RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

NEW BRUNSWICK

AN INTERVIEW WITH MELVIN J. WELLES

FOR THE

RUTGERS ORAL HISTORY ARCHIVES OF WORLD WAR II

INTERVIEW CONDUCTED BY

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TRANSCRIPT BY

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Sandra Stewart Holyoak: This begins an interview with Mr. Melvin J. Welles in Alexandria, Virginia on April 16, 1999 with Sandra Stewart Holyoak and …

Shaun Illingworth: Shaun Illingworth.

SSH: Mr. Welles, we thank you very much for being with us today, for taking the time to do the interview. I understand you're in the process of moving, so we appreciate it. We're going to start the interview by asking you questions about yourself, such as when you were born, where you were born, and the histories of your parents. Please, feel free to just talk to us.

Melvin J. Welles: Fine, I will feel free.

SSH: Where and when were you born?

MJW: I was born in Jersey City, November 29, 1918.

SSH: Can you tell us about your parents, starting with your father?

MJW: My father was born in Russia, went to architectural school there and was an architect here. He didn't come to this country until he was perhaps twenty-five or so. … My mother was born here and went back to Russia for about six years when she was three [and] came back when she nine. She spoke Russian all her life well, but spoke English perfectly. She was a schoolteacher.

SSH: Where was your father born in Russia?

MJW: My father was born in Moscow. My grandparents on my mother's side were born near Odessa.

SSH: Do you remember much about your grandparents? Did your grandparents come to this country?

MJW: Oh, yes. They came to this country. My mother was born here, so they had to. [laughter] It would have been difficult otherwise.

SSH: Let's just stick to your father to begin with, and we'll go back and talk about your mother. If your father came here already educated as an architect, when did he come to the States and what was the reason?

MJW: I don't know the reason. He came to the States somewhere about 1912, I would guess. I don't know exactly; I wasn't there. [laughter] … He married my mother early in 1918.

SSH: Where were your grandparents on your mother's side from?

MJW: From Odessa, that area, and they came to this country in about 1888 or '89.

SSH: When your father immigrated, did he immigrate alone, or did he come with other members of the family?

MJW: I imagine he came alone, although he had brothers and sisters, an older brother here. He may have come with him, for all I know. I just have no idea.

SSH: On your mother's side, is there a story?

MJW: My grandmother, on my mother's side, and grandfather were already married in Russia, and they came here together.

SSH: Do you know why they came to the States?

MJW: I think to escape military conscription. Also, there was lot of anti-Semitism in Russia at that time.

SSH: Did they discuss any of the politics in your home?

MJW: No, not really.

SSH: Did you have any brothers and sisters?

MJW: No.

SSH: You were an only child.

MJW: An only child.

SSH: Did your parents have brothers and sisters? I mean, you've spoken about your father's family.

MJW: My father had one brother and three sisters. My grandmother on my mother's side was one of thirteen children. She was the middle one. My grandfather was one of, I think, six, but I'm not sure; it may have been five or seven. … I only knew, I think he was the youngest, and I only knew the one just older than my grandfather. All the rest never came to this country, as far as I know.

SSH: Really?

MJW: And of my grandmother's siblings, I think about seven came to this country and five did not.

SSH: Why did your mother's parents and your mother return to Russia when she was three?

MJW: I'm not sure. I just know they did.

SSH: How long were they there?

MJW: About six years.

SSH: Then they turned around and came back.

MJW: And then they came back.

SSH: Do you know what they did in Russia, what their occupations were?

MJW: No, I have no idea, none.

SSH: All right.

MJW: … Then my mother's sister was born right after they came back. She's about six years younger than my mother.

SSH: Did your father practice his profession in Russia? I mean, did he talk about working there and what the working conditions were?

MJW: I don't think so. I think he came here pretty much right out of architectural school, as far as I know, and set up his practice here, in Newark, first, and then in Jersey City, where I was born.

SSH: Did they tell you how they met?

MJW: No, they never did, as far as I can recall.

SSH: Were any of the Russian customs part of your growing up? Did they keep any of their traditions?

MJW: Not really, no.

SSH: You don't remember any. How old were your parents when you were born?

MJW: Well, my mother was born in 1891, so she would have been twenty-seven, and my father would have been, he was twelve years older, thirty-nine.

SSH: Oh, okay. So they were settled.

MJW: Yes, yes.

SSH: Your father owned his own architectural firm.

MJW: Yes, in Newark, first, and then in Jersey City.

SSH: Did he have any business associates that you remember when you were growing up?

MJW: Well, he was associated with my grandfather, who was a builder in Jersey City. Before that, he had another architect with him named Lautman, as a matter-of-fact. I'm surprised I remember the name.

SSH: What was the name of your father's firm? Would it be one that we remember in our New Jersey history?

MJW: I doubt it, although he was a pretty prominent architect at the time. Half of Jersey City buildings were his at that time.

SSH: What was the family name?

MJW: Welitoff, W-E-L-I-T-O-F-F. That was his name.

SSH: Oh, okay. Was that the name of the architectural firm?

MJW: … I think it was Welitoff and Lautman.

SSH: Okay. We find that sometimes our interviews wind up being used for a myriad of purposes, and so if we have some of this information in them, they can be very useful to people. As a child, where did you go to school?

MJW: Well, I went to public school in Jersey City. My father died when I was nine. He had a heart attack and died when I was nine. … My mother and I both moved to Manhattan. … My mother remarried a dentist from Brooklyn about two years after my father died, and we moved to Brooklyn and lived in Brooklyn, really, until I went to Rutgers, and I never went back. [laughter]

SSH: Before you moved to Brooklyn, did your mother work outside the home, or was she older when she had you and stayed home?

MJW: Yes, she had been a schoolteacher. … She had gone to what they called "normal school," in those days, to become a schoolteacher and taught in a Jersey City high school, Lincoln High School in Jersey City.

SSH: What did she teach at Lincoln High School?

MJW: I don't know. I just, I imagine in those days, you just sort of had a homeroom teacher, who taught everything, I think. I don't think they specialized, or students didn't go from room to room the way they did later on.

SSH: [laughter] Okay. Then from about third grade on, were you in school in Manhattan?

MJW: No. … When my mother remarried, I think she was little concerned that a somewhat younger man that she remarried wouldn't want me around underfoot, so I went off to boarding school.

SSH: Where did you go to school?

MJW: I went to Irving School in Tarrytown, New York and graduated from there.

SSH: What kind of memories do you have of the Irving School?

MJW: Good memories.

SSH: Did you have a special interest?

MJW: Not really. Well, I've always been interested in baseball. … The headmaster of the school was a baseball fan, so we used to go down to Yankee Stadium from school in the spring. That's a good memory.

SSH: You were a Yankee fan. [laughter]

MJW: I still am. I am the number one Yankee fan in the world, maybe number two, but close. … To digress just a little bit, I have the distinct honor of having been at Lou Gehrig's 2,130th game and at Cal Ripken's 2,130th … The only other person, who I know of, who was at both was Joe DiMaggio.

SI: Oh, wow.

MJW: So that's a pretty good thing.

SSH: I am glad that you digressed. That's a wonderful story. [laughter] Did you have any cousins that were in this country?

MJW: Well, my father's brother … who lived in Bayonne, which is adjacent to Jersey City, he had five children, and I was pretty close to all of them. One of them was just my age and …

SSH: Did he possibly go to Irving School, too?

MJW: No, no. They all went to public schools in Bayonne and Jersey City. One became a dentist, the oldest, Bernie. … Anna and Frieda both became schoolteachers. Did I say five? It's only four. … Lester became a lawyer.

SSH: Oh, okay. [laughter] What did you do during your breaks from Irving School?

MJW: I came home to Brooklyn.

SSH: So you were not a Dodger fan at all.

MJW: No. I went to Ebbets Field some, but, mostly, I made the long trip to Yankee Stadium, yes.

SSH: What would be the subject that interested you the most in school, other than baseball?

MJW: I think math was my best subject, and I was always very good at it and liked it, but I kind of liked all subjects. I was pretty good at school.

SSH: Did you have a focus from the time you were in high school to know exactly what you were going to do when you went to college?

MJW: Well, initially, I thought I would become an architect like my father, but when I went to Rutgers, my facility advisor, I don't remember who it was, said that, at that time, this was 1937, I guess, the end of '36 is when I entered, in the fall, yeah, and he said that there was really no room for a Jewish architect at that point. That was during the Depression and architectural firms were …

SSH: Really?

MJW: … tight and being Jewish, he said, and he wasn't prejudice himself at all. I mean, he just, it was probably good advice. So I just switched to, actually, history and poli sci and decided I'd become a lawyer.

SSH: That's interesting, considering that your father had already established an architectural firm.

MJW: Yes, except, of course, he died when I was nine …

SSH: Right, but I mean …

MJW: … and I was no longer in Jersey City, and so forth, so there was no longer any connection. If he'd still been alive, undoubtedly, I would have become an architect.

SSH: Had you ever been discriminated against before that?

