

UFLC 1

Interviewee: Dickson Macdonald

Interviewer: Denise Brazier

February 8, 1984

B: This is Denise Brazier. I am here with Professor Macdonald. What is your full name?

M: William Dickson Macdonald.

B: How long have you been teaching at the University of Florida?

M: Since the early summer of 1948.

B: What is your date of birth?

M: July 5, 1913.

B: And your place of birth?

M: Halifax, Nova Scotia.

B: Were you raised in Canada?

M: Yes, I was in Cape Breton Island, Nova Scotia, until I was ten, and then I moved to Montreal for three years, and then to Toronto. I went through university and law school in Toronto.

B: What were your interests while you were growing up, and when did you become interested in law?

M: I had an uncle who was a prominent lawyer in Nova Scotia after whom I was named, William Anderson Dickson. I would say my primary interest was hockey.

B: Your uncle influenced you?

M: I suppose so, but I always had the inclination to get into law.

B: Where did you receive your education? What grade school did you go to?

M: In Louisbourg, Nova Scotia, a two-room country schoolhouse; in Montreal, Kensington Public School; in Toronto, the Howard Park Public School, and then North Toronto Collegiate Institute.

B: That is a preparatory school?

M: A high school, and what you call secondary education. But there were five

grades, unlike American high schools. If you were aiming at university, you needed five years, and Latin was compulsory, which I found to be of tremendous value later in learning foreign languages.

B: What law school did you attend?

M: The University of Toronto Honors Course in Jurisprudence, which was an experimental course based on the Oxford course.

B: And you also have some advanced law degrees.

M: Then I went to Osgoode Hall Law School, which is run by the Ontario Bar.

B: What degree did you receive from there?

M: A bachelor's in law from the University of Toronto, and from Osgoode just being a lawyer. They controlled the bar; it was a closed corporation. You had to go through Osgoode Hall. I guess you would say the degree was Barrister of Law. Then, in my last year at Osgoode I got a fellowship from the University of Michigan Law School and since I did not have a LL.B., I went back in the summer of 1939 to the University of Toronto and wrote a thesis and took four examinations to get what they call a graduate degree, the LL.B. So, then I got eventually an LL.M. from Michigan and then an S.J.D.

B: The S.J.D., what does that stand for?

M: Doctor of the Science of Law, it is a doctoral degree in law requiring extensive research.

B: And that was from Michigan also?

M: Yes, from which I wrote a book.

B: What is this about, Fraud on the Widow's Share?

M: Protection of the surviving spouse, either the widow or the widower, against inter vivos evasions of the elective share. In Florida, for example, the widow now gets thirty percent of the net assets of the estate, but most estate planning devices pass the property inter vivos, meaning during the lifetime of the decedent spouse, such as life insurance, inter vivos trusts, joint tenancies, gifts and the like. So, the elective share in Florida and elsewhere is vulnerable to these inter vivos transfers so that the widow could get thirty percent of the net estate. But, if there is very little in the estate, then she could be left penniless. It does not happen frequently, but it is a problem.

B: Does this book cover a certain state in particular that you talk about?

M: All states, and all cases, and some foreign legislative models from foreign countries, and particularly civil law systems.

B: You are a member of the Ontario Bar?

M: I was until I became an American citizen in 1951, whereupon I was stripped of my membership in the Ontario Bar. I am still not a member of any bar. It has not been worth the effort to write the Florida Bar.

B: Was your schooling in Michigan your first time in the United States?

M: It was my first experience with an educational institution. I had been down to Cape Cod for the summer on one occasion.

B: So you had been in the United States before going to school.

M: Yes, just for a summer recuperating from an illness.

B: Was there anything you had to get used to once you were living in the United States?

M: At Michigan I found it quite hot and humid, but it was nothing to what it was like in Gainesville the first summer here.

B: Any differences in your legal training and education?

M: Well, I can discuss that now if you like, or later when you ask me what my future plans are. I am interested in the attitudes in Canada and in the United States toward the legal process, and I believe that American legal education has been superior to Canadian legal education until the last twenty-five years or so. I believe that American legal education has had some intangible influence upon Canadian attitudes, particularly the views of Canadian law professors who have done their post-graduate training in the United States.

I could give you the example of a man named Cecil Wright, at Osgoode Hall, who was the main force in having the Ontario Bar permit graduates of university law schools bypass Osgoode Hall. In other words, to give more control to the universities in law teaching than the Ontario Bar, which was Osgoode Law School. The present chief justice of Canada is a former law professor at Osgoode and at the University of Toronto. His name is Bora Laskin, and he went to Harvard for an LL.M., as did Wright, and these two

people are formative influences on Canadian legal education and Canadian attitudes about the legal process.

B: What do you plan to study with that?

M: I am working on an article entitled, "Canadian and American Attitudes Toward the Legal Process: The Role of Legal Education." And there are distinctive Canadian attitudes about law. They are more conservative. I believe that there is more of a feeling that which ought to be done is done. Certain ways of conducting yourself are done instinctively in Canada whereas in the United States there is more stress on your rights under the Constitution rather than your duties or obligations under the Constitution.

The emergence of Canada was triggered by the United Empire Loyalists, who were forced to leave the United States. Having literally lost their liberty and their property, they joined the French Canadians in achieving responsible government about the middle of the nineteenth century. Responsible government evolved into the Canadian Constitution of 1867, which was an act of the British Parliament. That decision to become a country was aimed in part at protection from the United States and a strong belief in British institutions. So, the interesting thing is that Canada, just in 1982, patriated the Constitution, that is, brought it home from Britain, and put in a Charter of Rights and Duties, Rights and Freedoms I think it is, that adopted in effect an American-style judicial review with a distinctive Canadian twist: there could be legislative review of judicial review.

Sports interest me very much and I find that there is a distinctively more conservative, more rigorous attitude in Canada toward the relationship of sports to the university life. For example, there are no athletic scholarships in Canada, aside from one university on the west coast. Sports are an integral part of university life, but not to the extent that persons are in effect hired to play for the university. So, Canadians are different from Americans. But, the interesting thing is that now the Canadian way of looking at things in law is coming a little closer to the American model, so there is interaction between American views and Canadian views. I think that American legal education has played a significant part in changing Canadian legal education from something of a trade school approach to a much broader framework under university auspices.

B: You said you are writing an article on that now.

M: Yes, and also revisiting the subject matter of that book.

B: Where do you plan to have this article published?

M: Lord knows. Right now I have got two legal research assistants working on it,

but I also have two three-hour courses this semester. So the work is coming slowly. It may be that I will have to finish both jobs after I retire. My first commitment right now is teaching, and it is quite a full-time job.

B: Did you practice law in Canada?

M: I had three years as an articled student of law under a system in which the student would spend most of his working day articled to a busy practicing lawyer in downtown Toronto. He would have a lecture at nine in the morning and another at four-forty in the afternoon. It was an attempt to combine practical training with theoretical training, and the law students did not like it. It was not until the 1950s that the bar in Ontario, the Law Society of Upper Canada, permitted full-time university law training without having to go through Osgoode Hall. The present system does combine practical training with three years of full-time law school but it is accomplished by having the three years first in the law school, then a period of articles with a law firm, and finally a bar course run by the bar to bring the student in touch with the details of practicing law. So it has the advantage of what is being done now in the United States with clinical training; but that is deferred until the three years full-time are over. The disadvantage is that it takes a long time. So it is controversial still in Canada.

