

Kathryn Gibbons Johnson Interview

Recorded December 17, 2021

General Disclaimer: *The content of oral history interviews is personal, experiential, and interpretive because, by its nature, it relies on the memories, perceptions and opinions of individuals. Interviews should not be understood as statements of fact or opinion endorsed by the Bolch Judicial Institute, Duke Law School, or Duke University.*

Interview Transcript

Kathryn Gibbons Johnson: Hi, judge. It's such an honor to be one of your interviewers. Let's start your story at the beginning. Would you please let us know something about your background, about your family?

Judge Gerald B. Tjoflat: Well, my father is a second generation Norwegian. His parents both came from Norway in the late 1800s. I'm going to say around 1870 or thereabouts. His father's name was Amund Gutermson, and he was from a little tiny place on the Hardangerfjord called Tjoflat. Just a settlement. And so, when he got to Ellis Island, the question always was — later on — whether they gave him the name of the place he came from or whether he took it. But he became Armund Tjoflat. And then my father was born. He was one of seven, surviving the last six. So, he was the oldest born in Wisconsin, the Western Park between Eau Claire and La Crosse in what was called the Trempealeau River Valley — a lot of small dairy farms in that area.

My mother was born in Santiago, Chile, and her father was from Spain, and his name was Romero-Hermoso. That was his surname. And her mother was from Chicago. Her surname was Bard, my middle name, and her father, the word is that he was in a seminary in Spain and decided to leave and went to Chile. And her mother was a Methodist missionary in Chile, and they met. And so that's how that came about. And her mother died when she and her two brothers were fairly young. And then the oldest brother was sent to the United States to go to the school. They met with the Bard family in Chicago basically as well. And she wound up at the University of Wisconsin and got an RN in nursing. And my father just about walked to Madison. And he worked his way through college, engineering school, as a barber and they married and moved to Pittsburgh, Pennsylvania. And he went to work with Westinghouse. So that's where I was born. So that's the background.

Kathryn Gibbons Johnson: You were born in Pittsburgh?

Judge Gerald B. Tjoflat: Yes.

Kathryn Gibbons Johnson: What were some of your early experiences? How did you spend your summers? What kinds of experiences formed the person you are today?

Judge Gerald B. Tjoflat: Well, let me say that I don't have much of a memory of the time prior to, say fourth or fifth grade at school, say maybe third grade, something like that. I was born with clubfeet, which were like cypress knots, if you could imagine, and went through a lot of radical surgery. I think I was about one year, one, or one and a half, something like that, when they reformed the feet. And so up until about the third grade, I was wearing braces. And I remember that it was not a very pleasant experience, I'll put it that way. Then the family, we lived in Coral Gables, Florida, about 1938 or something like that, and the family lost the house during the Depression in Pittsburgh.

Then we came back, and so the rest of the time, I was raised in Pittsburgh, but in the summertime — starting about 1940 for three years — they put me on a train in Pittsburgh headed for Wisconsin. But I switched trains in Chicago and would get on the 400, which was a Zephyr that went to Minneapolis and get off in Eau Claire. And I'd be picked up either in a buggy, in a wagon, or a Model T Ford. And we'd go to my uncle's little dairy farm and spend the summer doing that. So, I would say at 10, 11 and 12 years of age during that period, I learned how to milk cows by hand and do all those kinds of things. It was a very pleasant existence.

And the most exciting thing during the summer would be harvesting time. In those days one farmer would have a big, threshing machine and you would take it from farm to farm to harvest the oats and wheat. You'd start the day by milking the cows, getting them all together at about six o'clock in the morning, then you'd hook up two horses and a wagon, and you'd go wherever the harvesting was going on. And I started off as a big shot. I tended the blower on the threshing machine that blew straw out into the farmyard. Those were the summers that got me into about the sixth grade.

Kathryn Gibbons Johnson: Even though you had the trouble with your feet, you were a student athlete, weren't you?