MJW: I hadn't, no.

SSH: I mean, even though that was just good advice.

MJW: I had not.

SSH: Why did you pick Rutgers?

MJW: I liked it.

SSH: Of all the schools that you could have gone to, you liked Rutgers the best.

MJW: Yeah, I could have gone to a lot of them.

SSH: I understand that you had exceptional scores, as your records show us. Earlier in the conversation, we understood that you passed the bar first time out. [laughter]

MJW: I was always good at tests, better at tests than I am in knowledge. [laughter] I could test better than I knew.

SSH: Being from Rutgers, we're always curious why people would pick Rutgers, and it's just part of our interviewing process to inquire.

MJW: Well, my cousin Bernie, I think, went to Rutgers [as an] undergraduate. He was quite a bit older than I am. He's the oldest one of the children of my father's older brother. … In terms of cousins, my mother had one sister and she had an only child, also, and he is the only one these days that I'm real close to. He became a psychiatrist, a doctor of psychiatry. He's five years younger than I am, and we are very close. We always were sort of like brothers, [being] the only children of two sisters. … Then I sort of drifted away from my father's family, somewhat, when we moved away from Jersey City, although we kept in touch for a long time.

SSH: Did your mother's sister live in Manhattan?

MJW: In Brooklyn. Actually, they lived in Jersey City, initially, near us, and then moved to Brooklyn.

SSH: That's interesting.

SI: I was wondering, what role did religion play in your family?

MJW: Very little.

SI: Did you go to temple?

MJW: Until my father died, I went to Sunday school and learned some Hebrew. His father, who was in this country, was very religious. He lived somewhere in the wilds of Queens. [laughter] … We used to go there every Passover for the Seder, and I would ask the questions, the four questions that you ask, you know, (?). I can still remember that. But after my father died, my grandfather died very soon thereafter. He was a pretty old

man at the time. He didn't speak English at all. He had a long, white beard, and when I would come there, people would translate for us, because I didn't speak any Yiddish at all. … His wife, who was not my grandmother, because it was a second wife, always used to give me a jar of cherry preserves to take home from the Seder. They were delicious.

SSH: That's a nice tradition.

MJW: But after that, once my father died, my mother wasn't at all religious, nor were her parents, my grandparents on that side were not religious, so I drifted away from religion.

SSH: Were they also Jewish?

MJW: Yes, yes.

SSH: Did your stepfather have any children?

MJW: No.

SSH: So you were still the only child.

MJW: Yes, still.

SSH: Okay. We would like to ask some questions then about Rutgers. What year did you enter Rutgers?

MJW: I was Class of '40, so I entered in the fall of '36, that would be right, and then I graduated in '40.

SSH: When you entered Rutgers in 1936, how aware of what was going on in Europe were you, and did that knowledge grow as you were there?

MJW: In '36, I probably wasn't aware at all then. I guess Hitler came into power, what, in '34, '33, somewhere around there, but I don't remember having any deep thoughts about it, at that time. Later, of course, I did.

SSH: Can you tell us about your favorite professors?

MJW: Well, Professor George, who taught political science, was everybody's favorite professor, I think.

SSH: Really? He's listed on a lot of pre-interview surveys as the favorite professor. [laughter]

MJW: Yes, but there were a number of other professors. You know, it's hard to remember when you get to my age. You forget names, even of people that you knew pretty well. [laughter] I'm trying to think. Oh, Professor Billetdoux, a French professor, I was quite friendly with him, and somebody whom you know, Rem Pane, who, I was very friendly with him.

SSH: Really? Oh, wonderful.

MJW: He was not much older than I was, and he was, I guess, a teaching fellow or something when I was there.

SSH: Rem Pane, he's been very involved in the project.

MJW: Yes, yes.

SSH: When you came into Rutgers as a freshman, did you go through the usual initiations, and were there any fraternities that you were interested in?

MJW: Fraternities came after me, but I decided I didn't want any fraternities, although I was like almost an *ex officio* member of the SAM [Sigma Alpha Mu] house and had a lot of friends there and went to a lot of their functions and all, but I never did join.

SSH: Where did you live on campus?

MJW: I didn't at first. Well, I didn't at all, really. I lived on Morrell Street in a boarding house with about four other students, at that time ... Then I moved in my junior year. I lived there for two years, and in my junior year, I moved to another boarding house, which was run by the mother of a person named Joe Barbash. Joe Barbash was a year behind me at school. My grandparents' name was Barbash, and Joe was like a second cousin. … I knew him and all, and he asked if I would want to move there to help out. His parents needed money. So I moved to their house, which is up near the old gym, I guess. Is that still the gym up on College Avenue?

SSH: They call it "the old gym."

MJW: The old gym, right.

SSH: It's still used.

MJW: Yes.

SSH: The new facility is the RAC.

MJW: So I lived, actually, in boarding houses all through [college].

SI: Did you join any organizations or clubs while you were at Rutgers?

MJW: I was in the History Club, and I was in the French Club, but not in any Greek organizations.

SI: Were you in any social clubs?

MJW: No.

SSH: You talked about the History Club. Did that become your major after you decided not to be an architect?

MJW: Yeah, history and political science became my majors, joint majors.

SSH: Did you find the liberal arts education to be a good springboard?

MJW: Yes. Actually, you don't really need a springboard to go to law school. You can go right out of high school, I think. [laughter]

SSH: You might have been able to. [laughter]

MJW: … I don't think any, there's no prerequisite really that helps you when you're in law school, other than the ability to think, and that, of course, you do learn how to think better just by being in school.

SSH: Did you attend the football games?

MJW: Oh, yes. I attended all the football games. In fact, I was in the news, the *Fox Movietone News*. In those days, in the movies, you had news first and a cartoon … I was not really, personally [in the news]. At the Rutgers-Princeton game, at the dedication of the new stadium in 1938, which Rutgers won twenty-two to eighteen, the first victory in seventy years, [laughter] over Princeton, that is, yeah, I was in the press box. I was on the *Targum* and all that, and I was in the press box. … I was in charge of handing out the paper to all the journalists there, at the time, because there were a lot of journalists there from the *Times*, the *Trib* and all the other papers in New Jersey. … When Rutgers scored its winning touchdown, I took all the paper and threw it out, and it was caught on television and all the paper was fluttering down. … They were mad at me, of course, because they had no more paper to write their stories. [laughter] But I didn't care, neither did, Jack Wallace, who was the head of communications, or whatever. I mean, they had public relations, I guess … for Rutgers, at the time.

SSH: Well, I think this is quite something to finally interview the man behind that famous photograph. [laughter]

MJW: Have you seen that? [laughter]

SSH: Yeah. [laughter]

MJW: Oh, yeah. I'm the man. I did it. [laughter] I'm responsible, yes.

SI: The job of handing out the paper, was that a job you had?

MJW: Not a paid job, no.

SSH: Was it part of the *Targum* job?

MJW: Part of the whole newspaper. Jack Wallace and I were pretty close and all.

SSH: What position did you have on the *Targum*? Did you stay in it for four years?

MJW: Yeah. One of my two best friends on campus, Harry Joffe, was editor-in-chief of the *Targum*, and he had me on *Targum* and I became the drama editor. … I hesitate to say this, but the name of my column was "Mel-on-Drama." [laughter] I hesitate to say it, because it's pretty corny, but that was the name and it was very good. I decided to do it for somewhat selfish reasons. I decided I, maybe, I could get free tickets to plays in New York, movie houses, and so forth, and, lo and behold, I did. I wrote to the Playwrights Company and various other groups in New York, and I would get two aisle seats, down front, for all the good New York plays.

SSH: Really?

MJW: Not every one, they didn't all, but most of them did. I was a pretty popular man on campus, at NJC, in those days. [laughter]

SSH: Well, that would be one of the questions that we would also want to ask. [laughter]

MJW: It wasn't my personality; it was my tickets. [laughter]

SSH: One of the assignments that we have when students take this course is to research a semester of the *Targum*, and I will tell you that every student that has gone through that section has probably run into "Mel-on-Drama." [laughter] Now, again, we know who the person was behind that title.

SI: Your reputation precedes you.

MJW: I did have one horrible experience. I was reviewing concerts, too, and the Boston Symphony under Koussevitzky was supposed to be playing at the gym that particular evening. Well, the *Targum* went to bed at about six pm on Friday night, and I wrote my review before the concert. [laughter] And the concert was cancelled because of the illness of Koussevitzky, but the review appeared the next day. [laughter] Yes, that was a horrible experience. I never lived that one down.

SSH: Was it a good review? [laughter]

MJW: Excellent, excellent. [laughter] I couldn't find anything wrong with the concert. [laughter] I mean, how could I not give a good review to Koussevitzky?

SSH: That's right. That's a great story. Were there other *Targum* escapades that you remember?

MJW: No, not escapades. Just to show you how things have changed, though, we used to send out for lunch sometimes, from the *Targum* building, and there was Phil's Delicatessen down near the old Opera House Theater, not far from the State, but on the other side of George St. We used to get sandwiches and pickles and everything else. … The sandwiches were "yay" thick, and that's about six inches [laughter] for fifteen cents. … This was delivered, too, with a truck coming up and delivering them. We had about ten or twelve of us.