B: After schooling, did you practice law?

M: No, I was within two weeks of starting to practice law in Toronto when I got a phone call from Wayne State University Law School in Detroit asking if I would consider teaching there: would I come for an appointment. And since that was where my wife's family lived, it was too good an offer to turn down. So I went right into university teaching in the United States.

B: You were already married at that time?

M: Yes. During the war, I was with the Wartime Prices and Trade Board in Ottawa, and had a deferment from military training until the end of the war. But in early 1944, I decided to get in the army, so I volunteered as a private and went overseas.

B: When did you start teaching at Wayne State University?

M: Fall of 1946.

B: So you have never practiced or worked as a lawyer, in either the United States or Canada?

M: Well, the three years as an articled student of law was all practice. We did everything but do what the lawyer himself was doing. We prepared a case for trial and put through real estate deals, briefed, or at least questioned, witnesses,

and handled small division court matters. By the time you graduated, you were equipped to begin practicing right away.

B: When you were in the Canadian army, where did you serve?

M: We went over to Holland the week of V-E Day, so I never saw an actual fighting.

B: Where were your parents from?

M: My father is from the Isle of Skye in Scotland, in the Hebrides. My mother is from Pictou, Nova Scotia.

B: What type of work did your father do?

M: My father was with the Canadian Marconi Wireless Company, and was in charge of the wireless station at Louisbourg, Cape Breton Island, during and just after the War. He was on duty the night the Titanic went down and received phone calls from New York three times before it went down, and then helped to relay messages.

B: How did he arrive in Canada?

M: By joining the Canadian Marconi Company. He was on transatlantic ships first, and then was sent to the Canadian Marconi stations. First at Cape Race, in Newfoundland, and then in Pictou, Nova Scotia, where he met my mother, and then in Louisbourg.

B: Did your mother work?

M: Not that I know of, no.

B: Was anyone in your family a lawyer other than your uncle?

M: No. Except that I have two children, one of whom is a lawyer, and a partner in the firm in Jacksonville. My daughter is just about to complete, or hoping to complete her L.L.M. in tax at the law school; she is practicing in a downtown Gainesville firm.

B: What is her name?

M: Kit Walton [Katherine M. Walton, JD, 1983, University of Florida].

B: And your son is practicing in Jacksonville?

M: Yes, John is my son.

B: So you arrived at the University of Florida in 1948 as a visiting professor?

M: Yes. I had gone to the Association of American Law Schools convention the previous December and there I met Frank Maloney [Frank Edward Maloney, professor, College of Law, University of Florida (1947-1972), dean (1958-1970)], who was teaching at the law school. He later became dean. They did not have a dean at that time. Jimmy Day [James Westbay Day, professor, College of Law, University of Florida (1930-1961)] was acting dean and they needed more faculty so they had eight visiting professors in the summer school of 1948. I was one of the eight.

B: They were short on regular professors then?

M: Well, the school was expanding because the facilities were completely overtaxed with all the returning veterans.

B: What did you teach?

M: Trusts and quasi-contracts.

B: Did Frank Maloney invite you to come here or did you apply?

M: Yes. I believe there had been correspondence beforehand with acting-dean Crandall, and Maloney was at the convention to look people over. The building was so inadequate. I gave my first class on the second floor of the courtroom in the old building at the corner of Thirteenth Street and University Avenue. There was a gigantic chair for the professor. They told me later that Dean Trusler [Harry Raymond Trusler, dean, College of Law, University of Florida (1915-1947)], who would have retired, I believe, in 1947, used to lean back and contemplate the students.

I believe either that afternoon or the next morning they started to demolish the whole second floor to construct offices, and the rest of my classes were given across the street. The large trusts class was about 150 students, and was held in the hall of the Methodist Student Center at the northwest corner of Thirteenth and University, or one block west of there. It is still there. I had to be on a platform so that the students could see me. Are you familiar with that site?

B: Yes.

M: Then the other class met in the Episcopalian frame house close to the College

Inn, what they called the C.I., on the so-called Gold Coast. I do not think it is there any more. It was a two or three story building and when I taught, there were students in rooms all around. It was very interesting with students surrounding you. I would call a name, and the fellow would answer from the washroom in one case.

B: So they were beginning to remodel the law school?

M: The very next day, yes. That took quite a while, but they made a nice building.

B: They had already finished some of the renovations I believe by 1948.

M: In early 1948?

B: Right.

M: Could be. Then I have a distinct recollection of the interesting room that I was in being demolished.

B: I think they have done more that was not finished until I guess the 1960s.

M: Yes. There were various improvements. I remember there was only one bathroom for all the faculty and male students, and one for the ladies somewhere else. It was a complaint that still exists with the ladies here.

B: In your trust class you had 150 students?

M: It was either 150 or 155.

B: That seems large. Were all of the classes that large?

M: Well, my other one was either 125 or 130, and I believe that generally there were large classes.

B: Is that because of the shortage of professors?

M: I guess so.

B: How did you arrive in Gainesville?

M: We bought a second-hand car. In the middle of Atlanta we were at the top of a hill at an intersection and it started to go backwards.

B: Where were you driving from?

M: From Detroit.

B: So you had taught at Detroit?

M: Wayne State University in Detroit until I came here.

B: Did you begin work immediately after arriving in Gainesville?

M: Within a day or so as I remember.

B: What was your impression of the city at that time?

M: Tacky.

B: How is that?

M: Well, we came in, for some reason or other, on East University Avenue. Then we thought that the climate was indescribable for Canadians at any rate. But we noticed that the people were extremely friendly and hospitable. So by the end of about two months we were becoming slightly acclimated. When we returned, we felt that if you could not play hockey or ski, well, you might as well be right here.

B: Where did you stay when you first arrived here?

M: Frank Maloney had arranged the subletting of an apartment in the Green Mar Apartments on something like Northwest Second Avenue.

B: Was it close to the law school?

M: Yes, within a couple of blocks.

B: Was that a temporary arrangement?

M: We had that for the whole summer. Of course, we did not return here until classes started in September.

B: After the summer session?

M: Yes.

B: During that summer, were many classes held off-campus as you said yours were?

M: Well, I know of other visiting professors complaining that they called on a student in the Episcopalian center and the fellow answered from the washroom.

B: Were classes held mainly in the churches?

M: Yes, the whole complement of the class would have to go over there. I do not remember whether I called the roll or not.

B: Did your wife come with you when you taught that summer?

M: Yes.

B: What is your wife's name?

M: Dorothy.

B: So you taught that summer and then you left?

M: Well, the students in my two classes got up a petition to hire me and sent it to the Board of Control, which was the antecedent of the Board of Regents. So I was the first, or one of the first, to be hired by the new dean, Henry Fenn [Henry Anderson Fenn, professor, College of Law, University of Florida (1948-1978), dean (1948-1958)], whom I met when I got back here.

