

Oral history interview with JUDGE JOHN E. MILLER, Senior U. S. Federal District Court Judge for the western district of Arkansas. The interviewers are Dr. Walter Brown, Professor of history, University of Arkansas, Fayetteville; Mr. Sam Sizer, Curator of Special Collections, University Library; and Bruce Parham, Manuscripts Curator, University Library, University of Arkansas, Fayetteville. The date is March 18, 1976. The place of the interview is Judge Miller's office in the U. S. Post Office Building in Fort Smith, Arkansas.

Brown: ....you said you were one of eight children.

Miller: We were all farmers. My daddy was a great farmer and he made money.

I was the only one of the children that decided to go on my own, when I was about 15 years old. At that time I started teaching school and other things, going to school, vacations, working on the farm, or anything I ~~gx~~ could get to work at. I worked my way through school. I was an \_\_\_\_\_ one year and then I graduated from the University of Kentucky on June 6, 1912. But I didn't look to anybody for any help. I just tended to myself and I've always been kind of that way. But I always found out that if you did what you tried to do right, you get along all right.

Brown: What was your contact in Arkansas after you finished school?

Miller: Wasn't a damn contact in the world. When I was in school in Kentucky, I made up my mind that I was going to come to Arkansas to practice law for this reason; the Kentucky code of practice and procedure was written prior to Arkansas' admission as a state and Arkansas' code of practice and procedure was an absolute direct copy of that code. And naturally in court and in other work up there I became pretty familiar with it. And I wasn't completely unadvised about Arkansas' practices so I graduated June 6, 1912, and I pulled out to Arkansas, didn't know a man woman or child in the state, I started to Hope. I had been in correspondence with a lawyer down there and I was going down to see him but in going from Poplar Bluff, got to Newport, Arkansas, an old gent~~aman~~

They just wrote exactly what they thought. It was interesting.

Q Brown: Did you replace your partner as prosecuting attorney?

Miller: No, my partner, Ed Yingley at that time, C. E. Yingley, I elected him.

Brown: Rachels was elected prosecuting attorney, right?

Miller: That was beforehand.

Brown: Your next partner was Yingley?

Miller: Yingley. Miller and Yingley was organized as a firm in 1916 and then we were together three years and my term expired---more than that, six or seven years--my term expired as prosecuting attorney and I got him elected.

Brown: You were elected in 1918?

Miller: 1918. Started Jan 1, 1919.

Brown: What did you hear about what was going on in Phillips County prior to the riot?

Miller: Oh my g--, what did I hear?

Brown: Yes. There was a union, or a black union.....

Miller: You mean---here was the whole thing about the thing. I thought you was talking about politics. I was going to tell you that Phillips county politics was----

Brown: Say something about Phillips county politics.

Miller: Well at that time it was absolutely dominated by three men; the county judge, the sheriff, and Barney Cunningham. And it wasn't a damn bit of use for a fellow to go in there unless he had their support. The man I ran against for prosecuting attorney, Mr. Andrews, had been a prosecuting attorney many years ago and was a good lawyer and lived at Helena, I made no attempt to <sup>electioneering</sup> ~~lectionaire~~ down there.

Elaine  
Riot

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The only thing that I did down there was to kind of bluff them a little bit. I took a pamphlet containing the voter's list, you know the voter's lists, printed lists, ~~are~~ used in elections. It was already certified by the county clerk but I wrote another certificate to it and went in there one day and said, I wish you would sign this certificate. He says, You've already got a certificate. I said, ~~ya~~ I know, but I don't like it just exactly. I got him to sign it. It served a purpose. I said, Thank you, and he asked me what I wanted and I said, Well I may need it in the election. That's all I said. I never paid a damn bit of attention to it. But they got the word out that if they committed too much fraud there might be some repercussions. I got 11 votes in Phillips county. I carried four other counties. And now going back to what it was, that county at that time, especially southwest and south of Helena, that area down in what we might say the river bottom, Mississippi river territory, it came as near a ~~slave~~<sup>feudal</sup> state as ever existed that didn't exist that way. Those farms down there, five or six thousand acres of land, were owned usually by a corporation or a combination of men or now and then an individual, and all of it was operated by sharecroppers. Some of those farms down there were just simply covered with little houses. Never was a bigger fraud perpetrated on any set of people than was perpetrated on those sharecroppers. The deducts, as they called it, the niggers called it ducts, they got all the money and everything else, that sold the crop. About that time a reformer fellow named---

Brown: Was this Hill?

