

Oral History Interview
with
JUDGE SAMUEL I. ROSENMAN

Special Counsel to President Roosevelt, 1943-45 and to President Truman, April 12, 1945-February 1, 1946; and speechwriter for President Truman.

New York, New York
October 15, 1968 and April 23, 1969

by Jerry N. Hess, Harry S. Truman Library

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HESS: Judge, in the light of the fact that you held the most important position on the White House staff to be carried over from the Roosevelt administration, could you tell me why Mr. Roosevelt chose you for that position in the first place?

ROSENMAN: I had acted as counsel to the Governor in New York State, during both of his periods as Governor. In that position I had the function not only of being a legal counselor, but also doing a great many things that are

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peripheral to the counselorship, such as helping in speeches, helping in drafting statements, general policy advice. I also helped during his campaign for Governor. I met him first in 1928 when he was compelled, or rather drafted by Governor [Al] Smith to run for Governor in New York State while Smith was running for the Presidency. I'm sure Smith realized that with the bigotry which opposed him in a great many parts of the nation it was necessary to carry the larger industrial states, I mean the largest industrial states in the North, and the most important was New York State.

Therefore, he was instrumental in getting Roosevelt to run for Governor, much against Roosevelt's will, but Roosevelt did it primarily in order to help Smith. I met him first in that campaign of 1928. He asked two different people to recommend someone who might go with him on the

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campaign who was familiar with the legislative and political history of New York. These were people of very different backgrounds. One was a professional politician, and the other was a close policy assistant of Governor Smith. They both recommended me without consultation with each other. I suppose he thought that if these two diverse sources thought that I could help him, I would be all right, so he asked me to come along on this trip in 1928.

I worked with him on speeches then, and came back to New York with him for his campaign here. He was elected by a very small majority of about 25,000 votes, while Governor Smith lost the state by over 100,000. Governor Roosevelt then asked me to become counsel.

The counsel to the Governor was a statutory position in New York made necessary by the fact that under the New York constitution the attorney general, who is the chief law officer of the state,

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could very well be of a different party from the Governor, because they both were elective officials. As a matter of fact, in the election of 1928, one Republican on the state ticket was elected; and that was the attorney general. Therefore the statute had provided for a great many years that the Governor should appoint his own counsel. However, over recent years before 1928, the position had become very much a sinecure; and people held it who performed no function except to endorse their paychecks. I told this to the Governor, and said that I felt I would rather stay where I was; that was as the Democratic member of the Legislative Bill Drafting Commission. I said, "All of the real work around Smith was performed by three outside people," and I mentioned their names, "and the counsel does practically nothing."

He said he realized this, but he intended in the future to do away with any so-called

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"kitchen cabinet" and to turn all this work over to the counsel.

I still was a little dubious about taking the post -- in fact, quite dubious, because the Governor's term then was only two years. He had been elected by a thumbnail, practically; and I figured that I ought not to give up a lifetime job such as the one I had, which paid a very good salary, and which provided for legitimate outside activities in drafting legislation -- give that up for a two-year term on the Governor's staff. I was deliberating about it, when one day it appeared in the paper that he had appointed me counsel. On inquiry by me as to whether this was a dope story, he said, no, that he had released it and, as he said, "I thought I'd make up my mind for you."

During the following four years I was very active with the Governor. In 1932, he appointed

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me to the Supreme Court bench of the State of New York for the vacancy which then existed. This appointment normally lasts until the end of the year when the place is filled by election for a full term of four years. Without exception the Governor's appointee had always been nominated by his own party. He appointed me in April, 1932; but I continued to do work for him in my spare time. For example, I helped him in the Jimmy Walker hearings. I used to get the daily transcripts of the testimony and I used to go up to Albany weekends. I also organized the so-called "brain trust" in 1932 that worked with him on the campaign. I was unable to go on the campaign train with him because the presiding justice of the court objected, but I sat with the brain trust and we got up the campaign speeches. As a result of that, I guess he came to the conclusion that he could work

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with me, that I was helpful. I think above all, as he said in several of his letters, he liked the calmness and deliberateness about me. Times can get rather hectic around the chief executive, people begin to shout and lose their tempers, and he said a number of times that I was the only one that kept his head. I think he liked that.

After he was elected and went down to Washington, I was on the bench, and my visits to Washington were purely social. However, when the campaign of 1936 approached, I don't know whether he was dissatisfied with the people he had or not, he asked me to come down with him, and I was there during the convention, helped work on his acceptance speech, and was generally helpful on the platform and on his communications with the Convention. And then during the campaign, he asked me to come

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along with him on the train in the summer, which I did, because I was free from court work. I went around most of the country with him helping on speeches and so forth. And as a result of all this, I think he became impressed by the fact that I could be helpful. Starting after that election and continuing down until October 1943, I used to go down to the White House and work on

various speeches, messages and reorganizations of departments. However, I never had an official post. It was always unofficial. This became rather hectic, because I had to sit on the bench and dash down there at 4:30, come back on the sleeper train, and then be in court the next morning.

After the war broke out, it got very hectic indeed. I suggested to him that it might be well if I resigned and came down there for the period of the war. He said he didn't want to

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do that unless that was absolutely necessary. He knew that I liked a judicial career. And he said, "No." So I continued these double duties until in March 1943, when I found myself in the hospital in Baltimore with the sight of my left eye completely gone -- with optic nerve exhaustion. It was a rather critical period, because the doctor said he didn't know whether the eye would recover, or if it would spread to the other eye, or what would happen. At any rate, I spent six weeks in bed, and fortunately recovered the full sight of my eye. The doctor, however, said that if I continued this kind of work at that pace that it would hit me again, that I had passed a red light, and I shouldn't try it again. He said, "With you permission, I'd like to call the President and tell him," which he did.

Whereupon the President said that in view

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of that fact he thought it would be well for me to resign and come down there full-time. He and I had a talk in Washington about what would happen, what particular things I would do, and then it got around to the title, and he suggested, "Why don't we call you 'Counsel to the President,' the same as you were 'Counsel to the Governor?'"

I said, "I think that's fine. Anything you want is all right with me." I should add that there never had been a counsel to the President. This was the creation of a new job.

In three or four days he called me up and said that the Attorney General, Francis Biddle, had had a talk with him and objected to the title. He said, "The Attorney General is really the Counsel to the President." He said, "I pointed out to him that the counsel to the Governor did much more than legal advice, and that there wouldn't be any competition." But Biddle

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persisted in objecting.

I said to the President, "Any title is all right with me. What are you going to do about this?"

He said that he was going to wait until next week when Biddle was slated to attend a conference in Mexico, and while he was away he would announce it; only as a sop to Biddle, instead of "Counsel to the President," he would call it "Special Counsel to the President." And that's what I was called.

From that point on, I was in Washington with an office and with official status. During the summer of '43, I was convalescing from this eye condition, and I took a house up near Hyde Park. As you know, he used to try to get up to Hyde Park as often as Johnson tries to get down to Texas, and we were within a couple of miles of each other so that we had an opportunity to talk. I stayed up there all summer. Then

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in October I sent in my formal resignation, and was sworn in as Special Counsel to the President.

I should add this: When I finally succeeded in resigning that post with President Truman -- he first asked me to stay on until V-E Day, then until V-J Day, then for another year, so I had my troubles getting out. But when I did get out, he issued a release about it and he said that I had come down here in a war job, and that he was not going to appoint any successor. The statement was a surprise to me, and I pointed out to him before I left, I said, "Mr. President, I'm sure you're going to find that it will be necessary to have someone take my functions over, no matter what you call him."

He said, "Well, I'm going to try without it." And he tried and he found that this was difficult; and he appointed Clifford as my successor, which is another story, which we

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can talk about some other time.

I have several letters from President Roosevelt talking about the help I'd been to him in Albany and during the campaign. I could let you see those letters, but I don't think it's important. The important thing is that he appointed me because he had had long experience with me. And as you know, I was the only one that lasted in Washington until he died. Those that came in in '33 gradually disappeared, as well as others that he later called into the position of speechwriter, policy helper -- they all disappeared from view. I was the only one that lasted. I think the reason for that -- this is repetitious -- but I knew the man very well, I knew very well how he thought. He knew that I was not a "yes" man, and above all he knew that in times of stress that I would keep my head about me.

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HESS: When did you first meet Mr. Truman?

ROSENMAN: I met Mr. Truman first in a very casual way, when he came over to the White House and had lunch with the President to discuss the campaign. This was a couple of weeks after the Convention. I went over to the lunch and the President introduced me and I didn't see him again, really, until after the campaign, at the inauguration period.