Judge Gerald B. Tjoflat: Well, I was, and nobody knew that. I didn't tell anybody. I'll put it that way. I think I was in about the eighth grade. My father was a catcher on the Wisconsin baseball team, and he was good. He turned me into a pitcher for some reason or another. And for about two years, oh, I would say maybe 8th or 9th grade, something like that, when he would come home at night, I'd pitch to him in the backyard. We had a home plate. I'd wind up and pitch. They had something like a little league team. They didn't have little leagues in those days, but they had the equivalent. And so, I played with the Mount Lebanon Wildcats and became a fair to middlin pitcher, and also they had a football team — the Wildcats did — and this is like the 10th grade in high school. They were a feeder for the high school team, and one of the great things about it was that one of our coaches was "Av" Daniell who played for Pitt in the Rose Bowl in 1937, and also for the Green Bay Packers. And this is now during the war — the early war years — and so he was coaching this team, he and a couple other guys. And so we had world-class coaching for football and also baseball. And so that's the athletic part.

Kathryn Gibbons Johnson: And do you have other memories of the Second World War?

Judge Gerald B. Tjoflat: Yes. I remember explicitly when men started being killed in action, and they would hang a little plaque on the front door or the window with a gold star. And as the war went along, more gold stars would appear in the neighborhood. I remember shortly after Pearl Harbor, it's probably the Battle of Midway, there was an English gentleman, who was a widower, and his son was on one of the carriers, lost in Midway. And I remember when they came to present the star to him, he was next door. So basically, the war was just what you would imagine. Everything was rationed, and we couldn't travel much because of gasoline.

Kathryn Gibbons Johnson: Was that part of the reason that you went to Wisconsin for the summers?

Judge Gerald B. Tjoflat: That's right.

Kathryn Gibbons Johnson: And then what was high school like?

Judge Gerald B. Tjoflat: Well, typical high school, I guess you'd say that. In those days, high school was very, in a way, regimented in the sense that you did what you were told. And one thing or another, there was a lot of athletics at Mount Lebanon High School. This high school was a very good Pennsylvania high school in the sense that I think everybody in the class, almost everybody, went off to college in 1947. And I played ball. And it was the side work when I was going to college. And my father, who was certain that I was going to be a major league pitcher one day, it was his dream. And he was friendly with a lawyer, another lawyer, this lawyer had gone to University of Virginia and had connections in Charlottesville.

So in the spring of my senior year, my father and I, and this lawyer drove to Charlottesville and I worked out throwing the baseball to a catcher and the athletic director and baseball coach, who was the same person, Gus Tebell was his name, he said, "Well, I think what we're going to do with you is that you'll come here to school, and you're going to play in the Virginia Carolina League this summer." So, I graduated from high school, and about a week later, I'm on a bus for Franklin, Virginia. That's where this team on the Virginia Carolina League was. There were about eight cities or towns, really small towns. Franklin had a population of about 5,000. So here I am, 17 years old, never been much of anywhere except for Wisconsin farm country, basically, and playing ball with the Franklin team.

And that was a great summer. The catcher and the manager when I got there was a chap named Tab Gillette, and he and his brother Jim Gillette, had been great athletes at the University of Virginia. And Jim was a running back playing for Detroit Lions, I think it was in the NFL. And he played baseball in the summer with his team. We had a good time together, and that was a great adventure. And Tab Gillette sort of became another father as he was sort of looking after me.

Kathryn Gibbons Johnson: And then, did you go to the University of Virginia for university?

Judge Gerald B. Tjoflat: School of Charlottesville, and it was all men in those days. The only women at the University of Virginia at that time were in the nursing school, or maybe taking some graduate work, but not much. Lots of GIs. Here I am 17 years old, and the university is full of guys that just came home from the war. University was a little bit overcrowded at that time for that reason. And one summer, this is the end I'll tell you about my baseball playing, I think it was the second summer, our family had moved from Pittsburgh to Cincinnati. My father went ahead of the family because we had to sell the house in Pittsburgh. He was patent lawyer with a lawyer in Cincinnati. And I'm having a good time in a lake house with a bunch of guys at Lake Erie.

