

1937-2000

THE MILLENNIUM HISTORY

OF THE TRANSPORTATION LAWYERS ASSOCIATION

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AND RICHARD H. CHAMPLIN

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Transportation Lawyers Association 1937 – 2000

Year	Location of Conference	President	Term of Office
1937	Louisville, KY	Initial Meeting Edward S. Brashears, Temporary Chairman	
1938	Detroit, MI	Edward S. Brashears	1937-1938
1939	Chicago, IL	Perry R. Moore	1938-1939
1940	Los Angeles, CA*	James W. Wrape	1939-1940
1941	NYC, NY*	Franklin J. Van Osdel	1940-1941
1942	Washington, DC	August W. Heckman	1941-1942
1943	(NO MEETING BECAUSE OF THE WAR)		
1944	(NO MEETING BECAUSE OF THE WAR)		
1945	Cincinnati, OH	Carl V. Kretsinger	1944-1945
1946	Chicago, IL	Carl V. Kretsinger	1945-1946
1947	Los Angeles, CA	Harris J. Klein	1946-1947
1948	Washington, DC	Truman A. Stockton Jr.	1947-1948
1949	Boston, MA	Glenn W. Stephens	1948-1949
1950	Chicago, IL	Harold G. Hernly	1949-1950
1951	Cincinnati, OH	Harold G. Hernly	1950-1951
1952	Chicago, IL	Donald A. Morken	1951-1952
1953	Denver, CO	Lee Reeder	1952-1953
1954	Washington, DC	Marion F. Jones	1953-1954
1955	Louisville, KY	Regan Sayers	1954-1955
1956	Toronto, Canada	S. Harrison Kahn	1955-1956
1957	Kansas City, MO	Franklin R. Overmyer	1956-1957
1958	Memphis, TN	Louis Tarlowski	1957-1958
1959	New Orleans, LA	Louis E. Smith	1958-1959
1960	San Francisco, CA	Robert E. Powell	1959-1960
1961	Dallas, TX	Jack B. Josselson	1960-1961
1962	Washington, DC	George S. Dixon	1961-1962
1963	Minneapolis, MN	Wentworth E. Griffin	1962-1963
1964	Miami, FL	Howell Ellis	1963-1964
1965	Las Vegas, NV	Edwin C. Reminger	1964-1965
1966	Philadelphia, PA	Ewell H. Muse Jr.	1965-1966
1967	Palm Springs, CA	Phineas Stevens	1966-1967
1968	Detroit, MI	Beverley S. Simms	1967-1968
1969	San Juan, PR	John L. Bruemmer	1968-1969
1970	Phoenix, AZ	John E. Jandera	1969-1970
1971	Atlanta, GA	Leroy Hallman	1970-1971
1972	Maui, HI	Walter H. Bieneman	1971-1972
1973	New Orleans, LA	A.J. Meiklejohn	1972-1973
1974	Mexico City, Mex.	James W. Hagar	1973-1974
1975	Montreal, Canada	William J. Lippman	1974-1975
1976	Monterey, CA	Thomas E. James	1975-1976
1977	Bermuda	Bertram S. Silver	1976-1977
1978	Coronado, CA	John A. Vuono	1977-1978
1979	Marco Island, FL	Charles Ephraim	1978-1979
1980	Cape Cod, MA	James C. Hardman	1979-1980
1981	Kona, HI	Robert D. Schuler	1980-1981
1982	Hilton Head, SC	James M. Doherty	1981-1982
1983	Newport Beach, CA	John S. Fessenden**	1982-1983
1984	Williamsburg, VA	Harold D. Miller Jr.	1983-1984
1985	San Antonio, TX	Wilmer B. Hill	1984-1985
1986	Orlando, FL	Frank W. Taylor Jr.	1985-1986
1987	Scottsdale, AZ	A. Charles Tell	1986-1987

Year	Location of Conference	President	Term of Office
1988	Ft.Lauderdale, FL	Richard H. Champlin	1987-1988
1989	Mission Bay, CA	Michael J. Ogborn	1988-1989
1990	Amelia Island, FL	Kim D. Mann	1989-1990
1991	Tucson, AZ ***	Richard P. Kissinger	1990-1991
1992	St. Pete Beach, FL	David R. Parker	1991-1992
1993	Santa Fe, NM	Mark J. Andrews	1992-1993
1994	Kiawah Island, SC	Edward J. Kiley	1993-1994
1995	San Diego, CA	Alex M. Lewandowski	1994-1995
1996	Asheville, NC	William D. Taylor	1995-1996
1997	New Orleans, LA	David B. Schneider	1996-1997
1998	Sanibel Island, FL	James F. Flint	1997-1998
1999	Victoria, BC, Can.	Ann M. Pougiales	1998-1999
2000	Hilton Head, SC	W. Robert Alderson	1999-2000

Francis E. Barrett Sr., Honorary

* Association records now available fail to reflect where annual Meetings were held in 1940 and 1941. Assuming that meetings were being held in conjunction with the ATA, as in the past, the sites indicated by asterisk were probable locations during those years. It is also unknown who served as President during the war years. The 1945 meeting was actually held in January of 1946 and a second meeting in the Fall of 1946.