SSH: Where was the *Targum* located then?

MJW: Oh, on College Avenue, just across from Old Queen's campus, sort of on that little hill there. I forget the number of the building, but the building is still there, as far as I know. It was when I was there four years ago.

SSH: I'm sure it is. What else do you remember about Rutgers during those four years that you were there?

MJW: Well, I was on the track team and held the college record for the high and low hurdles, until somebody named, oh, I forgot his name, in '48, right after the war, he broke my record in both. I forget his name, though, a big, tall, black guy, a great, big guy. I met him. [laughter]

SSH: That's wonderful.

MJW: He had an advantage. He was like six feet, five inches, and so he broke my record.

SSH: [laughter] Had you done any sports at Irving School, or was this your first experience?

MJW: I had been on the track team in Irving School, too. I always was a good runner.

SSH: When you came to Rutgers, did you come under any kind of a scholarship?

MJW: No.

SSH: I wanted to maybe back up a little bit …

MJW: My parents didn't need a scholarship exactly.

SSH: That's what I was going to ask. I was going to ask about the Depression and your father's business.

MJW: Never felt it. Never really felt the Depression at all. My father actually died before the Depression began. He died in 1928.

SSH: I apologize.

MJW: Yes, so the Depression began in '29, but he left my mother very well off. We owned the apartment house where we lived in Jersey City, plus other apartment houses. When each new one was built, we would sort of move to the new one, and there would be a special apartment just for us, usually, with a seven-room, big apartment, designed and built just for us. So there was a lot of money there, at that time, and less after the Depression started, because values and all went down, but my mother never had to worry about money, nor did I.

SI: Even though you weren't affected very much by the Great Depression, did you follow Franklin Roosevelt and what he was trying to do?

MJW: Oh, absolutely. What did I think of Franklin Roosevelt?

SI: Yes.

MJW: Well, there'll never be another president like him and never was perhaps, except maybe back to Lincoln, who was "the" greatest president, without any doubt in my mind.

SI: Did you ever participate in any of the programs, not so much like a participant, but as a volunteer with the CCC, WPA or any of the other New Deal programs?

MJW: No.

SI: Did you see them at work in your neighborhoods, or did you have any contact with them at all?

MJW: No, not at all. … I wasn't eligible to vote until his third term. [laughter]

SSH: At Rutgers, during the four years that you were there, were there any changes in administration that you remember?

MJW: No. Clothier was the president all during my tenure there, and the dean was Metzger, at that time, and Woodward, Carl Woodward. Do you know Carl?

SSH: Right.

MJW: His father … was in the administration … the bursar or something like that. I don't know.

SSH: We have a distinguished luncheon series, and Mr. Woodward, Carl Woodward, was one of our featured guests this past winter. That's why I was asking the names of your friends, because we might know them.

MJW: Oh, yeah. Carl Dilatush, I know you know, because he's been a BMOC from the beginning, back then and still. [laughter]

SSH: [laughter] That's a good term. I've never heard BMOC.

MJW: Big man on campus.

SSH: No, I knew what …

MJW: Did you know what it was?

SSH: It translated immediately. [laughter]

MJW: An acronym, they don't use it these days.

SI: Oh, yes. They're still here.

MJW: Oh, okay. … Excuse me, you asked about professors. My other favorite professor … was Peterson … What did he teach? [He taught] philosophy and logic, basically, and he was a very popular professor, also. … I remember one of his favorite expressions. He did look like Robert Benchley very much, but he would say that he wants people to come up to Benchley and say, "You look just like Houston Peterson." That was one of his favorite quips.

SSH: What about chapel? Some of the people that we've interviewed have either hated it or grown to love it. How did you feel about mandatory chapel?

MJW: More on the hate side than the love. … I wasn't happy with it, but I wouldn't call it hate, no, indifference more than hate.

SSH: Do you remember any of the speakers?

MJW: No, I don't really. I tried to avoid them as much as possible. [laughter]

SSH: As far as being on the *Targum*, did you report any events other than just at Rutgers? Did you do anything with the New Brunswick scene at all?

MJW: No, not at all.

SSH: There were activists on campus. I wondered if you covered any of those.

MJW: No, I didn't, certainly not personally, and I don't really remember just how much coverage the *Targum* gave to other events, non-university events, that is.

SSH: As a freshman, if you were living off of the campus, did you have to go through initiation?

MJW: Oh, yes.

SSH: How was your initiation, your experiences of that?

MJW: No vivid memories of it, exactly. I mean, [it was] just a thing to do and it was done.

SSH: Do you remember anything about your graduation from Rutgers?

MJW: Just that I did. [laughter] No, nothing specific, no. I don't even remember who the commencement speaker was or anything like that.

SSH: You had said that you were very popular with the NJC women because of that extra aisle seat. Could you tell us more about the social life at Rutgers while you were there?

MJW: Well, yes, I made the walk up College Avenue quite often. … Of course, Dorothy [Salkin-Welles] was an NJC graduate, and I went out with a number of other people, actually, before I met Dorothy.

SSH: Really?

MJW: Yes. I didn't meet her until my senior year.

SSH: That's what I was going to ask you. Did you meet Dorothy …

MJW: Yes, and I went out with a number of others.

SSH: Do you remember if there were formal dances or events like that?

MJW: Well, there was the junior prom and the senior prom, and, I guess, there was the soph hop or something like that. I don't really remember that well. I mean, I went to a lot of them, and I went to post-dance parties at the SAM house mostly. As I said, I was sort of an *ex officio* member of the SAM house, a lot of good friends there.

SSH: Do you remember how you first met Dorothy?

MJW: Oh, yes. Through her best friend, whom I had gone out with, named Sarah Frischling. Her husband was an artist at the Old Queen's Gallery in New Brunswick. He was at The Castle, across the way, first, The Castle across the river, at the Johnson & Johnson Castle, and then they moved to right opposite the State Theater. She's been in Florida now for about ten years or so. The gallery was sold then. … Her husband died about three years ago. But they've been our best friends ever since. We were down in St. Petersburg visiting her just a few months ago, in February.

SSH: That's great to maintain the friendship, that it didn't break up their friendship. [laughter]

MJW: She was Class of '40. Dorothy was Class of '40, initially, but then she was out a year and went back, so she ended up '41.

SSH: When you graduated from Rutgers, where did you go from there?

MJW: To Penn, the University of Pennsylvania Law School.

SSH: Why did you pick UPenn?

MJW: … Why did I pick it? Well, it was a very good law school, and I wanted to be relatively near New Brunswick, which Philadelphia, of course, is.

SSH: So the key to staying near New Brunswick was Dorothy. [laughter]

MJW: Yes. Rutgers didn't have a law school in those days. I would have gone to Rutgers Law School, probably, if they had one. [laughter]

SSH: Can you tell us about your experiences at UPenn, and then how you enlisted or were drafted?

MJW: Drafted. I would never have enlisted. [laughter] I was drafted after five of my allotted six semesters, and I never had to go back, because they gave degrees to people who had good grade average, and so forth.

SSH: When did you take the Bar?

MJW: I was inducted into the Army in November of '42. In January of '43, my mother wrote me or called, couldn't have called me very well, wrote me that she saw in *The New York Times* that they were giving the Bar in February to people who were drafted. … You had to petition the Court of Appeals, the highest court of New York State, to be able to take it and get something from your dean, all of which I did, and I came home on a three-day pass and took the Bar and passed it.

SSH: When you were drafted, where did you report to?

MJW: Camp Upton, right on the island, Long Island, and … less than twenty-four hours later, I was on a train to Fort Riley, Kansas. I didn't know that until we got there.

SSH: Really?

MJW: Yes, they didn't tell us where we were going. In fact, about an hour before we pulled into Junction City, Kansas, somebody got on the train, some officer, and said, "All right, men. You're in the armored division now. I want you to take your hats …" the hats that were worn by the soldiers were worn on the right side by everybody but armored divisions, who wore them on the left side, and they said, "Take your hats and put them on the left side, and you're in the armored division now." So we were all in Fort Riley, Kansas, and there we were in the Ninth Armored Division, at Fort Riley, Kansas.

SSH: Was it an arbitrary decision to send you there? Do you know if it was based on test scores?

MJW: No, not at all. This was just all the people, who got in that day, were put on the train and sent there …

SSH: Where had you done your boot camp?