HESS: On the subject of the campaign, what do you recall about the situation that arose in 1944 over the question of choosing a running-mate for Mr. Roosevelt?

ROSENMAN: That's a very complicated situation. I wrote about it in my book, and before I put it in galley, I brought it to President Truman while he was still in the White House. I brought it down to him and said, "Will you read

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this and tell me if this conforms with your recollection?"

And he said, "Yes."

You will find all that in *Working With Roosevelt*, and I don't see how I can embellish it, it would just be repetitious.

HESS: In his book, *Yankee From the West*, Burton Wheeler had the following statement:

In the spring of 1944 Judge Sam Rosenman, who was FDR's confidant and speech writer, called me up and then came to the Interstate Commerce Committee room at the Capitol... We spent 3 hours together discussing various possibilities for the national ticket. He mentioned that if the President ran for the fourth term they were having difficulty in finding the right person for Vice President.

Was Wheeler under consideration for the Vice-Presidential nomination?

ROSENMAN: Definitely the answer is no. For the life of me, since reading this question, when you first sent this to me, I can bring about no

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recollection of that visit, except that I made it. Whether it was done at Roosevelt's suggestion in order to get the so-called "liberal westerners" into his camp by letting them be consulted or not, I do not know. I have the suspicion that that was the reason he asked. I know very well, I would not have gone to see Senator Wheeler unless I had been specifically instructed to by the President, because as you know there was a distinct coolness between them ever since the court fight.

HESS: Was there really any question in your mind as to whether or not the President intended to run for a fourth term?

ROSENMAN: No. There was no question. There was a great deal of question in my mind as to whether or not he was going to run for the third term. I can show you correspondence with him about my

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buying a piece of property near Hyde Park in order to spend some time up there and help him in writing his memoirs. By that time, the library had been talked about, and, I think, was partially completed. As you know, there's a small room there with a ramp leading up to a path, and the path leading up to his residence. He had that constructed on the theory that after he retired, after two terms, he would spend his time taking care of his papers, writing his memoirs and so forth. And it would have been a delightful atmosphere.

I think that the possibility of his running for a third term never entered into his mind until war broke out in '39. Then I think this was merely a thought. I think that his desire to retire became accentuated during the so-called phony war, he thought that it might lead to some kind of peace. It was not until the Nazis invaded

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Denmark and then Norway that he became determined to stay in the White House until the Nazis were defeated. By 1944, however, the summer of 1944, we had already landed on Normandy; we were making our way back over the Pacific, past the various islands; and I don't think there was any doubt in his mind that he ought to stay in until the job was finished, especially since he had already formulated his idea about the United Nations and had actually started discussions about it in Dumbarton Oaks. I think it was quite clear that he expected to stay until he had concluded victory and had arranged for the organization of the United Nations.

HESS: Do you think the President thought he was physically able to go for another four years?

ROSEMAN: I'm sure that he thought so, but more importantly the doctors advised him to that

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effect. I never saw any state of health, or absence of health, which frightened me, really, until I went out to meet him on his way back from Yalta to work on his Yalta speech. But judging by the election campaign of 1944 in which I accompanied him, it never occurred to me that he would not be able to finish the fourth term and then go back to Hyde Park.

HESS: Judge James Byrnes, in his book, *All in One Lifetime*, states that you advocated the nomination of Henry Kaiser as Vice President on the Democratic ticket in 1944. Is that correct?

ROSEMAN: Long before the President made up his mind that the political temper was such that he would be burdened by a Wallace candidacy for Vice President, he began to talk generally about who there was that could do some of these things that he had been doing. I said, "You know, we've

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always been considering politicians: Senator this and Governor that. If we could find a good, liberal, businessman in the Democratic Party, maybe such as Willkie was, that it might be a

freshening innovation to bring him in as Vice President." We began to talk about possibilities. I had gotten to know Henry Kaiser very well. He was then busy turning out ships at an unprecedented rate, and his labor relations were fine, and I suggested him. The President had met him on several occasions, and of course, had read about him.

He said, "Well, I think that's an interesting idea. Why don't you try to find out something about him."

I did two things: I called up one of his right-hand men and told him, "I don't want you to talk about this, but I want to get a collection of every speech that Henry Kaiser

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has made in the last ten years, and let me see them."

He said, "That will take a little time."

I told him why I wanted it and he said, "Well, then, I guess it will take less time."

I also got the FBI to look at him. The FBI turned in a favorable report -- completely all right. I got the speeches. It was rather a large volume of stuff. I started to read them. All of them were fine except one. In that one he came out for a large sales tax to finance the war and what was coming on after the war. The President had always been against sales tax, as I had been. And so far as I was concerned that eliminated him, but I went to the President and told him all these things and said, "He made a speech about two years ago urging sales tax."

He said, "I guess that's the end of Henry."

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So Byrnes is correct, and I did recommend Henry Kaiser for consideration. The President must have told him about it. I did not know that Byrnes knew. It was one of those top secrets that's top secret for everybody but the President. I never read *All in One Lifetime*.

HESS: President Truman states in his *Memoirs*, Vol. I, page 192, that he believed that James Byrnes knew that President Roosevelt had his name under consideration at the time that Mr. Byrnes phoned Mr. Truman in Independence and asked him to place his name in nomination. What's your opinion on that matter?

ROSENMAN: Well, the question is well worded since it refers to opinion, because I have tried to ascertain the facts, without success. I know that among the group that were around the President talking about a substitute for Wallace,

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Jimmy Byrnes was frequently mentioned. There were two objections to Byrnes: One was that the Negroes wouldn't vote for him; and the second was that the rank and file of labor wouldn't vote for him. I believe, and it's only a belief, that Byrnes knew about this discussion. He also knew that Harry Truman was being considered, and I believe with President Truman that that's one of the reasons that he called Truman up. I think Truman believes that it was to get him out of the running. I don't think it was that as much as to be able finally to convince the President that he was a good liberal Democrat; otherwise, Senator Truman wouldn't have anything to do with his nomination. I agree with Truman's opinion. I don't think that it will ever be proved or disproved - except by Byrnes himself. If anybody could get into Frank Walker's skull, I think he probably did tell Jimmy Byrnes.

HESS: What had been the nature of the relationship between Mr. Byrnes and Mr. Truman up until that point in time?

ROSENMAN: I think up until Mr. Byrnes left the White House and became Secretary of State, the relationship was excellent. It began to deteriorate after he became Secretary of State. He thought that Byrnes was carrying out his own policies rather than Truman's, and I'm sure he thought of him in terms of insubordination and as one who wanted to perpetuate his own policy. Byrnes, I'm sure, thought all the time that he should have been sitting in that chair in which Mr. Truman was sitting. I don't think he disguised that belief very much. Personally, I had become quite cynical about Byrnes, although we started out as friends I thought that Byrnes was quite selfish and interested only in Byrnes

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himself. When I heard from President Truman that he expected to appoint Byrnes right after the United Nations was organized and Stettinius expected to resign, I had had some rather bad experiences with Byrnes in the White House under President Roosevelt. Being a kind of a "no" man, I said to President Truman, "I don't think you know Jimmy Byrnes, Mr. President. You think you do. In the bonhomie of the Senate, he's one kind of a fellow; but I think you will regret this, and if I were you, I wouldn't do it." Well, he'd been a longtime friend of Byrnes and he appointed him. Later on, he told me that I was right in warning him but he had nothing to go on. I said, "I've had plenty in the White House with Jimmy Byrnes and so have other people." At any rate everything was fine until he became Secretary of State and then gradually Truman's opinion of Byrnes began to

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go down very rapidly.

HESS: What were a few of those unfortunate experiences you had with Byrnes in the White House?

ROSENMAN: Anytime that we had a conference around the President in which everybody would speak frankly around the table, Byrnes would sneak in and in the absence of the rest of us advance arguments which obviously we couldn't hear and refute. Then he was very petty with

the President, always threatening to resign if the President didn't do what he wanted him to. I think President Roosevelt was getting fed up with Jimmy too. There was nothing he could do; Jimmy held a very important war job. And then Jimmy became very much like Louis Howe. He became very jealous of people around the President. He thought he ought to be the only one, and he developed great hostility to me because of that.

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One day the President said to me, "Would you like to be Solicitor General of the United States?"