B: Where did you go after teaching that summer?

M: Back to Detroit. We may have gone to Montreal en route to see my parents. At any rate, we did go back to Detroit to get our stuff and come back.

B: Had you already heard you were going to be hired as a permanent faculty member?

M: As I recall, it was done by correspondence. Then, of course, I had to get the permission of Wayne State to leave. It was rather short notice. By that time, we had formed a very favorable opinion of Gainesville, and with the fall starting, the temperature improved. The next summer, we really did not notice it. We had become acclimated.

B: How many students were involved in this petition?

M: I understand all of them, but that was just on hearsay.

B: They must have liked you.

B: Were other professors hired on that way?

M: No.

B: Did you ever see the petition?

M: No.

B: Then you were hired by correspondence?

M: Yes. There may have been a phone call, but as I recall, it was by correspondence.

B: Was that with Dean Fenn?

M: Yes. I will be seeing him tomorrow, and I will ask him.

B: When did you become a permanent faculty member?

M: That September.

B: What was your position?

M: I think associate professor of law. I became a full professor in 1951.

B: What was your impression of the University of Florida when you first arrived?

M: Very attractive buildings. There was a live wire of a president, J. Hillis Miller [president, University of Florida, 1947-1953]. Some of us visiting professors were invited over to lunch at his presidential dining room when candidates for the deanship were being interviewed. I was very much impressed with him.

B: You say he was a live wire?

M: Yes, he was a good mixer and I think he got on well with the legislature.

B: What about the size of the university then?

M: Not too big compared to what it is now. An interesting point I was going to make was that in my first class a man named Howard Garrett [class of 1949] sat next to a girl named Marie Garcia [class of 1948], and they eventually married. Some few years ago, a girl came up to me after class was over and said she was the daughter of Garrett. She was in my class.

B: Howard Garrett and Marie Garcia were your students?

M: Yes. They had sat next to each other. That is how they met. In my first class.

B: Then you had their daughter in class. That is interesting.

M: Oh, that happens to anybody who has taught for a lengthy period of time. I am anticipating grandchildren next.

B: What did you think of the law school when you first arrived?

M: I liked it very much in contrast with Wayne State Law School in Detroit, which is in the middle of the city. It took me almost an hour by bus to go from where I was living to the law school. Gainesville had very hospitable surroundings, and the traffic was nothing like Detroit. So we were delighted to accept it.

B: Where did you live when you returned here in September?

M: A house at the corner of Southwest Fourth Avenue and Twelfth Street. A student named Carlos Harper put us in touch with a real estate agent named Archie Campbell, who found us an apartment.

B: That was close to the law school.

M: Oh, yes, it was in walking distance.

B: Did you walk to work every day?

M: Yes. There were two apartments in the one house, and in the next apartment was a football player named Nigger Dyer. He was a fierce football player. There were some loose boards between his apartment and ours, and we used to go to each other's parties.

B: That was an apartment then that you were living in?

M: Well, it was a house that had been converted into two units. As I remember he was opposed to the coach, Bear Wolf. He wanted a coaching change, which has been a feature of my life in Gainesville ever since. People are disappointed if the team is not doing too well.

B: Was the law school a very good size at that time for you having come from Wayne State?

M: Yes. It was larger than Wayne.

B: Do you recall about how many students were here then?

M: Well, maybe 500. Dean Fenn could give you a better idea of that. But it was a vastly disproportionate number for the available facilities.

B: And the number of professors?

M: Yes. The students were quite mature as students, and intolerant of any pomposity or pretentiousness; so there is a tradition of shuffling. They would shuffle their feet on the floor like this and make a tremendous din if they did not like what a professor was saying, or even more likely, if they did not like some fellow student talking too much in the class and taking up too much time. When a pretty girl would come into the library, and there were so few girls then, they would shuffle.

B: When a pretty girl came in?

M: Any girl.

B: How long did that go on?

M: Well, I think it may have lasted during the Fenn administration, which was until 1958. You do not hear it any more. I believe it had dwindled out by about the middle of the Maloney administration [Frank Edward Maloney, professor, College of Law, University of Florida (1947-1972), dean (1958-1970)].

B: So that tradition lasted into the 1960s?

M: Yes, feebly. But it was a flourishing practice. I thought it was rather useful.

B: You do not remember shuffling once you had moved into this building?

M: No.

B: In the late 1960s?

M: No. By that time, the attitude of the students had changed somewhat. They were a little hungrier for grades and the atmosphere was more attuned to the cut and thrust of discussion, plus the fact that the veterans had all graduated by the mid-1950s or earlier, so the tradition just died out. I think you could attribute it to the progress made by the school in inculcating a scholarly atmosphere.

B: Students were not as hungry for grades then as they are today?

M: I would not say that. They were still as sensitive to what they got and they would come in to protest. There was also a practice of visiting professors during the grading process to put out the sob story or solicit grades in order to graduate. Then it was possible to ignore an "E". You could disregard the "E" at the time that I came, and that was soon changed by the Fenn administration. So the intellectual atmosphere became keener and in no way resembling what it is today. But I would say that among the students of the late-1940s and early-1950s, there were a lot of strong characters who became leaders in the bar, and who would have done just as well, if not better, under the present atmosphere.

B: Did you have any students coming to you as a visiting professor with the sob stories?

M: Oh, yes. Everybody did. Then we would have critical faculty meetings to determine who was going to graduate and who would not. In other words, there would be jousting for grades before the grades were issued. Our practice now is, you just turn in your grades and let the chips fall where they may. I am speaking of the case of the graduating seniors. For most of them it was life and death.

B: What kind of grading system did you have?

M: Well, I have had the same grading system throughout. I do not know what others have done.

B: And what kind of tests?

M: Oh, it depended on the individual instructor. Some of them liked short answer questions, or true and false. I like a combination of essay-type questions with a number of the several issues involved, and with some short questions that do not demand a yes or a no in which the student can criticize the question itself, so that it is a test of the knowledge but also of their acuteness.

B: And you have used the "A" through "E" grading system all along?

M: Yes, but not rigorously, and not on the Bell curve. With Fenn we worked out a method in which some were poor and others were "A" papers. Now we publish the grades of each individual instructor and make it available to the rest of the faculty so that there is some closeness in the grading processes. That way, if anybody is completely out of line, the publicity involved will probably motivate the person to adjust to the prevailing sentiment.

B: You publish a listing of all the grades in the class?

- M: When I say publish, I mean it is circulated among the faculty. But as I remember, the grades were published on a board outside so that everybody would know who got what grade.
- B: Did you list them by name?
- M: I believe originally, but in the last few years, because of complaints, they are published by student social security number.
- B: The professors used to see the grades when you first came, and they still do today?
- M: No. It has been only in the last say fifteen years that there has been a practice of the administration office compiling the grading patterns of each professor so each professor can see what type of grades the other ones are giving. Where you have several sections in one subject matter, that is of considerable interest and importance.
- B: Were you at the law school when Dean Fenn arrived?
- M: No. Not physically, not personally. I think he was hired before the end of the summer. But he was here when I arrived.
- B: In September?
- M: Yes.
- B: Did Dean Day return to teaching?
- M: Oh, yes. He was a very well liked and respected teacher, particularly in real property law. Called him Jimmy.
- B: What were the circumstances when Dean Fenn began as dean? Was there a smooth transition?
- M: Not entirely smooth, but he eventually made it more like a top ranking law school should be in terms of making those "E"'s count, and in initiating long discussions on curriculum changes. He initiated a program of teaching legal ethics that involved the cooperation of members of the bar, who would sit in on the discussions.
- B: Was that a new idea?