** John S. Fessenden was elected President at the Hilton Head, South Carolina, convention in 1982. John passed away during his term as President and the 1983 conference was presided over by President Elect Harold D. Miller, Jr. who had assumed the office of the Presidency and then served a full term the following year.

*** The 1991 convention was originally scheduled for Acapulco, Mexico but was moved to Tucson, Arizona due to the unavailability of airline reservations from virtually all U.S. gateways.

DEDICATION

The 50 year history of the TLA authored in 1987 was dedicated “to two of the best friends I ever had, Wentworth and Bert.”

It seems only fitting, thirteen years later, to rededicate the Millenium History to Wentworth and Bert but in addition, to all other past and present TLA members, spouses, friends, etc. who have made this Association so meaningful to not only me but to all members who have dedicated their time and energies.

If it was possible to lift a glass and propose a toast it would be as follows:

This history is dedicated to all those past and present who have ever attended a meeting, authored an educational paper, or given of their time and energy in futherance of the high standards of excellence of the Association.

Preface

It all began at the 19th Annual Transportation Law Institute held in Vail, Colorado, in July, 1986, I suggested to Charles Tell, President of TLA, that for the 50th anniversary of the “National Motor Carrier Lawyers Association” (Motor Carrier Lawyers Association; Transportation Lawyers Association) someone should prepare a history of the Association for presentation at the anniversary celebration to be held in Scottsdale, Arizona, April 22 through April 25, 1987. Before I drew my next breath, John Jandera and I had been nominated to undertake the preparation.

Since I did not become a member of the association until 1964, the early days of what has evolved into the Transportation Lawyers Association was largely unknown to me. I was advised before I ever joined that it was “a helluva great group whose members were known to consume large amounts of bubbly and have a damned good time at annual meetings.” While the amount of bubbly being consumed at this point in time has decreased considerably from prior years, I have found everything else to be true.

The enormity of the task of preparing a history did not really sink in until I finally began to gather and organize information from the membership. I was fortunate enough to have kept a 1967 August issue of *Your Letter of the Law* in which Louis Smith prepared what he called “A Brief(?), Inaccurate and Incomplete History of the MCLA.” That article is reproduced, verbatim, as a part of this disjointed effort. Without Louis’ contribution, what is attempted here would have been impossible since most of our old records are gone. His article does contain some inaccuracies as to membership, qualifications, etc. that were created by the passage of time and amendment to our by-laws, but is so good and entertaining that I decided to publish it as written. I will endeavor to note changes later in this paper.

In organizing this presentation, I have broken the history into four different parts. Part I is entitled “In The Beginning” and is text from a letter from Perry Moore to Carll V. Kretsinger dated February 7, 1957. Without a doubt, I believe this to be as good an

introduction into the history of the founding of our Association as possible.

Part II is Louis Smith’s article which covers the years from 1937 to 1966.

I attempted in Part III, to create what is entitled “A Brief (?) But Inaccurate History – 1965 through 1987” of the Association. You will note that there is a small overlap in the years Louis and I covered and I beg your indulgence. There will be many items of interest that transpired during my years as a member that will be inadvertently omitted from this document. It is my sincere hope that subsequent efforts by others will not only embellish those events, but also fill in areas where information is missing.

Following the 61st annual meeting of the TLA (no meetings were held in 1943 and 1944 because of World War II) held in Victoria, British Columbia, Canada, I received phone calls from President Bob Alderson and First Vice-President Fritz Damm.

It was their feeling that the first fifty years of the TLA’s existence drafted in 1987 should be updated to commemorate the year 2000 convention to be held at Hilton Head Island, South Carolina in May of 2000. It was their belief that this should be done to allow new members joining since 1987 the opportunity to share in the Association’s storied past and vibrant present.

After some arm twisting, I finally agreed to again try my hand at recording and updating my earlier effort. You will find in Part IV, an update of this original history that will encompass years 1987 through 2000. It was my first thought that what is now Part IV should be incorporated into Part III, but as I began preparation I came to the conclusion that years 1987-2000 deserved their own section.

I wish to thank all past presidents, pre and post 1987, who contributed information that made this undertaking possible. I hope that all of you will have as much fun reading this as I had putting it together. Let us commence.