MJW: Boot camp is a naval term, I think. [laughter] Basic training is the Army term for it. Well, it was really at Fort Riley, except that I was lucky. The next morning after we arrived there, I was standing out in the middle of the parade grounds with thousands of other people. Actually, there were 15,000 in the division, so there must have been 15,000 people standing there. … All of a sudden I hear, "Private Welles." "Me?" "Front and center," they said. Well, I didn't know what front and center meant, but I figured out that I would go up to where the brass were, up on the raised platform, and then I was introduced to a number of people, whom I later discovered were the commandant of the whole place and the general in charge of the division and all that. … They told me that I had the highest AGCT score, that's the Army General Classification Test score, they had ever seen and would I be interested in working in G-2. I didn't know what G-2 was from a hole in the ground. [laughter] … The G-2 was the "intelligence" division of the Army, a misnomer. [laughter] But then there's nothing intelligent about the Army. [laughter] So I said, "Yes, sir. Yes, sir," you know, I'd been in the Army all of two days by then. … Lo and behold, that got me out of all the chores, the KP and all the things that most new soldiers had to do, because I was up in the headquarters of G-2.

SSH: Did you still have to keep your hat on the left?

MJW: Oh, yes. Hats on the left in the Ninth Armored Division, yes.

SSH: Can you tell us more about your training from that point on?

MJW: Well, I received some training in driving tanks, which is, an armored division's principal vehicle is tanks and armored car carriers, and so forth, and I was pretty much up

in headquarters. … The colonel, who was in charge of G-2, sort of liked to collect people to work for him, and he collected an artist named Elmer Greene, who was a rather famous portrait artist from Boston, who painted the governor, Governor Winthrop. How do I remember that? I don't know. … The colonel collected an architect from New York, named Sanboru, who was very young, maybe about my age, at that time, maybe even younger. He had just finished Columbia Architecture School. So he liked to collect people like that. … I was responsible for getting out a daily newsletter on the progress of the war. I had a shortwave radio with headphones to listen to news and stuff like that. I remember one day, on Christmas Day, I was in the office. Nobody else was there, and I had this shortwave radio on my head. I was listening to the Rose Bowl, not Christmas, New Year's Day, and I was listening to the Rose Bowl game and typing a letter to Dorothy, when the general walked in. I started to get up, and he said, "No, don't get up. Don't get up. It's so wonderful to see that you're busy working and typing at the same time." [laughter] Little did he know that I was typing a letter to Dorothy and listening to the Rose Bowl game, and I never told him. [laughter] … Then we learned all sorts of things, like map reading and things like that, plus strategy stuff, because we were the intelligence division. … Then there was an order that came through for all people who had above a certain test score grade in the AGCT to take another test called the, I don't remember, OCT, I think. No, that was the Officer Candidate Test, whatever the name was. … Then all people who got above a certain grade at that were to be sent to ASTP. That was the Army Specialized Training Program. Of course, I was high on the list there, so I ended up going, first, to Fort Collins, Colorado, which is a name of a town, not a fort, to the Colorado State University, where they gave a series, a battery of tests. … Then they sent all the people there, we were there about a month with nothing to do but go and see the Estes Park and see the sights of Colorado, and then they sort of just sent us to various places. … I went to the University of Minnesota, where I spent a wonderful seven months studying psychology. I had enough psych courses for a Master's degree. I didn't, of course, get one, because I didn't write a thesis or anything like that. … This was just a ploy, I think, to keep the colleges somewhat healthy, because all of the able-bodied men had gone, and they wanted to keep them healthy and maybe to keep people above a certain level from being cannon fodder. I think that might have had something to do with it. That might have been a decision made by the higher-ups in Washington, but I never heard it said.

SSH: Do you remember the general's name that collected the people in Fort Riley?

MJW: That was a colonel that was in charge of G-2. His name was Negrotto, N-E-G-R-O-T-T-O. Yes, I remember his name, and a Major Lusk was his second-in-command of the G-2 section at Fort Riley. I got out of there just before they went to desert maneuvers in California. Then they, later, I was really lucky, because the Remagen Bridgehead, you may have heard of that, they were, the Ninth Army Division was the one that took the Remagen Bridge, and casualties were about half the division. So, as I say, I was pretty lucky.

SSH: One of the things I was going to ask you, you talked about listening and collecting data. Do you think any of your *Targum* experiences helped you?

MJW: It didn't hurt. [laughter] I think so.

SSH: One gentlemen tells how he confessed to knowing how to type, and, from then on, he wound up doing something so totally different. He wanted to fly planes, originally.

MJW: They always used to say in the Army, "Don't volunteer." But I remember, after we left the University of Minnesota, we were sent down to Camp Lee, Virginia. They didn't quite know what to do with us, and when they asked … you weren't supposed to volunteer for anything in the Army, but I quickly learned that that's not really true. "Do any of you know how to type?" "I do." So, again, I was getting out of the normal chores, and, pretty soon, I was running quiz shows in the service center and getting people to do various things. There were a lot of people there who were well known artists, just in the Army. There was a duo piano team named Vronsky and Babin, Vera Vronsky and Victor Babin. She wasn't in the service, but he was, and they were a great team, well known. I got them to play. … Then there was Jose Greco, who was a Spanish dancer. He was also there, and I got him to dance there. So, as I say, I ran quiz shows and all that, until I eventually …

----------END OF SIDE ONE, TAPE ONE----------

MJW: So, as I said, we were there, just attached on the side, and then eventually orders came through, for me, at least, to go various places, and mine was to Fort Lewis, Washington to the Army medical training center, in Fort Lewis, Washington. When I got there, again, I was just sort of there, and I decided I would wander over to the Judge Advocate General's office. By that time, I'd been admitted to the Bar, and so I sort of volunteered my services and they were glad to have them, and so I spent the rest of my time in the service in the Judge Advocate General's office at Fort Lewis, Washington.

SSH: Why do you think they sent you to the medical training center at Fort Lewis?

MJW: I have no idea.

SSH: If you were in G-2 …

MJW: The Army didn't know what it was doing. They had no idea.

SSH: I was just trying to make a link.

MJW: No, no, no connection whatsoever. Then, once I got there, I was finally used in something that I was qualified for, because I was in the Judge Advocate's Division for the rest of the war, defending court-martialed people and preparing court-martials and doing all sorts of other legal things. Then when an order came through for all able-bodied men to go to the Japanese Theater, after the war in Europe ended, after D-Day, the Colonel, Colonel Rushkevicz from Chicago, who was the Judge Advocate General, didn't send my name in. He liked to play golf, and I did the work while he played golf, and he

didn't want to lose me, so, again, I didn't protest. I didn't want to go to war in Japan or in the Pacific, so I accepted his refusal to honor the directives from Washington. [laughter]

SSH: What kinds of cases were coming to the Judge Advocate General?

MJW: All sorts of court-martial cases, desertion, AWOL …

SSH: Were the cases confined to a certain area?

MJW: Oh, well, this was anyone who was on the base, yeah.

SSH: So the cases were limited to just Fort Lewis.

MJW: Just for that base, which is a huge base. It probably had 30,000 people on the whole base, because there were a lot of other things, other than the medical training center there.

SSH: What was going on at that base?

MJW: I am not really sure. At this point, I don't remember what other outfits were there, but the medical training center, about half of it was that.

SSH: How much longer did you have to serve at Fort Lewis?

MJW: Oh, well, until February of '46 when I was discharged.

SSH: Did the point system ever come up with your discharge?

MJW: Yeah, since I had never been overseas, I stayed a little longer than people who had been, because they had lots of points.

SSH: Did any of your special training give you extra points?

MJW: No, no.

SSH: Where did you go when you were discharged?

MJW: I went back home, and I went down to a service that the New York City Bar Association was providing for returning servicemen who were looking for legal jobs, and I was then given a number of places to go to show my record, [which] was *Law Review* and that sort of thing. … Then that weekend, I got a call from a good friend of mine named Sam Zagoria, who was Class of '41 at Rutgers. … He was managing editor of the *Targum*, and he became Senator Cliff Case's administrative assistant, and so forth, later on, and they're very good friends of ours, still. Sam and Sylvia are very close to us. He called me. He was in Washington. He'd been in the Army and came to Washington in

November of the preceding year, and he said that he had met somebody where he lived, which was in parkfairfax, not far from here, who was with the National Labor Relations Board, and he knew they were looking for lawyers and would I be interested. I said, "I sure would." That sounded just right for me. Oh, the man in charge of the New York City Bar Referral Service, he said, "Why don't you work for me? You can work for me, and the big advantage of it, one, you'll get paid, too, you'll have your pick of anywhere to go of the referrals that come in." Well, this Washington deal with the NLRB sounded very good to me, so I called him right away, thanked him and said I was going to Washington, and if I didn't get that job, I'd be right back. But I came down right away, was interviewed and was hired right away, and that was it. … I was hired by the National Labor Relations Board in March, about March of '46, and I was with the National Labor Relations Board from March of '46 until November 1st of '93. I had many different jobs there, and ended up as the Chief Administrative Law Judge.

SSH: Had you ever done any traveling before you started traversing the United States in the service?

MJW: But of course, I traveled during service, yes.

SSH: Before you were in the Army, had you ever traveled outside of New Jersey and New York?

MJW: Oh, I forgot one thing about school, and one of the professors, too, Reager, who was public speaking, debating, and so forth, and I was on the Debating Team. As seniors on the Debating Team, you went on a senior debate trip by car, and our trip took us to New York State. We debated against Cornell, Hobart, Canisius College, a whole bunch of schools. It was a fifteen-day trip over the spring recess period, and we debated about ten different schools at that time.