And I got a phone call from him, and he says, "You got to get to Cincinnati right away." And I said, "What for?" He said, "You're a pitch batting practice for the Cincinnati Reds." So off I went, out of shape, basically to Cincinnati, and for about 10 days I was staying with him at the Cincinnati Club. There were some ball players there, too, that lived at the Cincinnati Club. Anyhow, I practiced there for about 10 days. That was a huge experience. And I have to say that by this time, the doctors had told my parents following the surgery back in 1929, '30, that when I was 18, I would have to have my feet redone or something like that. And by this time, they were very, very painful when I would wake up in the morning.

So I'd walk around on my toes basically for maybe half an hour to kind of lubricate the feet. And I really had no business pitting batting practice for the Reds that summer because when your right foot is on the rubber as you're winding up and coming forth, it really took a toll on the right foot. And so that was basically the end of my baseball player days. I didn't tell them about my clubfeet problem or what I've just said. They said, "Well, you can come, we can sign you up for Class D" — that's the lowest in organized baseball — but of course, that would interfere with school. So that was the end of that. I was the oldest of five and two sisters immediately following me were going to college, so it was getting a little on the expensive side. So, I transferred to Cincinnati, and then in the fall of '52, I entered law school at the University of Cincinnati. Some might think, why did you go to law school? I went to law school because my father was a lawyer, basically. I don't think I had much of an idea beyond patent law, which is a very restricted practice, of what being a lawyer must be like to others in those days. We didn't have much television or anything of that sort. So, you knew about lawyers through radio programs and one thing or another. But anyway, I went to law school in '52.

Kathryn Gibbons Johnson: Well, we're certainly glad you did go to law school.

Judge Gerald B. Tjoflat: Yeah. And then right before Christmas, it must have been a day or two before Christmas that fall, I got greetings from Uncle Sam to report for induction in the Army on 15th of January. Korea was really heating up at that point in time. And I was at the bottom of the totem pole on the draft board, so away I went to induction center on Monday the 15th of January. It was the same day as mid-year exams for the first year of my law school class. I missed the exams, and off I went to the Army from Cincinnati to Fort Mead, Maryland, which was the second Army headquarters. And from there to Fort Breckinridge, Kentucky, which was an infantry rifleman replacement basic training operation. Then from there, I was going to go to Korea because everybody from Breckinridge went to the front lines in Korea. So that was 16 weeks of 1953, I guess you would say. Kept me busy doing that.

Kathryn Gibbons Johnson: And then after basic training, what did you do?

Judge Gerald B. Tjoflat: Well, that was great. At the end of basic training, everybody, the company falls out, and they start barking orders. They call you out by name. Well, they had a hard time pronouncing Tjoflat, so they always would call my number out, "fifty-two two sixty-eight four ninety-six." That was my serial number. So they said, "You, step aside." So myself and another chap, Hugh Goodrich, who had gone to Virginia, they said, "You two fellas, go in to see the captain, or the captain's office." So we went in, and the sergeant said, the gentleman in the captain's office wants to see you. And he was a plain clothes man. He was a special agent in the counterintelligence corps dressed in civilian clothes. And he said, "The two of you are going to the CIC school at Fort Holabird, Maryland, which is in Baltimore." And so off we went for 16 weeks to the CIC school at Fort Holabird.

It was kind of, in a way, like the FBI Academy in a sense that the training was a lot like that. You learned how to do surveillances by automobile, surveillance on foot, chasing people, following them. I learned a lot about communism, a lot about interrogating witnesses, because that was what was going to — the plan was, ultimately, I was supposed to go to the Presidio of Monterey, outside of San Francisco to the Army Language School and study Chinese, because the Chinese were involved in the Korean conflict at that time. And so, I would go from there to Korea as someone who could interrogate Chinese. But the language school was full. And so, they sent me to the CIC field office in Richmond, Virginia. And then from there, I went to Roanoke as a special agent, plain clothes, to work in Roanoke, covering the western half of Virginia, basically by myself. And, I had a room in a house with an elderly lady who was

renting a room. I had a room, so I stayed there incognito, and that's where I fit in. That's where I was the rest of the time I was in the service.

