

Oral History Interview

with

LOWELL B. MASON

Member of the Federal Trade Commission, 1945-56, and personal friend of Harry S. Truman since about 1935.

Washington, D.C.
April 12 & 13, 1967

by Jerry N. Hess, Harry S. Truman Library

The Harry S. Truman Library
Independence, Missouri
July 1968

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[1]

HESS: Commissioner Mason, we are interested in your relationship to President Truman and the Truman administration. What was that relationship and when did it begin?

MASON: Jerry, my relationship with the Boss was, I should call, social, friendly and personal, because when he was President of the United States, I belonged to that rare, small, dedicated group which wasn't very important and not very powerful -- I was a Republican. In fact, the Boss calls me a "Truman Republican" even to this day. But perhaps because I was a Republican we

didn't have to have any barriers between the two because there was no favor that I could ever ask him for that he could grant -- we were just close friends. That

[2]

all came about from a very interesting (to me) circumstance. When I was a young man back in 1934 and I came to Washington with Clarence Darrow, I became an attorney for a fellow who put up the money, the silent partner of Clark Griffith, on the Washington baseball team. Back in those days, the Washington Senators used to win league pennants, and they were very popular, and on opening day the seats were always gone, but as an attorney for Billy Richardson I had the best box in the park; and I wasn't a lobbyist and I wasn't in politics, though I had been when I was in Illinois as a young man, and all of the important members of the United States Senate and House used to come and sit in my box because there wasn't any obligation to them as if they were going to sit in, perhaps, a lobbyists box. Out of this habit grew the "Lowell B. Mason Chowder, Marching, and Baseball Club" -- [Alben] Barkley, [Arthur] Vandenberg, [Robert A.] Taft,

[3]

[Robert] LaFollette, Jerry [Gerald] Nye, Bert [Burton K.] Wheeler, Ed [Edwin C.] Johnson (I wish I could remember all of the men who were my close friends back in those days) -- always came. Curley [C. Wayland] Brooks was a Republican senator. And out of this sort of loose organization grew this club and its membership was dictated by the personal likes of the members who were in, I mean, the new people who were asked to join. I never importuned them to put anybody in after the first group; the Republicans would tell me who they liked; and it never had anything to do with seniority or political importance. Membership was controlled entirely by the man's personality, was he well liked by his colleagues, and it was a very interesting thing that many of the senior senators wouldn't be invited, I wouldn't be told to put them on the list; and some of the new ones who came in who endeared themselves to the hearts of the senior senators would get on the list very soon. I could name some very

[4]

prominent and powerful senators who rose to great heights -- well, we won't say anything about that -- but who never did get on the list to join our little informal baseball club. Vandenberg always said the only reason I invited him was because he had a private dining room so we could all eat lunch in there before we went to the game. He was a delightful and well beloved member of our group, but he used to make fun of himself on that basis. One day Senator Barkley spoke to me, and Mr. Sam too. He said, "Lowell, we want you to put a new senator on the list because we think he's a comer and we like him personally; he's a fellow by the name of Truman, newly elected senator from Missouri, and we want you to put him on the list of the invited." And so that's how I came to meet Harry Truman, and I shall never forget the second year that he had belonged to our group. It takes a good deal of organization when you move -- at that time there were only a dozen of the leaders -- when

[5]

you move them out to a ball park, and I used to borrow the cars of the President of the Senate and the Speaker of the House so as to save the taxi bills. And so I was always careful to call them all ahead of time and let them know what time we had to eat lunch, and we would eat in the

Vandenberg room, so that we could all climb in these cars and get out there before the rush and also get out there before the President of the United States was there to throw the first ball. So this year I had very carefully checked all the senators and they all had agreed to come for the luncheon, which was promptly at 12 noon, because we had to leave before one o'clock. That morning I got a call from four of the most prominent ones. They said, "Lowell, we're sorry, but the British ambassador has the Archbishop of Canterbury visiting him and they're going to the game and they would like to have me sit in their box -- maybe it's because I'm on the Foreign Relations Committee

[6]

or what, but I don't know. I'm just afraid that you'd better not count on me having lunch with you this day or going out, because I'm going to have to go with the British ambassador and the Archbishop of Canterbury."

I was worried because I knew that Mr. Truman was, by that time, a very important figure in national and international affairs, and I wondered whether he too -- I called -- and he said, "Oh, yes, Lowell," he said, "I was invited by the British ambassador and the Archbishop of Canterbury to eat lunch and sit in their box, and I told them I had already accepted an invitation from you."

Here I was, a young, punk attorney with no position at all, no standing in official Washington. Well, of course, that warmed my heart to this man and we have always been close friends and I have always been one of his ardent admirers; for Harry Truman was always a man whose personal considerations were never controlled by what we call in Washington the "Potomac fever." I'll never forget when he

[7]

became Vice President of the United States, and he was a fellow who could stand a lot of kidding on him, so there were about fifteen of us all seated around the Vandenberg room, and I deliberately put him all the way down at the bottom of the table and put one of the very junior senators on my left. Mr. Sam always sat on my right, he was the Speaker of the House, and after grace, which for thirty-three years I have always given before we eat -- Jerry, let me read this grace because I think it should be in your record, because for thirty-three years this has always opened our baseball luncheon:

Oh God, teach us to pay our debt to Thee by the quality of our lives not by the quality of our words. Grant us such a measure of Thy Spirit that our fellowship at this luncheon, the baseball game, and all places where we have gathered together, may echo the fellowship of the spirit Thou has taught us in the quiet of cathedrals, the solitude of woods and the majesty of sea and mountains. Teach us to respect the feelings of others more than our rights, and the rights of others more than our own feelings, to differ without anger, to know the bad, not just the good, and to know that it is better to earn liberty than to praise it.

[8]

I remember the first time Harry Truman heard this grace, he told me afterward how much he liked it, and I think this is so; because I've always felt that this man, Truman, was one whose approach to life was always personal rather than an approach to life of things, and he seemed to me a man who always respected the feelings of others more than he did his own rights, and the rights of others more than his own feelings. Maybe some people get to be President by a ruthless determination to be President; and perhaps others, like I feel about Harry Truman, get there because of their own innate quality of character.

Here we were, seated in the Vandenberg room, a dozen and a half of us, Harry Truman the newly elected Vice President of the United States -- I had stuck him way down at the bottom of the table along with Billy Richardson, the man who was half owner of the club, and as I said, I put a very junior senator on my left hand and Sam Rayburn was on my right. After grace, one of

[9]

the White House staff, it was either Harry Vaughan or Matt Connelly, who always came with us, and Matt was Harry Truman's secretary when he was a senator, I think it was Matt Connelly that got up, and he said, "Mr. Chairman, it seems to me that you know nothing whatever about protocol, because here you have the Vice President sitting way down here at the bottom of the table, furthest from the salt, and you've got a very junior senator [incidentally the senator was a good friend of all of ours] sitting on your left-hand side, and I think this is an affront to the Vice President and I think you should correct this before we go ahead with our eating."

And then Bert Wheeler and some other senator stood up and offered the same observations. Of course, I appeared to be very confused, Harry Truman was in on the gag all the time. The others weren't, and so I said, "Yes, you're right and I apologize, and therefore I shall ask the Vice

[10]

President to come and sit up here next to me." Whereupon Billy Richardson, who was vice president of the ball club, got up and came and sat down next to me, much to the amazement of everybody there...

HESS: He thought he was the one being referred to.