I said, "No, Mr. President; I got off the bench, a lifetime job at a salary twice what I'm now getting, in order to help in the war. The Solicitor General occupies a very great post but he has nothing to do with the war."

And the President laughed and said, "Well, it's just an idea of Jimmy Byrnes."

So I said, "His idea was to get rid of me."

And the President laughed in acquiescence. That was the end of the Solicitor Generalship.

HESS: Could you tell me about your role in the writing of the Democratic Party platform in 1944? An article in the *New York Times* of July the 16th, 1944, stated that you wrote the first draft. Is that correct?

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ROSENMAN: Well, I don't think I wrote a complete draft. I worked on this platform as I did on the '40 and '36 platforms, usually in communication with the chairman of the resolutions committee -- the platform committee -- in the Convention. My recollections are rather hazy about it; but I think I spent almost every day for a week before the Convention and during the Convention with the President. You remember the Convention of '44 involved quite a revolt against Roosevelt, and especially over Wallace, and I was with him during that time in the White House and helped on the 1944 acceptance speech, and I imagine the *Times* reporter seeing me always around wrote that. I don't think I actually did a draft of that platform, but I know I worked on it.

HESS: What were your duties during the 1944 campaign?

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ROSENMAN: Well, just the same as they were during the '36 and '40 campaigns. I stayed in the White House helping on campaign speeches, and I went with the President physically on the campaign trip. I had nothing to do with the Democratic headquarters themselves. I don't think I ever went into them and I used to keep to myself very much to avoid any people who might have some axes to grind in the campaign. But it was purely as an assistant to the President.

HESS: You stated in your interview for Columbia University that you met President Truman once during the 1944 campaign, and that was when he came into the White House to talk about the plans for the campaign, which we've also mentioned this afternoon. Was that the only time that you met him in '44?

ROSENMAN: That's right.

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HESS: What do you recall about Mr. Truman's efforts during that campaign?

ROSENMAN: I have no recollection at all.

HESS: Was there someone in the White House in charge of coordinating President Roosevelt's and Senator Truman's efforts?

ROSENMAN: I can't remember. I know there was no one in the White House doing it. There may have been someone over to the national committee. Now, Roosevelt paid much more attention to the national committee than President Johnson does, or did. They were in constant communication with him. The chairman was Bob Hannegan, who was a very close friend of Truman's, and he may have done this. But we were so busy with the President's speeches that we never even read Dewey's, much less Truman's. We used to kid each other, [Robert] Sherwood and I, about these

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great debates. He was a Lincoln scholar and he always talked about the Lincoln-Douglas debates; but he learned in 1940, the first campaign that he worked on, that presidential debates are very different things today. "This is terrible, we do speeches. We don't know what Willkie said. We don't know what Dewey said."

I said, "You're not supposed to know. The cardinal principle of campaigning" (which Vice President Humphrey is disregarding every day) "is to pay no attention to what your opponent is saying. If he commits any falsehoods, to let other people answer him, and above all not let him pick the battlefield of the campaign." Just as a digression, Vice President Humphrey, who I'm sure knows better, violated that from the very beginning. Mr. Nixon very cleverly picked the battlegrounds:

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Vietnam and peace and order in the streets. Those were two subjects that Humphrey should have made two speeches about, one about one, and one about the other, and then refused to discuss them again. They could only be defensive speeches. He should have talked about the great domestic achievements of the Johnson Administration, forget all about Vietnam, and order in the streets. The more he talked about it, the more it emphasized what Nixon and Wallace were saying. It's as bad a tactic as a general who lets the other side get on the hill of the battlefield,

with him in the valley. No good general ever does that. That was Humphrey's overriding mistake -- I don't know whether it would have made any difference, but certainly, we never paid any attention to what Dewey was saying, and because we didn't have time we didn't pay any attention to what Mr.

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Truman was saying. You know, when you're around the President in a campaign everything else seems very detached and far away, even the war began to feel very detached. And our only interest in it was how to use it in the campaign. The campaign as it goes on becomes your central raison d'etre, and everything else becomes insignificant. It may not be very patriotic, but it's a fact.

HESS: Were you in attendance the night that President Roosevelt addressed the Teamsters Union at the time that he made his Fala speech?

ROSENMAN: Yes.

HESS: Judge, in your opinion, did the Republicans commit any political blunders that year that might have helped account for Mr. Roosevelt's victory?

ROSENMAN: I can't think of any particular political

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blunder. I know that starting in 1936 and going through 1940, and again in 1944, they committed a number of things which I considered political blunders, but I can't think of anything particular in the 1944 campaign except perhaps seeking to blame the so-called "old men," Marshall, Roosevelt, Leahy, for their conduct of the war. Roosevelt took full advantage of that by pointing out that they were winning the war, the Germans and Japs were both in full retreat, and I think that they may have antagonized a great many Republican voters. But that's the only thing that I can specify now and pinpoint as to these years as a particular blunder.

HESS: Looking back, what do you recall of the events on inauguration day, January 20, 1945?

ROSENMAN: I had been to the inaugurations of 1933, and '37 and '41 and this one was particularly impressive chiefly because of its lack of fanfare, and its homey, but cordial, spirit in wartime. Instead of appearing on the steps of the Capitol before a huge crowd, this inauguration was held on the back porch of the White

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House with the audience consisting only of a comparatively few invited guests. One thing I remember particularly is observing Mr. Wallace who was having his political career cut short very abruptly. Outside of that the chief impression was that this was a fine, simple, impressive

kind of ceremony, based on the sound idea that, in times of war, the usual show of an inauguration should be avoided.

HESS: We mentioned it previously this afternoon, but you say that when you first became aware of President Roosevelt's physical decline was on the way back from Yalta, is that correct?

ROSENMAN: Yes. Well, I want to say this. I used to go into the President's bedroom every morning with Mr. [Steve] Early, the Press Secretary, and General [Edwin] Watson, the Appointments Secretary, to lay out the events of the day, and we used to always meet Dr. [Ross T.] McIntire and Dr. [Comdr. Howard G.] Bruenn, who was a heart specialist. They would be coming out of the bedroom usually when we'd be going in. They always

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insisted to us that the President was feeling all right. One time he got some bronchial difficulty, and they were making him lose weight, I thought, perhaps too fast. I really became frightened for the first time when I saw him on the cruiser coming back from Yalta, which I joined at Algiers in order to help prepare the report to the Congress on the Yalta Conference. That was the first time that President Roosevelt remained seated while he delivered the message to the Congress; he apologized for it in his opening sentences, saying that it was quite a strain for him to drag these various pounds of steel around.

HESS: Could you tell me something about the preparation of that report? Did President Roosevelt assist as much in the preparation of that report as he usually assisted you in the writing of some of the other reports and messages?

ROSENMAN: He did with one exception. I got on at Algiers. At that time I was the head of a mission of seven or eight men, and I had to leave these men abruptly in London when I got word through Mr. [John] Winant, our

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ambassador, that the President wanted me to report to the ship coming back. He said he wanted me to get on at Alexandria, but there wasn't sufficient time so in consultation with the commanding admiral of the Mediterranean Fleet, we flew to Algiers and I had two or three days waiting for the ship. During those two or three days I wrote a very general first draft of the report; and I had it ready when I got on the ship. It was my hope that we could get the speech done by the time we got to Gibraltar so that I could get off at Gibraltar, or maybe the Azores, and fly back to London. I had to leave without telling the members of my mission where I was going. They probably guessed; but they never asked and I never told them. I laid out some lines of inquiry for them to follow. I was anxious to get back. However, the President was so worn out that contrary to his usual custom he just wouldn't go to work

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on the speech. I gave him my first draft as soon as I came aboard and he gave me all the official papers signed by Stalin and Churchill at Yalta so that I would have some idea of what actually went on. But I couldn't get him to work on that first draft. He would sit up on the top deck with his daughter Anna most of the day, and in the evening he would go to the stateroom. He loved caviar, and old Stalin had stuffed caviar there as though it were ballast, and he enjoyed the caviar. We sat and watched a movie. I saw my chances of my getting off at Gibraltar evaporating very rapidly; and the result was that I landed at Norfolk with him. He only worked on the speech the last day or two and then finished it in the White House. Right after he had made his speech in the Congress, which I went up to listen to, I left and went back to London.

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HESS: What were your thoughts on April 12, 1945; when you heard of the death of President Roosevelt?