- M: New here and also a pioneer in the United States.
- B: Were professors reluctant to give out "E"'s when those changes were made?
- M: It depended upon the individual. There was not as rigorous an attitude for intellectual effort then as there is now. You battle to stay in the law school now. Then the grading standards were not as severe.
- B: Did Fenn change that?
- M: Yes. Over the course of his administration.
- B: What was Dean Fenn's relationship with the professors?
- M: Quite close.
- B: How many professors were there when he first arrived?
- M: I tried to find my old grade books and pictures of the faculty. We had maybe fifteen. We had some part-time men, too, from downtown, who were teaching.
- B: Were they lawyers?
- M: Yes.
- B: Why were they here?
- M: Well, for courses that had heavy practical importance, such as criminal procedure. I remember Seldon Waldo teaching mortgages. When I took on that course in the fall of 1948, he gave me some of his forms. They were quite helpful. He told me the main thing you need in Gainesville to be successful in the summertime is three umbrellas. One at your home; one at the law school; and one in your car. Every day it seemed to me about one-thirty, the heavens would open with rain, with the temperature being about 95 degrees.
- B: Did those part-time teachers work with professors here?
- M: No. They would just give the course that was needed.
- B: Do you recall about how many of them there were?
- M: Two or three.
- B: Seldon Waldo was one of them?

M: He gave it up the year before I came. Clarence TeSelle [Clarence John TeSelle, professor, College of Law, University of Florida (1928-1930,1932-1958)] was a famous teacher who could not get around very much, so he sat with a cane. The students would arrange the room for him and they would take him to and from the Hotel Thomas.

B: So they would bring him to school to teach and then take him back?

M: Yes, or he would get a taxi here. I cannot remember how it came out, but I know the students would take him back.

B: What was he like?

M: Fierce, but well-liked.

B: By students?

M: By the students.

B: How about by other professors?

M: Well, we did not see very much of him because he did not get to parties. He was well-liked, though. Pop Crandall's [Clifford W. Crandall, professor, College of Law, University of Florida, (1913-1948)] specialty was common law pleading. Then there was a man named Slagle [Dean Slagle, professor, College of Law, University of Florida, (1923-1928, 1929-1958)], whom they called Sloogy.

B: What was he like?

M: Very amiable.

B: They talk about Sloogy at reunions.

M: George John Miller [professor, College of Law, University of Florida, (1948-1955)] was another one. Have you heard that name?

B: No, I have not.

M: He had come perhaps a year previously. He was a Rhodes Scholar and had a good singing and speaking voice. He helped get the law review going, and was good at parties.

B: What was Slagle like as a professor?

M: Not as severe as other professors.

B: Not as severe as TeSelle?

M: No.

B: Why was TeSelle so fierce?

M: Well, he knew what he was talking about, and he had no qualms about giving an "E" if he felt the student deserved it.

B: Was he respected?

M: I believe so, yes.

B: What about Professor Cockrell [Robert Spratt Cockrell, professor, College of Law, University of Florida (1919-1941)]?

M: He had retired before I came, but he was also a judge. He was a very prominent figure and his daughter is married to Judge Doughtie [Nath C. Doughtie, class of 1965]. Another daughter married Stan West [Stanley L. West, class of 1938, director of libraries, University of Florida, 1946-1968]. He was also a law student. There were a number of students who later achieved considerable prominence. There was a very formidable group of persons who were more mature than the average law student because they had just returned from the war, or were just completing their education, and included Leo Wotitzky [class of 1953], and Reuben Askew [class of 1956]. Marshall Criser [Marshall M. Criser, class of 1951, president, University of Florida, 1984-present] and Lawton Chiles [class of 1955] were two other students whom I taught. One of my students who later came on the faculty was Reece Smith [class of 1949], who became president of the American Bar Association. He is a well-known lawyer in Tampa.

B: I am familiar with him.

M: And I recall Ed Gay [class of 1951]. I have become quite close with him since then. He was a well-known trial lawyer in Jacksonville.

B: What did you teach when you had them as students?

M: Trusts, or quasi-contract, mortgages, equity, and then later a whole slew of subjects that you can see on my resume.

B: Did they stand out in law school?

M: Yes. I have very fond memories of that first group. All highly individualistic, and my wife and I noticed how friendly and hospitable they were compared with the students in Detroit where I was teaching at the time. We felt as if we had gone back to Canada, coming down here.

B: You mentioned parties a little while ago. Were they faculty parties?

M: Yes, and student and fraternity parties.

B: Did the faculty and the students get together socially?

M: Frequently. Mostly at these fraternity parties. They used to have a lot of entertainment. They would have skits lampooning the faculty, and homecoming skits were going on even then produced by the John Marshall Bar Association.

B: Were those going on when you arrived?

M: I believe so. I remember the first Gator Growl we saw, I was astonished that law students were running the student parties.

B: Student government?

M: Student government was another feature of student life that Dean Fenn worked on. Eventually the students who were engaged in campus politics found that it was difficult to do that, and at the same time, succeed in law school. There was a strong tradition at the law school in the participation and dominance in campus politics. Speaking of students who became prominent later, Talbot D'Alemberte [class of 1962] comes to mind. He is a brilliant lawyer, who has just become dean at Florida State Law School. I just saw the notice on the faculty board. They are lucky to get him.

B: Were the students involved outside of the campus as well?

M: Some of them in national politics, but that was comparatively rare.

B: Were they vocal about local issues or national issues?

M: Not to the extent that you find it in Gainesville today, and I would say that in Gainesville today they do not take enough interest in municipal politics.

B: Why do you think that is?

M: Well, they do not see that as sufficient training ground for aspirations in state politics.

B: Are they possibly too busy now to get involved?

M: Well, you are lucky to get through law school now. The strain of competition and preparation is so great.

B: So do you think there has been a change in student involvement?

M: Yes. It is not as popular now to be in the student government. More likely that situation is done in the undergraduate level, and then the successful ones come to law school.

B: What about student involvement with social issues?

M: Well, that depends on the individual student I think. And I do not think there has been much change in that respect. Human nature does not change.

B: How about during Vietnam?

M: There was a lot of student activism at that time.

B: Among law students?

M: Yes. I remember being a little surprised on one occasion when a policeman walked by the law school and the students were jeering at him, which surprised me somewhat. No respect was shown for the policeman.

B: Those were law students.

M: Yes.

B: Did they make any statements about the war?