MASON: Yes, and, of course, we pretended he was too, and President Truman got a big kick out of this. He had that quality, you know, a lot of fellows don't have the ability to laugh at themselves. This is something that Harry Truman certainly had. He and I had an understanding with one another. I don't know how many others, but not many people, not many men in the United States read *Pickwick Papers* every year, but Harry Truman and I always read *Pickwick Papers*. We were brought up on it, I suppose, as children. I know my father read it to me. And so when the two of us were together, why, if he wanted to classify

[11]

somebody as a character or tell what sort of a person they were, why, he would refer to a character in *Pickwick Papers*, and he didn't have to say what kind of a man he was, because I knew instantly what kind of a man he was. I remember one day we were standing in the doorway of his office -- the Vice President's office -- in the Capitol, it looked out on a corridor that lead

into the Senate chamber, and a fellow went by, and Mr. Truman turned to me and he said, "Lowell, there goes Alfred Jingle." Well, I knew right away what kind of fellow this guy was, He was -- well, anybody that's read *Pickwick Papers* will know what kind of a fellow Alfred Jingle was. I learned a lot of things from the Boss, a lot of things. I don't know whether they are apocryphal or not, but I think they helped me in my life a great deal. I used to smoke an awful lot, and I thought, "Now, when I'm around the President of the United States, he doesn't smoke; it's a discourtesy to smoke, especially in his own office

[12]

or anyplace else," so I gave up smoking. And strangely enough I found my eyesight became better. A doctor told me that smoke shrinks the capillaries that feed the blood to your eyes; anyway, this is what he told me and I found my eyesight greatly improved. I'm glad that I did give it up.

Another thing that some of the people might not agree with, but I do -- Harry Truman took a drink. He says, "Lowell, one drink is enough. Two is not enough." I always followed his rule on that. Before dinner I always have a drink of bourbon and that does relax the capillaries and sort of takes away the gnawing exasperations of life, and I think one does his family a favor when he can sit down to dinner without carrying over to the dinner table all the petty irritations that accumulate during the day. And I learned that from Harry Truman.

And I also learned another thing -- Harry Truman would always make his important decisions in the

[13]

morning. When he had to front-up to a world-shaking problem and he had to be surrounded by a lot of people who were brilliant, and many of them, apparently friendly, but men with all their own special interests at heart, and you have to be on the guard. He'd see those people in the morning. He said, "Lowell, in the afternoon if you're a little tired, just have your friends around you." I noticed the Boss always liked to have me around, because we were what the Italians would call simpatico. So I'd get around in the afternoon when he didn't have to have his guard up. No one should have to have their guard up all the time. They shouldn't have to have their guards up when they're not keyed up to the very pitch of what one has to be when he lives in the great white heat of the most powerful office in the world.

Well, anyway, so we always went to the ball games together. Strangely enough, after he got

[14]

to be Vice President, he still came, and then when he became President of the United States, he still came to our luncheon, but then instead of sitting in my box, he always invited our whole group to come and sit in the box with him. And so, of course, we had lots of fun, and strangely enough, after he left the presidency, Harry Truman, if he was anywhere in the East, he would always come back and eat lunch with us, but he wouldn't go on to the ball game. He would say, "No, Lowell, I've got to meet Bess now." He wouldn't go on to the ball game. That, Jerry, was how I came to know this man on a very personal., intimate relationship, which had nothing to do with politics.

Then one day, Charlie March, who was the Republican member of the Federal Trade Commission and a good friend of mine, died, and I went to the Boss and said, "Mr. President, I wish you'd appoint me to the Federal Trade Commission, because it's a very dark corner and it's very anti-business,

[15]

at least this is what the business community of the United States feels, and maybe I can go there and brighten up that corner of your administration a little bit."

At that time I was a very successful anti-trust lawyer making thirty or forty thousand dollars a year and the Boss said, "Lowell, you're a damn fool, but if you want to try it, why, I'll appoint you," and later on when he handed me the commission, he said, "Now, shall I tear it up?"

And I said, "Oh, no, give it to me," The job at that time, I think, paid ten thousand but it enriched my life, in my opinion, more than all the money in the world could ever do, and I've always been not only grateful to the Boss for appointing me to that, but one of the most interesting sidelights. after I had been in there a couple of years and my term of office was up (this is because I had been appointed just to

[16]

fill the March vacancy), the Boss called me over to the White House and he said, "Lowell, Congressman so-and-so," and he named a very important congressman, who is still alive and is the chairman of a very important commission, "has been in complaining to me about you and your pro-business attitude, and several others don't want me to reappoint you because of all the dissents and all of the hell-raising that you've been carrying on down there." And I had been doing it, too. In fact, I told the Boss when he appointed me that I expected to go in and file a good many dissents because I knew the other four wouldn't go along, at least three of them wouldn't go along with a pro-business or free enterprise, or what I felt was a free enterprise approach, maybe they didn't agree with me. During those two years it had been pretty lonely down there for me with all those dissents I had to file, and men who had been my friends socially looked with a bilious eye on my

[17]

dissents, because they were quite critical. Later on, going into my book *The Language of Dissent* -- but Truman said, "You vote the way your conscience tells you to vote and don't let anybody say anything to the contrary. That's all I want you to do down there is to do the thing which you think is right." It was quite refreshing because sometimes the Presidents don't want anybody on a commission unless he's on the team, unless he's just doing what his staff has determined he should do, and certainly Harry Truman, in that respect, and many other respects, was a true and a great American. I think maybe his judgment was later affirmed by the courts, because the majority of my dissents the Supreme Court sustained, and upset the Commission.

You see, under the Truman administration, the whole pattern of the Federal Trade Commission changed from an anti-business, and what I felt was an anti-free enterprise stance, to a more

[18]

cooperative approach. Of course, it didn't go as far as it should and it went very slowly. An interesting thing, after I had left, in fact, just recently, when Doctor Brooks had asked me to get my files together for the Truman Library, I made a dossier of most of what I considered my important printed speeches which were extremely critical of the Commission, practically during the entire Truman administration. Because Truman didn't have a majority on the Commission, first I was the lone voice there, later on he named Jim Mead, who was an excellent man who took my place as chairman. After all, I was chairman, and you have to have a Democrat chairman when you had a Democratic President, and Jim Mead was probably one of the finest chairmen the federal Trade Commission ever had, because he was kindly and considerate and openminded; and while he and I, as the prayer says, did disagree in many things, we didn't disagree in anger.

[19]

This group of speeches that I got together, that I'll give you, Jerry, they're all in one envelope and they all express what became the Truman policy and was the subject of his own Presidential message to Congress on the FTC budget requests, I think it was in 1947. I also drafted at the time a proposed bill which I will also give you, to carry out the Truman policy. Mr. Truman, at that time, sent a special message to Congress through his budget department, requesting funds to be set aside for the cooperative approach, or for more of a cooperative approach between Government and business, rather than merely a cat and dog approach. We got the money, too, because Mr. Truman strongly urged the appropriation, Congress gave the money, and we got the money which was to be spent for the cooperative approach, I still being in the lone minority down at the Commission. When the money got to the Commission, they spent it all to increase the

[20]

prosecution which was, of course, a standing joke around Washington. A bureaucracy doesn't always carry out what the presidential wishes are in many respects. But an interesting thing I found, and sometime I hope to do a book or I hope that some astute scholar of history will do a book on the subject and that is the political lag that exists between what should be done, and what has been very vitriolically pointed out, should be done, generally doesn't occur until many years after the proposal, and sometimes fifty years after a man dies. Take for instance, John Milton's *Areopagitica*, his great diatribe against censorship. At that time, during his life, nobody could publish a book unless it had first received the imprimatur of Parliament, and it wasn't until fifty years afterward that his attack on censorship had any effect. But strangely enough, in my rather recent speech that I made where I attack the

[21]

Federal Trade Commission, the chairman said to me -- Rand Dixon, he's the present chairman -- he said, "Lowell, what are you picking on me for; we're doing all the things that Harry Truman recommended during his administration." Rand Dixon is trying, and valiantly trying, and in many ways he has accomplished the Truman program -- the cooperative approach -- the trade practice approach -- the idea of letting a businessman know what he shouldn't do instead of suing him for doing something he was not aware was wrong. Because the Federal Trade Commission doesn't pass statutes, it merely tries a man, and then when it gets through trying him, it says,