Kathryn Gibbons Johnson: And you were interrogating people from Western Virginia?

Judge Gerald B. Tjoflat: Yeah, well, we're doing mostly top-secret security clearances for what became the defense department, people having contracts in Norfolk, doing military, producing military things, one thing or another. And so, you do background investigations. You take them all the way back to their grandfather, basically. And so, that was driving a lot around the western part of Virginia, checking out everybody who knew anything about the subject and writing up those investigations. In a way, it was a good precursor for being a lawyer because I'm sure I learned how to ask a lot of questions about a lot of people and to get information out of them they didn't want to give to me.

Kathryn Gibbons Johnson: Training and interrogation. I can see that being an important skill to have.

Judge Gerald B. Tjoflat: Yeah. So for example, say nobody wanted to tell me something bad about somebody that was under investigation, and you just kept going until you finally found somebody. I remember one, in particular, was near Lynchburg, Virginia, and I couldn't find anything out about this person. I could, but nothing adverse. For sure, this is an individual who is in high-level society in the Lynchburg area. And so, nobody wanted to say anything bad about him. They all belong to the same country club, went to same rotary club, that sort of thing. And I remember visiting with a teacher, a high school teacher, who had taught this individual, this was a retired teacher, out at a farm outside of Lynchburg. And she kept me there for two days. I came back of course, probably took about 15, 16 hours.

And she was telling me all kinds of things. They were very negative things about this principal person. And then when you're armed with that information, and you go back and see these other people you have questioned. I'll put it this way. They wanted to know, where'd you find that out? You had a lot of information, and you learn how to get more information by giving the person a little bit of information and they wonder where you got that. And they give you some more to add to that. And that's how you conduct those investigations. They still do it.

Kathryn Gibbons Johnson: I can see how that served you well in your future endeavors, too. And then when you were done with this aspect of your life, where did you go next?

Judge Gerald B. Tjoflat: Well, I got out of the army on January 15, 1955, about three days before final exams in the first year class — mid-year exams, not final, but mid-year exams. And during Christmas, I had been in Cincinnati, and I visited with the dean of the law school, and I told him I'm going to be separated January 15. And he said, "Well, mid-year exams start about three days after that." And I said, "You think it would be possible that I could take those exams, even though a two-year hiatus?" He said, "If you're a game to try, that's okay with us." So I got out of the Army on a Thursday or Friday or something like that, and I'm taking exams on Monday the next week. And I finished the first year at Cincinnati. By this time, I really did want to be a lawyer.

The two years in the military, in the army, especially the two years doing counterintelligence work and the two years of investigating people and things and some surveillances from time to time really whet my appetite. And I wanted to go to law school — Cincinnati is a regional law school, and I wanted to go to a law school with a greater reach. And I talked to the dean about it, and he suggested Duke. I was at a wedding in June, about the end of June, for another guy in the counterintelligence corp who had gotten

out, who was from Laurinburg, North Carolina. So I was in the wedding in the Northern Neck of Virginia. So I was going to drive to Laurinburg. I stopped in Durham on the way, and I talked to the dean and he said, "Well, we'll see how you made out in the exams I'd just taken and we'll see." So at any rate, I did very well, and so they admitted me to the second year at Duke, so I'm now a second-year person. The curriculum at Cincinnati and Duke's had kind of meshed in a way that was good. Same courses, you know, in those days, courses were kind of mandatory. So there I am in September, I'm in Durham.

Kathryn Gibbons Johnson: And so that was the start of your long relationship with Duke, right?

Judge Gerald B. Tjoflat: That was the start of it. And the class was small, 38. So in a class of 38, you got called on a lot.

Kathryn Gibbons Johnson: And how many women, judge?

Judge Gerald B. Tjoflat: No. No, women. As a matter of fact, there weren't any in the law school. None of the classes had them. I can't remember when that started, maybe sometime in the sixties. I'm sure that there's a woman here or there over the years, but that would be rare.