Richard H. Champlin

Part I In The Beginning

February 7, 1957

Mr. Carll V. Kretsinger
Attorney at Law
Suite 1014-18 Temple Building
Kansas City 6, Missouri

Dear Carll:

I have yours of January 24th requesting a list of the Charter Members of our Association. Having in mind the passage of time, lack of records, uncertain memory and a lot of work to dig out such material from any old files, I must admit that my first blush reaction was that I wish I had never known you. With this unholy attitude, I determined to take home with me my old files for the weekend and see what I could find.

To my surprise and with due apology to you for my first reaction, I thoroughly enjoyed examining my 1937, 1938 and 1939 files and correspondence. In fact, I had a lot of fun doing it. It was a pleasure to recall the early setting, the various meetings we attended and above all, the personalities then and now, in great part, still with us. It is really amazing and equally as pleasing, to realize that a great number of the early group are presently active and working in the Association. Obviously, I had the feeling of being a bit older but I've never yet found any way to avoid it.

As I worked into the job, I became more and more conscious of the impact of a possible omission of some Charter Member who, upon learning of his omission from the list would probably raise enough hell to throw the Convention into a turmoil. Consequently, I am sending a copy of this letter to Harrison Kahn and Glenn Stephens with whom I had much correspondence in those days. I believe my conclusions to be accurate because they are quite well documented in my own file. However, inaccuracies are certainly possible and if anyone else can help, you should certainly welcome him.

The net result of my research was this:

1. At the Louisville 1937 meeting of the ATA a small group of lawyers gathered and formed a temporary organization. Harrison Kahn presumably procured, or at least was to procure, the minutes of that meeting from Harold Shertz, the temporary Secretary of the organization meeting. The Association letter-head at that time carried the following officers:

Pres.	Edward S. Brashears	Washington, D.C.
1st V.P.	Fred O. Nelson	New York, New York
2nd V.P.	Franklin Overmyer	Chicago, Illinois
3rd V.P.	Edward Berol	San Francisco, California
4th V.P.	James Wrape	Memphis, Tennessee
Treas.	Perry R. Moore	Minneapolis, Minn.
Secy.	S. Harrison Kahn	Washington, D.C.

Actually, in my belief, we had no membership in the full sense of the word, it being contemplated that the Organization would be formally completed during the following year.

Important in determining who are Charter Members is the fact that a Committee was then appointed to draft a Constitution and By-Laws to be presented at the 1938 meeting of the group in

Detroit (then at the same time and place as the ATA). The Committee was composed of Harry Ames, Jr., Niman Beall and Harrison Kahn. During 1937-38, some twenty lawyers paid dues to me as Temporary Treasurer.

2. October 19, 1938, Kahn announced the 1938 Detroit meeting on October 31, 1938, including:

“The Charter membership roll of this Association is now being closed. Motor Carrier Counsel who have not filed application for membership should do so immediately, should they desire to appear as Charter Members.”

I have a copy of this announcement.

3. October 31, 1938, the meeting was held in Detroit. I have a copy of the minutes of that meeting.

The Constitution and By-Laws were adopted.

The Minutes also state:

“It was stated by the Chair (Brashears presiding) that all persons who perfected their membership at this meeting would be considered as Charter Members of the Association.”

As I read the above quotation from the Minutes and aided by a limited memory of the event, we considered that the past 1937-38 year had been quite preliminary and temporary, organization-wise, and that at this 1938 Detroit meeting was the time and occasion to actually organize the Association and make a real entity out of it.

In light of the above, I have regarded as Charter Members those who had theretofore, during 1937-1938, paid to me as Temporary Treasurer, and those who applied and paid dues before the close of the 1938 Detroit meeting. My report as Treasurer to the Detroit meeting lists 22 lawyers who had paid dues before the meeting convened.

At the Detroit meeting, some 20 additional members signed up and paid dues, all as evidenced by my letter of November 12, 1938, as former Treasurer, to Glenn Stephens, the newly-elected Treasurer, transmitting funds to him.

4. After the Detroit meeting of October 31, 1938, Harrison Kahn wrote me on December 16, 1938 – “enclosing a list of members and their addresses.” Following closely upon the previous October 31, 1938 Detroit Convention, when the Charter membership was closed, it is my belief that such list constitutes the true Charter Member Roll, with two exceptions.

The exceptions are Edward Berol and Marion Jones. As to these two my records show:

- (a) Edward Berol appears in a letter of July 1938 from Kahn, as Secretary, to me, as Treasurer. He enclosed a list of “members for whom deposits were made.” Again Ed's name appears in my Treasurer's report to the 1938 Detroit Convention as having received from him \$10.00 for dues. Upon these facts I have added Berol's name to the list of Charter Members which I attach here-to.