"Well, we think, that is an unfair act and practice." The Federal Trade Commission has become sort of a guide to business. It still goes after the crooks and still goes after the fraudulent advertising and the price-fixing and all that, but it's now opening up the very thing that Harry Truman's whole philosophy stood for and

[22]

what we tried to do in the Truman administration. I've made up a dossier of speeches where I have attacked what the Federal Trade Commission had done over the years. "Trial by entrapment" -- sue one man for what thousands of others were doing and you knew they were doing it but you only sued one man; trial by whim, where you prosecuted a man just because, well, we'll pick out this man, and where you refuse to let a proposed respondent even know what you're thinking about suing him for, and when you sue him, you refuse to let him know what kind of testimony you're going to use; and Dixon has stopped all of that sort of monkey business. Under the proposed Truman program a respondent would be advised ahead of time and he had a chance to sit down and either show that he was not violating the rules a good deal, like a man can sometimes do before a grand jury, or to mend his ways and agree to an order. This is what Chairman Dixon is doing today and I'm inclined to think he's

[23]

right. I said, "I'll tell you what I'll do, Rand, I've made up this dossier; I'll let you make up a dossier of all of your pronouncements, all of your speeches, and all of your rulings which you claim are now putting into effect, in this year 1966, the things that Harry Truman stood for in the year 1947 -- twenty years ago -- and so Dixon made this up, and it's in a package, Jerry, and I'm handing you that package with the seal unbroken so maybe historians can look at it, and they can't say that I've tampered with it because I haven't even broken the seal, and maybe they will agree with Rand that he is now accomplishing what for twenty years was never done down at the Federal Trade Commission, carrying out the Truman program.

HESS: How would you characterize Mr. Truman's view of business? Just what was Mr. Truman's philosophy towards business?

[24]

MASON: Harry Truman applied the rules of humanity. There was nobody in the world more adamant against the crook, the price fixer and the false advertiser. I mean, his attitude. He never got into individual cases -- never -- Harry Truman nor his staff -- never. Matt Connelly, the fellow that they accused of interfering with Government, Matt Connelly -- and I knew him well -- completely stayed away from anything like that. You can't say that of some other administrations, with their desire to control things. My own personal opinion of Matt Connelly is that he is another Dreyfus. I have a feeling that the reason my own party which came into power, spent millions of dollars trying to dirty up Harry Truman's close personal staff, was pure politics. Matt Connelly was a typical Dreyfus, that's what I think, and, of course, you know what happened to Dreyfus; he was stripped of his uniform, disgraced -- just like Matt was -- and then many years afterward completely vindicated. History will vindicate Matt Connelly;

[25]

it won't now, they say, "Oh, he was found guilty," but under what strange circumstances. They had to bring a judge down a thousand miles away from his hometown to try Matt, and the judge who tried him committed suicide afterward -- strange circumstances. I think this course has always been the case when the ones who get into power use the office not to bring about justice, but to bring about their own aggrandizement. In fact, Jerry, I've got a new book coming out next fall, *The Bull On the Bench*. I don't call Matt by name, but the idea is incorporated in my book -- the Dreyfus idea.

HESS: Here is the photograph I received a few days ago from the Library. It's of a "Lowell B. Mason baseball trophy." Could you tell, me about the background of that?

MASON: This is way back, this is when I think the Boss was President.

HESS: In 1949.

[26]

MASON: Yes. Well, at the luncheon we got in the habit of putting down what the score that we thought that the opening game would come up with, and then we would give the Lowell Mason trophy. I used to get the students over at the Corcoran Art Gallery to do a clay caricature. Tom Clark, who's now Justice of the Supreme Court, won the prize one year, so the students made a caricature of Tom in Texas boots and spurs with a baseball bat in hand and his hat turned around like a baseball player. Tom still has the thing; it's down in the basement; it was just made out of clay and I think it's all cracked. This thing here of Harry Truman with his hat turned around with an umpire's chest protector on; Harry Truman won; he guessed the right score and so I said, "You won the Lowell Mason award," and he said, "Oh, Lowell, you're just saying that because I'm President. You're just trying to get in good with me." He used to

[27]

kid the daylights out of me all the time, anyway, and I had a devil of a time persuading him that actually his score was correct and he won; so this picture is the one, and I think in 1949, I think that's before I got my daughter to start doing the work. I gave the students at Corcoran Art Gallery photographs of Harry Truman as he was as President, and then they dressed him up like that, and I imagine this is just a clay thing; you say this is at the Truman Library?

HESS: Yes, it is.

MASON: I'm sure we didn't cast that in bronze, but it looks like it's in pretty good shape, and so that comical picture of him -- he's thumbing someone off of the base, declaring him out, I would say, wouldn't you, from the gesture there -- was made by one of the students. You know what I used to do at Corcoran Art Gallery, I used to give them a couple of hundred dollars to buy supplies for

[28]

the kids, you know, clay and stuff like that, and then they'd spend it for the whole class, but, of course, the kids that did this -- I'd like to know which one of those children did it because I think it's a darn good caricature, don't you? Later on Lyndon Johnson won it; Russell Long won --

when my daughter after she graduated from Corcoran -- she did the Russell Long one, and I always have a Republican present it if a Democrat won the prize, and I had a Democrat present it if a Republican won it. So I said, "You got that one ready for Russell Long for our luncheon when the baseball season starts?"

She said, "No, Dad, I showed it to Senator Long and he said, 'Why, am I that fat?'"

She said, "Yes, you are."

He said, "Then don't give it to your father; I'm going to go on a diet and I'll come back next month and have you do a new one of me," So we gave no prize that year.

[29]

And another year we gave no prize -- Lyndon Johnson, when he was majority leader won it, and it got near the baseball day and he guessed the right score. We got near opening day the following year and my daughter came to me, she said, "Gee, Dad, I can't get this man to sit still to have his bust taken. I can't waste time just sitting around in his office day after day. I've got to earn a living."

And Dirksen who would present it to him said, "Lowell, what are you going to do? We haven't any bust of Johnson?"

So I suggested, "Let's make a little bronze statuette of a man running with a telephone in his hand, and make it look as much like Lyndon Johnson as she can," and so she did that and cast it in bronze. That's what Everett Dirksen gave Lyndon Johnson. I understand it's now in the Oval Room of the White House. He thinks that's one of the best ones he has; certainly it's a conversation piece -- of him

[30]

running and also trying to talk on the telephone. God knows he's on the go all the time now and he was then, too.

Before we get on to something else, Jerry, one year I looked forward to President Truman coming to the luncheon (this is after he was back in Independence) and we had it all arranged. I had arranged with Eric Johnston, who was head of the motion picture producers, and back many years ago when I was a young lawyer, before Harry Truman came to town, I used to represent Will Hays, who was Czar of the motion pictures; I used to do their trade practice work. So when he died and Eric Johnston came in (I didn't know him too well), I went to him and I said, "Every year this group of senators has lunch with me. We go to the opening game. You know what I'd like to do, I'd like to make a movie -- a home movie -- and have the story of how each one of these senators went to the ball game with me, and try to do a separate movie of each one, I mean, a separate insert; and

[31]

I want the story to say that the Washington Senators were tied with their rivals and they'd run out of recruits, they had no more reserve players, and the score was seven to seven, and there were

two outs, and they needed a pinch-hitter, and all of their players had been used up, and the coach of the team says, 'I see Senator so-and-so' [we filled in the name on each one, you know, like you do on those newspapers when you go to county fairs and you pay a quarter and have your name in the headlines and then the story is all the same] 'Senator so-and-so sitting in Lowell Mason's box, let's get him because he used to be a pinch-hitter when he went to college, and maybe he can still go out there and hit a home run, '"

Of course, that was the story and we applied that to all thirty of the senators that were out there, and we took motion pictures of each one of these senators signing up. We were all set and

[32]