ROSEMAN: As you know from reading my book, I was there on two missions really: One was to try to get some civilian supplies, clothing, food and so forth, into the western countries which were being liberated from the Nazis. In many places they were starving, particularly in the cities, and even more particularly in the cities of Holland where they were living on a 900 calorie diet. It was my job to try to get immediately into the areas enough food and so forth to prevent disorder. The American Army and the British Army were moving eastward over France and Belgium and Holland, and they were leaving in their rear starving civilians. The Army felt that this was always a hazard in their rear, and they wanted, apart from humanitarian reasons, to get

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these people something to eat. All of the food transports had been taken away. You know, food is usually brought into Paris from the country districts by canals. All of the canal boats had been loaded onto trains and taken back to Germany. This was also true of the canals in Holland. In Belgium they had destroyed practically everything, and had taken out all the herds of cattle. Our job was, one, to find out what they needed and how we could get it over quickly. One of the reasons I was in London in that connection was to discuss matters with all of the governments in exile who were in London, and I could talk and did talk with Queen Wilhelmina of Holland; with the Prince of Belgium. De Gaulle wasn't there for France, but I talked to some of the other French people. There was also something that Mr. Churchill didn't like. We had sent a lot of food and clothing to England for the British.

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I figured it would save a lot of time if we could get that over in the course of a couple of hours. We could replenish his supply by ship. If we waited until Holland and France could get our shipments of food, many, many people would starve in the interim. Well, I was trying to persuade Mr. Churchill -- and finally succeeded -- to send some of their food over tomorrow.

The second function I had was to take up with Churchill the question of organizing a tribunal to try the top Nazis. As I pointed out in my book, the British didn't want to do this, and their

Cabinet met and decided against it. They wanted to treat the seven or eight top Nazis the same way they had treated Napoleon, namely, as a military or political matter. They had sent Napoleon into exile without any trial, just as a political matter, and they

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didn't want to try these Nazis. They just wanted to announce one day that all of them had been shot. Well, the book points out what finally happened, but, while I was in London, the British were adamant against trying them. It was after a weekend visit I paid down to Chequers where Mr. Churchill's summer residence was, weekend residence, and I had gone to my room at Claridge's when Mr. [Bernard] Baruch, who was there to talk with [John Maynard] Keynes phoned and asked me to come over. He told me that the President had died. Our first function after a few moments of sadness, and perhaps, tears, was to get all of the friends of Roosevelt that we could on that plane to get back in time for the funeral.

HESS: Were you surprised when you heard of his death?

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ROSENMAN: Yes. Everybody was surprised. He usually used to bounce back when he went to Warm Springs. As I read about what happened there, he did bounce back a little, the two doctors were down there, but he had a brain hemorrhage, and of course this can happen to healthy people too.

HESS: What seemed to be President Roosevelt's attitude towards Senator Truman during Mr. Truman's first term in the Senate?

ROSENMAN: I never saw anything which would permit me to gauge his attitude. I know that he got reports on how the various senators voted, particularly whether they were voting with the liberal side or the conservative side. So I assume he must have been very pleased by Truman's votes, because the fact is he had a 100 percent voting record, from Roosevelt's

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point of view, so far as I recall. I don't think he meant any more to Roosevelt during the first term than any other of the many Senators.

HESS: In your opinion, did President Roosevelt's attitude undergo a change after Mr. Truman became chairman of the Special Committee to Investigate the National Defense Program?

ROSENMAN: No, as I say, I never saw anything to indicate the President's attitude until he actually came down to the time when he chose a Vice President. I know that he was impressed by the fact that the special committee of Truman's didn't interfere in the war the way the similar Civil War committee used to interfere. You know, they used to go down and hold their meetings on the battlefield. And Truman was very careful. You know the story, of course,

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about the atomic bomb?

HESS: In your opinion, how instrumental was Mr. Truman's handling of that committee to his receiving the vice-presidential nomination?

ROSENMAN: I should say, only auxiliary. I think the chief thing which convinced the President was the fact that he had a voting record in consonance with Roosevelt's principle, on the theory that he would carry on. That doesn't mean that I thought that he thought he was going to die, but he wanted to have a liberal to succeed him, if he did. He had an awful fight, you know, with the conservatives in the Convention, and while he must have admired the way Truman handled that committee, I think that that was purely an added reason. The chief reason was the voting record. I don't recall any statements that President Roosevelt made

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about Truman until June of 1944 when it came to picking an alternative for Wallace.

HESS: In your opinion, why did President Roosevelt think that Mr. Truman would do well in that position?

ROSENMAN: Well, that's very hard to say. I know that it was very hard to think of anybody who could have done worse than Wallace, who had no means of cooperating with the Congress, with the most idealistic, almost exotic, views. You know, the other man under consideration at the time that Truman was, was Justice [William O.] Douglas -- very seriously under consideration. Neither of these men had had any executive experience, either as Governor or even as head of a business. I think that Roosevelt thought that anybody whose heart is in the right place as he thought Truman's was, would do all

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right in the Presidency. Roosevelt had had some experience running the State of New York, but there are a great many Presidents there who came there from the Senate, who had never had any executive experience.

HESS: Mr. Truman was labeled by some as being the "Senator from Pendergast." Did you ever hear Mr. Roosevelt refer to any connection between Tom Pendergast and Senator Truman?

ROSENMAN: The answer to that is no. I don't think in the first place that would have bothered Roosevelt any more than the fact that I was a graduate of the Tammany Hall District Club, whose leader eventually went to jail, Jimmy Hines. Had anything ever entered Roosevelt's mind that I would do things, or that Truman would do things for Pendergast that shouldn't be done, he might have felt differently. I

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never heard him refer to any connection between Truman and Pendergast.

HESS: Mr. Truman states in the first volume of his *Memoirs* on page 28 that before he moved into the White House on April 14, 1945, he did some work on an outline of a speech he was preparing for his appearance before Congress the following Monday and states that:

With the help of Steve Early and Judge Rosenman, Roosevelt's personal counsel, I had already begun this outline.

Does that square with your recollection of those troubled times?

ROSENMAN: Yes. You see, I had already sent in my resignation as had Steve Early and all the key men in the White House, in order to give him a chance to get his own staff in. As I said to you, I had difficulty in getting mine accepted, but it was before him on April 14. He said he

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would like me to help on the congressional speech, which I did. My difficulty was that this was very different from helping Roosevelt because I found that I was trying to write a speech in the presence of a convention! There must have been fourteen people around the table, all of Truman's old friends: Matt Connelly, John Snyder, [James K.] Vardaman, and a great many of his friends; and it was very difficult. That was one of the reasons I went in very shortly to press my resignation. It takes five times as long to write a sentence with fourteen people around as it does to be alone with him or one or two others. But he is right, I did help on this speech. And the next big thing I helped him on was a speech to the United Nations Organization.

HESS: Were there any particular problems that came up in the writing of the United Nations speech?

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ROSENMAN: We had the same trouble, a lot of people around. It was only until later that I think I convinced the President: "I don't mind these people sitting around making suggestions after the speech is written," I told him, "but spending hours and hours making suggestions about what ought to go in is a prodigal waste of time." I used to try to get rid of some of them in these long sessions who persisted in telling me what ought to go into a speech. I found one very good way of getting rid of them. I'd say, "Now, that sounds fine. I wish you would take this yellow pad and go into the other room and write five paragraphs on it." Well, usually the fellow disappeared; and I wasn't bothered again with him at all. By the time we worked on the Potsdam report speech, and above all, that message of September 6th, 1945, we were pretty much in the "groove" as Truman

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would say -- Charlie Ross and I. I worked with him alone -- and then when they all came around, I didn't pay much attention to what they said. But they'd all come around and make suggestions. As I say, I'd frequently get rid of them then too by asking them to write an insert. It's very easy to make suggestions, but a little more difficult to put it into words.

HESS: How were speeches written for Mr. Roosevelt?

ROSENMAN: There was usually a speechwriting team of two or three, never more than three, and we never had any mass meetings to come in and criticize a speech. We'd send a draft to every department that was interested. We would mark the paragraph in the speech for the War Department, State, Interior, etc., and ask for their suggestions in writing. A lot of them instead of writing would phone and say, "I want

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to come over and talk to you."

I would just say, "I'm sorry, that takes a lot of time. It would be very helpful if you wrote them in the form of a paragraph that we could put in." President Roosevelt during his participation in a speech, never saw more than two or three people at the same time.

HESS: Which President gave the most help toward the final product: President Roosevelt or President Truman?

ROSENMAN: I think President Roosevelt did. He gave more help. We knew his style, and the President wrote and dictated a great deal more than President Truman.

