yet rapidly disappearing oral and visual tradition of Appalachia by creating a central archive at the James E. Morrow Library on the Marshall campus. Valued as a source of original material for the scholarly community, the program also seeks to establish closer ties between the varied parts of the Appalachian region—West Virginia, Virginia, Ohio, and Kentucky.

In the Spring of 1972, members of the Cabell-Wayne Historical Society joined with Dr. O. Norman Simpkins, Chairman, Department of Sociology and Anthropology, and Dr. Michael J. Galgano of the Department of History in establishing the program. The Historical Society and other community organizations provided the first financial support and equipment. In April 1974, the Oral History program received a three year development grant from the Marshall University Foundation allowing for expansion and refinement. In 1976, the program became affiliated with New York Times Microfilm Corporation of America. To date, approximately 4,200 pages of transcribed tapes have been published as part of the New York Times Oral History Program. These materials represent one of the largest single collections of Appalachian oral materials in existence. Royalties earned from the sale of the transcripts are earmarked for the continuation of the program.

The first interviews were conducted by Marshall University History and Sociology students. Although students are currently involved in the program, many interviews are conducted by the Oral History staff. Graduate students are strongly encouraged to participate in the program by taking special topic courses in oral history under the supervision of Dr. Robert Maddox, program director since September 1978.

The program seeks to establish contacts with as broad a variety of regional persons as possible. Farmers, physicians, miners, teachers, both men and women all comprise a significant portion of the collection. Two major types of interviews have been compiled: the whole life and the specific work experience. In the whole life category, the interviewer attempts to guide subtly the interviewee through as much of his or her life as can be remembered. The second type isolates a specific work or life experience peculiar to the Appalachian region and examines it in detail. Although both types of interviews are currently being conducted, emphasis is now placed on the specific work experience. Recent projects are concerned primarily with health care, coal mining, and the growth of labor organizations.

Parts II and III of the Oral History of Appalachia collection were compiled by Dr. Robert F. Maddox, Director, and processed by Ms. Brenda Perego.

Dr. Robert F. Maddox, Director
Ms. Brenda Perego, Processor

An Interview With:
Calvin R. Gearhart

Place:
Boyd County Courthouse, Catlettsburg, Kentucky

Date:
May 1, 1980

Interviewer:
Richard C. Smoot

GEARHART, CALVIN R. (1922)

Born in Wayland, Floyd County, Kentucky in 1922, Mr. Gearhart is County Attorney for Boyd County, Kentucky. The interview was conducted at the Boyd County Courthouse in Catlettsburg. The interview begins with a general autobiographical discussion, including life in Floyd County during the Great Depression and early schools. Mr. Gearhart also discusses: Lee's Junior College; Marshall University (then College) and some of his professors there; Duke University law school; opening law practice; election to County Attorney in 1953; his most important series of cases; work with other lawyers, and; relations and acquaintances with the Republican and Democratic parties. The interview concludes with a discussion of the most important individual influence on Mr. Gearhart's life, and the experience which most influenced him.

Richard C. Smoot; 1 interview; May 1, 1980; 22 pp.; released.

Calvin R. Gearhart 1

RCS: Born in Wayland, Floyd County, Kentucky, Calvin Gearhart currently serves as County Attorney for Boyd County, Kentucky. This interview was conducted in his office at the Boyd County Courthouse in Catlettsburg. At the beginning of the tape there is talking and music in the background as the office is just closing. There are also several interruptions during the course of the interview, but none of which interfered with the discussion to any measurable degree.

The interview begins with general autobiographical information, including life in Floyd County during the Great Depression and early schools. Continuing in this vein, Mr. Gearhart discusses: Lee's Junior College; Marshall University, his professors there; Duke University law school, opening law practice; election to County Attorney in 1953; his most important series of cases; work with other lawyers; and relations and acquaintances with the Republican and Democratic parties.

The interview concludes with two questions on life influence. The first is about a boyhood friend named Buster Patrick, whom Mr. Gearhart characterizes as having had the greatest influence on his life. To round out the discussion, Mr. Gearhart talks about his relationship with his parents, calling it the most influential experience of his life.

(Long pause)

Calvin R. Gearhart 2

- RCS: Could you give me your birthdate please? (talking in background)
- CRG: March 19, 1922.
- RCS: And where were you born?
- CRG: I was born at Wayland, Kentucky.
- RCS: And where is Wayland?
- CRG: Wayland is, uh, on the upper reaches of right Beaver Creek in Floyd County.
- RCS: What were your parents' full names?
- CRG: My fathers name was (music and talking in background) Fred F. Gearhart. The "F" didn't stand for anything in particular. My mother's name was Carrie Beatrice Martin.
- RCS: Were they both from, uh, Floyd County?
- CRG: Yes. They were both Floyd Countians.
- RCS: And what did your father do?
- CRG: Huh. Well, my father was a jack-of-all-trades. He was a policeman, a farmer, a construction engineer, a, uh, operating engineer, and a warehouseman.
- RCS: And what did your mother do?
- CRG: Mostly kept house. (talking in background)
- RCS: Did you have a big house?
- CRG: No, uh, we moved around quite a bit in the early part of my life. Uh, family moved away from Wayland in, just after I was born and moved to Prestonsburg, which is in Floyd County. And, uh, from there to, uh, Midas, another community in Floyd County. And there to Wheelwright, (banging) another community in Floyd County. From there to Martin. All of these are in Floyd County. And from Martin back to Midas. And this all happened, now, uh, (talking in background) by the time I was six years old. We moved back to Midas in November of 1929. And, uh, lived there until we finally, the family moved from Floyd County to Boyd County in 1942.
- RCS: Did you have any brothers or sisters?