Harry Truman was to come, in fact, his ticket was bought and his suite was reserved for him, because he was going to make a speech somewhere in Kentucky and from there he was going to take a picture of him signing up. And then, of course, we were going to have a professional ball player out there hitting the home run, but with his back to the camera, but we could say that it was Harry Truman hitting that home run for the home team. That was what the story was all about. I had done it one year with newspapers, you know, like they used to do in the county fairs, so this year we thought we would do it with motion pictures. We put a lot of news clips in the motion pictures; there would be crowds cheering and all that sort of stuff. So we were all set up in the dining room. We had one corner of it made up like a dressing room, and we got one of the senate pages dressed up like a bat boy. We had a lot of bats and balls and gloves around,

[33]

so when the senators came in to eat lunch with me, they'd take their coat off and we'd put a Washington cap on them and then they'd go over and we'd set them up with their baseball bat. Eric Johnston would whisper to them what they were going to do. When we got them out to the park, we took a picture of them signing up, in other words, we took the motion picture backwards. Then in another corner of the dining room at our luncheon, we had it fixed up for a banquet -- only three chairs were all that we needed, some flowers and some silverware, stuff like that -- and then each one of these senators, we took a short movie clip of him, received the Lowell Mason award because he had hit the home run, and if it was a Democrat that we were taking a picture of, why, Everett Dirksen presented the Lowell Mason award to him; and if it was a Republican, John McCormick presented the thing. Strangely enough they said it was impossible,

[34]

you couldn't shoot thirty separate, different clips like that at a luncheon, but we did, and we had all those thirty pictures -- but Harry Truman couldn't make it. He didn't go to the Kentucky thing where he was supposed to be and couldn't come on, and so we never did get the clips on Harry Truman -- this was after he was back in Independence. And then when we were about ready to make up these motion pictures, Eric Johnston died. All these different pictures of him dressing these senators, and I didn't know what to do. It was kind of ghoulish to make the motion picture up with Eric dead, and so we decided on what I thought would be a good idea: I would print a separate book, and put these pictures in, and so we did one little thin book, but actually it took about as much work as to write *Gone With the Wind* because it was forty different times. Of course, we got away from having to print all the pages differently,

[35]

because we had the prints, like when Hubert Humphrey hit the home run, why, the outside picture shows him hitting it, but then in the story about how he did it, we just referred to him as "our hero." So we didn't have to write Hubert's name in it, because that also fit Skeeter Johnston who was Secretary of the Senate, also fit Mike Mansfield, Mark Trice, John McCormack, John Pastore, Dick Russell, Lev Saltonstall, John Stennis -- why, should I name them -- Everett Dirksen, because, as a matter of fact, all these books have the complete membership of the Lowell B. Mason Marching and Chowder Club in the back, and all of those, with the exception of the Boss, of those who were living, had these books made up, And, of course, the text is all the same but the pictures are just of the particular senator, so I want to give you, Jerry, I want to give you half a dozen or a dozen of these books just as a sample of what we did that year -- it was the year that we missed

[36]

having the Boss with us

HESS: 1956.

MASON: Was that 1956, yes. He was supposed to be in Kentucky and he was going to come up the next day and be with us and then he didn't go to Kentucky, so we missed the Boss on that one; but he never missed a game when he was here in Washington as senator, as Vice President, and even as President of the United States he always came to the lunches. He was really, well, you've got pictures of him in these, what do you call these, stereopticons of him, and the press was never allowed in, the pictures are all private, nobody has them but the Truman Library, and I've turned them over to you. The press was never allowed in. They'd sneak in afterward and look at our blackboard and see what their scores were and they'd find out -- there'd be a little squib about "so-and-so won the prize for this year," but they were never allowed in there

[37]

otherwise.

HESS: I have read your book *The Language of Dissent* and you mentioned to me that in the original manuscript there were several pages relating to Mr. Truman, but that your editors requested that they be left out of that particular volume. Do you have anything to add on that?

MASON: What I put in was the circumstances of my opportunity to meet this noblest senator of them all, as I call him, and it was what I told you about how Barkley and Sam Rayburn said, "Lowell, we've got a new man we want you to put on the list," That story is what the editors cut out because they said my *Language of Dissent* was a legal book, not a book of personal reminiscence, so out came all of that.

Jerry, you want to know about President Truman's basic concept on how business should be treated. I don't know any better way (instead

[38]

of me just trying to draw it out of my memory), than for me to say to you and to refer to my minority recommendations, which the other four commissioners refused to let me put in the annual report, and by God I went out and had them printed at my own expense, and sent them to all the members of Congress. And you may be sure I showed them to the Boss before I did, because they are the basic reflections of the whole attitude. Now, if you want it on the tape or we'll just get the thing out and read it, but why do that, why not just refer to Commissioner Mason's Minority Recommendations to Congress because these do reflect what I had discussed with him and in which he was, in fact, he put much of it in his message, when he had the Budget Bureau work out that appropriation for...

HESS: Was that 1947?

MASON: Yes, 1947?

[39]

Yes, 1947. And this was not any hastily conceived program. The minute I got on the Commission, I had what I called Project 1600, and this I won't even digest to you because I'm going to give you all of the court reporters' transcripts of Project 1600. Briefly, I brought in before me -- and this was nonofficial, I was just doing this as a citizen -- for guidance from the top educators, the top lawyers, the top economists, who didn't have a selfish stake in perpetuating bureaucracy or anything, but were merely thinking in terms of what is the best for the United States, what is best for our economy. That's what Project 1600 was, and I will, just refer to it here on the tape, because I'm turning over the only existing copy there is of the testimony. When I say testimony it was the conversation between myself and these eminent scholars of the economic scene of that era; and out of that Project 1600 grew the President's recommendation, Budget recommendation,

[40]

and my minority recommendations which are also printed and which are in this dossier of the things which the Truman administration stood for, but all of which we didn't get. But thank God, now we have them. I say Rand Dixon is now doing what Truman stood for back in those days and that's in his dossier, which I now give you. You can let your historians break that seal, and they can see whether or not -- we didn't have to wait like John Milton did on *Areopagitica* for fifty years.

HESS: All those documents will be in your papers at the Truman Library.

MASON: And also one file which is this one marked here, "Lowell Mason's Pamphlets," those are the important printed speeches which give in story form sometimes, because I was talking to businessmen -- as I told the Boss, I would never write an opinion in the jargon of the lawyer; I did most

[41]

of all my speeches in story form and many of my opinions I illustrated by examples in story form. I think the "Standard Oil Dissent" is partially in story form and I embalmed the names of my staff as the characters in that, and incidentally, the Supreme Court sustained me. But to show

you how long it took before this Truman philosophy went into effect, I filed the Standard Oil dissent the first year the Boss put me on the Commission -- a four to one dissent -- the majority of the Commission held that a man didn't have the right to meet his competitor's lower price. I filed that dissent in 1945. Do you know when the Supreme Court finally upheld my dissent? One year after I had left the Commission. So that's twelve years. Why, heck, we're four times better than John Milton was with his *Areopagitica* because it was fifty years before parliament agreed with Milton and said that they didn't have the right to censor anybody.

[42]

Let me refer to them as Exhibit A, and Rand Dixon, who is doing all the Truman things, mark that Exhibit B.

HESS: Fine, the list of speeches will be Exhibit A, and the Rand Dixon material will be Exhibit B.

Mr. Mason, will you tell something about the men who served as commissioners on the Federal Trade Commission during the time that you were there?