HESS: Could you tell me of a few of the major differences in the way that the two men handled the job of the Presidency, since you worked with both of them?

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ROSEMAN: I think there were differences in personality, that were very apparent, between Roosevelt and Truman. Their mannerisms, their general approach, were obviously different, and those differences of course, became very noticeable during Truman's first couple of months in the White House. President Roosevelt was more equipped towards leadership into new fields than President Truman was. So far as the difference between the way they handled the job, I think they were very similar with one major exception, and that is that President Truman paid much less attention to what his actions were doing towards his chances for re-election than Roosevelt did. President Truman did a great many things that Roosevelt, because he knew the effect it would have, never would have done. For example, seizing the steel works. Seizing the railroads was a different thing, but seizing all the steel plants, which led,

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as you know, to a fight in the courts, was something that Truman thought was necessary, thought it ought to be done, and once he had made up his mind he had no thoughts about the political

effect or about his re-election. Roosevelt always was conscious of the fact that it wouldn't be any use for him to be sitting under a tree in Hyde Park if he wanted to continue to do anything about all the pressing problems, that the only place he could do anything about them was in the White House; and he was willing to make many compromises so that he would last to fight another day, as they say. I don't think Truman ever had that in mind. That to me would be the chief difference.

HESS: In the early days of his administration, what seemed to be Mr. Truman's degree of awareness of his new position, its responsibility, its

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authority, and his duty?

ROSENMAN: During Truman's first term, he was overawed, particularly at the beginning, about the responsibility, the authority, and most of all, the lonesomeness of the job. In addition to that, he was committed to the proposition that as long as he was President only by virtue of Roosevelt's death, and that he never would be an Acting President or President if it weren't for the fact that Roosevelt had selected him, and that Roosevelt's policies were the things which gained overwhelming approval at the polls. He was very conscious of those facts; and every time he took a step he would say to himself: "I wonder what Roosevelt would have done? Would he think this is the right thing?" You know, he had a picture on the wall of Roosevelt that he could see just by turning, and he frequently said to me, "I'm trying to do what he would like." And he'd

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look to me because he knew that I knew what Roosevelt would have liked. This lasted until his re-election in 1948. After that I never heard him say that again. He was then President on his own, after a very bitter and uphill fight; and while I'm sure he often thought of President Roosevelt, it was never in terms of saying, "What would he have done?"

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Second Oral History Interview with Samuel I. Rosenman held in New York City on April 23, 1969. By Jerry N. Hess, Harry S. Truman Library.

HESS: Judge, Mr. Truman had quite a bit to say about your part in the writing of the twenty-one point message of September 6, 1945 in his *Memoirs*, and I know that you tell this in your Columbia [University] oral history interview, but I have a few questions about the message that I would like to bring up. Perhaps we might begin with the following general question: What do you recall about the writing of the twenty-one point message?

ROSENMAN: It has come to be known as the twenty-one point message, but it didn't start out with that name, and there was nothing magical about the figure twenty-one. The President, coming home from Potsdam, pointed out that practically all of his time had been taken up with foreign affairs in which one crisis after another had

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come his way; and now that he was coming home from the Potsdam Conference he had to give some attention to domestic affairs. So he and I had a talk about it on the ship coming home. It was considered as a sort of a State of the Union message on domestic affairs. He told me in general what he wanted to say and it turned out that he had a very liberal point of view. This surprised me considerably, because I had had many conversations with some of his staff and with his friends whom he had brought into the White House; and I had concluded that President Truman was going to be quite a conservative in domestic affairs. I was agreeably surprised to hear what he said he wanted to stress.

As soon as we got back to Washington, I began to consult with a great many people as to what their views were on the most pressing

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things that had to be done. I consulted a great many official people in Washington, and I received written memoranda from most of them, in addition to our oral conversations. You have shown me the file which came from the Truman Library, which has a great many of these memoranda, and they are self-explanatory. While I can't say exactly, I know that a great many points in addition to the twenty-one were discussed; but we had to hold the message to reasonable proportions. I think that when we got through with the twenty-one the message was long enough. It contained not only the general spirit of what he wanted to do, but also some very specific recommendations.

The first draft of the message took considerable time. You will notice in the file that you showed me a great many handwritten insertions; they are all in my handwriting.

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It took quite some time to get this into a well-reasoned message to the Congress.

When I gave him my first draft, he said he would like to circulate it among the people with whom he usually worked. He mentioned them by name. Of course, I had no objection, and could have no objection. There were several meetings held in the Cabinet Room, discussing the various points in the draft. My present recollection is that these meetings were attended by the President himself, Mr. [John] Snyder, Mr. [Fred] Vinson, who later became Chief Justice, Charles Ross, George Allen, Leonard Reinsch, Jake Vardaman, Matt Connelly -- I'm trying to remember whether Clark Clifford attended these conferences, but I cannot remember. He, at that time, was the Assistant Naval Aide, but I used him a great deal to help me. He may have been there, but I have no

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clear recollection.

Of those around the table, Charlie Ross and George Allen and I were the only ones who were in favor of all the provisions. Charlie Ross was accurately described by you as a member of the "liberal bloc" among the President's advisers. I think the only other two members of that bloc were George Allen and I. Later on, I would certainly include Clark Clifford as a member of that bloc, and Charlie Murphy, Dave Lloyd, and some of the others that came in after I had left the White House, Dave Bell, and some of the younger men. But when President Truman started off in April 1945, he was surrounded by a group of men who did not believe in the New Deal, and who wanted to get away from it as soon as possible. The leader of that group was John Snyder. John Snyder was a fine human being, who was very close to President

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Truman; they were very intimate friends, and he always wanted to be helpful. He really believed, sincerely believed, that the continuation of the New Deal program would be disastrous to the country; and that President Truman ought to resume a middle-of-the-road policy. Charlie Ross was very helpful to me in writing that message, as he was in a great many other similar enterprises where we worked together. He was also a very old friend of President Truman, a close friend, but he was quite a liberal. I don't think there was ever any argument or difference between us as to the merits or demerits of any point in that message. On the other hand, I had several arguments with John Snyder, sometimes rather heated ones -- also with Matt Connelly and Jack Vardaman, all of whom sincerely believed that this kind of a message was ruinous for the country as well as

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for the President. None of those arguments was unfriendly, for I think they did realize that I was trying to help the President according to my own convictions; and, in turn, I realized that they were trying to help the President according to their convictions. It was evident that the two objectives just could not mix or be compromised. This was indeed the show-down for the President -- the point of no return -- and it is evident that there had to be a long and frank airing of the conflicting views. That is the real significance of the message -- it set President Truman on the path of the future which he was to follow.

To the extent I have indicated, I believe that the President in his *Memoirs*, Vol. I, page 483, which you have shown me, in which he says: "Most of my advisers agreed with the message," is not accurate. I think that the majority

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disagreed. The statement is accurate when he says that one of those who advised him against it was John Snyder. In fact, that is quite an understatement by the President. Snyder was not only opposed to it, but he became quite emotional about it. I'm sure that it is not my imagination which causes my recollection that at the time the President put an end to the discussion and signed the instrument, John Snyder had tears in his eyes. At any rate, he was convinced that this was quite a disastrous thing for the President as well as for the country.

Mr. Snyder had a great deal of influence on the President. He used to come over and have lunch frequently. He was also a close friend of Mrs. Truman; and I think that throughout the whole administration he had a great deal of influence. However, that twenty-one point message

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was decisive. There was no way that Mr. Snyder, with all of his influence and power could turn the President back to a conservative policy, or even to a middle-of-the-road policy after that message went up to the Congress.

Personally, I think that the most important thing that I did for President Truman, and perhaps through him for the country itself, was to fight without let-up for that twenty-one point message. Although I believe that it really conformed with the President's general policy, and was wholly consistent with his prior senatorial voting record, it committed him publicly to the philosophy of the Fair Deal or its synonym, the New Deal. Carrying out that message to the extent he did was a great thing for him as well as for the United States.

Mr. Snyder had great influence with President

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Truman in fields other than that of the Secretary of the Treasury. So far as I know he made a capable Secretary of the Treasury, although there is very little information that I can give you either pro or con. I never heard anyone, even among the banking fraternity, criticize Mr. Snyder's policies as Secretary of the Treasury very much, and I had been used to hearing a great deal of criticism from these sources about one of his predecessors as Secretary of the Treasury, Henry Morgenthau. Snyder was a conservative Secretary of the Treasury; and I suppose that that's what a Secretary of the Treasury should be. However, the twenty-one point message committed President Truman towards a liberal policy completely. Even had he wanted to turn to conservative policies later -- which I am sure he never would -- the commitments in that message were so firm that he could not return.