SSH: What were the general topics that you debated?

MJW: I don't remember at all.

SSH: Did you enjoy that?

MJW: Oh, yeah. I loved it, yes.

SSH: Some of our interviewees have said that they'd never done anything except come to Rutgers and that all of a sudden they were going back and forth across the United States by train.

MJW: Oh, yes.

SSH: Is that how you went back and forth between Fort Lewis, Washington and New York?

MJW: Yes, yes, trains. Airplanes weren't used very much in those days.

SI: How did you find the different regions of the country that you were sent to? They were very different from the East Coast.

MJW: Oh, very, very much so, yes.

SI: Did you interact with local people on leaves?

MJW: When I was in service, some. One interesting experience, when I was at Fort Riley, after, oh, about a month or so, I was, I had gone up to Kansas City, which is about forty miles, on a weekend, and I had more money, as I said, than most of the privates, and so I went to the best restaurant in town to eat dinner, and I was all by myself. A couple was sitting a couple of tables away, and the man walked over and said, "Would you join us?" I said, "Yes," and he turned out to be Mr. Hall of Hallmark Cards, the president and CEO of the Hallmark Card Company, and he was lovely, he and his wife, and, of course, they paid for my dinner. … Then after dinner, they drove me all around Kansas City to show me all the sights of Kansas City, and he said, when I get out of service, "If you want a job with us, you've got it." I wasn't going to work for a greeting card company. I wasn't going to make up those jingles and greetings, but it was real nice. It's a nice experience, a little vignette.

SSH: When you were out West and around the Rocky Mountains, was it a big shock for you, coming from Manhattan?

MJW: No, I don't think so, because I had been around upper New York State, which is not like Manhattan at all …

SSH: Where in this chronology was it that you and Dorothy managed to find time to reacquaint or continue your relationship?

MJW: Well, continue, we had been corresponding right along, of course. Well, we got married while I was in Camp Lee, just in that short period that I was in Camp Lee. We got married in Philadelphia. She was working at Jefferson Hospital in Philadelphia as a dietician, at that time, and we got married, packed for a three-day honeymoon on a three-day pass, and then she came out to Fort Lewis, after I was there for a while. We spent a lot of time out there.

SSH: Was Dorothy's family from New Jersey also?

MJW: Oh, yes, yes. Her father was in real estate, and he had his office right opposite the station … on Raritan Avenue in New Brunswick.

SSH: Where was the wedding ceremony?

MJW: We got married by a rabbi in Philadelphia.

SSH: Did you have a big wedding?

MJW: No, no. It was just a three-day pass, and friends of her's from the hospital [came], and Sarah came down from New Brunswick.

SSH: How long was it before Dorothy could come to Fort Lewis?

MJW: A couple of months.

SSH: How did she find traveling across the country?

MJW: She enjoyed it. She always enjoyed traveling and loved train travel, still does.

SSH: Did she do any kind of work while you were in Fort Lewis? Was she working then?

MJW: Yes, yes, she was working at Jefferson Hospital. Oh, when she got to Fort Lewis, yes. She got a job at the library for a while, and then she was teaching. What was she teaching? It was something to do with film projection, projectionist … That's what she was teaching. First, they gave her a short course, and then she taught it.

SSH: How was it to be newly-weds at Fort Lewis?

MJW: It was pretty good.

SSH: Did you have a house on the base, or did you live off of the base?

MJW: Well, at first, we lived with a colonel and his wife and small kid, and Dorothy was like a nanny for them for a while, just for the housing purpose. We weren't really too happy with that, mostly because Mrs. Cunningham was such a martinet, you know, she wanted everything polished carefully, and Dorothy wasn't cut out to be a polisher. Then later on, we had a house right on the golf course, a little cabin that we got when she was working at the library.

SSH: There was little housing for married couples on most military bases.

MJW: Oh, yes, yes. Then we were at a place called American Lake Gardens … We finally got a place at American Lake Gardens, which gardens was a misnomer. There were a lot of married couples there. We met a lot of nice people there, and we stayed friendly with them a long time after the war, corresponded.

SSH: I know you weren't able to travel back across the country together for your discharge.

MJW: No, she came back before that. Knowing that the war was over, she came back.

SSH: Did she stay with her family when she came back?

MJW: Oh, yes, yes.

SI: To start off talking about your long career in the National Labor Relations Board, you had said you were really eager to get into it. What from your background made you so eager to work for the NLRB?

MJW: Well, I had a course in labor law, and it was sort of my favorite course. … It was the sort of thing I felt I would like to do, to work [for] the government and to be a sort of public servant, rather than just be another lawyer in a big law firm. I always felt that way, and I continue to feel that way, even though I received a lot of offers along the way, but I never took them.

SI: So you were very civilly-minded.

MJW: Yes.

SI: During your first year or few years there, what were your duties?

MJW: At first, I was a, what they called, legal assistant, which means [I was] on the staff of a Board member, who happened to be the chairman of the Board, named Paul Herzog, who was a wonderful man, very intelligent man, who later became, when he left the chairmanship, became head of the something at Harvard, some particular school at Harvard, but I don't recall what the name of it was, Paul M. Herzog.

SI: A very controversial period in labor was from 1946 to 1949, with the slowdown after the war and the strikes. Could you discuss that?

MJW: In '46, the operative labor law was the Wagner Act. Taft-Hartley was passed in August, became effective August 22, 1947, and that added union unfair labor practices to what had been previously just employer unfair labor practices. This was the notorious 80th Congress, that Harry Truman first vetoed the Taft-Hartley Bill, that was passed over his veto. So, as a legal assistant, you know, I assisted my Board members, as the name suggests, and we'd receive cases and work them up, cases that came from what were then known as trial examiners and later became Administrative Law Judges. We also handled representation cases, which meant elections to see if the employees did or did not want the union to represent them, and various other incidental things. I remember one time I was coming to work in the morning, and our offices are on Connecticut Avenue, and when I got to the building where the NLRB was, there was a picket line there. … The picket line said, "NLRB delays decisions," and so forth and so on, "we want justice." It happened to be a case that had been assigned to me, just the day before. There was really no delay on my part, and it was not a difficult case or anything like that, but when I got in, I had a message, "Go see Chairman Herzog." Paul said to me, I didn't call him Paul then, I called him, "Mr. Chairman," later on I called him Paul, "I see this is your case.

How quickly can you get this out?" I said, "Well, I haven't even looked at it yet. It was assigned to me yesterday afternoon. Let me get back to you." So I went back, looked at it and said, "You give me a secretary or two, and I will have this out tomorrow morning." So he gave me a secretary, and I stayed there until about eleven o'clock that night with the secretary and got the decision out. I was quick. Anyway, it was a case that normally might have taken me three to four days, but they wanted it quick, and they got it quick.

SSH: Did they still demonstrate?

MJW: … The next day, yes, they still were demonstrating. Oh, for one thing, the question of crossing the picket line, you know, I have my principles, but then I saw that if I didn't cross it, that wasn't going to help them. The matter of principle didn't apply in this case. But, anyway, the next morning, I went in with the finished decision and walked it around to the other Board members, so they could look at it and sign it if they approved, which they did. But then Herzog said, "We don't want to issue this until tomorrow. We don't want them to think they pressured us." I could have killed him. I stayed up all night. He was a good guy, though. So that was just that little story.

SI: Do you remember which union it was?

MJW: I did know which union it was, but I don't remember now.

SI: Was it one of the federations?

MJW: Oh, yeah, yes. AFL-CIO union, yeah, and I don't remember which union it was now. But Herzog, he was a good man. I was, as I've told you before, a Yankee fan, and I never missed an opening day in Washington. I never missed a Yankee game. [Actually,] I missed one Yankee game between 1946 and 1971, when the second Senators left to parts unknown, Texas, Minnesota, you know, and that was the night of the first Kennedy-Nixon debate. … The Yanks had already clinched the pennant, and I decided I wanted to watch this debate, rather than go to the Yankee game in September. That's the only game I missed in all those years. But, anyway, I always went to opening day, of course, and everybody knew I went to opening day. On this particular April, whatever the opening day was, 5th, 6th, 7th, in the morning, I got a little note on my desk from Abe Murdock, who was a Board member, a former Senator from Utah, and the note said, "The case that was assigned to me," Murdock said, "I want agenda discussion of this case at three this afternoon." Three-fifteen that afternoon was when the Yankees were playing the Senators, and I said to myself, "This can't be. It can't be." So I wrote a memo, dictated it to the secretary, which said, "Due to the unfortunate demise of my dear grandmother, I will be unable to attend the session this afternoon." I took a chance. Paul Herzog, who came down to my office, said, "How did you guess?" I said, "I just did. It just couldn't be," because he was the one who had put Murdock up to it. Then he told me, he said, "Well, let's keep this going. You go into Murdock and plead with him." So I kept it going and went into Murdock, but I couldn't, I broke out laughing. The whole game was up and all that. Now, of course, I went to the opening game, but that's the sort of person Paul Herzog was. He would do things like that with us underlings, even though

he was chairman of the National Labor Relations Board. He would take the time to do things like that.