MASON: I suppose we ought to go over that a little bit because after I left the Commission and wrote my book *The Language of Dissent*, which was a compilation of all the dissents, one could say, well, why all these dissents. If you were the man appointed by Harry Truman and spoke for the policies which he approved and which he requested Congress to approve by his Budget Bureau recommendations, how was it we didn't get the Truman reforms through, the reforms which I had been advocating

[43]

all this time? Here I was on the Commission, I was his first appointment, right on up through his entire administration. Of course, the answer to that, Jerry, is when I went on in '45, all of the men were Roosevelt appointments, and when I say Roosevelt I really should say that all he did was appoint them, because he lost interest pretty much (we all felt he did), and I think the business community also. Roosevelt lost interest in the Federal Trade Commission from the day he tried to fire one man who was not representing the administration's view, or not representing, say, Roosevelt's view. He fired him and the man sued for back salary. He died but his estate later collected all of his salary because the Supreme Court said you couldn't fire a Federal Trade Commissioner. That was the famous William E. Humphrey case. So from that day on the Federal Trade Commission sort of lived off in the backwaters of officialdom. The commissioners, all

[44]

of them, were very elderly, I think with the exception of one they were all over seventy and they ran it sort of as an old family affair, And one was Ewin L. Davis, a very fine man and a real gentleman. They were all south of the Mason-Dixon line incidentally. As Truman's man I was the first to break the color line down there, and put the first colored man in some job besides a custodial position. My messenger, Mr. Arthur Brown, taught Latin and Greek at night. I told the Boss about this and I said, "I want to break the color line; Mr. Brown ought to be bailiff -- an official of the Federal Trade Commission. He's a man of great dignity and a man of great cultural attainments."

The Boss was with me on it, in fact, he said, "I want to meet that fellow." I brought Arthur Brown over. He is a real scholar; the man is alive today and still is the bailiff of the Federal Trade Commission. So we finally got the thing

[45]

through that Mr. Truman wanted, Mr. Brown is still the bailiff of the Federal Trade Commission.

There was Garland Ferguson, a very fine man and he has been since 1927, and Colonel March since 1929. In fact, when he died that was the appointment that Harry Truman put me in. Bill Ayers, from 1934, and Bob Freer was younger than they were, he was put in in 1935. I always felt it was pretty much dominated by the other men. So they ran a tight little family organization and had no response to the political or the economic thinking of the day, but just did what the staff told them to do.

HESS: Could you give me an incident about each one of these men that might characterize them as the men you know them to be?

MASON: Well, no, I found them, they were all very fine men, men of exemplary character -- their ideas -- I felt that they were captives of the

[46]

staff, they were reflecting what their own staff thought. In fact, I accused one member of the staff of running the Commission. He said, "Well, somebody has to." He was a competent lawyer, but didn't believe in hard competition; he believed in soft competition, and he ran the Commission; he said somebody had to run it. Of course, I was a dissident voice, but he was right, I suppose somebody did have to run it.

HESS: At what time was that?

MASON: Well, you see, this is '45, '46, now here Truman had put me in; '46 all of these same fellows; '47 they still were there, because, you see, they were all in for seven years; '48 and '49; it wasn't until '50 that Mr. Truman was able to get anybody on the Commission besides me and he got Jim Mead, who served in the Senate with him and who was a very fine man. He put him in at the time when I was filing all these dissents and saying that

[47]

the chairman should do the housekeeping. When I first went on the Commission, you couldn't hire a stenographer unless you went around and got three votes of the commissioners. They were wasting their time with the housekeeping, and I filed a recommendation. In the first place, I said the commissioners should get more money, they were making ten thousand dollars a year, which is just about what a good successful secondhand clothes dealer makes, and these fellows were just holding sinecures -- they weren't doing much work -- just hanging around. The legal assistants were making the decisions for them, in fact, we had legal assistants whose business it was to write opinions. I remember the first day when I had a case and I called in the legal

assistant and said, "Now, this is what I'm recommending, and I'm going to decide this case this way and I'm going to take it up with my colleagues."

"Well," he said, "no, I think it should be decided the other way."

[48]

"But," I said, "aren't you working for me; haven't you been assigned to me?"

"No," he said, "I represent the whole Commission, so I'm going to write the opinion the other way."

So I just simply took the case and filed it away for seven or eight months, until I was able to get someone else, because he would have written the opinion contrary to what I, as a Federal Trade commissioner would. Some commissioners would go away for a vacation and the staff would vote them, and they would never even know what the cases were about. The staff made the decisions, the special legal assistants. We broke all that up finally under Truman, we finally got so that the commissioners -- none of them ever wrote opinions. I think Humphrey was the last man and he got fired -- and I wrote more opinions, started right in, and I said to the clerk, don't put my name on any decisions unless

[49]

I put my initials on it. The other decisions were written and the commissioners often never even saw them. Each commissioner was assigned one little bureau and he would hire the patronage for that bureau and he would run that bureau and have the final say-so on that; one fellow had the economists, or one had the clerks, and one had the stenographers; why, that was their little bailiwick, and another one the investigators, which was no way to run a quasi-judicial organization. I was very bitter about this; the Boss knew it, and he got a big kick out of it every time I raised Cain on the thing. The press backed me up. I was treated all right in the business community but it was lonely down at the Commission. So, you see, for five years, Harry Truman only had one man on the Commission; then finally he got Jim Mead on, which gave another voice. And interestingly enough, Jim Mead and I blocked, what later went on they put

[50]

through during the Eisenhower -- my own party which was always talking about being pro-business. The staff wanted to have the right to put any businessman to the inquisition, and public inquisition too, Jerry; they wanted to call him before a public hearing and have all his competitors in the room, and then say, "Now tell us where you get your supplies and what do you pay and give the names and addresses of the people that you buy your stuff from and what you pay."

"Well," says the businessman, "I don't want to do that. Here's all my competitors."

The FTC replied, "This is a hearing and the statute says that you have to answer our questions or we'll fine you a hundred dollars a day, and if you lie, you'll go to the penitentiary for three years."

The Government was more interested in maintaining its own prerogatives -- if you want to

[51]

call it Government -- than it was in protecting the private citizen. For example, if a man were to blackmail another man by threats, he could only go to jail for one year, but if this businessman didn't answer the FTC question properly, if he lied about that, he could go to jail for three times as long as a blackmailer, Jim Mead and I put a stop to public inquisition of businessmen. Public inquisition came back during Mr. Eisenhower's administration, and then under Mr. Kennedy they had public inquisition too. But, by cracky, the courts put a stop to that -- you see, we're not living in Russia yet -- and a man's secrets are his own and if it's something where he is violating the law then you can force him to divulge to the prosecuting officials, but subpoena under court direction, and he must give the answer so that you can -- for a corporation -- but you cannot force any private person to be convicted out of his mouth. This

[52]

is America. This is the way it's supposed to be, but under the Kennedy administration we had public inquisition, and the businessman had to go to the courts. This was the famous Kroger case out in Indianapolis, and the court said, "You can't do this to anybody in this country," and they put a stop to it; but up till then, why, this is the way it was.

And the trial examiners we had who heard the cases when I first went on the Commission didn't make their own decisions. The prosecutor wrote up his decisions for him, and he signed it. In other words, the prosecutor was also the judge. The general attorney would advise the commissioners -- also advised the prosecutor -- it was the same office, which, of course, was contrary to the whole concept, the Wilsonian concept, of the Federal Trade Commission. It was supposed to be, as Wilson said when he recommended that Congress create the Federal

[53]

Trade Commission: "Businessmen desire the advice and the definite guidance and information which can be supplied by an administrative body instead of by prosecution. Let a man know what he's doing is wrong before you call the turn on him."

My recommendations -- I was speaking for the President -- were that we should do away with these things and we should delegate all the housekeeping functions to the chairman. No, none of the commissioners would go for that because that would break up their own little empire: One was running the clerks, one was running the trial examiners, and I don't know who they had on, but they had their own friends on those things; and they were not going to turn that over to an administrator to run the Commission, they wanted to run it themselves, in fact, that's where they spent a good deal of their time. I hate to be vitriolic on this, most of this is all in my

[54]

dissents and speeches, but we were able to get a lot of the fringe things changed under the Boss. And then, of course, finally when the reorganization act went through, the President had the right to name the chairman so that he could center the responsibility for the housekeeping. But I remember that public inquisition they wanted to have, and we temporarily stopped that --

Truman's wasn't for that sort of stuff, and we were not for that sort of stuff -- that came later after Truman was out of office.