M: Oh, yes. Campus politics and gatherings were full of that. It seems to be part of the American way of doing things. If the situation had arisen in Canada, it would have been a vote of no confidence in the government and the matter would be decided one way or the other. In the United States with the financial crisis in the beginning of the depression or the Vietnam affair, the president was in for only four years, and it is difficult to get a decision, whereas in Canada, the man in power through his cabinet dominates the parliament. If the incoming prime minister has a platform on which he is voted into office, he has no trouble with the parliament. They proceed to go about it. They put their platform into effect, and until this Charter of Rights and Freedoms was passed in 1982, there was no indecision about putting in an affirmative action program or a civil rights program in the various provinces. They would just go ahead and do it. So

there is less indecision in Canada about governmental policy. It would not work in the United States, but that is the Canadian tradition. Once a prime minister loses the respect of the electorate, then he is booted out by a confidence motion.

Each country has its own political tradition. That is one respect in which there would be a difference: the Canadian attitude toward Parliament. Canadians put more trust in the legislative process. That is why it is so interesting that Canada now has adopted a Charter of Rights and Freedoms, in large part inspired by the American Bill of Rights. American judicial decisions are all that more interesting in Canada now.

The dissatisfaction of law professors with the previous type of legal education in Canada, in some part can be attributed to the leadership of those law professors who came to the United States for post-graduate training. I think Canadian universities always have been on a par with American universities, but Canadian law schools have not. There was a feeling that the law school should exist to prepare for the practice of law and nothing else. So you have a contrast between the Osgoode Hall tradition, a trade school tradition, and a school such as Dalhousie, the first common law university law school in the old British Empire. So that and the relationship between sports and national attitude interests me. The Brazilian love for soccer is almost a religion down in Brazil. Do you speak Portuguese?

B: No.

M: Is there any connection at all?

B: No. Braziel was a Frenchman who adopted my father after my father's father died.

M: Oh, yes. Denise is French.

B: Yes, but there is no relation to the country of Brazil. Getting back to law students voicing opinions, were law students vocal about integration at the university?

M: No. The sentiment or the attitude gradually changed during the time I was here. I think that athletics are relevant there, too. In the community of Gainesville, the attitude is so changed that it is only among the older people that you find traces of the old intolerance. But I think that blacks on high school teams have contributed so much that there is relative cohesion now. I do not think the problem has been solved, but the attitude has changed among people of middle age and younger people.

B: Were any of the law students speaking out in favor of allowing blacks to enter the law school?

M: There was a problem with Virgil Hawkins, who wanted to get into the school. Then some of the professors wanted to force the integration issue a few years after the 1954 decision. There was a difference of opinion as to whether it should be brought into the open, or let nature and litigation take its course.

B: Some of the professors wanted to force the issue?

M: Yes, to have a declaration by the university senate that we would welcome blacks. As it turned out, that was the right thing to do. But at the time, the town and the older members of the faculty did not want to have an open discussion about it.

B: While we are on that subject, what was it like here when blacks first came?

M: The first one to go through was the judge downtown, Stephan Mickle [class of 1970, Alachua County Circuit judge]. I had him in my class. But he was preceded by George Allen [W. George Allen, class of 1962]. Both of them have stated that they found it somewhat uncomfortable, but they went through with it and have done very well.

B: That was in 1960?

M: Well, it was either 1958 or 1963, because we had a reunion of both classes.

B: I think Allen is class of 1962.

M: Could be. So he was the first one.

B: He could have started school in 1959.

M: I remember having Stephan in an international business law class in 1968. I remember a particular question that he asked. It was a pretty good question. These things stick in your mind.

B: That was 1968?

M: Yes. That was when I was teaching that subject. That was the year we moved to this building. I taught that subject for a few years longer so it might have been a little later than that.

B: Were there any disruptions in the classes?

M: Oh, no.

B: Who served on the board before Dean Fenn returned to teaching? Dean Trusler?

M: No. I do not think so. I believe he retired in 1947.

B: When you were hired as a visiting professor, how long were you supposed to stay?

M: Just the summer of one term. It was the first half of the two-session summer program. It was six weeks.

B: Were you only hired for the first half?

M: Yes. So I guess Dean Fenn was hired during the second session.

B: And you were not here during that second session.

M: No.

B: Before that time, was it common practice at the law school to bring in visiting professors?

M: I would imagine not to that extent. This was a special situation.

B: Did you have very many women students in your class?

M: Two or three.

B: Do you remember their names?

M: Well, Marie Garcia. Then I remember a girl from St. Augustine who was seriously injured, Corise Varn. She was on her bicycle and somebody opened a car door and she ran right into it. There were very few girls.

B: Was there a personal relationship between professors and students at that time?

M: Well, I felt very close to the students, and I imagine it was the same with others because of these rather vivacious fraternity parties.

B: Did professors ever have the students come to their homes?

M: Yes.

B: Parties.

M: Yes.

B: Have you stayed in touch with many of your students?

M: Yes, I have. Particularly Ed Gay. He is coming to see us tomorrow, as a matter of fact.

B: Were many of the law students veterans?

M: Practically all veterans. It was a one-time emergency right after the war.

B: Was there very much evidence that a war had taken place here with the post-war attitude?

M: No, not particularly. I have visited law schools in Brazil and you can still see the bullet holes in the walls. Law students in civil law countries are very active politically.

B: I read in the catalog that professors were teaching other subjects besides law during the wartime. Did that continue?

M: No, not that I am aware of. But it was a very laudable move having interdisciplinary seminars. I got one going in Latin-American programs elsewhere in the university. They came into the seminar with law students. For each meeting we would have a specialist professor from the Latin American Center on the particular Latin American country we were talking about discuss the particular problem such as agrarian reform, or the role of the military.

B: What did students wear to law school when you first came here?

M: Well, when I first came here it was so hot that they were all in shirts, and it may have been shorts, too, but I think that most of them had long pants on.

B: What did the women wear?

M: Well, likely summer clothing as I can recall.

B: Skirts and dresses?

M: Yes.

B: What did professors wear?

M: I started off with a tie and I believe a jacket, but I discarded the jacket, and then later the tie.

B: Because of the heat.

M: Yes. I have a picture of my first class about a week after I started in the Methodist center where I am sitting on the platform, and I believe without a tie on. It was self-defense.

B: No air conditioning then.

M: No air conditioning. I was not used to 95 degree weather, but as I recall that one was at seven in the morning.

B: Do you still have the pictures?

M: I will see if I can find it. It was in the Alligator.

B: That might be one we could run in the pictorial history of the law school. They are looking for any old pictures.

M: I will see if I can find it.

B: How did you begin your interest in international law?

M: Well, in 1958, a memorandum came to law professors asking about language accomplishments, and I had studied French grammar composition in Canada, but I never could speak it. But anyway, I put my name in. Then in August 1958, I got a phone call from the state department, asking whether I would be interested in teaching law in Cambodia in French, and I told them I wanted time to think about it. The more I thought about it, the more it seemed like an opportunity, but I wanted more money because they were not offering enough. It was the Smith-Mundt program. He was a senator, I believe, who fostered this program.