Miller: Yes, Hill came in there and got B. C. Breton with him. They started organizing the sharecroppers down there and the purpose of organization was legitimate. ~~It~~ There is no question in my mind about it, but it progressed very fast. The purpose of the organization was to have an accounting settlement with all the land owners on what they were entitled to. The courts just by g-- did<sup>x</sup>, I just didn't do it.

222 Parham: Judge Miller, what sort of grievances did the bääck sharecroppers have against the plantation owners?

Miller: The plantation owners furnished everything; what little money they had, all the food they bought and everything else, and a place to live. And when they went in and sold their crops, sold them through the land owners. The land owners sold them and the land owners simply credited their account and they never did come up with any credit. So there they were, again on sufferance until the next crop and my g--, it got pretty hard living, too, lots of times. A big family of niggers, it was hell. And so they had organized about 14 separate lodges as they called them and on the particular night about four miles northeast of Elaine, the niggers were in session there that night.....

Brown: Was it Hookspur Church?

Miller: I believe it was. Yes, that is where it was. They had out the guards, that guarded everything. And you know, they put secrecy to it to attract them.

Brown: They had a ritual I suppose, like the masons or similar?

Miller: Oh yes, yes. The deputy sheriff and another man came by there and the guard stopped them and they had gone down to Elaine and settled a little local difficulty down there and they were coming back and they were stopped. They had a few words and the first thing you know, one of the guards shot one of the men, one of the officers and killed him. Boy named---well, I've forgotten his name now. Anyway, it killed him and that started the trouble.

Brown: Was it a white man that was killed?

Miller: Yes, a white man was killed.

Brown: Was it a white man or black in the car, I've forgotten?

Miller: There was two white man. They were both deputy sheriffs. Then it started. Then the governor had to declare marshall law practically, they sent the national guard

in there. (break in recording)

Miller:.....for me in my race for senator and then voted against me.

Brown: He told you that he voted against you?

Miller: No by g-- he didn't until I made him admit. Back in those times they just threw the ballots down in the clerk's office and I just went in there and found that precinct and looked through and found his ballot. I said, What made you vote against me for Senate after making all these reasons? Well, he said, I just decided I wanted to run and didn't want my democracy to be questioned. I was running as an independent, you know.

Brown: To get back to these Elaine race riots.....

Miller: So the worst debauchery we had down there in my opinion was because the next day or two days later---

Brown: After the Hooksour incident?

Miller: Yes, that was about two weeks from that time, the governor, it was getting worse all the time,...

Brown: Governor Brough?

Miller: Brough sent the national guard in there. The Negroes had been told that the army would come in there and protect them and they were looking for it. And a train with boxcars with state militia largely on the boxcars went out of Helena and down towards Elaine and just before it got to Elaine, the niggers thought the train had U. S. troops, they rode up on both sides with their guns, two or three hundred of them on both sides, and by g-- that alerted the national guard and the national guard fired on them and they must have killed 100 niggers right there.

Brown: Were you an eyewitness to this?

Miller: No, I wasn't, but I've been told about it a great deal. No, I wasn't a witness to that. If I would have been, I think I could have stopped a little of it.

Brown: Were you in Phillips County by this time?