Kathryn Gibbons Johnson: Yeah, there weren't even many women when I was there. No, there were very few of us. So, then you did the last two years at Duke.

Judge Gerald B. Tjoflat: Yeah.

Kathryn Gibbons Johnson: And you enjoyed it, obviously, it was meaningful.

Judge Gerald B. Tjoflat: Yes. Well, and in those days, hiring was done usually in the fall of the third year. It was a rare occasion when law students went off somewhere, like they do now, and worked with a firm out of town for the first summer or split a summer or something like that. That did not happen in those days. If you were from New York, you might work at a firm in New York for the summer or something like that. But anyway, the law school at that time would produce a brochure of everybody in the second- and third-year law school class. It would be a whole full page of what you're doing, and they would have photographs and some other biographical information. And they sent those brochures to two or 3000 recipients, law firms, banks, you name it, and two firms in Jacksonville asked me to come down. And I did, and took the job with a firm called Howell and Kirby, which still does a lot of railroad work, some bond work, and some insurance defense law. It was a firm of about five lawyers, which in those days was not a small firm. Big firms in Jacksonville in those days might have been 10 or 12 or something like that.

Kathryn Gibbons Johnson: And what kind of law were you doing? Insurance defense? Bond work? Were you doing everything or were you specializing then?

Judge Gerald B. Tjoflat: Yeah, then I was doing some defense work and some railroad work, FELA business. I started work on this 10th of June, 1957, and took the bar exam about the 20th of July. And Jack Chambers, who was a couple years ahead of me, who had been in the Navy, we were the same age. He and I, and John Corse, who had been editor-in-chief of Virginia Law Review. We met, the three of us, and studied for the bar exam in the evenings for about a month and a half. Then I was married three or four days later in July. And then I'm practicing law. About March of the next year, 1958, two lawyers,

William H. Adams III, with whom I practiced the whole time I practiced, he and William Durden called and said, "Let's have breakfast." I had met Bill Adams because he was a Duke lawyer at some kind of event, maybe Duke-Carolina cookout or something the previous fall. And Durden said, I'm leaving Bill Adams, and I'm going to Tallahassee to be the Executive Assistant for Governor Leroy Collins, and that leaves Bill Adams in the law firm by himself, and you've got to come join him. So I left Howell and Kirby and joined in with Bill and we became Adam and Tjoflat. And so we practiced together, just the two of us doing all kinds of things.

And that lasted until 1960 March. There's one other tale in-between. After Bill and I had been practicing together — this would be 1959, I guess, well, June or something like that — two elderly lawyers in Jacksonville, I think they had been continuously in practice for the longest period of time in Florida, Crawford and May, John T.G. Crawford and Phillip May, John Crawford was about 80, I suppose, and Phil May was maybe in middle seventies, and they had a nice estate practice. "We want to leave our practices to the two of you," they said, and so we formed Crawford, May, Adams, and Tjoflat in July. Well, about three months later, on a Sunday afternoon, I'm in the office, just curious. I looked at the billings in the books, and I was shocked. I called Bill and I said, "Bill, do you realize we're the only ones doing any billing in this office since we've been here?" So we had a nice meeting with these two elderly gentlemen. And oh, they said, "We do our billing at the end of the year," something like that, and this, that, the other, and of course, both were independently wealthy. We decided we would dissolve the firm. So, we dissolved Crawford, May, Adams, and Tjoflat, and the office space that we had occupied three-and-a-half or four months earlier in the Consolidated Building on Bay Street was still vacant. We moved back into that same law office, the two of us, and vowed never to do that again.