After Mr. Truman left, there was a backsliding and the FTC got back into the numbers game, you know, each administration tried to see if it could sue more people than the other, and they wasted their time with a lot of petty litigations which were easy to win because it looked good in the annual report instead of attacking a problem right at the source.

HESS: I think we have a couple of other commissioners

[55]

too: John Carson and Stephen Spingarn.

MASON: Very fine men personally.

HESS: What kind of commissioners did they make?

MASON: They were fine men personally, Jerry. Take that for the answer.

MASON: John Carson, bless his soul, a man, an idealist, not a lawyer, a fellow who, I think, used to be a speechwriter for a wealthy senator from Michigan. Maybe you remember his name. Cozens? He inherited part of the Ford empire.

Oh, you mentioned about Mason's Law. This, I think, is one of the basic things which I stood for, Mason's Law; it's in my *Language of Dissent* and many of my speeches. I'll just give you a thumbnail sketch of it because it's still quoted. Most editors of business magazines carry *The Language of Dissent* on their desks. When anybody writes an article on administrative law they first

[56]

read Mason's law, In fact, a United States Senator quoted it extensively in a speech which he made just a couple of weeks ago in Chicago. I can give you a thumbnail if you'd want to even burden this up with a thumbnail of Mr. Mason's Law. I was talking to a convention down in St. Louis last June, and a man asked me if I knew something about it -- it was a brewery convention. He asked me if I knew something about breweries. And I said, "No," I didn't.

And he said, "You're here, going to make a speech to brewers?"

"Yes," I said. "I probably won't talk about the technique of making beer." I said, "Do you know Adam Smith's Law?"

And he said, "No."

I said? "Well, competition is the life of trade. Do you know Gresham's Law?"

And he said, "No."

"Well, that's bad money drives out good

[57]

money. Do you know Parkinson's Law?"

"No"

"That's the one, you know, Parkinson's Law is on everybody's lips today. He wrote his book, *Parkinson's Law* not too long ago, and then he's written a new one called *The Law and the Profits*. That says bureaucrats will expand their work to eat all the tax money available. In the first half of the twentieth century the taxeaters grew five times as fast as the taxpayers. And a half century ago Uncle Sam had a half million job holders. According to the way I figure, applying the present growth rate to the future, and I'm talking now about the present administration, also Mr. Eisenhower's too, it doesn't make any difference whether it's a Democrat or Republican, this has nothing to do; in fact, I think two parties are so much alike, it's just who's in and who's out that counts now. But according to my calculations, there'll be sixty-nine

[58]

million employees by 2053. I find my figures are wrong, there won't be sixty-nine million people working for Uncle Sam, we'll all be working for the Government. If you extrapolate the present rate of growth of the employees of the Government as against the rate of growth of the private entrepreneur, that's the way it is. Now, Mason's Law is different from Parkinson's; Parkinson's says that you will eat up all the tax money which is appropriated, now and then you get an agency that doesn't, but it really makes headlines. Mason's Law says that power never limits itself. Now we're now talking about the number of employees. When Congress creates an agency of Government and limits it to a specific job, like collecting the garbage or paving streets or pumping water, the agency does that job and that's all it does, that's all it can do; but under Mason's Law, when an agency of Government has indefinite power, it acts like it's got a dose

[59]

of LSD, I mean, it gets delusions of grandeur. It tries to run people's lives. That's what the Federal Trade Commission was trying to do -- not everybody, they just wanted to pick out a few cases and establish a precedent -- they just wanted to tell a few people. Then come the millenium, then they could say, "Now this is the precedent." As a matter of fact, Jerry, this is what I learned when I was Truman's appointee. The precedents were already there, not on the statute books, but in the cases which had been decided. They make it possible for anybody who has a strong personality -- if the citizens continue their preoccupation with just the gadgets of life and don't think about what their Government is doing, a strong man could take the laws as they stand today and make Mr. Hitler look pale by comparison.

You take the Federal Trade Commission. Now, mind you, I'm not indicting the present

[60]

administrator, because Rand Dixon is really trying to do the things that Harry Truman stood for back in those days (Rand wouldn't admit that; he'd say he's trying to do his best now for the present administration), but I'm talking about the powers that are there.

You know, back when General George Washington sat in the Constitutional Convention, presided over it in Philadelphia in 1787, and when it was finally adopted by the Convention (it hadn't gone yet to the states), I think Lee of Virginia -- everybody adored Washington, they revered him; he was the father image, a good deal what a lot of people thought about Eisenhower, the father image, you know, the man on the white horse -- he said this Constitution's terrible. He said, "I'm not thinking about General Washington as long as he's there, but I'm thinking about 'General Slushington,' when Washington isn't there," And if Rand Dixon and the present people are

[61]

putting emphasis on things that Truman stood for, as they say they are, and I think in many cases they are, and I'm not criticizing Rand Dixon and what he's trying to do, I'm criticizing the basic law and the decisions which he practically has to ignore if he is going to do the things that he's trying to do. And if somebody came in, why, Mason's Law could then go right into full operation, because Mason's Law says that -- let me see if I just can't put it down in one sentence: When an agency of Government has broad indefinite powers, it will extend those powers far past what the Congress intended, not to accomplish what Congress had in mind, but to perpetuate its own power.

Who was it, the Mother of the Russian Revolution said: First you have the idealists and people who will die for this ideal; then you have the organization to carry out that ideal; and then eventually you have the organization to

[62]

carry out itself; and the ideals are only a facade to cover their own grabs for power. That's what the Communists have done. Russia isn't a Communist country at all, that's merely the facade that the power group in there have, that they are using.

Well, that's Mason's Law and it's covered in my book *The Language of Dissent*, and in most of those speeches, which I'm filing as part of the Truman file, which I'm giving you.

Got anything else, Jerry?

HESS: Well, I have a few questions. One is on the White House staff. At the time that you were in there, did you have many dealings with Clark Clifford and Charles Murphy?

MASON: No, I knew Clark Clifford and I knew Charles Murphy and Matt Connelly, whom I considered a much aggrieved man. That was a political

[63]

indictment which he received, and I was over there, I was Harry Truman's fair-haired boy, I mean, I was one of his pets and was over there an awful lot of time. I want to say, nobody, and

but nobody, dreamed of making a suggestion as to the decision in a case, or to the treatment that anybody got. But I found, Jerry, that going to the White House was extremely exhausting, I mean, just being around the white-hot light of such tremendous authority seemed to key one up, that even though I was on very friendly, easy and relaxed terms when I was around the President, but just the institution of the Presidency, this keyed one up so much.

HESS: I have a couple of other questions, would you want to wait until tomorrow.

MASON: Yes.

[64]

Second Oral History Interview with Lowell B. Mason, April 13, 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: I've just been telling Mr. Mason that some of these people that I interview look at the recorder just like it's a rattlesnake sitting there. We both agreed that we have a little tendency of that ourselves.

Now, you were talking about Mr. Truman and his views on civil liberties, sir.