So I decided to go ahead and I got the language department here to give me some tapes. One in particular was excellent. It was Le Petit Prince (The Little Prince, by Antonie de Saint-Exupery, and every day I would go home at lunch and listen to that tape to get the accent of a Parisian, Gerard Phillipe, a French actor. Then I took private lessons from a Mrs. Brannon in town, who is still alive. Her husband had been president of a university in Wisconsin and was from France. She gave me private lessons about three times a week. By the time I was ready to go to Cambodia I knew I could speak it because I had met a Frenchman at a cocktail party in Jacksonville and I could get along with him. But I felt shaky on the grammar so I spent three days in Hawaii, and three in Tokyo, and three in Hong Kong studying French all the time.

There was some confusion over what I was going to teach, and whether there was any law library in Phnom Penh. The state department gave me an extra fifty pound allowance to take books along. The subjects were the general principles of Anglo-Saxon law. It eventually got down to international law and comparative constitutional law: the constitution of the United States, the United Kingdom, France, and Cambodia.

I chose books that were good in content, but light in weight. I had this box of fifty pounds of books. Every time we changed airlines I had to make sure it got on the next plane. When I got out there, I think they were waiting to see what I was like. I had found a Cambodian on campus, who was a friend of Mrs. Brannon's and he taught me five sentences in Cambodian such as, "I am tremendously honored to be here with you people," and the like. Though I started in French, I think they were pleased that I had tried Cambodian first. The longer I stayed there, the easier the French came.

B: Had you ever taught these courses before?

M: International law, but not constitutional law. When they saw that things were going all right, I was invited to give some lectures at the law school. The place I was hired to teach was the Royal School of Administration, and was Prince Sihanouk's attempt to train bright young men for the civil service and the foreign service. I only had, I think, about twenty in the class. I am afraid all of them are now dead because of the change in government and the atrocities committed there. The course in the law school as a visiting lecturer from the royal School of Administration was comparative constitutional law.

B: How long did you teach?

M: About five months.

B: And you have kept your interest in international law?

M: Yes. Until I had my heart attacks. Then I gradually got back into the estates and trust field again. Both borders were closed when I got there because of the dispute between Thailand and Cambodia over a temple in the border area that went to the World Court. Shortly after I got there, there was a rebellion that was blamed on the Americans and they closed the border between Cambodia and Vietnam for a while. You did not want to drink the water so I drank beer. But you could not get beer from Vietnam, so I had Red Chinese beer, Tsing Tao, which is still sold. You can buy it in Gainesville. It was in big, twenty three-ounce bottles and it was quite good.

B: You had already cultivated an interest in international law before you went?

M: Yes. I started that about 1954, and then in 1957 I started teaching conflict of laws and that led me to think how nice it would be to teach abroad. Then the Cambodian experience got me interested in Spanish because we were sitting right next to Central and South America. So I audited courses in Spanish in the foreign language department and got tapes of good accents and took lessons from a Colombian girl and another from a Cuban woman. So I emerged with a rather fast Cuban accent.

B: Did you have any problems when you were teaching in other countries, dealing with cultural differences or differences in the laws?

M: I thought one of the main attractions were the cultural differences, and I felt that I could get along with them in explaining American laws because, having started as a Canadian, when I heard anti-American criticism, it did not hit me emotionally, as it would if I heard some disparagement of the royal family in Britain as a former Canadian. So that was an experience of a lifetime.

The very next summer I was invited to teach with the international faculty of comparative law in Luxembourg in French. We had what we called a "colloque," a discussion with experts from common law countries and from civil law countries, such as France, Italy, Belgium, and the like, and so-called socialist countries--Czechoslovakia and Yugoslavia. I do not think they had a Russian in that particular colloquium, but there were Russian professors there. The idea was that with comparative law, they would attract students from all over the world in a cross-cultural atmosphere. There would be informal discussions all in French so that it was a most interesting experience. The classes were two weeks.

B: Where else have you taught in other countries?

M: Well, that experience got me started on Spanish, to answer your question indirectly. I then applied to the Ford Foundation to give me a grant to become a Brazilian scholar. I thought that the opportunity lay in Brazil. That came through in 1961, and gave me a whole ten months off with practically all expenses paid for, including keeping up my pension with contributions to Tallahassee.

The plan was to go to Europe for six months and to come to Brazil by way of Europe because that is the way the Brazilians think. They have a greater affinity to civil law traditions. They are a civil law country, but I think that they liked the idea that I would try to acquire their point of view from the European end and then visit Brazil. I spent most of my time in Europe at the Max Planck Institute of Comparative Law in Hamburg, and took private lessons from two different teachers. At the end of the four months I could get along in

conversational German. A lot of it has left me now.

Then I went to Brazil for the last four months, leaving my family. They went home at that time. I was in Brazil by myself. I took forty-five lessons in the first three weeks at the Berlitz School in Rio, but by this time I had gotten into the hang of acquiring a foreign language and discovered that I had a tremendous affinity and liking for it. That led to several more visits to Brazil. Then in 1964, the Harvard Law School paid me to teach law at a behavioral school.

As I recall, there may have been one or two expulsions. But mostly probations and a reprimand.

B: How many people were involved in the raid?

M: Good heavens. There must have been several hundred students. But the only ones we were given were the ones whose pictures were taken, or were grabbed by the campus police. It made a big uproar at the time, but it seems trivial now.

B: So some law students were involved as well?

M: Yes. Just happened to have their picture taken. Lord, if I had been a student at the time, with what was going on, I would have been in the crowd.

B: You would not.

M: I was chairman of the discipline committee in the fall of 1958, but after a short period, I resigned because I had to prepare for Cambodia.

B: Any other university committees?

M: Well, like every other faculty member, I was continually on committees, but the big one was the long range planning committee from 1962 to sometime in 1964. That turned out to involve everything about the law school, including the need for a new building which was Frank Maloney's drive and his big contribution.

B: How far ahead were you looking on that committee?

M: As I recall for 1975, or about ten years ahead.

B: And how many of your plans have been implemented?

M: Well, the building and the research facilities and library were the big steps. The library is in very satisfactory condition. The research plan was the controversial aspect of our work--what should be the research ingredient in a man's

contribution to the faculty. Other than that, I think our recommendations are pretty well in place right now.

B: What were the recommendations?

M: That to become promoted, you would have to have a respectable amount of research, and under the present Read administration, I believe that we started the continuing law faculty seminar which meets every Thursday, or every other Thursday, and somebody explains his article or a book he is working on. Then he is open to cross examination and to discussion. It is very useful and very stimulating.

B: How long has that been going on?

M: Oh, I would say three or four years, well maybe five years.

B: Have you been involved in any of the law student organizations?

M: Well, I used to be a master of ceremonies at some of these John Marshall parties or the Barrister's Ball particularly.

B: You like the parties?

M: Yes.

B: What about outside of the law school? What type of professional involvement do you have?

M: I serve on The Association of American Law Schools Committee to give membership to Canadian law schools.

B: Would you say that a typical day for a law professor has changed very much over the years at the University of Florida?

M: I would imagine that more time is involved in preparation for classes than was formerly the case.

B: Is that because you are teaching more subjects?

M: No. We had, at least in my particular case, more committee duties than I have now. And until recently I have been doing six hours of preparation for every hour of class, but I have cut that down to five with this research work.

B: That is a lot of preparation.

M: Yes. I think for successful teaching you have to be thoroughly prepared and then play it by ear.