Out of the Duke Law class of 1950, the top three guys were Bill Adams and Earl Hadlow and Bob Whitehead. They were one, two, and three in the class of '50. And I forget, Hadlow was first, but that didn't matter. And they were in Jacksonville and Whitehead and Hadlow were in what was known as the Fleming Firm. It was formed in what, 1828, "Fleming and Fleming," a very prestigious firm. And the firm was now Botts, Mahoney & Whitehead. The name Fleming was dropped because the firm had split. And there was an argument over which would take the Fleming name, but nobody did. But anyway, Guy Botts told Earl Hadlow, "go down and get these two guys, Adam and Tjoflat, and tell him they got to come up here." In March the following year, the two of us joined the firm. And we had, well, we had seven lawyers, I think.

Kathryn Gibbons Johnson: So a big firm now.

Judge Gerald B. Tjoflat: Big, big firm now. Big firm now. And so, I started doing litigation work almost exclusively. We were kind of departmentalized as small as we were. Somebody did bank work, somebody did some labor work, and somebody did some commercial work. And so, all that generated litigation in house. So I did that, and we went along pretty well. By 1968, when I went on the state bench we were 28 boys. And out of that group, I think 15 were from Duke. As a matter of fact, Bill Adams and I, starting in 1959, when we got together, we started interviewing and hiring Duke lawyers. We hired one that summer and every year after that.

Kathryn Gibbons Johnson: I'm glad you got in that habit of hiring Duke grads.

Judge Gerald B. Tjoflat: Yes, that's right. And so those were very exciting years. The firm had very good practice, a very wide variety of business and clients. And so, there were a lot of interesting cases, some antitrust, some tax cases, tax in the sense of, for example, representing the paper company, and they try

to tax them out of existence, things like that, those kind of contexts. We had some litigation involving oil and mineral rights and a lot of those were in Florida. And of course, I never thought about going on the bench, period. I'll tell you about that.

Kathryn Gibbons Johnson: I'd love to hear. We may be going beyond what I'm supposed to be interviewing you about, but would you tell me anyway?

Judge Gerald B. Tjoflat: Yeah.

Kathryn Gibbons Johnson: We have time. But please, I want to know why you went on the bench.

Judge Gerald B. Tjoflat: All right. There were 11 circuit judges, judges of general jurisdiction in Florida and Jacksonville, on the Fourth Circuit. So Jacksonville, which is Duval County, and two other counties — Nassau and Clay. So we had 11 judges, and they were elected for six-year terms. And in those days, once you got on the bench, at least in this part of the state, nobody ever ran against you. So it was basically life tenure. One of the judges, his name was Edwin L. Jones either accidentally shot himself or was playing with a pistol. He and his wife didn't get along very well. The word was one evening, maybe discussion was going on, but anyhow, a bullet lodged in his brain.

And he was in a coma for about a month. And now we're at the beginning of June, we're having a Florida Bar meeting in the Americana Hotel. The whole Florida Bar was in the Americana Hotel, which is no more. And we were having a cocktail party in our suite, the firm suite, Friday afternoon, it was about five thirty.

Earl Hadlow and I were greeting people coming in, and somebody came in from Jacksonville and said, "Judge Jones died this morning."

Well, Florida had the first Republican governor since Reconstruction, Claude Kirk, in office. And the law was that when there was a vacancy midterm, and there was about four years left on Jones' term, the governor appointed the person, and Florida hardly had a two-party system at that time. IT was just beginning in earnest, especially in our part of the world. I was a registered Republican, and never got involved with the party. There wasn't any politics to get involved with.

Somebody called me and said, "You've got to go take that job."

And I said, "What do you mean I got to take that job?"

Oh, there's one last thing, you were appointed for the rest of the term, so I'd be appointed for the four years, but I have to run for that in the next general election, which is 1968. This is June. I'd have to run in November, and the Democratic-Republican voting ratio in those three counties was about 95 to five, something like that. So anyway, I took the job. Governor Kirk appointed me the 18th of June, and I'm going to have to run in November. And so, I had no campaign, no bank account for campaign, no collections, no finances, did nothing. I registered as a Republican in the primary in July.