Miller: No, I was at---my last court was at Marianna and I went from Marianna down there and didn't arrive in Helena until the sheriff's office down there had close to 1500 in jail and under arrest. Then I started separating them. The courthouse down there at Helena at that time was connected with the jail. I got a couple of good deputies, and had my deputy prosecuting attorney too, and I started examining and I examined every damn one of those people in about five days, one at a time. And I checked them off if his statement to me was what I thought was truth I would order him released. I released them all down to 500, 400 and some odd. Just cleaned the jail out. Then I started the trials.

Brown: Did they have them in a warehouse building or something?

Miller: We had a brand new big jail and a hell of a good building, and then we had a wholesale--had some of them upstairs in a wholesale concern. Hell, it was awful.

Sizer: Grocer's warehouse?

Miller: I guess that is what it was.

Brown: One of the things that we are trying to find out today is what really happened in that county out there, south~~east~~ and southwest. You said you were told that the troops shot these blacks down that rode up on each side of the railroad tracks. Did the Negroes shoot back?

Miller: Yes, they did.

Brown: The blacks shot back?

Miller: Yes you see that is what caused, really, the firing, that real slaughter down there. There was some shots fired ~~by~~ but they were fired in celebration of the army being there. That is what happened. There wasn't a soldier hit or anything.

Brown: George Tendril, who teaches in North Carolina, said when he was going through some papers he found that the blacks in that county two or three years later, applied to the Slater fund for money to rebuild school buildings because they said all the black schools and churches had been burned in a large area. Do you.....?

Miller: I don't know personally about that, but I wouldn't be a bit surprised. I tell you tension was high. Oh g-- it was high.

Brown: Another report was that a train came from Mississippi to Memphis and a lot of white Mississippians came over to join in the killing.

Miller: Had more trouble with the Mississippians than we did with the original men. They came over with blood in their eyes. Now this is second hand to me. I wasn't down there but I know that is the truth because I lived it over and over and over in the trials of cases.

296 Brown: Governor Brough and maybe the local officials together appointed a committee of seven. You had to work with that committee didn't you?

Miller: Well, that committee never did work. Never did do anything definite about it. When I got down there and got them separated, the best I could, I called a grand jury and submitted the whole thing to the grand jury and the grand jury indicted, oh I don't know how many now. I know it took a whole damn train almost to convey them to the penitentiary after I got through. I made over 5000 dollars in one term of court ~~and~~ there as fees as prosecuting attorney, at the expense of Phillips county, of course. And after that, you see there was nine or how many of those fellows that was sentenced to death, seven?

Brown: Thirteen, wasn't it?

Miller: I believe it was.

Brown: Two different groups. A seven group and a six group which would make 13.

Miller: That's right. I'm awful glad that the court reversed case two. While they were guilty all right, technically, but hell if there ever was a provocation, they had a provocation. There was a lot of bias too.

Brown: Have you ever read this book it's called From Race Riot to Sit In- 1919 and 1900's. Now this is Arthur L. Wascall.

Miller: No, I never did read it.

Brown: Now he has written two whole chapters in here on the riot and the adjudication, the trials you prosecuted, and then the appeals you know, on behalf of those blacks. And at one point in here it says, "John E. Miller," now this is in the beginning before any of them were tried, "John E. Miller, the prosecutor, told Don Braton that strong pressure from the committee of seven and the mob had forced him to pretend to prosecute but that he knew the charges were groundless and would pass the cases over to the next term of court and then drop them." What cases are they talking about?

Miller: I guess they must be talking about the ven<sup>er</sup>acts that they were indited for.

Brown: The 5 or 600 of this mass of.....

Miller: Yes, I didn't tell.....

Brown: What were they indited for?

Miller: Well, various kinds, rioting, and some of them were indited for murder and all that kind of stuff.



Brown: Then the so called 13 or 14 were really the ones that were convicted of murder.

Miller: Yes, for murder, first degree, and the rest of them were for rioting and various things. Now that Braton, I knew that fellow. I never told him any such damn thing on the other hand I indicted him for baratry.