Calvin R. Gearhart 3

CRG: I had three brothers, all older than I.

RCS: What were their names? Are their names?

CRG: My, uh, well, my father had two families. Uh, he married a different Martin the first time. And, uh, and of that marriage two sons were born. And then she died while they were in infancy and he married my mother and two more sons were born. My oldest, uh, brother was named Ted Leslie Gearhart. And the, uh, next one was Morton D. Gearhart. Both of them are deceased. My other brother is Frederick Wilson Gearhart, who is Assistant Chief of Police of Ashland. (whistling in background) And was not blessed with a sister. Although when I was younger, my playmates generally, uh, regarded that as a very advantageous situation.

RCS: Uh, what were, what was Floyd County like while you were growing up?

CRG: Well, of course, uh, my earliest, uh, recollections are the early days of the Great Depression. And, uh, economically, of course, it was a very depressed, uh, area. There were no industries there, other than the coal mines. And, uh, there wasn't much coal being sold in those days. (whistling in background) And, uh, other than what little coalmining was going on, why it was farming and trading and trafficking.

RCS: Did a lot of people seem to be having a really tough time?

CRG: (phone rings)

CRG: Could we cut it off for a minute?

RCS: Okay.

CRG: (Break in tape)

CRG: Where were we?

RCS: Uh, I asked whether or not a lot of people in the area were having a really rough time of it during the Depression?

CRG: Yea, I sup./.), looking back, I suppose that, uh, we were all having it really rough. But I'm not sure that we were aware of it. It seems a lot rougher in retrospect than it seemed to me at the time.

RCS: Uh, what were the schools like? Your first school.

CRG: They were great. Uh, a lot of individual attention, a very high degree of discipline, along with a demonstrated, uh, genuine concern on the part of the teacher, uh, to the extent that you understood that the discipline was not, uh, well, of a malicious nature. But they were really wanting to get the best out of you. And, and they were going to get it. I don't, not wanted to get it, they were going to get it, if they had to beat it out of you. And, uh, I think thats one reason we didn't have much juvenile delinquency in those days. The homes were, uh, much closer then of course. I think, we did not have a radio until I was a freshman in high school. But, uh, we were always greatly entertained. We made our own entertainment. Uh, we enjoyed each other and we enjoyed our neighbors and vice-versa. A typical summer, a spring, summer or autumn evening would mean, uh, the mothers and fathers of the two, three or four households sitting around in one front yard or on one front porch just talking and, uh, trading stories, the rest of us sitting around and listening and absorbing it.

RCS: What was the name of, uh, the first school you attended?

CRG: The first year I attended school would have been the school at Martin. If I was, I think I was only there one year, maybe only part of a year. Then we moved back to Midas and the rest of my preliminary school, primary school, was at Bosco.

RCS: Uh, was Bosco also your high school, then?

CRG: No, no.

RCS: Thats preliminary, right. Okay.

CRG: No. It was, it was just a primary school.

RCS: Okay. So what high school did you attend, then?

CRG: Garrett.

RCS: Garrett. And these were both just county schools, really?

CRG: Oh yes, they were county schools. As a matter of fact, when I went to, uh, Bosco, until I reach the eighth grade, seventh grade, I guess, seventh grade. At the time, until I reached the seventh grade, I lived a mile from the school, a long

mile, too. And my dad worked, and, uh, he couldn't go to school with me. And I had a very gentle mule named "Blue." And, uh, dad would put me on Blue at home and I'd ride Blue to school. And, uh, the teacher would take me off of Blue and, uh, a neighbor let me keep Blue in his stable. And we put old Blue over in her stable and then when school was over the teacher'd put me back on Blue and I'd ride home and dismount me.

RCS: How big were these schools?

CRG: Well, I remember it was four rooms. The first, the eight classes were divided into four rooms. The, uh, sixth, seventh, and eighth were in a room to themselves. And I don't remember just how the, the other five, uh, grades were split up between the other rooms.

RCS: Do you remember any of the books that were used?

CRG: Not by title.

RCS: So, after the, Bosco, you were in Garrett High School. And from Garrett, where did you go?

CRG: From Garrett I went to, after graduating, I went to, uh, Lee's Junior College.

RCS: And what year did you graduate from high school?

CRG: 1941.

RCS: And where is Lee's Junior College?

CRG: Lee's Junior College is at Jackson, Kentucky.

RCS: Did you have any particular line of study while you were at Lee's?

CRG: No, no. I don't think anybody at that stage of their education really has a handle on what they're going to do. Just took what they told me to.

RCS: How long did you stay at Lee's?

CRG: Uh, an entire two semesters, plus a summer term.

RCS: And after Lee's, you went to Marshall.

CRG: I went to Marshall.

RCS: What made you choose Marshall?

CRG: Well, frankly because it was handy. Uh, we had moved to Boyd County and were living here in Catlettsburg at the time. I could stay at home and attend college there.

RCS: What did you major in, major in as an undergraduate?

CRG: Political Science.

RCS: Do you remember any of your professors there?

CRG: Oh, vividly.

RCS: Could you...

CRG: Every one of 'em.

RCS: Could you name a few of them for me?