Registration was about a 25-day period, middle of July, August. So, I registered to run as Republican and waited for a Democrat or several to register to run. And of course, there were some who had a lot of name recognition because they'd been prosecutors or this, that, and the other. So I remember the last day to qualify, I'm sitting on the bench in a jury trial, and in the back of the courtroom comes Morgan Slaughter. He's the clerk of the court. So I told the jury to be at ease.

Morgan came along the sidebar and he said, "Judge, you don't have an opponent." "Nobody's going to run against you." "You're home free."

I had told my law partners when I left in June, "I'll see you in in January."

So here I am. I had the general election. The Supervisor of Elections was a chap named Harry Nearing. And he was a good friend, and he came up to my chambers about three weeks later with a printout of all the precincts in these three counties. He said, "Just so you don't get the big head, here they are." And there were precincts that going this way, Hubert Humphrey - 800 votes, Richard Nixon - 2, and so on down the list, Tjoflat - 2. So now I'm on the state bench for the duration of the four years or whatever, and I had a good time.

Kathryn Gibbons Johnson: That's a great story. Do you have any other stories from your early years that you'd like to share?

Judge Gerald B. Tjoflat: No.

Kathryn Gibbons Johnson: You think we've pretty well covered it?

Judge Gerald B. Tjoflat: Well, there were some people that made a great impression on me coming along. Of course, my uncle Howard, he was a giant. He was a big guy, anyway. He was a big farmer, and you know—and that was a real experience just in that community interacting with the other farmers and kids my age. And the typical week is you took a bath, one or two baths a week in a metal corrugated tub. And then went to town on Saturday. Saturday was a big deal. Maybe we went to the movie that would be the big deal, and of course, every Wednesday evening at this part of the country, they were all Norwegians with a few Swedes, but all of them were Lutherans. And so, they would have a big dinner and singing and worship service on Wednesday night. On Wednesday night we would dress up like on a Sunday.

Then, I'll never forget professors of Duke, Mel Shimm became a lifelong close friend. And Jack Latty used to come to Florida while we were practicing because we had so many Duke lawyers, and he was recruiting law students at Florida and Florida State and Stetson and all over the place. You know, how Jack went—and he was kind of like a father, too. Also, when I was being considered for the US District Court in 1970, he wrote to President Nixon, a "Dear Dick," letter and sent me a copy, and Charlie Lownds and Douglas Maggs and Dale Stansbury.

I remember taking the bar exam. Florida had a diploma privilege until 1956, which meant if you got out of a law school in Florida, you were a member of the bar. So the only people who took the bar exam were people who went to law school outside the state. So that was myself and Jack Chambers and John Corse, we studied for the bar together, but that was it. As a result of the bar exam, we're in a room of about 400 in a hotel — this is in '57 — and about two-thirds had flunked the bar exam in the previous year. It was a very nervous crowd. As it turned out, the three of us were recruited to grade bar exams for the next two years. Not all of them, but a lot of them. In those days, there were 36 essay questions. Three days, six in the morning and six in the afternoon. But I'll never forget taking that bar exam, for example, they got to an evidence question, and I literally could hear, Dale Stansbury who taught evidence, there was a hearsay question I can remember it was as if he was speaking in my ear. And the same was true with a couple other professors when we had questions on the bar exam. They were essay questions, and you can just hear what they said. And so, I was always very close.

I can remember in 1959 Duke was searching for a dean. Jack Latty was searching. There was a point in the search when one of the persons they were thinking of was Roscoe Barrow, who had been dean at Cincinnati when I was there. And they said, "Gerry, you lived in Cincinnati and your family is there?" I said, "yes." I said, "How about going by and talking to Roscoe Barrows and sort of sound him out?" Maybe he'd like to come to Durham. And he had recommended that I go to Duke. So he had some strong feelings about, I think he was from South Carolina, or he may have been from, but anyway, so,

and then the guys I practiced with Earl Hadlow and Bill Adams in particular of the class of 50. That was an electrifying experience that whole time. So I looked back at that.

Kathryn Gibbons Johnson: Number of great memories, and it's amazing how the people stand out to you, isn't it?

Judge Gerald B. Tjoflat: Yes.