SSH: Do you remember the other Board members? Could you discuss the members of the Board in more detail?

MJW: This was the post-Taft-Hartley Act [era]. There were already three Board members, pre-Taft-Hartley Act, Wagner Act, and the three who were there when I came were Paul Herzog, who was chairman, Gerard Reilly and Jack Houston. Houston had been a former Congressman from Kansas. Gerard Reilly was a very conservative Republican who later became counsel to the Senate Labor Committee and helped write the Taft-Hartley Act. I liked (Gerry?). He was a good friend of mine over the years. I had cases in court against him and cases in court with him, when I was on his side. Then, after Taft-Hartley, Abe Murdock was appointed to the Board, Jim Reynolds, who was a wonderful guy, Republican, but, nonetheless, a wonderful guy, I wouldn't say that about many Republicans, and J. Copeland Gray, who was a total nitwit, was also on the Board, at that time, along with Herzog and Houston, [who] was a carry-over at that time. There were five Board members, at that time, and then, later on, there were a lot of Board members over the years, of course, many, many, many. After Paul Herzog, the best chairman of all was Frank McCulloch, who was chairman of the Board from about, I guess, 1962 to around 1970. He was a wonderful man …

SI: How did you feel about the Taft-Hartley Act?

MJW: I shared Harry Truman's views, at that time, but I've long since changed my mind about that. Its time had come. I mean, it was time to have a more balanced labor law.

SI: How did you find the Board, especially after the Taft-Hartley Act? Did it favor labor or management?

MJW: Well, at first, it was a bunch of Republican appointees and a three to two Republican majority, and it was skewed towards management at first. … The General Counsel was a man named Bob Denham, who was a very bad General Counsel. There was … almost an uprising against him, and there was a hearing before some oversight committee on the Hill to get rid of him, and while they didn't get rid of him, it slowed him down a little bit, I think.

SI: Were there any cases that you remember involving the effort to purge the communist unions in this country?

MJW: Oh, yes. At that time, under Taft-Hartley, union officials had to sign non-communist affidavits, and some officials refused to do so, some out of principles, some, I suppose, because they were communists, or, at least, party followers, or something like that. Eventually, that part of the act was repealed. It was a silly part of the act, because it, you know, it didn't make [any] sense. Actually, probably the people who were really communists were … the ones who signed the non-communist affidavits, and the people

with principles, didn't, who weren't communists, and that was probably the only effect that it had.

SI: Was that the basis of most of your cases?

MJW: Oh, no, no. It's hard to remember the lead cases back in those days. I remember more the cases that I argued in court later on, when I switched over to appellate litigation, and, of course, the cases I heard as a judge, and my memory is much better than [with] the cases back in those early days.

SI: When did you move to appellate litigation?

MJW: I came in '46, and right after Paul Herzog left in '52, or shortly after he left, Guy Farmer became chairman of the Board, and I worked for him for a while, but then I switched over to appellate litigation, where a number of my friends had been asking me to come over there. They thought I would be happy there, and I was. That was a great period. I was there for, until 1965, from '54 to '65, briefing and arguing cases in the Court of Appeals all over the United States. In an eleven-year period, I argued over one hundred cases in the Court of Appeals of the United States, plus briefing cases as well, and in the Supreme Court. I didn't argue in the Supreme Court briefed cases. I just loved that.

SSH: Were you interacting with Senators and Representatives on the Hill?

MJW: Not at that time. Later on, when I became chief judge, I was up on the Hill for oversight hearings and on budget matters. As chief judge, I was there with the Board members and General Counsel, but that was the only interaction I had at that point.

SSH: What were your impressions when you were new on the NLRB?

MJW: You're talking about the early years there? I just did the work. I was a little apolitical at that point, I guess. I mean, I was a good, staunch Democrat.

SSH: I wondered if you had gotten involved in any kind of politics.

MJW: Well, you see, at that time, I guess, and there still is the Hatch Act, which prevents federal employees from contributing monetarily or by way of services to parties, so Dorothy had to do all the contributing.

SSH: Where did you live when you first came down?

MJW: For a short time, we lived in just a, it was to get any housing, we lived in a sublet. Later on, we lived in Fairlington, which is a huge community that had been built during the war, a very nice community, sort of garden apartments. Then we moved to a house, which we still live in, moved there in '56, ten years … after I first came down here, and we still live in the same house.

SSH: What did Dorothy do when you first came down?

MJW: She became a dietitian here at Alexandria Hospital, and later, after she sort of retired from that, she was the first woman on the WIC Program, Women, Infants, and Children Program. She was the first woman in Virginia, when it started up, in the WIC Program.

SSH: Was she an activist in any other organizations?

MJW: Not very much of an activist, but she did some work for Democrats, mostly at the Fairfax County level for the Board of Supervisors, Chairman of Fairfax County, and all that, working for the Democratic campaigns.

SI: Throughout your long career, what changes have you noticed in both the roles of the NLRB and the labor movement in America?

MJW: Obviously, the labor movement in America has gone downhill in terms of percentage of employees who are unionized, and that is not a bad thing. It's like not needing policemen anymore, because there's no crime. Particularly in prosperous times, when employers are good to their employees and share things with them more, the need for the union evaporates, and if there's no need for a union, then voters aren't going to vote for a union. So that's why the union membership has gone down. That, plus the demise of the major industries in this country, like steel and coal. There's no steel industry in this country anymore to speak of, and that's where the bulk of the unions were. Now the bulk of union memberships are government employees and clerical workers unions, communication workers; those are the bigger unions these days. Automobile workers are still pretty big, but John L. Lewis' coal miners union [United Mineworkers (UMW)] is pretty small now. There's not a lot of coal mining.

SSH: Were a lot of these industrial unions fueled by the Second World War?

MJW: Well, of course, I came right after the war, and at that time, unions really were on top of things, sort of running things a lot. They were very powerful in those days, and Taft-Hartley was enacted, in part, to curb some of the powers of unions … They were getting a little too powerful in a way, and they brought it on themselves, I think, by then.

SSH: Do you feel that the Board equalized the relationship between unions and the industries?

MJW: Well, the Board had a law to deal with. Now, different people can view provisions of the law differently, depending on their point of view, just as the Supreme Court can have 5-4 decisions and switch when there's another Clinton appointment, although he has not enough yet to make it really switch. But the composition of the Board does make a difference, but not a huge difference, not as much of a difference as the Supreme Court makes.

SSH: So the Board was very political.

MJW: Right after Taft-Hartley, it was, and it's continued to be, to some extent, but not really as much. There's sort of, nothing in the statute, but it's sort of an unwritten law that the party in the White House has a three to two majority. During the Republican years, it would be three Republicans and two Democrats, with the chairman a Republican, and so forth, but the terms overlapped, so you couldn't always have the new party in power take over immediately. The next one up might be the member of his party, so he might have to wait two years, as much as two years, to get his first person in, to swing it over the other way.

SSH: Did you meet some of the leading labor leaders?

MJW: Oh, yes.

SSH: What kind of working relationship did you have with them?

MJW: Well, I got to know people like Arthur Goldberg, before he was on the Supreme Court. I got to know the legal people in all these unions. Larry Gold, who is general counsel, still is general counsel, of the AFL-CIO, was a colleague of mine at the Board in the enforcement section, went over to the AFL-CIO, and gradually worked his way up to become general counsel. I knew the counsel of almost all of the large unions, mostly from having either opposed them or having been on their side in court cases, and later on, as a judge, having them appear before me.

SI: What was your opinion of the labor leaders that you didn't know, such as George Meany?

MJW: He was a rough-and-ready, old-time labor leader. He wasn't as smooth as, say, Walther Reuther or some of the present labor leaders are.

SI: What did you think of Reuther?

MJW: He was good, very good, yes. I had a lot of cases all over the country at the Court of Appeals and enjoyed my time very much in those, and a lot of them were important cases. I argued about ten different cases in the Courts of Appeals that later went to the Supreme Court.

SI: What were the basis of those cases? Was there one issue that kept coming up in the struggle between labor and management?

MJW: No, there were all different issues. One very important case that I remember losing in the Third Circuit involved the, I better forget that. My memory is just too bad.

SSH: It can be added to the transcript when we send it back to you.

MJW: Yes, I will look it up.

SSH: From the appellate court, where did you go? Tell us a little bit about that.