CRG: Oh, yes. Uh, Dr. M. G. Burnside probably was the professor who had the greatest, uh, influence on me. As a matter of fact, uh, I was just floating around in a state of suspended animation. And, uh, he called me into his office one day, and I really don't remember what he said, but I well remember the effect. I had, uh, it was at the end of my first semester of the sophomore year. And I had, uh, sat in the back row, the right, back row in his, in the classroom. Seldom said anything, unless, unless he asked me a question. And, uh, showed no interest at all. And, uh, I think it was between the semesters, he, I was just walking down the hall one day and he, stuck his head out of his office and said "come in." And, uh, he gave me a very, uh, I want to say stern lecture, a very persuasive lecture. Uh, Dr. Burnside was a fellow, I don't suppose he was ever mad. Uh, never raised his voice. But he had, uh, inflections in his voice that had the same effect on you as anger. And, uh, he just pointed out that I was making an ass out of myself. (laughter) And it was time I came down and joined the rest of the world.

RCS: Who were some of your other professors up there?

CRG: Oh, lets see. There was, uh, Dr. Olson, who was my, uh, economics professor. A man of great wit and uh, deep learning. But I never, I never could handle on Dr. Olson. Uh, everything was sort of simple in those days. A professor was either a liberal or a conservative. And, uh, I could

never get a handle on Dr. Olson to whether, which he was. One day you would think he was, uh, a flaming liberal, a liberal, and the next day he wasn't, would think he was a tied-down conservative. Fascinating individual. And, uh, another, uh, professor, uh, very strong influence over me was, don't tell me I've forgotten his name. My speech professor. It'll come to me, hopefully. And I, I took and, I took every course I could find. And, and I wound up with enough hours in, I think, three different fields for a minor. And speech was one of 'em. And, uh, he was a tall, thin fella, uh, must of been well over six feet tall, but, uh, very slender. And, uh, he was very droll. He could, uh, just, uh really, uh, tongue lash you and laugh at you at the same time, and never anything that would have offended you. But, uh, he just had a way of getting to you. Now we had, I remember one course we had was, (banging on desk) extemporaneous speech. And, uh, we had, uh, since I'm sure he must, what, I think he, he's died and I can tell this on him. We had a textbook. And, frankly, I found the textbook, uh, cumbersome. It, it was more of a hindrance than a help. That was the way I saw it, because I was always pretty good at, uh, well, by that time, I had become very good at standing up and, uh, espousing on anything that I know enough about to get started. And I thought I was fooling him all the time, because I would stand up and make these extemporaneous speeches and he'd say great, great, great, great, great. But then the dirty rascal wrote the final exam on the textbook. And, uh, he just sat up there and laughed the entire hour we were taking that exam. You could tell that he was just having a ball 'cause the rest of us, well, the whole class, was sitting back there in a state of total panic. And, uh, (tapping pencil on desk) and I, I know that I didn't, I knew that I didn't do well on the exam. And, uh, it was at a really critical time, too. I was probably in the second semester of my junior year. And, uh, time passed, and we're between semesters and I'd been on the honor roll for two semesters in a row, and I was, I figured I'd blown it on that. So I met him in the hall one day and I said, Uh, Doctor, darn I almost said it. Ransom! Dr. Ransom! "Uh, Dr. Ransom, uh, what kind of a grade did I get in contemp, in extemporaneous speech?" He said I think I turned in a "B" for ya. I said, boy I, I appreciate that because, uh, you should have flunked me on general principles the way I conducted myself in your class, in that class. And, uh, he said yes, and I should have flunked you on the final exam, too. (laughter) And there's, uh, there was a couple of history professors. One, uh, I, I only had one course from him and I consequently haven't been able to remember

his name for a number of years, although I'd recognize it if I saw it. And the other, uh, history professor I do remember well was Dr. Toole. He was a character among characters. He should have been on the stage. He should have been a comedian, because he was just outstanding. Knew his history, and, uh, he was, uh, he was not a hard taskmaster, and he let you get by with a lot, a lot of stuff. But not a lot of stuff. But he never played the fool to let you know that he knew what was going on. But, uh, I remember the last course I had of him, under him, was diplomatic history. And really if you'd read the newspapers for the past ten years or so, why you pretty well knew already what, everything that was in the text. And, uh, I really didn't strain myself too much in that course. And we showed up for the final exam and it was on a, I believe my last semester, and we were, it was a sunny spring day. And he walked in and he said I can't think of anything more distasteful than to have to grade a bunch of dumb papers. And he sat down and took his roll book and started down the roll down the class roll. And, "I think I already know what you're all going to get, even if, uh, irrespective of the results of any exam I give, unless you just completely didn't turn in one." Of course that really. (laughter) And he was, went down the streak, down the roll, and commenting on each of us, and, uh, telling us what he thought our weaknesses and our strengths were. And, uh, then, "we'll give you, we'll give you a so-and-so." But he just handed everybody out a grade, took him about twenty minutes, and we were all out. And, uh, Dr. Bartlett, of course, uh, who was later Dean, at that time was the head, professor of chemistry and probably I don't whether he or Professor Todd was head of the department. Uh, I only took one course from Dr. Bartlett, but he was a, uh, what was it? An overpowering intellect. And it was, uh, an experience just to have been in the, in the classroom with him. He was, as I say, in a field foreign to what I was really interested in. But I had had the first semester, had one semester of chemistry in my freshman year at Lee's. Then when I transferred, the, uh, schedules were such that I didn't get the, uh, second semester in until, it was along in my junior year, one, I think it was the first semester, first semester of my junior year. And I had been away from chemistry for the better part of two years. And boy, I had it rough, I tell you I had it rough. But, uh, the lab assistant was a fellow named Charlie Arthur, who was a, in a, a classmate of mine. And, uh, he's one, he's the only true genius I've ever known. And he's around here now, by the way, and that's a guy you might want to interview in this. Don't tell him I said that. And, (laugh) he, uh, he was a great help to me. And I got through the course with a "C" and I felt, I felt very lucky to get that far because in, Dr. Bartlett didn't, uh, seem to

