

**CENTER FOR FLORIDA HISTORY
ORAL HISTORY PROGRAM**

ORAL INTERVIEW WITH: The Honorable E. J. Salcines

INTERVIEWER:

S: And it was something novel. They had never had a bilingual Spanish-speaking Assistant U. S. Attorney and it certainly helped me some months later in a case that related to some Cuban group that had been arrested. My recollection is up in Apopka, north of Orlando, and they were brought before Judge George C. Young. I think customs had arrested them. They did not know that they were dealing with an undercover customs agent when they were buying a plane to bomb Havana and then when these Cuban defendants are in front of George Young, and George Young, who was always very thorough in his interrogation, wanted to make sure that everybody was

M: And that was the telephone company?

S: General Telephone Company.

M: And these were employees who were unionized?

S: Unionized, and they were top leaders in the movement. They all had to be reemployed after the union settled their disputes and new contracts were achieved and they had to rehire them because the evidence had been suppressed and they got some hefty back pay.

M: Going back a little bit to your very brief experience at the state level, as far as practicing at the state level as prosecutor, in those early years, what was the striking difference in the courtrooms?

courtroom was most significant. The protocol, you had to stand up whenever you were addressing the court, you had to stand up when you were asking questions of witnesses, if you wanted to make an objection, you could not make an objection from a sitting position. The federal court followed a very strict protocol of the type of demeanor in the courtroom whereas in state court, where you had hundreds of cases, it was a more

We had Albert Reeves, who was a senior U. S. District Judge from the Western District of Missouri in Kansas City. He had bought a home in Dunedin, and whenever our case load got such, Judge Lieb would call him and he would come over. Judge Young was assigned to Orlando but he would periodically come to Tampa on special assignments. We then had visiting judges like for instance, we had Judge Clarence Allgood from Birmingham, Alabama, who came pretty much on a regular basis. We had a few visits from a district judge out of Portland, Oregon called Gus Solomon. And I think there was one or two others that the name escapes me the moment.

M: And you practiced before all of these judges at one time or another?

S: All of them.

M: Can you, as I go down the list, could you give me a brief description of them, how they behaved, what they looked like?

S: Yes, yes.

Judge Lieb?

S: Mr. Lieb was a very easygoing perfect gentleman in the courtroom, always welcoming you. When two lawyers would get a bit loud, he would try to calm them down, . Marshal, the court is going to take a brief

need to settle down, you need

because he had that civility, natural civility.

S: He always welcomed new admittees to the bar. Every Friday, we would have arraignments and senten46004B00448051005100483005A150003>4937004A>80052130057>40.1 5100

could talk to you with his eyes. So nobody got out of hand because the old man would look at you and put you in his place just with that eyesight. And among the things that I remember of Judge Whitehurst and of Judge Albert Reeves particularly, was when it came time to giving instructions to

least it was a copy.

S: With George Young, he demanded exactness and correctness. So we had to literally carry books, ten and twelve law books into the courtroom that when he would look at you with his spectacles right down on the tip of his nose, are you representing to the court

would read it and then you would read that to him. But you had to carry that statute

for But it was always a fast lunch and we had a very large docket. Remember Orlando would have also handled everything that was happening in the Cape. So we had civil cases, we had criminal cases, sometimes we had administrative law matters that they were disputing and bringing in to the court. So George Young worked you hard but whoever was tried in front of George Young had

to sentence this guy to the federal penitentiary

S: So Clarence Allgood certainly did a lot to keep the machinery of the criminal backlog moving and disposing of cases. And he would come here regularly and he was a very popular judge to sit with the Fifth Circuit. So the judges of the Fifth Circuit would invite him to sit as an appellate judge in the three-judge appellate court and we would frequently read that he was sitting in New Orleans or sitting in Atlanta hearing appellate cases.

M: So he came to Tampa though, how many years would you say?

S: I would say that every year that I was here, he came so he came at least four years me to the Tampa division, he would also appear in Tallahassee. They would invite him. He was the type of judge because of his natural disposition everybody liked the gentleman from Birmingham. And he was invited to come back.

M: Albert Reeves?

S: Albert Reeves was one of those mythical federal judges, tall, skinny, lanky with a lot of white hair. And he had been appointed by President Harding. And he had had a distinguished career in Missouri and had bought a home in Dunedin and he would sit. The chairs that the judges had in the old courtroom was not these comfortable cushiony chairs that we now have, these were solid oak or walnut, straight back, maybe a tiny little pillow cushion just where the head hits the board and he would sit straight up and like I said, he would amaze us because he was an elderly judge, but he was so refined. But when it came time for jury instructions, I mean, it looked like he had a teleprompter in front of him because the words just flowed and he gave it to you like, God has spoken. Okay. And the jury is listening to the jury instructions. Now, he also had a tendency of closing his eyes and leaning back sideways on the chair. And sometimes the defense attorney would look at me or I would look at the defense attorney or look at the marshal like wondering, hey, is the old man asleep. And then a lawyer would make an objection, and immediately, he would say, Overruled, counselor, because of so and so, and cite a rule. So the old man may appear that he was half asleep up on the bench, but he was not. He might have been relaxing his eyes, but his ears were all ears in that courtroom.

M: One of the things I want to talk about obviously is the cases that you remember and like to ask you up to what we talked about so far, who were the most prominent lawyers who practiced in the federal courts that you can remember in those four years that you were here?