- (b) As to Marion Jones, my letter of November 12, 1938, transmitting funds received by me in cash and checks at Detroit on the preceding October 31, include \$10.00 paid in cash by Marion at the meeting. The Charter Membership Roll was to be determined by members in good standing at the close of that meeting. Upon these facts there would seem to be no question but that Marion was a Charter Member, notwithstanding the omission of his name on Harrison Kahn's letter to me of December 16, 1938. Consequently, I have added his name to the "List of Charter Members" enclosed herewith.
5. All of the above is supported, to a great degree, by the Report of Glenn Stephens as Treasurer, dated October 21, 1939, for submission to the Association at its Chicago meeting of October 23 and 24, 1939. I have a copy. In this report Glenn said:

"This is a report of the undersigned as Treasurer of your Association since taking office October 31, 1938, at the Statler Hotel, Detroit, Michigan.

"Subsequent to my election I received from the Secretary a copy of the membership roll of the Association, a copy of which roll is appended hereto and made a part of this report.

"I received from the previous Treasurer, Perry R. Moore, \$179.37 and collected \$240.00 in dues from those indicated by asterisks preceding their names on the membership roll annexed."

The membership stated by Glenn "on the roll annexed" dated October 23, 1939, i.e., the "membership roll" which he received "subsequent" to his election as Treasurer the year before, also omits the names of Edward Berol and Marion Jones. I am satisfied, however, for reasons heretofore stated, that Berol and Jones were Charter Members.

However, Glenn's "membership roll annexed" (October 23, 1939) includes the name of one which none of my files shows any support, viz., David A. Wolff of Detroit. The fact, however, that Glenn states that Kahn "subsequent to my election" sent him a copy of the membership roll may well indicate that he was a mem-

ber at the time of the 1938 meeting. Again it could easily mean that he became a member after the close of the Detroit meeting. Because of this uncertainty, I have omitted his name from the "List of Charter Members" attached. I surely would not wish to do him an injustice and if anyone is in possession of facts indicating his membership, or dues paid on or prior to the 1938 Detroit meeting, such facts should be disclosed to you and the record changed accordingly.

Yours very truly,
Perry R. Moore

Charter Members

Ames, Harry C.	Mayer, Stanley B.
Axelrod, David	Moore, Perry R.
Berol, Edward M.	Murphy, E.X.
Born, Ferdinand	Nelson, Fred O.
Brady, Edmund M.	Overmyer, Franklin R.
Brashears, Edward S.	Rawlings, Frank H.
Coonley, Edward J.	Sack, Martin
Dixon, George S.	Schewmake, Oscar L.
Dougher, Leo A.	Schwartz, Dan R.
Ellis, Howell	Shertz, Harold S.
Fiddes, Clyde W.	Smith, Louis E.
Goldstein, Paul J.	Sullivan, George D.
Heckman, August W.*	Sullivan, Mortimer A.
Heiskell, A.L.	Tarlowski, Louis
Jones, Marion F.	Thomas, Henry P.
Josselson, Jack B.	Turney, John R.
Kahn, S. Harrison	Van Osdel, Franklin J.
Kellogg, George M., Jr.	Walsh, Thomas
Kitchen, Leo P.	Waples, Harold J.
LaTourette, B.W., Sr.	Weckstein, Herman B.J.
Lieberman, J. Almyk	Wrape, James W.
Lynch, William J.	

* As of the date of this writing, August W. Heckman, Retired Judge of the Superior Court of New Jersey, Chancery Division, is the only Charter Member still living.

Part II

A Brief (?), Inaccurate and Incomplete History of the MCLA

Louis E. Smith, Charter Member

Foreword

The editor of *Your Letter of the Law* has asked me to write a history of our organization.

This is a difficult task, especially for me, as it requires going back thirty years. Old age has three faults. First, it is difficult to recall past events. The other two I can't remember. In an attempt to refresh my recollection, I wrote to our Secretary for the minutes of the annual and mid-winter meetings held prior to 1958. He did not have them. His predecessors didn't either. I do not think the minutes were lost or destroyed. I don't believe they were ever written up in the first place. I recall that the business meeting in the early days, the President would call for a reading of the minutes of the last meeting and the then Secretary who had a friend planted in the audience would have his friend arise and move that the reading be dispensed with, which motion always passed unanimously. The reason was that the Secretary had failed to write up the minutes of the previous meeting.

In The Beginning

The Association was organized in 1937. If I, or for that matter any of us who attended the first meeting were to be asked to write on the following morning exactly what occurred at the meeting, our respective accounts would have varied, in direct ratio to the "spirits" imbibed after the meeting adjourned. Several years ago, during a reminiscent meeting, Jack Josselson, in a mellow mood, claimed that at the close of the meeting, some of the members adjourned to a local house of ill-repute. That part I do not recall.