understand that I didn't need to know all that chemistry. (laughter) Let's see, what other professors did we have? Dr. Blasie was our English professor. I had several literature courses under Dr. Blasie. He was a very colorful, uh, you know, a spellbinding lecturer. But, uh, he, uh, I never could get on the same wavelength with Dr. Blasie for some reason. And I would turn in a paper that I thought was excellent. I'd get a "C." I'd turn in a paper that I was ashamed to let go of. I'd get a "C." Uh, I think he, he tacked, he tacked you when you came in and you never went out of that classification, because I had turned in some things, some papers to him, that if he, if you read 'em, he would have bound to flunked me. Always got a "C." Then worked my head off on something and, if you did something real good, he'd really made you feel great before, before the class. And I thought, he's really going to give me a pat on the back for this and always came back a "C."

RCS: Were you a member of any organizations while you were at Marshall?

CRG: Weren't any organizations on campus, to speak of, when I was there. Uh, all the fraternities were gone, this was during the, see I went over there in '42 just, uh, after Pearl Harbor had been bombed the previous December, and, uh, they, uh, the fraternities, of course didn't survive throughout the year, they were all gone. I think the only thing that I belonged to while I was there was the International Club.

(Unidentified voice-You all already closed?)

CRG: Yes, sir. What's your problem?

(Break in tape)

RCS: So the war, uh, prevented a lot of the organizations...

CRG: Well, it just, uh, we were down, uh- to, I believe, uh, the year I graduated, 1945, there were eight men and 700 and some women. That's all there there was there.

RCS: It's grown quite a bit.

CRG: Yes.

RCS: After you graduated in 1945, you went to Duke University.

CRG: Correct.

RCS: And that was for law school?

CRG: Right.

RCS: Uh, what was, uh, law school like, as, as an experience for you?

CRG: Uh, an entirely different world from what I had known.
Uh).

RCS: In what ways?

CRG: Well, the first, uh, thing that the law professor does to you is convince you of your total ineptness. Uh, you go there, you're a hot shot, you just got that degree. Uh, you're on top of the world. And, uh, the first class I went to in law school was probably the meanest man who was ever, uh, called a professor. Uh, we had, uh, 55 minute class periods. He took the first 45 minutes of it and turned me inside out several times. Uh, of course, he was making a point, but, uh, he'd ask me a question and I'd give him an academic answer. He wasn't interested in academics. He was interested in specifics. And, uh, and he started using them, I would make a statement and he would proceed to cross-examine me of what I meant by that. By the time he finished I didn't know what I meant. And of course, uh, who ever thought of reading a footnote in undergraduate school. Uh, right off, the first thing he did was ask me to recite on a certain case. Well, never heard of it. I'd read the assignment. And, uh, I sat there dumbfounded, uh, why me out of all of us, there was 14 of us, why don't you pick on one of the other 13? And he stormed at me, as if I'd just committed treason or something. And, uh, so the only thing I knew to say was sir, I don't know. That was the wrong thing to say. You're not permitted not to know. And, uh, so they, the student sitting next to me remembered having read it, obviously,, but didn't remember, but had remembered where it was. And it turned out to be a footnote on page 14. I shall never forget that. And he turned to it and nudged me and pointed to it. Well, the minute I saw it I remembered it. I should have left well enough alone. And I apologized to the professor and told him that, uh, yes, I, I did know about that, too. and, uh, oh, he vilified me something terrible. I thought it was terrible. And, uh, the very idea, here's a grown man with a college degree, he comes here and he's paid all this money, uh, and here are all these buildings and the millions of dollars that have been spent to make this opportunity available to you. And you come here and at first say you don't know, and now you say you know, just when in the hell are you going to make up your mind? And that went, it went on in that tone for the, the same, for

the 50 minutes. And, uh, he was, uh, I was always ready for that man from then on. But, uh, it, it was different world because you had to, uh, really all law school, well now, that's not a fair statement. The principle purpose of law school is to re-, uh, program your thinking. You've got to think in entirely different, uh...

(Break in tape)

(Side 2)

CRG: ...leave ya any margin for error. You've got to, you've there's two, there's only two ways to do it, the wrong way and the right way, and there's no, uh, no in-between. And, of course, that, that faculty list, as the one at Marshall, was struck, it was structured. And we had the, the old bear there who got us first. And the, on the other end of the spectrum, was an old retired judge, who was very grandfatherly with all of us and, uh, never would raise his voice at you. If you made a mistake, he'd say, now son. And, uh, then the rest of 'em were in-between. They were, they were, uh, undoubtedly the, uh, greatest, uh, bunch of intellects that I shall ever encounter.

RCS: Did you, or could you say that you enjoyed law school?