Brown: Now they were white, from Little Rock, weren't they?

Miller: He was originally from Searcy County.

Brown: Braton?

Miller: Yes. And then that fellow Hill got away to Kansas. Now if I could have gotten hold of Hill I would have tried Braton for conspiracy and everything else, I had a whole raft of---I don't know what all I did have on them. Back in those times I worked at it. And anyway, Hill got up there and Kansas refused to extradite him.

Brown: You were already out of the prosecutor's office by the time those men were turned out of the pen. Is that right?

Miller: Yes. I was glad those 13, well they, no, they were reversed and came back and entered a plea of guilty to---oh, gave them five or six years in the penitentiary, I don't remember what it was, on a retrial, a remand.

Brown: Were you still prosecuting attorney?

Miller: I believe I was.

Brown: I remember one time, Judge Miller, I called you and I was inquiring about C.P.O. Jones. You said you had known him and you helped him. Would you mind repeating that story about how he asked you to help him get a room?

Miller: Well here is what happened. C. P. O. Jones, <sup>was</sup> his skin ~~is~~ black but by g-- he was a good man. He was honorable in every way, shape, form and fashion. And smart too. I had known him for a long time, got acquainted with him when I was practicing law in Searcy and he came in there representing all these people and he said, Will I be safe here? I said, Yes, we will ~~make~~ you safe. Well, he says, How are you going to do it? I said, I'll tell you what I'm going to do. I'm going to call the sheriff right now and I want you to be right present. He called me and I said, Now this is Mr. Jones, I called him Mr. Jones but of course the sheriff called him C.P.O.. I said, I want you to find a place for him to stay and I want you to detail a deputy sheriff to guard that place. He said, Well do you think it is necessary? I said, Yes sir I think it's necessary. I care too damn much. This man is entitled to practice in this court here and he is a good lawyer ans these men are entitled to have his services. That is exactly what happened.

352 Brown: As I recall, you told me also that he was afraid to stay in the same place each night.

Miller: Yes, until I made that change. I made that change, he had spent two nights there and he had spent them at different places. He said he couldn't afford to establish a residence. I said, I can fix that.

Brown: What kind of looking man was he. Do you remember?

Miller: Yes. He was medium sized and pretty good looking.

Brown: Did he go clean shaven?

Miller: Yes, He wasn't entirely black. He was a little bit of a saddle colored fellow. but he was a good man, a good lawyer. And he was honorable.

Brown: In the beginning, he gathered evidence for Colonel Murphy who was the man----

Miller: Colonel Murphy was the main man.

Brown: Trial lawyer?

Miller: Yes. g-- he was a lawyer, Murphy was.

Brown: Did he have one arm?

Miller: yes.

Sizer: Were there any whites indited for any charges?

Miller: Not a one.

Sizer: Any attempts made to bring charges....?

Miller: If there were, they were very trivial charges or---in other words, it didn't reach the point where the ~~ja~~ grand jury observed it.

Brown: How did you feel, knowing in your heart and mind that those people had been repressed and treated badly and yet you had to go in there and----

Miller: I went in there and tried to uphold the law. But I didn't mince words with them either. I didn't mince words with the---I turned loose four or five niggers that they had whipped down there trying to make them confess. After they had been indited and by g-- they brought them in and something was said---I remember one great big nigger, I don't remember what his name is, but he said that they asked him if he didn't say so and so, didn't tell the deputy so and so, said, Well I don't think so but I might have. Said, they were whipping me all the time. I just stopped and I said, were whipping you? Were leaving scars? Yes sir. I said, Pull your shirt off. By g-- they whipped the hell out of him and I just closed the case right then and there. I did it on four or five of them. Oh it was a hell of a place. I hope---

Brown: Were you afraid for your life?

Miller: Well, not much but they chased me one day. Thought I was that fellow Hill, that damn deputy sheriff did.

Brown: Hill was white then?