MJW: In 1965, the person I mentioned earlier named Sam Zagoria, who's still a good friend of mine, Class of '41 at Rutgers, and had been Case's administrative assistant. Case got Lyndon Johnson to appoint him to the Labor Board. Before he took the appointment, he got in touch with me and said, "I'm not a lawyer. I've been president of the Washington-Baltimore Newspaper Guild in Washington, but that doesn't make me really qualified to be on the Board. Would you be my chief counsel if I came, because I wouldn't take the job otherwise?" Even though I really didn't want to do that, because I loved my appellate work, he was a good friend, and I said, "Yes." So he was appointed to the Board by Johnson, and I became his chief counsel in 1965. … It was a five-year term, and in1970, Nixon did not reappoint him. So his successor was Ed Miller from Chicago, and he was bringing in his own colleague of his at his law firm in Chicago to be chief counsel, and no reflection on me, but, and I didn't want to stay anyway, so at that point, I became an Administrative Law Judge in 1970. In '81, I became a Chief Administrative Law Judge, which I was when I retired in November '93.

SI: In those capacities, would you explain what you did?

MJW: As Administrative Law Judge? Well, when the General Counsel of the Board issues a complaint, it comes to the Administrative Law Judge section, and we give it a date for a hearing and assign a judge to it. I could be the judge assigned to it, or I could be the assigner, as I was Chief Administrative Law Judge. If the case doesn't settle, and an awful lot of them do, often with the assistance of the Administrative Law Judge bringing the parties together, knocking their heads together, getting them to compromise, then you would hear the case, write a decision, and then they would either accept your decision or file exceptions with the Board. Then the Board would take your decision and assign it to, what I was way back, a legal assistant, who will then look at the case and give advice to his Board member, and the Board members would decide the case. From there it would go to the appellate. Whatever the Board did, if somebody appealed what the Board did to the courts, it would go and be assigned to somebody like me in the appellate litigation division. So, really, I did everything backwards, in that the last part of my job as Administrative Law Judge was the first part of the process in going ahead, because it went from there to where my first job was, as legal assistant, and later as chief counsel to a Board member, the same thing. The end of the whole process was the appellate litigation, where it was my second career with the Board. As chief judge, I had one major advantage; I could assign myself any case I wanted to. So when the baseball strike occurred in '81, when that case came to hearing, I had to assign it to myself, mostly because everybody wanted it and I didn't want them fighting with each other. I just, as a public service, I assigned it to myself. It was the only decent thing I could do. So I had a lot of good cases that I assigned to myself, only the interesting ones to myself. … I once got a call from Chairman John Fanning, who was "Mr. Board Member" and "Mr. Chairman" for many years. He was a Board member for five full terms, twenty-five

years, and was chairman during the Democratic part of those twenty-five years and just a Board member during the Republican years. When a Republican would get appointed chairman … he had enough clout to stay on as a Board member all through there. He called me one day and said, "This Newport News case has got to have a quick, good decision, because … we had a remand from the Court of Appeals." So I said, "Okay, I'll assign it to myself." So I went down to Newport News and had a five-day hearing with thousands of people in the courtroom, hundreds, anyway, and got a quick decision and managed to write it as if I was writing an appellate court brief and convinced the Fourth Circuit to buy what the Board did this time around.

SSH: Having been assigned the baseball strike case, how do you feel about it?

MJW: I'll never tell.

SSH: I knew I shouldn't have asked that.

MJW: That baseball case, actually, I heard the case. A lot of reporters were there, all the newspapermen from New York, sportswriters, Murray Chass, and all *The New York Times* guys and *Tribune*, no, maybe *Tribune* wasn't in existence, but *Post*, they were all there. The network people, they wanted television cameras in the room, but I wouldn't let them have it, too disruptive. All the people on both sides, the head of the [Major League Baseball Players Association union, who is Don Fehr now, his predecessor Marvin Miller was head of the union at that point, and all the people who were owners of clubs testified, and some players testified, too. I really enjoyed that. At one point, one of the counsels for the league was somebody named Betty S. Murphy, who had been chairman of the Board and then went to a law firm, Chicago-based law firm, that represented them, and she was at the hearing. … She came up to me and said, "Would you like some autographs for some of the Board members?" I said, "But I don't think that's …" She said, "Yeah, you can get it for your grandchildren," and so I got those autographs, but the press got wind of this and played it up, so I was very embarrassed by that. I mean, I really shouldn't have, but that wasn't going to influence any decision. Anyway, after I heard the case, I gave them the normal time to file briefs, and so forth, and the day before the briefs were due, and I had my decision all ready, they settled the case. I never wrote a decision, I wrote it, but I never issued it, and nobody in the world but me knows the decision of that case. … I also heard a big NFL football case. There, I did write a decision.

SI: As a fan, how do you think this whole process affects the game of baseball? The labor disputes and strikes, how do you feel about that?

MJW: Well, I thought that the, I really can't. I'll be giving away too much. I don't think I can say that …

----------END OF SIDE TWO, TAPE TWO----------

SSH: This is tape two, side one of an interview with Melvin J. Welles in Alexandria, Virginia on April 16, 1999. You were talking about the cases, NFL and baseball, that you'd worked on.

MJW: Those are the fun ones, you know. They were interesting, as well as fun.

SSH: The civil rights movement and labor rights came right through your career. Did your career involve any cases related to the two movements?

MJW: Not really. I was, of course, aware of everything that was going on. … The unions, themselves, obviously, were affected by this. In fact, in this, I had an Ironworker's case, up in New Jersey, that I heard when I was in my early years as Administrative Law Judge, where they had separate locals for whites and blacks, and this was a referral system. It was very odd, because, I'm sorry, yes, they did, but I'm thinking of a different case. I'm thinking of the … shipyard case, where they had separate locals for referrals for the stevedores, dockworkers, and they brought a case before the Board, and I heard it. … The interesting part was that they were arguing … on a per se basis, that it's bad to have separate locals. That was the basis of the complaint. It turned out that, in fact, the black local was receiving more than its allocable share of the jobs. They were getting preference, not by design, but it's just the way it happened to work out. But the case ended up finding that it was unlawful, under the labor act, to have separate black and white locals. In a sense, the civil rights movement was responsible for a decision like that. It never could have occurred before the civil rights movement became a dominant factor in our society. But other than that, there were segregated locals involved in some of our cases, but they were just peripheral to the labor law aspects of the case. So the two things were side-by-side, rather than merging into one ball of wax.

SSH: Being a public service sympathizer and being a federal employee, was there a dynamic there that you found stifling for what you would have liked to have done?

MJW: Not really. I was sort of maybe a technician all my life. [It was] not that I didn't have views about all these things, but whatever I was doing, if I was there in appellate litigation, I was there to support what the Board had done. … If I didn't agree with it, it didn't matter. I remember one time, I was up in the First Circuit and the chief judge there, Bailey Aldrich, at one point, said to me, "Does that break you up, Mr. Welles?" I was arguing for the position, but I said, "No, but it breaks up the man's statutory rights." Well, it didn't, and I knew it didn't and so did he, and he found against us. At the end of the argument, he said, "I want to give you an A for effort," and I knew I'd lost the case, but he was right and the Board was wrong. But I did my best to support anything the Board ruled, that was my job to support what the Board had done, when I was in appellate litigation. Now, as a judge, you're in a different position. You're bound by Board law, but if you're smart enough, clever enough to do it, you can sort of get around the Board law a little bit. You find the distinctions and maybe sell them, if you thought the Board was wrong, and if they bought your theory, they would buy it mostly because they might agree that it was wrong and you showed them it was. So you had a lot of

influence on cases, as an Administrative Law Judge. As an appellate attorney, you didn't have any influence on cases, but you tried to win them, whatever the Board did.

SSH: You had also talked about ethics and being an ethical man and being in Washington. Sometimes that is almost …

MJW: An oxymoron. [laughter] It never entered my mind. I never had any problem one way or another with that at all.

SSH: Did you see others who did, though?

MJW: I think so. I don't recall any specific incidence of this, not where ethics were involved.

SSH: You and Mrs. Welles have lived here since, actually, the end of the war. The changes that you've seen in Washington, not just on Capitol Hill, but as a community, have you been involved with them at all?

MJW: Well, in my own community, but just on the community level, I was editor of the newsletter, a monthly newsletter, of the Holland Hills community and participated in other ways and things. But, in general terms, of course, the civil rights movement changed everything. When we first came to Washington, everything was segregated. The theaters were segregated, the restaurants were segregated, and all that. A lot of these things, you didn't really notice until they were forcefully called to your attention, when you realized what was going on. Of course, up North, nothing was segregated when I was in college. Although there weren't very many blacks at Rutgers, there was no segregation at all. Oh, I do remember one time, I was on the track team, as I told you, and our best sprinter was a black man named Ernie Baxter.

SI: Oh, yes. We've heard of him.

MJW: We had a track meet down at the University of Maryland. It was the first time we'd met Maryland; we had never met Maryland before. … This was down in College Park, and when we got there, they told us that Ernie Baxter couldn't participate. … Our track team, to a man, said, "Then we don't participate," and they gave in. [laughter] They gave in. That was the first hint that I'd ever really had of what the South was like, and this is Maryland, which isn't very far south.

SSH: So you think that was the first time that Maryland ever really cracked the color barrier.