CRG: Looking back, yes. And, uh, that's another thing where you, uh, as I said about hard times in the '30's, I didn't, looking back, they're supposed to be awfully hard, but they didn't seem that way then. Looking back it was a lot of fun, but it didn't seem that way then (laughs). Uh, the, uh, it's the, uh, the uncertainty of it. You just never know where you stand and you're in competition with, with every student. And that's, that's a hard thing to become, to get used to. Uh, the comp-, the, you're competing with every other student there for survival. Uh, Duke isn't a school that just arbitrarily lops off the bottom certain percentage. But, uh, they, they lop you off, you've got to come up to the, uh, to the standard of, of the class, and, uh, or to the norm of the class or they will get rid of you. And, uh, even as late as, uh, well, I never, never, never did become, uh, reconciled to being in competition with people, well, with whom I was sharing a common experience. Uh, I didn't want to see somebody else flunk out. And, uh, but some of them did. Some of the guys were just very, uh, they were, very cut-throat proposition. One guy, in particular, I can remember he went, they posted the grades on the bulletin board. And he was there, and the first thing he looked at was to see who flunked out. And he wasn't worried about his self flunking out, uh, he wanted somebody to flunk out to make him look better. He really felt that way about it. That, uh, of course, that's part of the, that's part of

the training to get into the law. Because, in even a legal contest there's a winner and a loser and there's no, generally, no in-between. You either both, one wins and one loses or, don't, you both lose. You can only have one winner. And the, the faculty was, uh, just superb and, uh, the people, the, the students were an, a learning experience in themselves. Uh, you were exposed to, uh, for, for the first time to people that, uh, didn't like you. Uh, law students are, I don't know how to express it, but, uh, there's that feeling between them that you're in competition. And, uh, maybe all, maybe, of course, my learning experience with law students is very narrow, just those that I knew. But, uh, some of them were, uh, not very likeable. Then, of course, I'm sure that there were some where I was not too well liked. (laughs) And, and then there were others who were gregarious and, uh, warm and hardy, and they were just a marvel experience, a marvelous experience to know them. Uh, I've kept in touch with a few of them. Oh, uh, of course, some of them have died. My favorite of all of them died in 1963. And, uh, others I, I hear from from time to time. We have reunions every five years. Uh, I haven't been to one since '72, but '77 reunion came around and the situation was such that I couldn't attend and I'm looking forward to the '79.

RCS: What year did you graduate from uh, Duke?

CRG: I graduated in seven, in forty, in, uh, in September of forth, I finished my, uh, studies in September of '47. I attended, I did three years of law work in two calendar years. I attended three semesters a year. I wouldn't recommend that. Uh, but, uh, it was there, like the mountain, if its there you climb it.

RCS: After you graduated did you go directly into practice?

CRG: Yes. Uh, I had, I took the bar examination in North Carolina and passed it and was admitted by motion in Kentucky, which saved me, uh, seven months in order to wait to take the bar exam. And, uh, once I was admitted to practice I, uh, my older, my oldest brother had the notion that, uh, all good lawyers come from the Big Sandy. And he wanted me to go back to Prestonsburg to practice law, which I didn't want to do it. In fact, I didn't want to go anywhere and practice law except here where I was living at the time. But he finally prevailed on me to, uh, go up the river and look around. So he and I went up the river one day and, uh, stopped in Louisa and didn't see anything that was particularly, oh, we just didn't see any opportunities there at all, so we drove on up to Paintsville. And, uh, ran into an older lawyer who had

been elected to the legislature. And, uh, he said that he was looking around for some young lawyer to keep his office operating, operate his office while he was in the legislature. And he'd be down there until about the middle of March. And so, uh, he said I could run his office and we'd split whatever came in. And I did that for three months, but when he came back, why, I still preferred to be down here where all my friends, family and acquaintances were. So I came back and, uh, went into a partnership with Jimmy Adkins, who has an office across the street here. And we practiced together, in an office about half way down the next block on the other side of the street. Uh, we practiced together until, uh, the Korean War came along and they revived the, uh, Office of Price Administration. And Jimmy, being a Democrat was offered a job in the Office of Price Administration. He left and went, uh, went to Louisville and worked until, uh, Eisenhower came along and abolished his job. (laugh) And, uh, shortly after he came back, why, uh, of course, I ran for and was elected County Attorney and I've been here ever since.

RCS: So what year was that when you were elected County Attorney?

CRG: I, I was elected in 1953. Took office in January of 1954.

RCS: What would you say, since you've become County Attorney, not necessarily naming the case or the individuals involved but, what was the most important case that you've handled?

CRG: Well, I'd say the most important, uh, series of cases were the cases that I handled, uh, started handling the first year I was in office. When I was elected County Attorney, the bootleggers and gamblers were operating with a considerable degree of freedom. And, uh, I had, uh, promised a lot of people that I'd stop that if I were elected. I didn't run any big newspaper ads that I was going to do that, but I, there was eyeball to eyeball commitment. And, uh, the second grand jury that met after I took office returned, I believe a 189 bootlegging and gambling indictments. Not against 189 different people, (sound of truck) there were several people with multiple indictments. And, uh, I wouldn't say tha, uh, everybody in positions of authority were very happy about that. And I wrestled around with it, uh, for a long time. Finally, the indictments were returned in March, I believe. And, uh, of course, I was a rookie but, uh, as a prosecutor and I made some mistakes in the manner in which the indictments were drawn. So most of them were quashed and referred back to the next grand jury and some of them were combined and it took me until December of '54 to get the first trial. And, uh, it took several days to try that case. And it was on, against a man who was charged with bookmaking. And, as I say, I was pretty