The original idea for forming the organization was the brain child of Ed Brashears of Washington and Harold "Pop" Shertz, of Philadelphia.

The first meeting was held in a small conference room in the basement of the Hotel Kentucky in Louisville, during an annual convention of the American Trucking Associations, which in those days was small enough in membership to hold their conventions in a relatively small hotel in a relatively small city. Lawyers attended ATA conventions to solicit business. Now we have become more ethical and attend only when a client pays our expenses.

The "Roster of Members" now printed annually by the Association lists forty-six charter members. I am certain that only about half of them attended the first meeting. The discrepancy in numbers is due to those in attendance voting that the charter membership role be kept open a year. Incidentally, out of the forty-six listed charter members, only twenty-two remain as of today. The other twenty-four have either passed on or have resigned to enter more lucrative fields of law practice. Of the twenty-two still active and kicking members, only about half of them are kicking very high.

At the first meeting Ed Brashears frankly explained that the main purpose of forming the Association was to put out a directory listing attorneys across the country who specialized in motor carrier law, so that they could refer cases to each other. However, the purpose clause in the Constitution adopted at the first meeting read:

"The objects of the Association are to maintain the honor and dignity of the members of the legal profession who practice motor carrier law before the Interstate Commerce Commission and the state regulatory bodies and to assist those Commissions in matters of practice and procedure before them, and in the establishment and maintenance of proper and ethical standards of practice by members of the Association and others who practice before those Commissions."

Despite Ed's "main purpose," the Association has, down through the years, and still does adhere strictly to the objects set forth in Article II of our Constitution.

Incidentally, Article I of the Constitution states that "This organization shall be known as 'Motor Carrier Lawyers' Association.'" This Article is amended. The original name was the "National Motor Carrier Lawyers' Association." The name had to be changed when we took in Max Rapoport of Toronto. Some suggested that the name be changed to the "International Motor Carrier Lawyers Association," but it was decided that such was too high sounding so the present name was adopted. When Max applied for membership, it raised a technical problem for the membership committee. The Committee knew the difference between an attorney and a lawyer. The former charged larger fees than the latter, but Max claimed he was neither, that he was a "barrister and solicitor." The Committee suspected what a solicitor was because they all were, at heart, solicitors, but "barrister" stumped them, so they appealed to Max for a definition. He referred them to Webster's Unabridged Dictionary, calling to their attention that in the dictionary the word barrister appeared just half way between the words bankrupt and bastard. So, it was just a matter of semantics. Also, again incidentally, taking in Max turned out to be a splendid idea; since then he has been an enthusiastic and hard working member serving on numerous committees and never missing attending meetings, also, has chaired a fine convention in Toronto in 1956, and has been the cause of bringing into the Association nine additional Canadian members, from the provinces of British Columbia, New Brunswick, Ontario, Quebec, and Saskatchewan. (Oh, does this author know his Canadian geography!)

The Membership

Article III of the Constitution provides, among other requirements, that membership be granted to attorneys at law only. This requirement precludes, as the I.C.C. Practitioners Association does not, such persons as shippers' traffic managers, rate clerks, "B" practitioners before the I.C.C. and last but not least, railroad attorneys.

Ironically, one of the most prominent charter members, the late George M. Kellogg of Chicago, never represented a motor carrier. He was general counsel for the Traffic Department of the International Harvester Company, and although he appeared in many I.C.C. motor carrier hearings, it was only in the role of counsel for intervening petitioner, the I.H.C., in support of an applicant.

Also, the only honorary member of the Association was, and still is, a one hundred per cent railroad attorney. Our members used to look with a jaundiced eye upon all railroad lawyers. I recall that during one convention years ago, I happened to run into Donovan Hoover in the lobby of the hotel. I invited him up to our meeting and introduced him as a prospective member as "Mr. Hoover of Santa Fe." A unanimous yell went up from those in attendance, "Throw the bum out!" They thought I meant that Don was with the Santa Fe Railroad instead of from Santa Fe, New Mexico.

Also, the Association does take in ex-railroad counsel who have seen the light and turned from representing railroads to representing motor carriers. The first of these converts was Harold Hernly of Washington. During the early days of I.C.C. regulation, Harold, working out of Chicago, used to appear at informal office hearings before I.C.C. supervisors on grandfather applications and harass the applicants. (He still harasses applicants in I.C.C. hearings when he represents protestants.) I recall taking Harold into Bob Robert's (the first director of the I.C.C.'s Bureau of Motor Carriers) office and telling him that Harold had reformed and was now a motor carrier lawyer. Bob remarked, "Mr. Hernly, I thought you smelled better when you fist walked in here." The second ex-railer was Sam Delisi of Pittsburgh. Sam used to unsuccessfully represent the Pennsylvania Railroad. Since joining the Association, he and his firm have been very successful in representing motor carriers. Another such member was Herb Smith of Austin. There are probably others I do not recognize because they have been very careful to conceal their shady pasts.