B: Do you spend most of your time preparing here at your office or at your home?

M: Mostly at home now. What happened was that in the period from 1958 to 1962, I was involved with four different languages, and my book was published in 1960. Then for almost two years I was at that long range planning committee, and I had a heart attack in January of 1966. I made a recovery from that and then in November of 1966, right in the middle of class I had a second attack. It almost finished me. What you call a very serious, massive I guess is the word. I was in the hospital five weeks after that took place. My family was called in to wave me goodbye so it was a long recovery from that. Then I started part-time and then full-time. I used to be woozy in the middle of a class or toward the end of a class for several years. So most of my preparation is at home. I work in bed surrounded by shelves of books and with a table in my lap. When I give a class I go home and go to bed.

B: I have heard other professors say that teaching is exhausting.

M: It takes a lot out of you if you are thoroughly prepared and get the class involved in discussion. Well, that changed my pattern of life. I am fully recovered now, but I am not as strong as I was before the heart attacks. For seven years, I was on a rice diet. About as extreme a diet as you can get for avoiding fat and cholesterol. Then I began a program of walking. I began walking again in January of 1967 at as fast a pace as I could get and I kept track of how many miles I walked. Now I am just under 21,000, so it is possible to make a complete recovery from a heart attack, and in point of fact, such a program would avoid a heart attack.

B: Are you still walking?

M: Oh, yes. If it is too hot out, or too cold out, or if it is raining, I walk in the house. I have every bagpipe record ever produced, so I march back and forth to the pipes and keep step to a series of marches, reels, and hornpipes.

B: I saw the picture of you in your kilt there, but no bagpipes.

M: Yes. There is my group in Cambodia at a party. Here is one of these sessions in Brazil. You may be interested in that report of the long range planning committee because it details the problems that we were trying to meet and what our suggestions were.

B: Yes, I would like to see that. That is not in here?

M: No. That was too bulky, but on reflection you could find it of interest.

B: I would like to go through that.

M: There is a report here to the Ford Foundation on what I did in Brazil and how I spent their money.

B: What were the summers like at the law school here in the late-1940s? Were there many students?

M: Yes, generally there were a lot of students though not very much work was done because of the heat, and because the tradition was not to do too much work. Some students always got "A"s. They responded to the intellectual climate. They either gave just a little more, or they were smarter.

B: So a lot of students did attend during the summer?

M: Yes. Certainly in the summer that I first came here. I believe we had a split summer session every year for a while. At that time we were on a semester system. Then we went to the trimester, and I believe that was one of our problems. That was one of the points in which we were concerned in the long range planning.

B: Has the subject matter of law courses changed much over the years?

M: Yes. Discontent with the formal structure of many of the courses, integration of courses, and attempts to intrigue the interest of students through a method of presenting a problem for intra-class argument, and the seminar method. But I think the multi-disciplinary approach I was talking about in Latin American legal institutions attracted some money. I am not sure what attracted the money but it intrigued an anonymous donor. We got five hundred a year for five years from a donor who wanted to be anonymous, to foment interest in Latin American legal institutions. He did it through suggesting an essay contest on the advantages of the common law system as opposed to the civil law system in stimulating economic development and political stability. This was in honor of Senator Smathers' work in Latin America [George A. Smathers, U.S. Senator, Florida (1951-1969)]. It generated a lot of discussion. Most people, including myself, did not agree with his views, but it was a great help. When we did not get a suitable entry, he did give the money to the first and second or third students in terms of the quality of their paper. Professor Hunt and Professor Gordon [Elmer Leroy Hunt, professor, College of Law, University of Florida (1962-present); Michael Wallace Gordon, professor, College of Law, University of Florida (1968-present)] continued that development and we have a graduate program in comparative law that is not quite in operation yet, but which is being planned.

We have summer programs in Mexico City and in Warsaw. Are you familiar with those?

B: Yes. Can you think of any courses that are not being taught here anymore that were?

M: Quasi-contracts. That is now restitution or equitable remedies. I do not think it is even called equitable remedies. Common law pleading is not taught, and of course, trusts is not taught by itself. Trusts and wills are combined now with inter vivos gifts.

B: What courses do you teach presently?

M: Three. Estates and Trusts, Fiduciary Administration I, and Conflict of Laws. That is combined with a seminar either in contracts, or in estates and trusts.

B: Who teaches the seminar?

M: I have been teaching it in collaboration with Nagan [Winston P. Nagan, professor, College of Law, University of Florida (1975-present)], who I would say is brilliant. His specialty is conflicts.

B: How was the transition from Dean Fenn to Dean Maloney?

M: I was in Cambodia at the time and I got a letter from I believe Wayne Reitz [J. Wayne Reitz, president, University of Florida, (1955-1967)] asking my views. I was not personally familiar with the transition.

B: What was Dr. Reitz asking about?

M: My views on the candidates. This was before the choice was made.

B: What did you think of Maloney once you returned?

M: Well, he is the one that hired me in effect at Chicago. I admired him very much. He did a tremendous job in getting alumni support which led to the new building. He got a lot of money, and was a pioneer in water law, which of course is very important in Florida right now.

B: What was the move to this building in 1968 and 1969 like? Was there a big dedication ceremony?

M: Yes, it was out in Beta Woods, where the new commons building is going up. I was still recovering from my second heart attack. It was in, I guess, 1967. They had some dignitaries with shovels and speeches on a little platform out

among the trees.

B: Was this building seen as a huge improvement over Bryan Hall?

M: Well, a tremendous improvement. Some would say functionally a tremendous improvement. Architecturally, or in terms of appearance, there have been derogatory references to the stairwells, which look like silos. It has the appearance of a carpeted monastery with the individual cells here and there. About the time that Dean Maloney died on April 23, 1980, the air conditioning was off. It never had been very good, but then it was readily apparent that they had made a mistake in not having windows. We could not open the windows. The air conditioning is still a little erratic, but a tremendous improvement over the original air conditioning, which was either too hot or too cold.

B: What changes are the most memorable to you over the decades that you have been at the college of law? What changes here at the law school stand out in your mind?

M: I would think the availability of research assistants. Law students are paid either four dollars an hour, five dollars an hour, or six dollars an hour, depending on how many hours they put in. After they did, I think, the first hundred hours it was five dollars an hour, but they do a lot of the legwork in helping to prepare for class or in research.

B: When did they become available?

M: With Dean Julin I believe [Joseph Richard Julin, dean, College of Law (1971-1980)]. I wrote that entire book with no help at all and with no release from classes, so that was a tremendous improvement.

B: What about changes in the students themselves? Can you comment on the student maturity now?

M: I think they were more mature when I first started. I think that is because of the military circumstances.

B: That is interesting.

M: They are much younger now, and of course, they are thirty-three or forty percent women. They are more deferential to the professors now. Whether that is a good thing or not, I am not sure.

B: Have you had to alter your teaching technique?

M: I am doing now in one course what I have always liked to do. That is to split the room in two sides, and have one side of the room argue their point of view or their client's case against the other side. I can do that in the pit.

B: What class is that?