Miller: Yes. No, they thought I was Braton.

Sizer: Did you meet on any occasion, Walter White, the president of the National Association for the Advancement of Colored People who came to Helena during the trial?

Miller: I don't remember if I did.

Brown: Well, he was a black. Walter White was a black.

Sizer: Except he was white complexioned.

Brown: He was in the courtroom and observed some of the trial.

Miller: He may have.

Brown: But he was getting ready to leave and he heard that they were looking for a white nigger, and he said he got on the train and got back to Memphis and got out of Helena because he was afraid they were trying to find him to lynch him.

Miller: Well, by g-- he did well to get out. It was high tension then of course.

Brown: He interviewed Governor Brough, and Governor Brough thought he was talking to a white man. He didn't know he was talking to a black. Walter White edited The Crisis, which was their magazine at that time.

Miller: If I ever came in contact with him I don't remember.

Brown: I've talked to blacks that ~~are~~ are young now, second generation, but they told me that their parents were hidden by friendly whites to keep them from being found. Whites would hide blacks to keep them from being found by the mob.

Miller: I don't doubt that a bit.

Brown: Looking for blacks to kill them.

Miller: Now that came about when that damn Mississippi contingent came over there. They started the marauding. We wouldn't have any of that until---now I understand they had plenty of help over there in Arkansas. All they needed was some agitator and leader.

Sizer: Were the blacks resident in the city of Helena safe, those who weren't involved, the urban residents?

Miller: Yes they were. There wasn't any trouble at all.

Sizer: Were there any substantial numbers of white sharecroppers farming?

Miller: I don't know of a darn one of them. I guess they had a few.

Brown: Do you feel the Negroes were planning any more than a fair settlement?

Miller: Not a bit in the world. That was what made me---I was pretty lenient with most of those fellows, as much as I could be.

Brown: Because the officials opinion given in the Arkansas Gazette and Arkansas newspapers' was that it was an insurrection against whites.

Miller: Well, it had every appearance of that, until you got in and went to the bottom of it which I finally was able to do as I've told you a while ago. There isn't any question but what, there isn't any question but was the sharecroppers were being ~~share~~ defrauded.

Brown: The planters, you fell the planters were really out to crush that union, don't you?

Miller: Oh yea. Well it was a union, that what it was. When that boy was killed they decided to crush it. I don't think they would have, had that unfortunate occurrence not occurred.

er: I understand that one of the allegations was that arms were shipped in from out of state to black sharecroppers. Do you recall....

own: How did they get their rifles? Did ex black soldiers bring any rifles in there?

iller: I just can't tell you, I don't know. It never did occur to me. But I had no claim of anything being shipped in there.

er: That didn't come up in the testimony?

iller, No, never.

own: Of course blacks hunted didn't they?

iller: Oh yea. I doubt whether there was a nigger down there that didn't have a gun.

iller: Now they did do this. Here is one thing that they did do. They had one of those men that I convicted for first degree murder, I've forgotten his name, but he was a nigger leader, and he did recruit niggers and start to drilling them as soldiers. It's been described to me, I didn't see their drilling ground, but it was in the midst of a huge canebrake. It contained about four acres, the drilling ground did, and they cut the cane and drilled there for a few days under Braton and Hill. I would have been glad to go after Braton if we could have had Hill, but I had to have Hill to get him.

own: You think then that Braton was more than just a lawyer who came from Little Rock to handle a case?

iller: Yes. I know he was.

own: You know I got the impression that this guy Hill was exploiting black sharecroppers by collecting union fees from them.

iller: Well he may have been, no doubt was. But the object was they got Braton in there, he was going to file those tremendous lawsuits in the Chancery court for all the bunches of them at a time. It was all part of one scheme.

Brown: Was he trying to secure fairer sentences?

Miller: I never heard of any confrontation with Braton with any of the owners. It hadn't reached that point.

Brown: Well, what kind of cases would he have been threatening to bring?