But to get back to our honorary member. As I indicated, truck lawyers are not fond of railroad lawyers – with one exception, and he is a rail attorney that every (without exception) truck lawyer who has ever met him or been with him in a hearing, considers a fine gentleman as well as a brilliant counsel, even though he is on the wrong side. He is James Nesbit, now general counsel for the Association of Western Railroads in Chicago. Shortly prior to lunch during the 1951 convention in Cincinnati, a group of us ran into Jim in the hotel lobby. We invited him to lunch with us as our honored guest. During the luncheon we decided to make him an honorary member. The chairman asked, "What shall we call him?" Someone in the room quipped, "What we always have – A s.o.b."

All applications for membership have always gone through a careful screening before being accepted. Despite this, I only recall one applicant that was ever rejected. It used to be that the President would appoint a five man membership committee, geographically located – one from the Northeast, one from the Southeast, one from the Northwest, one from the Southwest and the fifth one from the Central States. Years ago, I served for a couple of years as the "fifth" (no pun intended) member. Then the applicants would apply to the Secretary who would in turn submit the name to each committee member who would vote aye or nay, each one not knowing how the other voted. One day, I received the name of an applicant I just couldn't, in all conscience, vote in favor of. I had never blackballed anyone for membership in any organization to which I had ever belonged. I wouldn't even vote against an applicant to the Anti-Saloon League, but I thought, I'll vote against this shyster, the rest of the committee will vote for him and he will become a member. As it turned out, the other members reasoned as I did and the applicant received five blackballs. For obvious reasons, I will not identify him, but he still can be seen frequently stalking the corridors down at Twelfth and Constitution Avenue in Washington, pestering examiners and Bureau officials.

Today, applications for membership are processed in a more orderly and better manner. (See Article VI of the Constitution.)

To prove that the male members of the Association are broad-minded (still no pun intended) three she-lawyers have been admitted to membership. The first was Wilhemina Boersma, a member of a prominent Detroit law firm. Next was Mary Kelley of Boston, the most distinguished motor carrier lawyer in New England (my apologies to Brothers Barrett, Kline, et al.). The third was Lucy Redd of Salt Lake City.

When the Association was old enough for sons and sons-in-law to enter the practice, the committee members had a field day. Votes by the membership committee were sometimes accompanied by letters upholding their votes. For example, when Brainard LaTourette, Jr. applied, one member wrote:

"I am happy to record a favorable vote on this applicant. I am sure that if he comes close to contributing as much to the profession as his father, he will be a tremendous asset. Anyone who approaches a chip off "that old block is bound to be good."

Another member, in concurring, added;

"Incidentally, we might go all the way and do a good job and kick the old man out."

When Don Smith applied, the then chairman of the Committee wrote to the Secretary as follows:

"Dear Ed: I hasten to record my vote of approval on this application in view of a number of reasons:

- (1) The integrity and standing of the applicant's sponsors.
- (2) As a recognition of the act of the applicant's father in abstaining from sponsoring this application to avoid handicapping the applicant. This is probably the only ethical act he ever performed.
- (3) The other members of the Committee are probably prejudiced. Two have sons who are already members. One has a son-in-law who is a member, and one expects to submit his son's name in the near future.
- (4) Private investigation reveals that the applicant is worthy of membership in spite of his ancestry."

When the son-in-law referred to in Marion's letter applied, he drew this letter from one member of the committee:

"Dear Ed:

The applicant is the junior member of the law firm of Stephens, Bieberstein, Cooper & Bruemmer, of Madison, Wisconsin, which firm, as you know, has a very questionable and unsavory reputation with the Interstate Commerce Commission, due solely to the unscrupulous activities of the senior member. We have been admitting sons of members, so why not sons-in-law?

The application is sponsored by three prominent members from Wisconsin. Unsolicited, I have added my name as an additional sponsor, which automatically records my favorable vote, which vote is predicated upon actual, personal knowledge. I have been in several I.C.C. hearings with the applicant, and he conducts himself far better than his infamous father-in-law."

Similar letters to the three above came from the membership committeemen when fine young men without so fine fathers applied, such applicants as (and I list them alphabetically and not chronologically): Harry Ames, Jr., Harold Hernly, Jr., Wilmer B. Hill, Clay R. Moore, Tom Kretsinger, Dick Reminger, Dick Reynolds III, Martin Sack, Jr. and Don Weckstein.