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That commitment remained firmly during the years that Truman was President; in fact, at very many points, it even went beyond the message itself.

To sum it up, I would say that I would call President Truman unequivocally a liberal. If you examine his votes as Senator, you will find that they were 100 percent New Deal; and in my opinion that's the chief reason that President Roosevelt chose him for Vice President.

HESS: Judge, concerning the Cabinet, in the papers at the Truman Library, I found a clipping [see Appendix] concerning President Truman's first Cabinet meeting. Is the information in the clipping substantially true, and did Mr. Truman ask those who were present who were not Cabinet members to leave?

ROSENMAN: I think that the clipping you showed me is

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completely untrue. It was probably some kind of a dope story. The clipping has attached to it a note from me to the President, which was probably my perverted sense of humor, in which I said, "I can now say I have been thrown out by experts." However, I am sure I never attended that meeting, or any Cabinet meeting, and I am sure that President Truman would never have been impolite enough to say what the clipping said he said.

President Truman used his Cabinet about the same as President Roosevelt did. Mind you, I'm only talking from hearsay, because I never was in the Cabinet Room during a meeting in either administration. But I used to hear them in informal conversations talk about what they thought the role of the Cabinet was. They both thought of the Cabinet as composed of heads of departments who should run their own

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departments subject only to supervision by him. None of them had any belief, for example, that the Secretary of Interior should have anything to say about the Secretary of War, or vice versa. And I am sure that neither of them thought that the combined opinions of all the Cabinet on any question would necessarily be binding upon him. They both thought the Cabinet members were intelligent, sensible people, or they would not have appointed them to the Cabinet. And they were willing to listen to advice from the Cabinet and to whatever observations they wanted to make. But both of them felt that after they had got the views of the Cabinet on any subject, that was the end of the Cabinet's role as a Cabinet, and that they would then proceed on their own responsibility according to their own judgment. With respect to both, the Cabinet members, however, were not

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the principal advisers. Particularly Mr. Truman had appointed some of his principal advisers to the Cabinet, but he sought their advice, and they had influence with him, not because they were members of the Cabinet, but because of a close, personal relationship. For example, John Snyder came into the Cabinet when he became Secretary of the Treasury, but his influence on Mr. Truman did not come from his Cabinet or Treasury position, but from his personal relationships. This was true of Mr. Snyder's immediate predecessor, Fred Vinson. They had been very close friends in the Congress; and Mr. Vinson had substantial influence with Mr. Truman; although I'm sure that he never gave any advice unless the President asked for it. It so happened that after a while Mr. Truman became convinced of the great intelligence and moral force of Bob [Robert] Patterson, and

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Mr. Patterson had great influence also with Mr. Truman. But I repeat, it was not because they were members of the Cabinet. The same is true of General George Marshall.

Now discussing the Cabinet in detail, especially some of the changes which you have asked me about, I would say that except for Frank Walker the Postmaster General -- and I think he's the only exception -- all of the other members of the Cabinet held over from President Roosevelt's time would have preferred to continue on in the Truman administration. A great many of them, however, were replaced. Some of them were replaced because the President did not feel any great confidence in either their ability or their point of view. I would include among those Attorney General Francis Biddle, who was replaced by Mr. [Tom] Clark, who later became a Justice of the Court. I would also include

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Henry Morgenthau, who had imposed upon the President's patience by insisting that before the President left for Potsdam, he should make an announcement that Morgenthau was going to remain as Secretary of the Treasury. I am sure that President Truman believed at the time that the Secretary of the Treasury should be Mr. Vinson, and perhaps John Snyder. And I am sure he would not have kept Mr. Morgenthau as Secretary of the Treasury any great length of time. But he would have been more polite about it and less hasty and would not have asked for his resignation as early as he did.

With respect to the Secretary of State, I believe that by the day the President took office, on April 12, 1945, he had already decided upon Byrnes becoming Secretary of State; but he allowed Mr. Stettinius to continue through the San Francisco Conference of the United

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Nations Organization. Then he replaced him with Mr. Byrnes.

Secretaries Stimson, Forrester, and Ickes, were all choices of President Truman to remain. I think he had made up his mind early to appoint Mr. Anderson as Secretary of Agriculture, and he did quite early in the administration. I am sure that Mr. Wickard would have liked to remain as Secretary, although I have no knowledge about that. The Secretary of Commerce (Wallace) was a case of sui generis. He had been turned down by the Convention as Vice President. President Roosevelt nominated him as Secretary of Commerce right after the inauguration in 1945. There developed a real hassle on the Hill for confirmation. Jesse Jones had been Secretary of Commerce for a long time. Jones had great influence with the Congress and I'm sure that he was behind the movement in the Congress to

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reject the nomination of Wallace. Wallace finally was confirmed but only after a long delay and a bitter contest. I know that President Roosevelt personally intervened in this fight by sending messages to various people. I know that Mrs. Roosevelt tried to help Henry Wallace all she could. After he was confirmed, he was continued by President Truman; but I believe it was mostly out of loyalty to President Roosevelt. Wallace was asked to resign by President Truman in September of '46, after Wallace made a speech at Madison Square Garden which was

revoltantly Communistic in nature. I don't think that Wallace was himself a Communist; but an impartial observer reading, listening to, that speech, would undoubtedly come to the conclusion that Wallace was very much pro the Soviet Union in the Cold War then being waged.

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One other member -- Frances Perkins. I am unfamiliar with the circumstances under which she left the Cabinet. I know that Schwollenbach was a very close friend of Truman's, and Truman wanted to bring him in as Secretary of Labor. I do not know whether he asked Miss Perkins to resign or not. You called my attention to the fact that Miss Perkins was not followed by any woman in the Cabinet. I do not think that this was the result of a conscious effort on the part of Mr. Truman. It just so happens that you now generally get more appropriate appointments from men than from women. This may change. President Nixon says in fifty years we might have a woman President. As of 1969 I think you can more easily fill a Cabinet with men than you can with women. Besides, I must add that Mr. Truman has a somewhat old-fashioned idea about women in politics. I am

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afraid that he did not like very active female politicians even though there were many, like Mrs. Eleanor Roosevelt, whom he sincerely respected.

HESS: Judge, can you tell me about your relationship with the members of President Truman's staff?

ROSENMAN: When President Roosevelt died, I immediately sent in my resignation, as did the other top members of the Roosevelt staff. I received no word from President Truman for several weeks. I went in to see him personally to say that I had some offers in civil life that I wanted to accept. He then asked me to stay until V-E Day. I consented to do this, at considerable financial sacrifice (the salary then was only \$12,000 per year). Therefore I had to make it my business to work closely with his staff. I am sure that

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his staff started out with great hostility towards me, not as a personal matter; but because they knew I had been closely associated with President Roosevelt. They did not believe in the New Deal. They thought that the New Deal was a disastrous experience, and they suspected almost anybody who had been closely associated with President Roosevelt. I'm sure that they started out believing me to be, at least, a little "pink." My relationship with all of them personally, however, was fairly cordial. I had great differences with them about policy and political philosophy; but after a while, I think they began to accept me for what I was, without attributing any ulterior motives. I would say that when I left the White House I was on very friendly terms with all of them.

HESS: Judge, how did Clark Clifford come to assist you in some of your duties?

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ROSEMAN: Clark Clifford by sheerest chance and coincidence was brought to Washington by Jack Vardaman. Jack Vardaman had been appointed Naval Aide, and by accident he met Clark Clifford at San Francisco on his way back from the Pacific to become Naval Aide to President Truman. He invited Clifford to become his assistant. There had never been an Assistant Naval Aide in the White House. The fact is that the Naval Aide himself had practically nothing to do; and there was no sense at all in bringing in an Assistant Naval Aide. I had several talks with Clifford, and could see that he was a very intelligent man, and therefore I told him that he ought to come in and let me give him some work to do which would be more interesting than hanging around in a uniform. He said that he would be delighted to get some work, because he had done practically nothing since

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he had been in Washington. Vardaman, of course, did not know this because he had never been in the White House. After clearing with the President, I began to use Clark Clifford as an assistant. I had no official assistants. I understand that now the Counsel to the President has three assistant counsels. I had none, and I had plenty of work for Clifford to do. It was a sheer waste to use him in the unnecessary, unimportant job he had. When I left Washington, I recommended him very strongly to President Truman to succeed me as Counsel.