Kathryn Gibbons Johnson: You've had wonderful mentors through your life.

Judge Gerald B. Tjoflat: Yeah, it's incredible, and you appreciate them more and more as time passes. When you're not thinking, you know, you're dealing with problems or whatever. Right now, you're not thinking about a relationship necessarily in the long run. But those, well, you gave me some idea. My wife Sarah died in 1997. Mel Shimm and his wife got up in the morning to come to the funeral. She died on a Sunday. They drove all day down to the funeral service the next Friday, came that far and do that. And there were a couple others that did things, just beyond imagination, really.

Kathryn Gibbons Johnson: Important. So important.

Judge Gerald B. Tjoflat: Yeah.

Kathryn Gibbons Johnson: Lora Beth, I think we may be done with our part of this.

Marcia Tjoflat: Maybe you should talk about some of the people you went to law school with.

Judge Gerald B. Tjoflat: Oh.

Marcia Tjoflat: You had such long-term relationships with like Bob Bradshaw.

Judge Gerald B. Tjoflat: You still there, Kathy?

Kathryn Gibbons Johnson: Yep, I'm here. I'm here. Hi, Marsha.

Marcia Tjoflat: Hey, Kathy.

Judge Gerald B. Tjoflat: Can we pick up for a minute, Lora?

Lora Beth Farmer: Yep. We can keep on going if you'd like.

Kathryn Gibbons Johnson: So Judge, how about the people you went to law school with?

Judge Gerald B. Tjoflat: Yeah, well, we had a small class and one of my best friends was Bob Bradshaw. The year before the chief editors of the law review were Russell Robinson, Gary Stein and Duncan McKee. They were the chief editors. In our year, Bob Bradshaw and myself, and Winslow Drummond were the editors. The law school was in the old building yon the main quad next to Perkins. And it became, I think a romance language building or something of that sort. And the journal office was at the top floor in Cupola. And you just lived in that place. Well, we became extremely good friends, and Bob

Bradshaw was at my wedding. And he and Russell Robinson built that great firm in Charlotte, and over the years we'd see each other lots and some of my former clerk went there.

And then Gary Stein was the year ahead of me went to Cahill, Gordon & Reindel of New York and then I saw Gary a lot. And Bob Bieber, who was my classmate, ultimately became general counsel for a Grace Company and all over the world, basically. At one time he had about 250 lawyers working for him in various countries and invited me down to make a speech when he had them all together for a meeting. And so, there were several others in the class, like just very close when you have a class that small and, see them later on. And the same was true with a couple of classes after that where I remember being very close to some ahead and some behind also over the years.

And then, of course when the Board of Visitors started at the law school, I think it was 1973 when it was created, Bob Bradshaw and I were on the original board, Lanty Smith and a couple others were on the first board, and stayed that way as life members basically until now, really. But those kinds of relationships are incredible. Bob Bradshaw died about two or three years ago, and Everett Bowman, I don't think you ever met Everett Bowman, law clerk, '79, 2 years after you left. And James T. R. Jones, remember him, both of them passed away. And Bill Thompson, who clerked part of that time, just three clerks that we bought together. But they all died about the same time.

Kathryn Gibbons Johnson: Marcia, any other prompts?

Marcia Tjoflat: The only thing I was thinking about is, you've had such rich stories about the professors at Duke. Who was the one that smoked a pipe?

Judge Gerald B. Tjoflat: Oh, Jack Latty.

Marcia Tjoflat: <laugh> In class. They don't do that anymore, you know.

Judge Gerald B. Tjoflat: The sparks would come out. Sometimes he couldn't always inhale, so he'd blow it out.

Marcia Tjoflat: And brought his dog to class.

Judge Gerald B. Tjoflat: Oh, the dog. No, that was, that was Mordecai

Marcia Tjoflat: How many faculty did this law school have at that time?

Judge Gerald B. Tjoflat: Dozen, probably. Well, Kathy, thank you.

Kathryn Gibbons Johnson: Thank you, judge. I've had fun doing this with you.