much of a rookie and, uh, suddenly found myself the only guy who was rowing the boat. But I tried 'em and, uh, got a conviction on the first one. And, uh, then I tried a second one and got a conviction on it. And the rest of them pleaded guilty. And, uh, it was really a rather turbulent period, uh, for me and my family (voice in background) because, uh, evil, once it sinks its roots in doesn't give up easily. There were threats, telephone calls at night, words sent to you, "murder, incorporated" was as close as Charleston. Uh, me and my family being verbally abused. Uh, your own friends turning on you. But then there was the friends who stood by me. And, uh, we finally, uh, it all worked out. Uh, several of them pulled jail sentences. And they, uh, we certainly didn't wipe out evil in the community, but we put a good crimp in it. I believe, at that time, uh, gambling was really on the ascendency here. We had, uh, so many, I was told this, by the man who was, later told this, by the man who was the works manager at Armco. Uh, they were having problems with their, many of their employees who would go into certain poolrooms in town to get their paychecks cashed and not getting out of there with 'em. And they had, uh, Armco, was, had then under consideration, uh, changing their policy. Instead of paying off by checks just paying off by cash so they wouldn't have to go the the poolrooms to get 'em cashed. Many of the, the wives of the workers were calling the foreman at the plant, well, John doesn't get home with his paycheck. And, uh, solved that problem. Places that were really, uh, dealing, uh, dealing in vice for profit pretty well closed up and went out of business. The people involved in it got into other pursuits and really lived, I'm sure, a much better and happier life than they, uh, were experiencing while they were, uh, taking horse bets and selling tips, looking over their shoulder for the sheriff.

RCS: Would you say then that the gambling and bootlegging is not as much of a problem now as it was at that time?

CRG: Certainly not as much of a problem now as it was then.

RCS: But it still exists.

CRG: Oh, sure. Evil exists everywhere.

RCS: Uh, have you worked with very many other attorneys from around here:

CRG: Oh yes, yes. In this position I've probably worked with more different attorneys than that is, being on, on the opposite side from them, and even being on the same side with them, on some matters, uh, probably more than any

other lawyer in the county.

RCS: How about the county commissions. You work, uh, pretty closely with the county commission, do you not?

CRG: Yes, yes, uh, the county fiscal court. Uh, yes (laughs) I work very closely with them.

RCS: Is there any commission that you would say, with your experience, has done a particularly good job? Uh, one that you particularly enjoyed working with?

CRG: Well, of course, the guy, the kind, the fella you, you most enjoy working with is the fella who never gives you any trouble and never gets into any trouble and has to go home with it. Plus we've went, uh, since I've been here we've went through a change of times. Uh, life was very simple, uh, comparatively speaking, back in 1954, uh, in comparison to what it is now. Uh, in 1954 we had, uh, a county judge who was, uh, very strong. Uh, I mean, uh, he was a unique individual, uh, but he would, he just was a man who, who, who ran things. And he had a, a fiscal court that, uh, let him run it. And, and the fiscal court was more of a ratifying body than anything else. Judge Rose just went ahead and did it. The other guys dropped in twice a month to okay it. And, uh, why we, at that, at that time we had our fiscal court meetings on Wednesday afternoon, I believe. And, uh, it was rare that a fiscal court meeting would last longer than an hour. Well, now we have 'em at 9:30 in the morning and they, some, they have lasted all day and into the evening. But, uh, its like comparing apples and oranges, really. You always look back, uh, especially when you've reached the age that I have and, uh, you look back and how nice things used to be. And it's just human nature to do that, I guess. And things were nice then, but they're still nice. Uh, things are really more bothersome now, there are more problems now, uh, but the same can be said in nearly every field of endeavor, too. Fiscal courts, uh, have expanded their activities. Gotten into things now that they never, never fooled with in the early days. Uh, the road department, for example. The only thing they did different was Judge Rose was, was a road builder. If somebody would have given a right of way through the Mojave Desert he'd have built a road on it. And if you, if you go around anywhere and look in this county, why you could find many roads that Judge Rose built that have just grown up in wilderness, now. But if you owned a piece of land, came in and said Judge, uh, if you don't want to build a road through my land that's okay, he'd be out there the next morning with his bulldozers. And, uh, that, uh, contributed, uh, very greatly to the development of the southern end of Boyd County, the so-called rural section. Because he'd go out and build roads

and people would build houses on them. But, uh, about four years ago, why inflation finally caught up, and they couldn't, the county had to go out of the road building business because they didn't have the money. And, uh, now they have, we haven't built a road since then, except on rare instances, like going and doing some little job that the public, uh, convenience requires. But to go out and build roads and feeder roads for a sub-division, that hasn't been done for over four years now. But right now we're doing well to, uh, maintain the roads that we have. And, uh, we haven't even accepted roads, many that other people have built in the last three years, as the cost of operating has become so burdensome that, uh, we just, we don't have the money to do it. I read in the paper last night where the City of Ashland is broke, and I thought, well, welcome to the club.

RCS: You've obviously had to deal with a lot of the Republican Party leaders in the local area.

CRG: Yes.

RCS: Uh, do you think the Republican Party is a relatively strong force in the county?

CRG: Well, of course, Boyd County as a political entity is very independent minded, independent voting group of people. I don't think that straight party votes, uh, in Boyd County, uh, predominate. But the, uh, I'd say the majority of the people in Boyd County are independent voting whether, regardless of how they're registered. But, uh, really the purpose of a political party is to get the members of that party to the polls to vote. Provide 'em with means to get there and persuade 'em to go. And, uh, the, uh, I'd say both parties have a, have a very definite and recognizable impact on this community, to the effect that, while one, the Democrats are, uh, in the majority party registration that has not determined through, who is going to be elected, to any office. Because, uh, and for that reason, uh, the independent vote is going to go to whichever candidate, uh, appears to be more qualified, or if, uh, is in office, if he has done a good job and it's generally recognized, he's probably going to be retained. And if he's in office and hasn't done a good job he's not going to be retained.

RCS: Have you dealt much with the party on the state level?