MASON: Yes, you know this is interesting when Jerry cut the tape off and I right away blossomed forth; I wanted to make some very personal observations about the Boss and what I felt his philosophy of life was; and then we both agreed, let's see if we can't get this down. Maybe it will sound kind of off-the-cuff and off the top of the head, but this is really my own evaluation of a man whom I knew as a friend, not just as a high public official. I was always

[65]

aware of the fact that he was, but he was so disarming when we were alone. I could almost talk to him, and I did talk to him, just as though he were my older brother. I'm a libertarian, Jerry. I think that's a better term than conservative because some of the things conservative stands for -- in my new book, *The Bull on the Bench*, I have two justices of the Supreme Court, one is an ultraconservative and the other is an ultraliberal, and both of them are pretty bad. Both of them are really for the police state. You can't be an extreme liberal and have a complete welfare state unless you do believe in totalitarian tactics, because there are so many people who need guidance. They won't get what the liberals call the full development of their lives, unless the state takes them by the nose. So they believe in inquisition so that you can catch the incipient troublemakers before they contaminate other people. And the

[66]

ultraconservatives -- they're actually the same way, They believe in the police state. I have to laugh at this recent imbroglio about the CIA paying millions of dollars secretly, in unvouchered funds. Bill Douglas, a Supreme Court Justice, wrote an article in a magazine many years ago complaining about the millions of dollars of unvouchered funds that are being spent. Well, the conservatives were indignant that this money went out -- why? It's because it went to the liberals; it should have gone to them. Now this is screwy. Now Harry Truman was a true libertarian. He believed in the Bill of Rights. He had a great respect for law. You get to be President of the

United States and you almost get to thinking that you are an acting God. Remember, who was it, was it President Jackson who took away the lands from the Cherokee Indians and drove them out into the West, and when they sued, the Supreme Court ordered the United States Government to pay those Cherokee Indians back that value of the land

[67]

they robbed from them, Jackson said, "Now that the Supreme Court has ordered me to pay the money, let's see them collect it." That wasn't Harry Truman. I remember that there was a serious strike -- I think it was in the steel industry, wasn't it, or was it in the railroads...

HESS: Railroads in 1946 and steel in 1952.

MASON: Well, anyway, it was one of those two. All I remember was that Harry Truman ordered the seizure of those plants and the court ordered him to give them up, and instantly he obeyed the order of the court.

HESS: The Judge Pine decision.

MASON: That was the steel decision. Judge Pine, you're right, Jerry. Jerry, I can see you're an historian as well as an archivist.

Well, let me tell you, that's Harry Truman.

[68]

He has great respect for the law. He didn't think he was God. He did say, "Lowell, the buck stops here." But with him, law was paramount. So one's acts are the things that speak. We have a lot of prominent men in this country, we had a lot of great men in the old days and they weren't very prominent. Now we have in this century -- and I'm not talking about anybody in particular -- now we have a lot of prominent men who are not great. But Harry Truman wasn't what you would call the prominent type President, he wasn't the man who could cut ribbons on highways and appear at a social function and be the cynosure of all eyes. People said a lot of unkind things about him. The historians today put him up among the top, and those that were so widely accepted when they were in office -- you don't even see their name on the list. It takes history, I guess, to make the judge of character, just like, I think,

[69]

it took that little baseball club I had which Harry Truman always came to, where position and power and brilliance, I mean, outside brilliance, didn't count as much as the intimate personal relationship, the integrity between one man and another in what is the most exclusive club in the world -- the United States Senate. And that was where Harry Truman was accepted by everybody -- all his colleagues. They didn't go around singing his praises, they just felt in their hearts there was a kind of a fellow that they'd like to sit down to lunch with and go to a game.

HESS: Speaking of the views of historians, a hundred years from now, a hundred and fifty or two hundred years, what do you think the historians' view of Harry Truman and the Truman administration will be?

MASON: Oh, I think (this is not just my view), this is the view of many men who are publicists,

[70]

fellows like Krock, who's a friend of mine, Arthur Krock; now he's retired.

HESS: Just retired a couple of months ago...

MASON: A couple of weeks ago -- a great friend and great man; fellows like Dave Lawrence, I think that they even anticipate what the historians will do because they are so close to all of the men who are prominent. For myself, I suppose my judgment is not very important, because, after all, Harry Truman appointed me to an office, in spite of the bitter complaints from many of his own supporters, and reappointed me when a lot of them didn't want me because I was a dissident voice in an otherwise placid Commission, and politicians always like to have everything very placid, but not Harry Truman.

HESS: You were making waves.

MASON: Let's be very objective about this thing:

[71]

Harry Truman's handling of the Korean situation, so vastly different than what people think is a parallel of Vietnam; Harry Truman stopping the Communist onrush into Greece and without losing thousands of young American lives to do it; Harry Truman standing up to Mr. Stalin at Potsdam. Truman was vigorous and he was a man in physical and intellectual prime and, boy, believe me, the buck stopped right there, and he knew it and he handled himself there at Potsdam. He was telling me he got a big laugh out of a lot of the side issues that won't get in the history book. One of the fellows Harry Truman used to have hang around him in the afternoon -- what do the racing stables call it, I guess a stablemate, when a very important race horse is shipped from one place to another he has another horse which doesn't run at all -- sort of a stablemate to keep him company. Harry Truman had with him often in the afternoons -- all I remember is we

[72]

all called him "Marshal." He used to be a Justice of the Peace back in Missouri, and then, I think, he got appointed to be a deputy marshal or something like that. Harry Truman took him to Potsdam when he went there, and everybody was calling him "Marshal" and Stalin hears this "Marshal," and, boy, he took this guy out and gave him the full red carpet treatment, never realizing that he was nothing but just one of those county marshals where you go around and serve a subpoena on a guy in a five dollar suit, or something like that. But that was what he was - and did Truman get a big kick out of the Russians rolling out the red carpet for this fellow, because everybody just called him "Marshal." They thought he was a Field Marshal.

A lot of people didn't like it because he took a drink; a lot of them didn't like it because he used picturesque language. He never used swear words except under extreme exasperation,

[73]

or he never would use any of the four letter words which seem to be kind of parlance at the polite dinner table now. Harry Truman was always very respectful -- he followed the rule I think, which my father taught me -- off-color stories, never in the presence of any woman no matter who they were, he never would tell an off-color story and he didn't care to listen to them if there were any women present. And another thing, no off-color stories if there were more than just a few personal friends around, he wouldn't do it. He'd go to banquets where a man would get up at a stag banquet and tell off-color stories, and he said just the same as my father said, "The men laugh, but they laugh nervously, and the man who tells an off-color story even at a stag banquet loses caste, even though they will laugh at it." And that's the way the Boss was too.

Jerry, can you think of anything else that

[74]

we should get in this? We had many cases which historians will add up and, I think, to the credit of the Truman administration, down at the Federal Trade. A lot of them were decided against the Truman outlook and those are the ones I dissented to and it took many years. The Standard Oil case took something like twelve years before, finally, the Supreme Court upheld the right -- I think I put this in the recording also, that a man, if you believe in the free enterprise system, you will believe in capitalism, what the economists call market mechanism, the thing which keeps me on my toes, because if I don't, Jerry, you will make a better mousetrap; that's one reason I've got to make a better one because you're there pushing at me trying to make a better one. This is fundamental to Harry Truman. He believed in that, but the Federal Trade Commission, before Truman, believed in soft competition, they wanted to move the social protections into the

[75]

market place. Now there was no greater humanitarian in the world than Harry Truman when it came to taking care of the sick. There was no greater humanitarian than Harry Truman. But Harry Truman did not want to have the Government bring about the perfect welfare state because, of course, you know the only perfect welfare state is when a man is in the penitentiary. Then he is fed and clothed and warmed and taken care of. Truman wasn't brought up that way; he had a very vigorous and rough career life, and he learned the realities of the market place himself. People made fun of him because he did, but let me tell you that was the greatest background, and a background that darn few Presidents of the United States ever had. Lincoln had it; he had to struggle. Truman was for competition as the market mechanism. If it hadn't have been for the stimulation of the market mechanism, he would never have kept me on the Commission,

[76]

because that was what I preached all the time. A lot of the fellows want the Government to say, "Oh, we've got to protect the incompetent, the sloths, the lazy and we've got to protect them in the market place," instead of saying, "We've got to protect the young and the ill and the aged." And if you want to protect them, you don't build a hospital right in the market place, you build that someplace else. And you do take care of the sick and the aged and you do have consideration for the immature and those who have not yet received their education, but you don't do it in the market place. The rough abrasions of the market place are what keep America

on its toes, what made it the great country it is today. And let me tell you when it comes to competition, the Russians are beginning to learn a very sad lesson. Robert Frost told me when he came out to my house for dinner one night after he came back from Russia, and

[77]

I think some of the boys over in the high circles were disenchanted because Robert Frost came back and he said, "Russia is getting more free enterprise and we're getting less free enterprise," There was another guy who spoke what he had on his mind.