S: We had some very aggressive, well-prepared, thoroughbred defense attorneys. We had Frank Ragano. We had Manuel Garcia. We had Larry Goodrich, who later went on to be a circuit judge. We had Henry Gonzalez. We had Jack Edmunds from Polk County. We had Russell Hornsby in Orlando. We had Jim Russ who had been county solicitor, and years later, was at least for a short time, U. S. Attorney of the Middle District. We had some of the prominent lawyers, the silk-stocking lawyers of Tampa, who Judge Lieb would call and say I need for you to represent this indigent because the federal public defender system did not exist back then. That came later with the appointment of Robert Knight, Bob Knight as the first federal public defender. But we

had for instance, lawyers like Chester Bedell out of Jacksonville. I mean heavy, heavyweights. We had Ralph Dell of the Tampa Bar. We had John Allison, a partner in McFarlane, Ferguson, Allison and Kelly. We had T. Paine Kelly, a top notch advocate. So these are just names of the great advocates of the past that quickly come to mind.

very seasoned, experienced lawyers that knew not just the law but knew human nature and knew how to conduct themselves with civility, professionalism but by the same token, hit hard, very effective.

M: Now, you mentioned that Judge Lieb, for example, would call various practitioners to defend individuals who did not have access obviously to the public defender system so how would that actually work, that policy work?

S: Okay. You had just graduated from law school or you had moved to Tampa or you had moved to Lakeland or you moved to St. Pete, and you wanted to become a member of the Middle District of Florida Bar. You filed an application, you sent a certified copy that you were in good standing with the Florida Bar, and then the clerk of the court would

in. And it was generally done when we would have arraignments and sentencing. Then

S: Well, we had a lot of cases, and we had a lot of people that had no money to hire their own attorneys so the judge would be told by the clerk this defendant needs a lawyer. So the judge would either make the call himself or tell his law clerk or tell Lester Gilbert, who was the chief deputy of the criminal cases, Will you please call this lawyer? And then

And then he would tell you what

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The marshal used to pay a rental fee that he had worked out with the sheriff in Hillsborough County so that they could house federal prisoners in a particular wing of the Hillsborough County Jail on Morgan Street next to the famous Oaklawn Cemetery. So the lawyer more than likely, more likely than not, would certainly not turn down a request by a federal judge saying can you handle this. So he would take it on, pro bono, never got paid, this was a service to the bar, to the system of justice and most especially to that client. So then that meant that he had to interrupt his days work, go to the county jail, go thru security, identify himself with his Florida Bar

jailer would bring John Dillinger to an interview room and

been

s do I

have, what witnesses does my client tell me that I better contact to defend him and so forth.

S: So then at the end of the trial, Judge Lieb always took the time to thank the lawyer, which made him feel very good because the judge had not taken for granted, the judge was thanking him for his professionalism, doing this for the good for the system of justice

court through that process.

S: old
 you that one memory that I recalled, John Allison, a senior member and one of the most distinguished of our law firms here was the attorney of record before the Fifth Circuit in New Orleans. He paid for his own airfare on national airlines, he paid for his hotel the night before and probably paid for the briefs that he had printed, but this was a professional courtesy that we owed the system as officers of the court.

M: Can you recall how things changed after the public defender system was implemented?

S: Now, that changed when Congress finally enacted the Federal Public Defender System. And then for every district, there was a newly appointed federal public defender selected by the judges, and in the Middle District of Florida, the first one was Robert Knight. He had been one of my assistants in the state prosecuting office. He had been my long-time friend when I was a federal prosecutor. He was an FBI agent and as a lawyer and a member of the Florida Bar, he was the legal eagle of the local FBI office here, headed up by a personal friend of Mr. Hoover of longstanding by the name of Special Agent in Charge Joseph Santoiana. I think he was from the New Bedford, Massachusetts, a Portuguese whaling ancestry. And he commanded a numberr system nMass7,2a

S: So if we had indicted John Dillinger and then as I am preparing to try the case, the case against John Dillinger is falling apart, witnesses are changing testimony, the

crime laboratory facilities we had. We had fingerprint, we had handwriting, we had footprint/tire print, and we had a new process that was coming out from fingerprint on documents called Ninhydrin process. DNA never existed back then. Anyway, so if our case was falling a

going to be embarrassed because the judge is going to direct a verdict, a judgment of

the embarrassment that you want to avoid. If the jury acquits

So if

The duty of a public prosecutor is not to seek convictions, but to see that justice is done. And if you believe that, if the jury says not guilty, Your Honor, you congratulate your opponent, the defense attorney, he did his job, you did

S: The control of the Justice Department, like I said, if there was an indictment, that meant that the grand jury had seen enough evidence, the quality and quantity of which had satisfied them that a person should be charged, then you did not have the authority

whatever, and he had negotiated and that person had agreed that he was going to pay \$100 a month. And he had paid up to two years ago but then in the last few years, he had not made another payment and now the blue bonnet from Washington was saying
So then I would call

I was probably the same guy that he had -- oh, well, my mother died and then we had to bury my horse and then the donkey died and, you know, give you a million excuses, but

S: had done this or that, so I

home in Lakeland, there was a huge box of counterfeit currency. So all of that had been printed and but for the Secret Service moving in quickly, it would have been disbursed into the commerce of the United States.

S: We also had customs violations where we were involved with moonshine cases. You say m

the revenueurs, which were then the Alcohol And Tobacco agents, that was before it became Alcohol, Tobacco and Firearms