Speaking of the younger members, Glenn Stephens had a eye to the future. On August 7, 1958, he wrote the following to the chairman of the membership committee:

“Dear Sir:

John and Barbara Bruemmer presented me with a grandson on August 6. Since membership in the Association is become so prized, so valuable and so difficult to obtain, I thought as soon as the young man has been given the dignity of a first name by his parents, I might present it to you and through you to the Association, for membership in 1983. (You know like they do at Princeton and Eton.) Can you reasonably accommodate me?”

In addition to having ex-rail attorneys, the Association also has former I.C.C. examiners as members, such as Dale Dillon, Frank Hand, Bev Simms, Bill Croft, Paul Coyle, Wilmer Hill, Mike Corcoran, and Tom Kilroy. Also, to add prestige to the foregoing, former Commissioner Clyde E. Herring is now a member.

Relatively few of our members have messed around with holding important public offices, probably because they were too busy attending hearings and writing pleadings. The late Jim Blair served a term as Governor of Missouri. Roger Branigin is presently serving as Governor of Indiana. George Young is a U.S. District Court Judge in Florida. Bob Ainsworth served since 1961 as a Federal District Judge in New Orleans and in July of 1966 was appointed to the bench of the U.S. Court of Appeals for the Fifth Judicial Circuit. Gus Heckman about a year ago was appointed Judge of the Superior Court of New Jersey. Everett Hutchinson used to be a member from Texas. When he was made an ICC Commissioner, he resigned temporarily from the Association. When he later resigned from the Commission and became the manager of The National Association of Motor Bus Owners, he rejoined. Then in the latter part of 1966, he was appointed Under Secretary of the newly created Federal Department of Transportation, assisting Alan S. Boyd, as department secretary who became the twelfth member of President Johnson’s Cabinet. When and if “Hutch” ever quits his present government post, he will probably rejoin our Association. Hutch’s activities remind us of the “Famous Finnegin”; paraphrasing it, he can be referred to as in agin, out agin, in agin, out agin Hutchinsin.’

Starting with less than fifty members and ending up today with more than five hundred members from the 49 states of the Union (Hawaii not as yet represented despite their hula dancers) and the District of Columbia, and Canada, the Association has made great progress. During the first fifteen years of our existence, the I.C.C. paid little attention to us because our meager membership compared to the I.C.C. Practitioners’ Association. When we finally pointed out to the commission’s staff that, small as we were, our membership represented approximately 98 per cent of the motor carriers, the Commission sat up and started to recognize us. During the past fifteen years, the Commission has appealed to us frequently to help them in supporting legislation in Congress and in promulgating new rules of practice and procedure.

To the growth in numbers as well as stature and prestige of our Association, we owe a debt of gratitude to a number of our mem-

bers, both past and present, including such men contributing their time and loyal efforts as (to name only a few): Ed Brashears, Harold Shertz, Perry Moore, Glenn Stephens, Jim Wrape, Frank Van Osdel, Bob Loser, Ferd Born, Carll Kretsinger, Harold Hernly, Lee Reeder, Marion Jones, Don Morken, Reagan Sayers, Harrison Kahn, Frank Overmeyer, Louis Tarlowski, Bob Powell, Jack Josselson, George Dixon, Howell Ellis, Wentworth Griffin, Francis Barrett, Sr., and Ewell Muse. In addition, newer members such as Bev Simms, Phineas Stevens, Leroy Hallman, Al Meiklejohn, Walter Bieneman, Dave Sutherland, Alvis Layne, and many others.

The Officers

The best that I can recall, the Association started out originally with a President, Vice-President, Treasurer and Secretary. Some time later, we created four Vice-Presidents.

For years and years, Jack Josselson served as Treasurer and Ed Reminger as Secretary. During his many terms as Secretary, Ed had a three-pronged job. He not only was Secretary, but also served as chairman of the membership committee and was responsible for preparing the directory or roster of members. Finally, both men announced that they were resigning their respective jobs and if the members didn’t like it they were resigning from the Association. The members responded by electing them Vice-Presidents.

During the early years, the four Vice-Presidents were elevated one notch each year, just like going up through the chairs in the Masons or Elks Lodge. Several years ago, part of this was changed. Secretaries and Treasurers were not always elevated. Also, a new office (to replace the first Vice-President) was created and named “President-elect,” which we now have in addition to three Vice-Presidents. During the past several years, the Vice-Presidents have been shoved up a step, and sometimes the Secretary and Treasurer have been elected to a Vice-Presidency, or re-elected to their present offices, and sometimes dropped. Today, the only officer sure of a promotion is the President-elect. I recall that when I was a first Vice-President, I underwent a serious operation several weeks prior to the annual meeting in Memphis and had to arise from a recovery bed to attend the meeting. I did so because of an unwritten rule that a member failing to attend a meeting would never be elected to an office that year. I regretted later that I had not chosen to stay in bed. Being a President is no easy job. When I departed for the annual meeting in New Orleans, my secretary asked me if there was any possibility of my being re-elected. When I said no and asked why, she replied that if I was, she was going to resign . . . and she meant it.