Now, what else should we do, Jerry, as far as this...I'd just as soon not discuss the important cases, and we had many of them. And many of them were not decided with the Truman philosophy, because remember I was the minority. When he became President he couldn't appoint a Truman Federal Trade Commission. The Supreme Court said that when a man's appointed to this job, he stays there for seven years unless he's removed for cause -- when he's robbing a bank or knocking down old ladies or something like that. As I take it, the Truman philosophy certainly was reflected in his messages to Congress, and in his putting up with me all the time -- his apparent glee at some of the hell-raising which I did down there.

[78]

He was a man who believed in capitalism -- in fair capitalism. He didn't believe in hitting below the belt. And while a lot of the cases were not decided with that philosophy in mind, later on the Supreme Court put into effect what the Truman administration stood for. So I'd rather not discuss the particular cases. They are all in my book *The Language of Dissent*, in fact, that is all it is about; in fact, that's why the editor insisted that my own personal incidents in my life, where they impinged on Truman's, be taken out, because that was just a compilation of my dissents. So that's why the things I wanted to say there, and I'm now able to say to you, are not in *The Language of Dissent*, but *The Language of Dissent* is a documentation of all the important Government relations between business and Government insofar as it applied to unfair and fair acts and practices in commerce. There were other cases in the Department of Justice but those largely

[79]

had to do with just strictly violations of the law against price fixing, and a few merger cases, but the Federal Trade Commission was the businessman's court. And when the Boss appointed me to it I said, "I'm not going to write the legalistic type of opinions, I want to write it in the language of the street -- in the language of the market place." And all of them are written like that with the exception of one, and the editor asked me to leave that out because it was profoundly dull, he felt, and he said, "Did you write it?" and I had to confess that was the only one of all my opinions that I didn't write, the staff wrote it for me. It was a technical question and one, incidentally, where the courts sustained me -- in the Rubber Tire Quantity Limit Case. In fact, I say in the book that was one of the opinions that I didn't write because it was just a technical question. It didn't take the courts long to decide that one in favor of free competition. That was a

[80]

case where the Government wanted to stop the tire company from selling his tires at a price where he could still make himself a profit because they felt it would hurt other people if this very efficient tire company did only that. And I said, "That's not the question. You're not trying to

protect an individual producer, you're trying to protect the consumer -- that's what the market is for. So let's not get into the things which are pretty well documented there."

HESS: And your speeches that you are sending out to the Library probably reveal your opinions on many of the cases, too,

MASON: Yes, they do, Jerry, and, as a matter of fact, my speeches, I think, perhaps, because I always used a technique that H.G. Wells employed. I tried to copy that great writer as much as I could by, what do you call it, extrapolating into time -- if it would keep on going this way. You remember

[81]
in his *Time Machine* -- a delightful way -- at least I thought his writing was delightful, I had a man say to me the other day, "I still remember your speech at the Boston Conference of Distribution." I told about how I had stepped into a time machine. Great heavens! That was twenty years ago.

HESS: And he still remembered it.

MASON: And he still remembered it.

HESS: That's a pretty good compliment, isn't it?

MASON: The best in the world. And most of my speeches, I used that technique of either going ahead or going back. In my recent article in *The Nation's Business*, I went back to the time of Thomas Jefferson, who was a great libertarian; remember he was over in Paris when they drew the Constitution of the United States; he liked it very much, but he said, "I hope you put a Bill of Rights in."

[82]
And of course they did.

So, Jerry, does that pretty well...

HESS: I think that pretty well covers it.

MASON: If something comes up which is personal and intimate -- of course my whole life has been enriched by the opportunity that I had to be with this man on a nonofficial basis. And when the celestial accountants add it all up -- whatever history does, I think, they will show that we are all indebted to this very human man, Harry Truman.

[83]
INDEX

Ayers, William, 45

Barkley, Alben W., 2, 4, 37
Brooks, C. Wayland, 3
Brown, Arthur, 44-45
The Bull on the Bench, 25, 65
Business, U. S., 16-23, 37-41, 74-80

Canfil, Fred A., 72
Carson, John, 55
Civil liberties, 65-67
Clark, Tom C., 26
Connelly, Matthew J., 9, 24-25, 62
Corcoran Art Gallery, 27, 28

Darrow, Clarence, 2
Davis, Ewin L., 44
Dirksen, Everett M., 29, 35
Dixon, Rand, 21, 22-23, 40, 59-61
Douglas, William O., 66

Federal Trade Commission:
 business, attitude toward U.S., 19-23, 37-41, 50-53, 74-80
 during the Eisenhower Administration, 49-51, 54
 during the Kennedy Administration, 51-52
 during the Truman Administration, 14-23, 38-54
 members of, 43-46, 54-55
 public hearings, 50-54
 reorganization, 1950, 54
Ferguson, Garland, 45
Freer, Robert E., 45
Frost, Robert, 76-77

Griffith, Clark, 2

Hays, Will, 30
Humphrey, Hubert H., 35, 43, 48

Johnson, Edwin C., 3
Johnson, Lyndon B., 28, 29
Johnston, Eric, 30, 33, 34
Johnston, Felton M. (Skeeter), 35

Kroger Company, 52

LaFollette, Robert M., 3
The Language of Dissent, 17, 37, 55, 62, 78
Long, Russell, 28

Lowell B. Mason Baseball Trophy, 25-29

Lowell B. Mason Chowder, Marching and Baseball Club, 2-10, 13-14, 25-36

Mansfield, Mike, 35

March, Charles, 45

Mason, Lowell B.:

biographical data, 2-3

Bull on the Bench, 25, 65

business, U. S., favored cooperation with as member of the FTC, 19-23, 37-41, 74-80

Chowder and Marching Club, plans for 1956 meeting of, 30-36

economic and social philosophy, 74-77

Federal Trade Commission, appointed to by H. S. Truman, 14-15

Federal Trade Commission, as a dissenter from, decisions of, 16-23, 38-42

Federal Trade Commission, as member of, 21-22, 38-42, 74-80

Language of Dissent, 17, 37, 55, 62, 78

Pickwick Papers, as a reader of, 10-11

speech technique, 80-81

Truman, Harry S., assessment of, 8, 64-75

Truman, Harry S., first acquaintance with, 4

Truman, Harry S., relationship with, 8-17, 63

Mason's Law, 55-56, 58, 61, 62

McCormack, John W., 33, 35

Mead, James M., 18, 46, 49-50, 51

Nye, Gerald P., 3

Pastore, John, 35

Potsdam Conference, 71

Project 1600, 39

Rayburn, Sam, 4, 7, 8, 37

Reorganization Plan No. 8 of 1950, 54

Richardson, Billy, 2, 8, 10

Roosevelt, Franklin D., 43

Rubber Tire Quality Limit Case (Federal Trade Commission), 79-80

Russell, Richard B., 35

Saltonstall, Leverett, 35

Spingarn, Stephen J., 55

Stalin, Joseph v., 71-72

Standard Oil Co. (Indiana), 41, 74

Stennis, John, 35

Taft, Robert A., 2

Trice, Mark, 35

Truman, Harry S.:

business, U. S., policy regarding, as President, 19-23, 37-41, 74-80
decision maker, as a, 12-13
drinking habits, 12
economic philosophy, 74-78
evaluation of, 8, 64-75
Federal Trade Commission, and the, 19-23, 37-41, 74-80
law, respect for, 66-67, 68
Lowell B. Mason Marching, Chowder and Baseball Club, member of, 13-14, 25-36
Lowell Mason Trophy, awarded, 25-29
Mason, Lowell B., appointed to FTC by, 14-15
Mason, Lowell B., first acquaintance with, 4
Mason, Lowell B., relationship with, 8-17, 63
personal habits, 72-73
Pickwick Papers, as a reader of, 10-11

Vandenberg, Arthur H., 2, 4

Washington Senators, 2, 31

Wheeler, Burton K., 3, 9