MJW: I'm sure it was, I'm sure it was. I mean, the meet was all set. The people were all there. They were ready to go, and we had the upper hand. We said "No." [laughter] "If Ernie doesn't play, we don't play." You know, this wasn't a big deal for us. There was no question about it in anyone's mind. It wasn't something that was debated and had any problem. There wouldn't be [since] we were a bunch of Northerners.

SSH: Did you notice any glaring examples of segregation or racism in the military during the war?

MJW: Again, I was too dumb to notice. There probably were, but I didn't notice, no.

SSH: While you were stationed at Fort Lewis ...

MJW: Yes, as judge advocate.

SSH: … were there any cases involving racism in the military?

MJW: No, no cases, that I recall, that involved race in any way. There may have been, but I don't recall any.

SI: Did you encounter any Southerners that had those opinions very strongly?

MJW: Oh, yes. Even at the National Labor Relations Board, I encountered some people like that. I didn't like them.

SSH: Were they vocal in their …

MJW: Not too vocal.

SI: Did they let it affect the way they did a job? Did they try to change policy?

MJW: Well, in my view, most people like that don't do the job very well. [laughter] Yes, I supposed it did affect the way they did their job. If they think like that, they're not thinking.

SSH: Did you raise the family here in Alexandria?

MJW: Just the one daughter.

SSH: You have one daughter.

MJW: She died in a fire in California in 1979.

SSH: Had she thought …

MJW: We have two grandchildren.

SSH: We always ask this question. Did she ever entertain the thought of going to Douglass or Rutgers?

MJW: No, never did. She went to San Francisco State. … She got married out there and had two children.

SSH: Are your grandchildren around?

MJW: They are in California. My granddaughter has just been accepted at several of the California state [universities]. She didn't get into Berkeley, which she wanted, but she got into a number of the others, and she's got to decide which one to go to. She's a senior now. … My grandson is older, and he sort of drifted around a little bit. He took his mother's death very hard and then his father died about five years ago of a brain tumor, and he took that very hard, too. So he was sort of drifting. He was in New York for a while, and he just went back to California.

SSH: It's difficult. That would have been another question, if they thought about going to Rutgers but, obviously, no. [laughter] Do you have any other questions, Shaun?

SI: During the whole Teamsters-Hoffa situation in the early '60s, did the National Labor Relations Board play any role in that?

MJW: No, not really. Oh, one thing that I forgot to mention is another interest of mine. I don't know if it interests you or not, bridge.

SSH: Yes, it does, most definitely.

MJW: Bridge. I'm an expert bridge player, a Life Master, and I've played in championship events against world champions. One of my partners for a little while was a Supreme Court justice named John Paul Stevens. [laughter]

SSH: That was what I was going to ask you, how social are the court judges? I mean, do you have a …

MJW: You don't think so, but they know who you are. … Different Courts of Appeals of the various circuits used to have very different rules on practice before the court, and some government employees could just come in and argue a case, and that was it. Others had to be introduced by some member of the court to argue, what they call pro hac vice, just for that case only, and some courts require that you be a member of the court, but that wasn't hard to do, or anything like that. I remember one time here in the DC Circuit, the chief judge, David Bazelon, said to me, as I was being introduced by my clients, "You know, it's only twenty-five dollars to join this court. You've argued about twenty cases here, why don't you just join?" I did. It wasn't that I was cheap, I just didn't get around to it. Well, anyway, I was up in the First Circuit at this time, and the clerk of court, Roger Stinchfield came up to me, I was sitting in the library before the court convened that day, and he said, "Would you move the admission of somebody from the US Attorney's Office?" … I said, "Sure." He came back about five minutes later and said, "I don't think you're on our rolls." … I said, "Well, I guess I fell through the cracks somewhere." So he said, "Well, we'll get somebody to move your admission." So when

my admission was moved by somebody, Judge Aldrich said, "Mr. Welles, you've argued a lot of cases before us and you haven't been admitted. How is that possible?" To explain, I said, "Well, there's a little misunderstanding here, your honor." He said, "What shall we do with all of the cases that you've argued?" I said, "Well, I think, your honor, you should reverse those on which you found against me." [laughter] He laughed and said, "Well, I think we'll admit you nune protem." … I mean, it was a good relationship, but, yet, you don't think they know who you are. In the Fourth Circuit, they were very cordial in the Fourth Circuit. That's headquartered down in Richmond. … At the end of an argument, the judge used to get off the bench and come down and shake hands with the counsel on both sides. But you didn't think they knew who you were. … One of the judges was Simon Sobeloff, who had been Solicitor General of the United States and then became a judge on the Fourth Circuit. … I was with my mother and stepfather in Greenwich Village at the Greenwich Village Outdoor Art Museum one day, back in 1960-ish, the early '60s, and I hear, "Mr. Welles?" I turn around and it's Simon Sobeloff. I knew who he was, but I didn't, but for him to know who I was felt good.

SSH: Especially in front of your mother. [laughter]

MJW: Right. [laughter] So they know who you are. Now, Stevens is different. When I was up at the Supreme Court, sitting in, I used to get notes sent by him to me, "All kibitzers welcome." [laughter] I mean, that's because we were friends. I play bridge with him. He's a Life Master, too, a good bridge player.

SSH: That's interesting to know. Can we ask you about your name?

MJW: Change of name?

SSH: Yes.

MJW: That was my mother's idea. My mother felt that it was better not … There was a lot of anti-Russian feelings right at that time, in my senior year at Rutgers. She said, "If you're going to law school, it would be better if you had a nice American name." Well, I regretted that. I liked my old name. I don't particularly like this "coin name" I have now, but she induced me to go to court and have my name changed legally.

SSH: I thought it might have been your stepfather's name.

MJW: No, his name was Jacobs. … Well, two of my cousins, of my father's older brother, had changed their name to Welles. That's what gave her the idea. They had changed their name to Welles, perhaps to avoid the anti-Semitism that they felt, or anti-Russian. I don't know.

SSH: Were you ever conscious of this as a child and then as you were older? Did you ever experience it all?

MJW: No, no, I didn't.

SSH: Do you have any other questions, Shaun?

SI: No, I think we're satisfied.

SSH: Well, I see you have some memorabilia. Would you tell us what you have?

MJW: Dorothy said to bring some of this stuff. I don't think that there's anything of any great significance here. … I just quickly went through personal papers and picked out, [as] she said, anything to do with the Army, basically.

SSH: Well, actually, anything that you would like to leave with us could be stored in Special Collections.

MJW: Well, she asked me if I had a Good Conduct Medal, and I told her I didn't think so, but, apparently, I did. Here's an honorable discharge. It says, "American Theater servicemen." That means I never fought anywhere. Good Conduct Medal, I don't know how I got that. I guess, they didn't know me. [laughter]

SSH: You didn't tell us anything about that. You should have maybe told us more. [laughter]

MJW: … Then the Victory Medal. That's because we won the war, and I had nothing to do with that whatsoever. [laughter] … Here's the dates of entry in various things. Let's see, what else? Oh, Officer Candidate's School, this is my scores on OCT. I never went to Officer, I didn't want to go to Officer Candidate's School.

SSH: Were you able to say, "No," at the time?

MJW: Yes, to the applicant. I was an applicant at the time. This OCT score, that was the top; it was the highest score you could get. This was the score that caused me to be moved up the platform, when I first went to Fort Riley, that 155.

SSH: Is that when you first started playing bridge? Everybody I know in the military played some sort of cards, but not necessarily bridge.

MJW: I started playing auction bridge before there was such a thing as contract bridge, which was invented by Commodore Vanderbilt in 1925, but I started playing auction bridge with my grandparents when I was six years old.

SSH: Oh, okay.

MJW: So I've been playing bridge for a lot of years. So these are more proceedings before the board, where they rated me four, excellence. The only thing interesting here was Major Harry C. Byrd, Jr. was on that panel, [but has no relation to Lieutenant Commander Harry F. Byrd, Jr., USNR]. Harry Byrd, his father, was a great conservative

Democrat, the senator from Virginia for many years and head of the Byrd Machine. You may have heard of the Byrd Machine. His father was the Byrd of Harry F. Byrd, Jr., he was Harry F. Byrd, Sr., and he was [not] on that panel. [laughter] The rest of them, I have no idea who they are. This is just separation papers. Let's see the discharge. Of course, they're all the same thing. I just pulled out a bunch of stuff. This is more of the Officer Candidate's School, everybody approved, approved, approved. Here's my order to report for induction. [laughter] "Greetings," you know, the famous, "Greetings," and all that. … This is a letter I wrote. This wasn't the one I was typing, because that was January 1, '43. This is just a letter I wrote to Dottie when I was in headquarters at Fort Riley in December. … Some of the things in here I've told you, I think, so you might want to take this. … You can have a copy of this, if you want it.

SSH: We do collect anything for the archives if you're willing to donate.

MJW: Separation qualification here. Here's a copy. You can have that.

SSH: Well, wonderful. Well, we thank you very much, Mr. Welles, for taking time out of your day to be interviewed.

MJW: You're welcome.

----------END OF INTERVIEW----------

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