M: Fiduciary Administration I. It is expensive in terms of class time. But by discussing or having the argument on a particular subject, the students get into it quite thoroughly, and it is possible that they get more out of it and get a greater feel for that particular problem than they would have by orthodox teaching.

B: Would you mind if I took some pictures during the class? I will not disrupt anything.

M: No, not at all. If you had come last week, I had a dry run for a proposed new Gator yell to give before everybody at the Alabama basketball game. I had to work out some calisthenics and gestures for my arms. I got on the table in the pit and led them in the cheer. Then I did that cheer Tuesday of this week with the estate and trust class. So I was all prepared last night to go out and lead them with no mike or anything. I had not even thought of the mike, but the cheerleaders were very friendly. They insisted that I take the mike. I also led a cheer in Portuguese, in Brazil. It began, "Happus, Cappus, where is Guararapes?" Guararapes is the river that runs through the dirty, fetid streets in Recife.

B: Have there been any policy changes at the law school that deal with social changes, like integration, or women?

M: Well, we have a very effective black girl, Winnie Taylor [Winnie F. Taylor, associate professor, College of Law, University of Florida (1979- present)]. Her specialty is obtaining better financial credit for women. I notice that she has been appointed to this committee to investigate the Pi Lam affair.

B: Has the commencement ceremony changed much over the years?

M: I have only gone to two or three commencements. I do not think it has. I believe we used to graduate with the rest of the university, and Lester Hale would be the marshal [Lester Leonard Hale, vice president for Student Affairs, and professor of speech (1935-1967)]. He was a great friend of Preacher Gordon, the minister at the Presbyterian church, who was a leader in the community.

B: Was there any certain tradition that the law students would do at the graduation?

M: Oh, I do not think so. Ask Fenn about that; he had to attend. There is a change in attitude: the progress of women in entering the profession, the

entrance of blacks, the tradition of holding the professor accountable for the students--so-called student evaluation. Those are some of the changes.

B: When did the evaluations start?

M: I guess under Maloney. I do not recall it earlier than that. The opinions then were expressed less diplomatically.

B: Do you think it was early in Maloney's term?

M: I just cannot recall.

B: Was that his idea?

M: I think it was the students' idea. A little more openness in legal education, and I suppose that the student activists' expression of the 1960s was a natural concomitant. If they did not like someone's efforts, they should have a means of ventilating that opinion.

B: Were the professors against that?

M: They could not fight it. I think it was generally felt to be a good idea. If I were an administrator, I would uphold it.

B: So your entire career has been in teaching.

M: Law teaching, yes. I remember a doctor in Toronto when I was in my early teens telling me that I did not have the constitution to stand vigorous law practice, and that I should go into teaching. But when I was a student, the prospect of being a law teacher did not seem exciting at all.

B: Did you ever want to practice in this country?

M: No, not here. I was on the verge of practicing in Toronto when the call came from Wayne in Detroit.

B: But you did not want to practice unless you were...?

M: No, the vote of confidence from the students, and their petition to the board of control led me to think that I had done the right thing.

B: We are just about wrapping it up. When were your children born?

M: My daughter in 1943 and my son in 1949. My wife is a life master in tournament

bridge, if that is relevant.

B: Did she have any type of career?

M: She was with the Ask Mr. Foster Travel Service in Hudson's store in Detroit. When I went back to Toronto for Easter, I met a woman at a party who told me that there was a glamorous redhead who she had been friends with in Detroit, so I called her when I returned to Detroit. We met in Hudson's Restaurant in the top floor.

B: Has she worked in Gainesville?

M: She helped the House of Travel get started. That is in the Westgate Regency Shopping Center. They were just starting and her experience was a contribution, and that helped to qualify her for social security.

B: What do you consider your hobbies?

M: Well, sports. All during my convalescence, I have kept up with golf by taking a five iron out to the local club. I hit one ball around and I do not putt. That gives me four and one-half miles of quick walking, which is what I need. When I retire, which will be at the latest in 1986, I am going to buy a set of custom-made clubs, light clubs with the new feather-weight shafts. It is a new development in golf clubs. It is supposed to be as revolutionary as the switch from hickory to steel clubs. It is a club that is an ounce or two lighter than the normal club, and the physics theory is that that shaft will be a little slower in attaining its centrifugal force so that you hit the ball with more force and get more speed. You are also able to swing it better. It is supposed to be a revolution for aged men and all women, which gives them ten or fifteen more yards. So my hobby is the golf swing. Sweet mystery of life.

B: That is how you get your walking exercise now?

M: No. It is mostly in the house, but when I do play golf, I just take one club, and I do not putt. If there is somebody there, I just walk around them.

B: Do you walk in place when you are in the house?

M: No. I walk to the bagpipes. When they change from a march to a reel, I keep time.

B: Any other hobbies?

M: I read all number of things.

B: So you are beginning to think about retirement?

M: Yes. I do not have much energy left when I am through teaching.

B: Do you think that would give you time to work on some of these other projects?

M: Well, I am a diabetic as of about ten years ago, and they say that the effects take place in about twenty years. So as soon as the doctor advises me that some signs are beginning to appear.... In any event, 1986 is my fiftieth reunion with my university class in Toronto, and I do not want to be bothered with teaching then. So that would be 1986, no later than that.

B: Do you think you will still live in Gainesville?

M: Oh, yes. We have a condominium apartment at Daytona Beach, so in the summertime we will commute from there, give the classes, and then go back for the weekend. It is always rented in the winter by Canadians. Canadians fuel the economy down here. They carry the utilities by renting these places.

B: Did you participate in sports in college?

M: In college it was volleyball. I played hockey in public school and in inter-church league in Toronto. It was as dirty a form of hockey as you will get anywhere. But I never had the weight to be an effective player. I signed up for the basketball team and the hockey team with my high school, but I just lacked the weight.

B: You were on the volleyball team in college?

M: Yes. That was the only sport that I could set down in the Rhodes scholarship application. There were thirty-six of us applying from Ontario with two scholarships to give out, and I was in the last six. We did not know at the time, but one had already been chosen. That was a great experience, particularly the interviews.

B: Can you think of anything else that you have not covered?

M: I think you have been very thorough.

B: You have been very helpful with information that we cannot get from other sources.

M: Why, this seems incredible to me that anybody would be interested in my views since 1948.

B: There is not much written history of the law school. I have some things that Betty Taylor has written specifically on the law school.

M: I believe I taught her as a student. On the present faculty, there are also five other people who I have taught. Jack Freeland [James Jackson Freeland, class of 1954, professor, College of Law (1957-present)]. Do you know Mendy Glicksberg [Mandall Glicksberg, class of 1951, professor, College of Law (1954-present)]?

B: Yes.

M: And Mike Oberst [Michael A. Oberst, class of 1968, associate professor, College of Law (1980-present)], and Frank McCoy [Francis T. McCoy, class of 1955, professor, College of Law (1956-present)], and Bob Mann [Robert T. Mann, class of 1951, professor, College of Law (1974-present)]. He is the one who was a judge.

B: Do they still call you professor?

M: Oberst called me sir when I met him in the stairwell this morning. I was astounded.

B: You have been very helpful, and I will take a lot of this information and include it in the magazine article that I will be doing, and all the rest will go into the oral history archives.