Miller: It would have been a suit on fraud and they had the records there. It was a typical chancery court case. They would have thrown the charges out and overcharges. I have no more doubt than I have that I'm sitting right here, had a case, any case out of 15 or 20 or more large plantations, more than that, but if any case had been tried by a Chancellor, with an end to view of purging the account of fraud and it was offered the charges, that the nigger would have come out emptyhandedly. I don't have the slightest doubt in the world about it. I see too much of those things. And hell, that used to prevail in any sharecropping counties.

453 Brown: Do you feel that the 13 or however many it was that you convicted of I suppose first degree murder, did you feel they really had murdered whites?

Miller: Yes. They were reversed on this ground, technical ground, but I'm glad it existed. The law at that time required a verdict for first degree murder, "We the jury find the defendant, John Jones, guilty of murder in the first degree as charged in the indictment." The verdict that was returned omittedly left out the words "as charged in the indictment." And that is what the reversed case was.

461 Brown: The judge let that ~~xxx~~ slip by?

Miller: I guess so.

Brown: What would you do if the mistake was made in your court? Would you have corrected that mistake?

Miller: Yes sirree. I would have corrected it so snap quick it would have made their heads spin. Yes sir. Judge Jackson lived in Helena at that time. He was the judge.

He was a pretty good man.

Brown: Was the court--were the trials--was there any pressure? Now Walter White described the scene in saying that there were outbursts from the people in the court saying "Do your duty" to the jury. Was there any of that?

Miller: Oh no. No sir. No there was not.

Brown: He wrote to that effect and I didn't know whether he was taking literary license or not.

Miller: He was taking literary license or some other kind of license.

Sizer: Was the Judge presiding fair and equitable?

Miller: Fairly so, yes. Judge Jackson was a pretty good man.

Brown: Was the courtroom crowded?

Miller: Not too much.

Brown: Did they make any effort to keep people out?

Miller: No. Nobody was searched or anything else.

Brown: They weren't guarded heavily?

Miller: Lots of niggers attended that trial.

Brown: They didn't use troops to guard the court? I just wondered since there was tension.

Miller: No, oh no.

Brown: How long were the troops there before they pulled back to Camp Pike?



Miller: About four or five days.

Sizer: The tension and violence had subsided substantially...

Miller: It had subsided substantially. Yes. Very much subsided.

Sizer: Was there much public interest throughout the state at the time or in the press and so on in the trial proceedings?

Miller: There wasn't any trial proceedings. There must have been a lot of newspapers--- I guess there was a lot of newspaper---I know there was, of course. You know I was so intent on trying to do my duty that I didn't pay much attention by g-- to anybody on trying to get at the facts. That's actually what I was trying to do.

Brown: You know, there was fear outside Phillips County that the blacks in Phillips County really were trying to revolt and so forth. Within the past year, a woman in another county in another town said that their menfolks were worried that the blacks in these counties might get the disease.

Miller: It's imagination. You can hear that right---we have got a thing here in this town right now that could boil up. A Negro killed a white man here and was convicted of first degree murder. Immediately following that trial, a white man was tried for killing a Negro and the jury trying the second case convicted the white man but gave him 15 years in the penitentiary for second degree murder. That created one hell of an uproar and it's going on right now. They have collected up about 20 some odd hundred dollars last count I had of which to appeal the Negroes case where he was given life imprisonment. But the facts were entirely different. It was a mixed jury too, in both ~~trials~~ cases. But you know how those things--some people just, they have very fine imaginations and imagine a lot of things that they are thinking themselves as truth.

Sizer: Judge, as prosecutor in these charges brought in the Elaine incident, you are also known on the record as the prosecutor who had dismissed a number of the charges and had freed a number of the prisoners. What was the reaction of the public in terms of the

way the press expressed it at that time towards you? Were you largely applauded or condemned?