CRG: Well, in, uh, years past I was active in, on the state level. Uh, I was in the Young Republican Club, I never held any statewide political office, political position,

nor a statewide position in the party. (clears throat)
But I used to go to all the meetings when I was younger
and enjoyed those things.

RCS: As an official of the County I suppose you've also had a
chance to meet some national party leaders.

CRG: Yes, I've met many of them. (clears throat) Uh, I'm
not one of those who, uh, regards Richard Nixon as being
a leper. Uh, he made some dumb mistakes, but many mis-
takes, mistakes were no worse than those that have been
committed by the Presidents of the other party and, uh,
his own party who preceded him. And I've always felt
that it was, uh, ironic that, uh, he was so roundly
condemned for having done many things that, uh, his
predecessors in office had done and were never criticized
or condemned for. Obviously, he made some mistakes
that were original. Uh, the greatest mistake he made,
I think, was in the selection of people, uh, around him.
Hi, Charlie.

(Unidentified voice - They tell me you...)

(Break in tape)

CRG: That he, uh, certainly didn't exercise good judgment in
the people he had around him. And, uh, its a tragedy
that, uh, that his administration failed, because he
probably had the greatest opportunity, uh, of any President
in recent history to, uh, affected a turn around from the
paternalistic direction in which our government has been
headed. Instead of a turn around, why the, uh, it really
has accelerated. And, uh, I met Richard Nixon on two
different occasions. Once while he was just a Congressman
from California, and I was in law school, he, he was also,
gone to Duke. And he came down for a weekend with our legal
fraternity, the fall of 1946. And, uh, I found him at that
time to be a very jovial, uh, jocular fellow. He got us a
keg of beer and went out in the Duke forest and sang, just
just had a, a, a real good time. And I met him later when
he was a Senator from California. I met, uh, Senator Taft,
Bob Taft, on two different occasions. And, uh, that, uh, he
was the Senator from Illinois.

RCS: Everett Dirkson?

CRG: Everett Dirkson. He was still a member of the House when I
met him. And, of course, I knew, uh, John Sherman Cooper
and, uh, Thruston Morton well. Uh, I know, uh, Senator
Wendell Ford for 25 years or more.

RCS: That's a good way to get in to asking about Democrats in the county, since Senator Ford is a Democrat.

CRG: Oh, yes. I've, uh, known all the, all the, uh, active Democrats and active Republicans in the county over a period of many years.

RCS: Are there many difficulties with working with the Democrats, uh, what I'm trying to say, are there, do the people stick by their parties pretty much, vote by their party lines, or are they seemingly, as you'd mentioned earlier, does it carry over into office, this independence?

CRG: Uh, not really. To an extent, of course, uh, we're all in the, and we're all swayed by our loyalties, of course. (clears throat) But I'd say, its, its largely tempered by, on both sides. Uh, I've had two, I've had one, two, I guess this is the fourth fiscal court that I've served with that was divided politically. Uh, one fiscal court I had was divided, it was split, split down the middle. Well, two were divided. Three, three of the four were divided, uh, two Democrats and two Republicans. Uh, this one, the current one is, of course, three Democrats and one Republican. And, uh, of course, it has its effect, but its effect isn't detrimental. I think its healthy.

RCS: Would you say that there have been any individuals, uh, or any, uh, models that have influenced your life?

CRG: Do you mean generally?

RCS: Generally speaking.

CRG: Oh, any number, any number.

RCS: Do you have a particular model, though in, in, in your own philosophy of life?

CRG: Well I really never categorized the people that, uh, that I would say have had an influence on me, because they've, they've been, the influence have been so different. Uh, probably the person whose had the most influence on my life was a, a boyhood friend, uh, by the name of Buster. Buster Patrick. Buster and I were assigned to be seat-mates when we were in the fifth grade. And, uh, Buster became my legs. Of course, I, I had polio, and at that time I wore a brace, uh, from the feet to the shoulders (clears throat). And, uh, I was very immobil. And Buster and I, well, Buster just adopted me.

(End of tape one)

(Begin tape two)

CRG: At the beginning of our association as seatmates in the fifth grade, uh, (tapping pencil) Buster, began to, uh, just carry me from place to place, piggy back. And, uh, we sat either with each other or, uh, close, uh, to each other the rest of the way through primary school and through high school with the exception of one year. And Buster was no intellect. He had no intellectual interests (tapping pencil), thoroughly devoted to me. Helped see that I got where I needed to go. And, uh, he lived a good mile from me, and the shortest distance, the shortest route, between his house and mine, my house, was down the railroad track and through a big long tunnel. And, uh, from that time on, uh, well, when the school buses started running, I was about in the seventh, sixth or seventh grade, whichever it was, uh, Buster got out of bed every morning and he walked from his house to mine before the school bus arrived. And he'd carry me, we lived down under the road, you had to go up a big ramp to get to the road. He'd carry me up on the road, we'd catch the school bus. When we'd get to school, he took me off the school bus. Carried me into the school-house and up the stairs and down the stairs wherever I had to go. And, uh, that continued, as I say, for all from the fifth grade all through high school except for a year, our junior year in high school. His parents decided he had, he should go to another school for some reason, I don't know why. And we were separated for a year. And, uh, some other guys took up the slack while he was gone. But life just wasn't the same without Buster. And, uh, it wasn't the same for him, either. So, the next year he was back. And we went through our senior year, through my senior year, together. Buster didn't graduate. He just went to classes that I took. And, uh, never studied. On exam day, he'd bring a newspaper and sit in the back of the house, back of the room and read the newspaper while I took exams. And when I finished, why then, we'd leave. And I suppose he carried me a thousand miles. Uh, we went to ball games, we never missed a thing, Buster and I didn't. We, there wasn't a square dance or a ball game or, that we could, uh, walk to or ride to that we didn't see. We went to the movies. We were just inseparable. And, uh, I would say that I would have never gotten out of grade school if it hadn't been for Buster. Uh, its, uh, I'll never know, uh, anybody like him, because there could never be another one like him really. And, uh, no. I, I'm, I'm sure very few people have ever been the beneficiary of, of such a friend. And, uh, other friends of, uh, of that of my early life had a, a great affect on me. Some of the, will, no, well might not have been