HESS: How good a political adviser was Clark Clifford?

ROSENMAN: I think he was a very valuable man in many ways. He was a very hard worker. I think he was a good political adviser; and I think he was a good policy adviser. He did not write well. He was quite a pedestrian writer, and

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although he was the principal writer after I left, he did not write with facility or with any great inspiration or imagination. However, on the whole he was a great help to President Truman. And I am delighted that I recommended him -- for Truman's sake.

HESS: Judge, concerning the events of 1948, perhaps you could just begin at the beginning and tell me about your recollections of 1948.

ROSENMAN: By the time the campaign began in '48, I had been out of the White House for two years. I had maintained a close relationship with President Truman during this period, and he had told me that he wanted me around during the Convention period and during the campaign. You will recall that as the time for nomination in 1948 came around, there were a great many movements to ditch Truman and to get other people

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to run on the Democratic ticket. There was a great deal of feeling among leading Democrats that President Truman could not be re-elected. At least one of the persons suggested on the Democratic ticket, was General Eisenhower. And President Truman has told me that he talked with General Eisenhower, and told him that if Eisenhower wanted to run on the Democratic ticket, he would yield to him; but Eisenhower replied that he did not want to run. There were other candidates suggested. It looked as though the '48 campaign was going to be a debacle, and that the nominee of the Republican Convention -- almost any one -- would certainly win.

There was a small group organized to meet frequently during May and June before the Democratic Convention in Philadelphia. I was included in that group and used to come down to the meetings. Frank Walker, Clark Clifford,

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Matt Connelly, Abe [Abraham] Feinberg, who was a great money raiser for the party, were included as was Bob Hannegan. We met frequently with the President. I recall that we used to meet on the back balcony of the White House during the pleasant evenings of May and June. I remember very distinctly that President Truman was quite confident that he would win, and I think that most of us around in that group felt that he might win; but that it was going to take a lot of work, and that Feinberg would have his troubles in raising enough money. As a matter of fact, during the campaign, a lack of money caused a great many embarrassing incidents. At one point we thought that we would have to call off the campaign train because of lack of funds to continue the train rolling around the country.

The Republicans met in Convention, nominated Dewey and adopted a very liberal-sounding platform.

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We began to discuss President Truman's acceptance speech. I think we convinced him that he could do best by delivering an extemporaneous speech. It would have to be a speech which would really arouse the enthusiasm of the delegates in Philadelphia, because as the Convention met, the depressing feeling of a coming defeat overhung the hall and something would have to be done to arouse the delegates. President Truman was always at his oratorical best when he spoke extemporaneously. So this speech, in contradistinction to many others, was not formally set to paper and was not read by President Truman. It was devised in the form of an outline, and he himself had a great deal to do in preparing that outline. He delivered a very fine, moving speech at the Convention. It was one of the best deliveries I have ever heard him make. By the way, is that outline in the

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Library? It can't be found? I bet it's in President Truman's home. It would be a great thing if you could uncover that.

At any rate, I went up to Philadelphia from Washington with him on the train to deliver that acceptance speech. It was understood, and I was told by him, that I was to go on the campaign

train with him. When the campaign started, however, memorandum containing the names of those who were to go aboard the train was issued; and my name was not on the list. At the Convention, President Truman succeeded very well in arousing great enthusiasm and dispelling all the pessimism. Earlier in the pre-Convention conferences, when I was alone with President Truman, after the Republicans had adopted that very liberal platform, we remarked how obvious it was that the platform was thoroughly hypocritical, for everybody knew that, if they were

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elected, they never intended to pass anything like the platform. I suggested to President Truman that it would make a great piece of news as well as excellent politics if he would announce in his acceptance speech that he was going to call the Congress back in special session, and suggest to them that if they would pass the platform that they had just written, he would be very happy to sign it. The Congress at the time had a Republican majority in both houses, and could easily pass whatever legislation they wanted. This was the subject of some discussion among the small group on the back balcony. I'm pretty sure that Truman never discussed it with the Democratic Party leaders, although he may have on the telephone when I was not present. So far as I know it was not discussed with any of the political leaders, including the national chairman or the leaders at the Convention. You have shown me a memorandum,

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entitled "Should the President Call Congress Back." [see Appendix]. It is an unsigned memorandum, and apparently it was in my files because the Truman Library has it in a file among my papers. I have re-read this memorandum many times, because I have seen it before; and while I am sure that I had nothing to do with its preparation, I cannot tell you where it came from, who typed it, or who signed it, and how it got into my files. The carbon copy in my files is not signed. But the idea of calling the Congress into session and telling them to go ahead and pass the liberal platform was broached by me to the President orally before June 29, 1948, the date of this memorandum. The memorandum expresses the same views I did personally and orally with the President. As I now read its language I would guess that it came from Clark Clifford, but that is a pure guess; and I think the only

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way that you can clear that up is by talking with him himself.

As I said a few minutes ago, it had been agreed that I was to accompany the President on the campaign train and I made arrangements to do so by refusing to accept my legal work so that I would be free to do it. However, when a memorandum was passed around as to who was to go on the train, I found that my name was not included. I know it was not an oversight but a deliberate exclusion. I asked nobody to explain why, but I just didn't try to re-open the subject or get on the train, because apparently I wasn't supposed to. It has always been a mystery to me. I think the only two people who might know the reason would be Clifford or Matt Connelly, and I have asked neither of them nor do I intend to. I make no secret of the fact that I resented it, was very angry about it -- and still am.

I think that all of us were sorry to see Henry Wallace's Progressive Party organized because we knew that it would take votes away from Truman in states like New York, Pennsylvania and the larger industrial

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states. The fact is that it did, and I think to that extent it hurt Truman's chances a great deal. There was nothing we could do about it. Personally, I had no apprehension about Senator [Strom] Thurmond's organizing the Dixiecrat Party. I thought it would be a very good thing for the Democratic Party, for the Dixiecrats, so-called, to leave the Party. I felt certain that if Truman was going to be elected, he would be elected by the Midwest, and that's the way it finally came out. Of course, if Thurmond had not run, Truman would have carried some of the Southern states, which he did not.

As the campaign went on, I became more and more convinced that President Truman was going to lose. I am sure in my own mind that President Truman thought so too. That's the reason that I have particular admiration for the way he continued to fight as bravely as he did against great odds, as one of the four candidates, although he himself believed that he could not win. President Truman would undoubtedly deny this, and would state that he always felt that he would win.

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This is a very subjective thing; but based on many statements that he made to me, I believe that he was convinced that he could not win. In the middle of the campaign when things were in great confusion he asked me to come down to Washington to run the speechwriting from Washington. I realized the futility of this and told him that although I had made myself ready to give up the whole summer to the campaign, I felt that it would be futile and harmful to start changing the whole management of the campaign at this late date.

As you remember, the special session of the Congress was called, but it refused to pass anything and adjourned. The President's position, in my mind, was greatly strengthened by this tactical move, because it convinced people of the hypocrisy of Dewey and of the Republican leaders of that day.

On election night, I was at home; I was convinced by the early returns that the President was losing. But as night wore on, along with other Americans I stayed up until the final returns came in showing that he was elected.

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HESS: Judge, can you tell me about your possible nomination by the President in 1951 to the United States Court of Appeals?

ROSENMAN: One day Matt Connelly called me up and asked me to come to Washington stating that the President wanted to talk to me. This was not unusual, and I went down almost as a matter of routine. When I got there I was shown into the Cabinet Room, and there I met Bob Patterson. He was surprised to see me; and I was surprised to see him. By this time he had resigned as Secretary of War, and he was practicing law, the same as I. He said that the President had asked him to come down; and I said, "He asked me to come down." Apparently he wanted the two of us to do something; but neither of us had any idea of what he had in mind. Eventually, the President came into the Cabinet Room where we were, and after a short conversation said

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that the two Hands -- Judge Learned Hand and Judge Augustus Hand, who were both very distinguished members of the United States Court of Appeals for the Second Circuit, were soon going to retire, and that he wanted to appoint a known Democrat and a known Republican. Both of us were taken greatly by surprise. I told him that I was practicing law, and for the first time in my life I was making a decent living; and that in justice to my family, I did not want to go back to the bench. Patterson told him the same thing; and we then had a very jovial conversation and walked out. I should add that during his administration I had performed several errands for the President in finding appointees in New York City for the Federal Court. One of the people that I found for him, at his request, for the U.S. District Court for the Southern District of New York, was

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Harold Medina. After Patterson and I had both declined, he made the appointment -- only one of the Hands retired, not both -- and he appointed Judge Medina, then of the District Court, to the Circuit Court of Appeals. If Bob Patterson had accepted the proffered appointment, he probably would be alive today, because he was shortly thereafter killed in an airplane accident while he was traveling on the business of one of his clients.