Miller: I can't say whether I was applauded or condemned either. But I had no serious repercussions either way, as far as that is concerned. It didn't matter damn much to me really and truly, it didn't. I had those five counties and the five of them were hard counties and.....

Brown: Did you run for reelection after that?

Miller: Yes.

Brown: Did you notice any difference in your vote in Phillips County?

Miller: Well yes, they all voted for me.

Brown: Well they must have been pleased then.

Miller: They all voted for me.

Brown: They were for you by then.

Miller: I don't know, they just found out I wasn't too bad a fellow, I guess.

Brown: I heard a story, one of my students from Phillips County told me. He said that the sheriff, it was either that sheriff or the one that succeeded him had a Negro skull on his desk, from a Negro who was killed in that riot. Do you know whether that's true or not?

Miller: No I don't. Frank Kitchens....

Brown: Yea, that was the name....

Miller: Frank Jr was the sheriff. To give you an idea of what Phillips County does, now this is a small matter, when I went to---I had been prosecuting attorney and I had been there three days when I convened the grand jury. Let's see. It was the----

Brown: In November, wasn't it?

Miller: Yes. I went back in November, was that November 19-----

Brown: It was October when the race riot occurred.

Miller: Yes. 1919 wasn't it?

Brown: Yes.

Miller: My first term of court at Helena was in April. Everything was quiet. Nothing had happened. And I had the grand jury in session. I always kept up with the grand jury. I examined every witness that went before the grand jury. I knew exactly what the testimony was when they got through. In White County and Woodruff County, even in St. Francis, people were opposed to crap shooting and gambling and everything like that and I was used to convicting them of it and trying them of it. So I went down there and lo and behold I got down there and the first day or two after I was there I found that the races was going on there. I looked into it and found that there was betting. Backyard ovals and Paramutuals. So I went to the foreman of the grand jury and told him I wanted him to have some witnesses in there to look into that and then bring some indictments if there was gambling. I couldn't get anything to be done and finally I went in there one morning, two or three mornings later and asked them if they had done that. Nope. Well, I said, I've a list here and I'm going to issue subpoenas myself. They said, Well, let us talk to you a little bit further. I said all right, and sat down. (break in recording). I was unknown there. Didn't know many people. I knew a few by reputation. But I decided I'd clean up gambling like I was used to at White County. So I made what arrangements I could and couldn't get them to do anything and I went over and told them and said, I've got five or six witnesses here and I'm going to have subpoenas issued. Now sit down and let's talk it over. Olan Cook from out at Marvel, Arkansas said, Mr. Miller, from what we can find out about you, you're a pretty good boy. We appreciate the fact that you're trying to enforce the law but we live here. Our families are here

and our property is here and we have ways of doing things down here that you don't have in White and other counties. Said, We have reached the conclusion that we don't want that investigated cause nobody is doing any harm out there and it's all voluntary and they're not having any trouble. We've decided to ask you to let us run the internal affairs of the county down there where we live and you prosecute what inditelements we return. We'll return inditelements on any case that we feel like ought to be returned, and we will get along fine. I said, Mr. Cook, if you men want to violate your oath like that it's all right with me and by g-- I won't bother about the gambling. I don't give a damn what happens to it, I won't bother it and if you want anybody indited for gambling go ahead and I'll prosecute them. If you don't, why they can just take the whole dang thing and run off with the gambling. From that time on, everything was just lovely. They tended to their business and I tended to mine.

Brown: You let them practice their customs, right?

Miller: That's right. Well, you almost had to.

Brown: Were you politically ambitious, was that one reason you were willing to go along?

Miller: I guess I must have been but I don't know what else it was. I made an honest effort to let anything except my conception of what was right and wrong,...

Sizer: Judge, before you ran for Congress, had you held any elective office other than prosecuting attorney?

Miller: Well, I ~~xx~~ had been city attorney and then a delegate to the Constitutional Convention in 1913. The youngest man there, didn't cut too much of a figure on that, but I learned a hell of a lot, **in that convention.**