completely constructive (laughs). I had some friends that we got into a lot of meanness together, too. Uh, it was all part of growing up. They, uh, all through life, there had been someone around that, uh, that made me a beneficiary of, of themselves, uh, to my benefit. Uh, there were, just so numerous, I hesitate to start mentioning them because I'll overlook somebody. But I know I had a neighbor, uh, who I shall not name (laughs). But he was a, he was a guy who never grew up. And, uh, he and I would hang around together, and he was a married man with a family and I'm in high school. And he would want to go out and stay away, and just run around, much to the chagrin of his wife and my parents. And sometimes we would go out on a Saturday night and get back, oh, bright sunshine Sunday morning. And, uh, we had a lot of fun. I enjoyed it and I guess he did, too. Uh, and, uh, I had, uh, several friends, uh, over at Lee's, uh, who, uh, were a, we lived in a dormitory there and practically everybody in the dormitory looked, just looked after me. And, every, if they, that was the great, the great thing about mountain people, is they're so warm. And, uh, there's nothing phony about their, their warmth. It's just a genuine concern to give of themselves. And, uh, I know, I, my room was the first, uh, room inside the front door. And everybody who left the building had to go by my door. And, uh, almost to a man, if a guy was going out, he stopped, stopped, uh, opened my door and said you want to go so-and-so where I'm going? Or can I bring you something, do you need anything? And, uh, I had, uh, it was a great bunch of people to have been associated with there at Lee's. And, of course, then, when I came to Marshall it was, well, the transition from high school to Lee's really wasn't too dramatic, because a lot of my high school, my, uh, high school classmates, and some of my, the, uh, immediate class that graduated maybe before me, were at Lee's. We had a very, very, a very large group there from Floyd, from, not only from Floyd County but generally, but from Garrett. And I was with (phone rings) really with people that, uh, I knew.

(Break in tape)

CRG: And when I transferred to Marshall, of course, that was an entirely different atmosphere. I was, uh, totally lost. No friends, uh, where I was accustomed to seeing people I knew all the time and it was good and warm and hello, how are you doing, uh, and people looked just straight ahead. And, uh, I say, that's what it, I say I was, uh, unhappy with the situation, because I was in a new and strange surrounding. Not that there was anything

wrong with it, I just hadn't fit into it yet. That's when Dr. Burnside finally pulled me in, too. There were people at Marshall who were, uh, helpful, in addition to the faculty. Old Percy Galloway, who lives over in Kenova was the, ran the bookstore and, uh, he was, uh, a character that everybody liked and he liked everybody. And, uh, and then a lawyer, a man who since has become a lawyer. And then John Anderson, who was a classmate of mine and Keith Newman, who is the assistant prosecuting attorney in Cabell County, he's a classmate. Uh, Judge Russell Dunbar was there while I was there, but he was a, I think he was probably a senior when I was a sophomore. And, uh, lots of fellows and girls, they made life pleasant, enriched it.

RCS: Has there been any one experience that you've had in your life that has been a major influence?

CRG: Well, its hard to answer. Uh, I, I'd have to say probably my parents. The association with my parents, uh, certainly had a great influence. Uh, they, uh, there was a closeness, uh, in the family that we don't see much of anymore. And a lot of things, uh, were taken for granted. Uh, fidelity and loyalty and decency. You were, uh, you knew what you were expected to do and there was a, a code that you, an unwritten code, that you were expected to abide by and it was presumed that you abidding by that until they were shown otherwise. Uh, my dad was a, uh, a unique individual. He, uh, always, there was always a silver lining. The situation was never so bad that dad couldn't find something that, to be glad about. And I, uh, fortunately inherited that. Uh, he, he lived for the moment and, uh, enjoyed life as it came along and, uh, competed, uh, wrestled with it as it came along. Uh, he was, uh, he was an optimist. Uh, my mother was a, hard to characterize mom. She was, she wanted to be a disciplinarian, but, uh, dad was the boss. (laughs) And, uh, you could cross mom and get by with it and you could cross dad and get by with it, as long as you didn't push it too far. And, uh, every now and then you'd, uh, overestimate your influence with him and get stepped on. But he always, uh, you always knew where you stood with him. You always knew that he was a fella who, uh, he did something to me and my brothers that I don't think the modern day father does too much. The day never passed that he didn't either say or do something to let you know that he loved you. And, I mean it was a manly thing, too. Uh, he'd walk by and shove you on the shoulder or scratch you on the head, uh, give your share,

Calvin R. Gearhart 22

your chair a shake or uh, there was some, uh, as I say, the day never passed that he didn't let you know that he cared about you. And I think that's one of the things that's wrong with a lot of boys today. Uh, why do we have so many delinquent boys more than delinquent girls? Because they don't get the proper association with their father, in my opinion. But that's not, uh, the, uh, entire cause of it, but that's certainly a very great contributing factor.

RCS: Well, thank you very much, Mr. Gearhart. I enjoyed talking with you.

CRG: I did, too.