HESS: Can you tell me about your possible nomination to succeed J. Howard McGrath as Attorney General?

ROSENMAN: I was in Chicago on some legal business when Matt Connelly phoned me at my hotel and asked me when I was leaving Chicago. When I told him, he said that President Truman would like me to stop by in Washington to see him. I came in and after an exchange of pleasantries,

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the President discussed the mess then existing in the Attorney General's office. You will recall that there were a great number of minor scandals at the time (1952), and that the President had at somebody's advice -- I think it was crazy advice -- had appointed one Newbold Morris, Esq. to some kind of a vague job in Washington, with the power of subpoena, to make a study of the Attorney General's office and uncover any of the facts of the current and any other scandals. This appointment made no sense, not only because the job itself was absurd, but because Newbold

Morris, who was one of our best New York citizens, was the least equipped of anybody I know to do this kind of job. The result was that in two or three days, Morris and McGrath, who was then Attorney General, were in a big fight on the front pages of all of the newspapers. Truman told

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me he wanted to clean the whole thing out, and wanted me to become Attorney General. This was even more surprising than the offer of the Court of Appeals. He had only a few months to run for his term to expire, and I said it would seem to me that the worst appointment he could make was the appointment of an old friend and Counsel of his, to go in and try to clean up a Democratic mess, and that perhaps an appointment worse than mine might be Clark Clifford, because nobody would believe no matter what we said or did that either of us was going in there really to uncover scandals which would inevitably reflect on the President. Some of the scandals involved very close friends of the President, like General Vaughan and Matt Connelly, and two or three others whose names escape me; and I said, "The man that goes in there must track down those scandals

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and indict any wrongdoers; and nobody would believe that I would go after General Vaughan or that I would make any real effort to uncover the scandals to Truman's disadvantage." So far as I was concerned myself, I knew that if I ever accepted this post, that I would indeed go after all of these friends of the President and this would have meant a very unpleasant job. But no matter what happened, it would be hard to convince the public, now thoroughly skeptical, that as close a friend of the President as I would really make a sincere effort to uncover scandals in the Department of Justice. I explained this to him very carefully, that I thought I would make, for that reason, exactly the wrong kind of appointment.

He said, "Whom would you suggest?"

I said, "Well, in the first place, you should appoint a very prominent Republican.

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I think the Republican, however, should not be one with great political ambitions because he might go in there ruthlessly determined to use his job as a stepping stone for the attainment of his own ambitions."

He said, "Do you have anyone in mind?"

I said, "Of course not. I just heard about this, but give me an hour and I'll go into the next room and I'll come back in an hour with a suggestion." I came back to his office after a while, and I said, "I have two suggestions. The first one is Jack [John J.] McCloy, who is now High Commissioner in Germany; the second one is Senator Wayne Morse, was then a Republican and very well thought of. He had been dean of the law school at the University of Oregon, and he

was then a man of great reputation. He thought well of both ideas, and we discussed it. He finally said that he

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thought he needed McCloy to remain in Germany; but he did call up Wayne Morse in my presence and asked Senator Morse whether he would like the job. Morse said, "No." I had no further suggestions. Before I could think of any, I learned that Matt Connelly had suggested Mr. McGranery who was appointed. Of course, he did nothing at all to counterbalance the scandals. All he did was serve out the term of a few months.

HESS: What do you recall about the subpoena that President Truman received from the House Un-American Activities Committee in 1953?

ROSENMAN: The chairman of the Committee, a Republican, was seeking to investigate some of the activities of Harry Dexter White, formerly in the U.S. Treasury under Truman. I remember that Attorney General [Herbert] Brownell was

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making a number of public statements about White and this Congressman thought this was a good way to get a lot of publicity for himself. So he announced that he was going to call ex-President Truman to testify. Instead of subpoenaing him he wrote President Truman a letter saying he would like him to come and testify with respect to White. Is my recollection correct, was it White?

HESS: Yes.

ROSENMAN: I'm pretty sure it was. President Truman was in New York at the time and he asked me what I thought he ought to do. He said he did not want to testify, that he didn't think a former President should be called to testify before any House of Congress about any of his activities as President. And he was sure that history would bear him out with many precedents.

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I had only a very short time to prepare an opinion, and I recall getting some of my associates here in the law office to work on it. We dug up a lot of precedents indicating that no President had ever permitted any high executive officer to testify before the Congress, except with his consent. That had always been the rule, and it was followed by all the Presidents, down to and including President Johnson.

We wrote a very strong letter back to the Congressman saying that he wouldn't appear stating the reasons. Mr. Truman had a press conference at the Waldorf Astoria. I see I don't have a picture of that here in my office. I have one at home. He read the letter and handed it out, and it received great editorial acclaim. That was the end of that.

HESS: What do you recall about the relations between President Truman and Governor Stevenson

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in 1952 and 1956?

ROSENMAN: In 1952 Mr. Stevenson was the President's choice for the nomination. He had Stevenson come to Washington, and he told him so; but he could not get any definite answer out of Stevenson.. Incidentally, I would say that the chief drawback of Stevenson, in my view, is that he just couldn't make up his mind. President Truman has frequently stated the same thing to me - that he is very indecisive, that it takes him a long time to decide something that he ought to decide in a few minutes. But after weeks and weeks of waiting, he did not give any answer to President Truman.

Harriman was also a candidate in '52. Mr. Truman told him very frankly that he was for Stevenson, but until we went out -- I went with him in the plane in the Convention in '52 -- until he got there, he never got an affirmative

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answer. And when he finally did get an affirmative answer, he made a speech to the Convention, strongly supporting Stevenson. Stevenson, in his campaign, wanted to stay as far away from Truman as he could. Truman's prestige was quite low at the time. If possible, it was even lower than in '48, because by that time some of the people mentioned in the scandal had been convicted. He wanted Truman to stay out of the campaign. He couldn't say definitely, "Don't make any speeches for me," but Truman was certainly not encouraged by Stevenson to make any speeches or take any major part in the campaign. As a result, Truman took a very small part in that campaign.

When 1956 came around, President Truman decided that Stevenson was impossible as a candidate and would be impossible as a President, and after long deliberation, he decided that he would support Harriman. Harriman was

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then Governor of New York, and I was very active in Harriman's campaign for the nomination. I was instrumental, I think, in promoting Truman's support of Harriman, but as you know, the Convention turned to Stevenson. Mr. Truman took practically no part in this second campaign of Stevenson, although he made a speech to the Convention urging everybody to get in back of Stevenson.

HESS: What can you tell me about your service as President Truman's private counsel?

ROSENMAN: Well, after the President left office, he retained me as an attorney in many things. The first thing was negotiating his contract with *Time* and *Life* for his *Memoirs*. Since then I have

negotiated and executed a great many contracts for him in writing assignments. I have done his estate planning and have drawn

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his will, which however I insisted on his getting Kansas City attorneys to approve. I can't discuss the terms of any of those contracts or his will, for obvious reasons, but I also helped him not as an attorney, but just as a general adviser in going over the galleys of his *Memoirs*. I think the *Memoirs* don't do Truman justice. I think Truman's place in history is going to be much higher than those *Memoirs* would indicate. This kind of historical interviewing job which you are doing together with the papers in the Truman Library themselves will help determine his real place in history. I think that he will clearly be judged by posterity to be in the first third of the Presidents, at least, if not the first quarter. The only difficulty is that so many of his papers have not been made available. I don't agree with that. He has kept them under his own supervision,

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but when scholars really get a chance to go in there, I think that the historians' judgment of Truman will be very high.

I have made several trips with President Truman since he left the Presidency. One was for a vacation of six weeks in the southern part of France. Of course, it was purely social. I found that he was a very agreeable traveling companion. Even though he was no longer President, I found that he was highly respected in Europe. He had crowds following him wherever we went. He had a very good time, and so did we. My wife went along, and his wife, and the four of us spent six weeks in southern France, including ship voyages in both directions.

HESS: Judge, do you have anything else to add concerning Mr. Truman or the Truman administration?

ROSENMAN: I'll wait for questions.

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HESS: All right, thank you very much.

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