I am not going to enlarge this article with a list of the past presidents and their respective terms of office. If the reader wants to know, I refer him to page two of the 1966 Roster. What puzzles me in reading this is that it lists only twenty-four past presidents for a twenty-nine year period. Some of the early ones must have served more than one term.

Probably the most inactive President we ever had was Harris Klein of New York City. All he did was send out postcards to the members ten days in advance of the annual meeting, notifying them of the time and place, and then didn’t show up at the meeting.

The most active and one of the best presidents we ever had was Reagan Sayers of Fort Worth. Reagan used to write at least three-five page letters a week, all demanding answers, to members of the Executive Committee, then composed and still composed of present officers and past presidents. Finally, in exasperation, I sug-

gested that the name of our organization be changed to the "Motor Carrier Lawyers' Correspondence Association."

Judging solely from his past performance as serving as third, second, first Vice-President, President-elect, and President since the Palm Springs meeting last April, I am convinced that our new President "Bev the Bashful Bachelor" from Washington will make the best President we have had so far.

Officers are nominated by a committee appointed by the President. These nominating committees consist of a group of past presidents, not to bestow an honor on them, but because from their past experience as officers they should know the type of man best suited for the job. So far their "tickers" have been unanimously voted in by the general membership, even though nominations from the floor are permitted.

Nominees are not chosen because of their length of time as members, their geographical locations, their ability as lawyers, or their financial successes in the profession, but solely on their past efforts as hard-working members.

When it came time for Francis Barrett, Sr., to be elected President, he was ill and like Cal Coolidge "did not choose to run," so he was elected "Honorary President" which position he has held with honor ever since.

Conventions and Conferences

In the preceding chapters of this article, when referring to our annual get-togethers, I referred to them as "meetings"; here is why:

Originally for many years, the Association's annual meetings were called "conventions." Then one day during the late fifties, Reagan Sayers proposed that the name be changed to "conferences," which proposal was adopted and since then the Association has held annual conferences. Just why Reagan decided the name should be changed I have never been able to figure out, but inasmuch as he is the unofficial parliamentarian of the Association, he must have had a good reason. I used to think of top level conferences as being unsuccessful international meetings attended by diplomats and sub-level conferences held by lawyers and their clients, for which the lawyers received a fee for attending instead of paying One Hundred Dollars.

As stated previously, the first meeting was held in Louisville in 1937. For approximately the following ten years, we traipsed around after the A.T.A. and held our meetings at the same time and place, renting a parlor in the hotel as a sort of hospitality room complete with portable bar. The business sessions were limited to discussions on how to take law business away from non-member attorneys and "B" practitioners, how to deal effectively with obstreperous I.C.C. examiners, the election of officers, and last but not least, where we were going for dinner, dutch treat. Quite a number of these meetings were held in Chicago and Franklin Overmeyer always prevailed upon us going to a certain Chinese restaurant in the Loop. The owner was one of Frank's non-motor carrier clients and we suspected that Frank got a commission. Once we met in Boston and once in New York City (along with the A.T.A.).

There is a hiatus in my mind in regard to the exact places we met between 1938 and 1950. (The missing minutes of past secretaries didn't help.) We did meet every third year in Washington because the by-laws so provide (which provision has been ignored since 1957). I didn't miss any of the conventions, but they apparently didn't make a lasting impression because they were only one-day affairs with little or no entertainment (until the meetings were over). So far, I have only missed two conferences, the one in

Miami in 1964 and the last one in Palm Springs, both because of conditions beyond my control. I have been informed that Phil Jacobson almost broke down and cried when he learned that I was not going to be in Palm Springs. I do intend to attend (despite the fact that George Dixon will be the chairman) the 1968 conference in Detroit, come hell or high water, or as Francis Barrett would say . . . "If God is willing." I have never attended an annual meeting at which I did not have a good time. Likewise, (like Will Rogers) I have never known a member I didn't like . . . even Jake.

The first, or at least one of the first annual meetings that earned the title of "convention" was hosted by Jack Josselson at the Netherlands Plaza Hotel in Cincinnati. This was the meeting where the "Special Award" was born. Also the first time the wives were entertained. More about the two items later.

Subsequent conventions and conferences were held, in Chicago, Denver, Washington, Louisville, Toronto, Kansas City, Memphis, New Orleans, San Francisco, Dallas, Washington, Minneapolis, Miami, Las Vegas, and Palm Springs. (These motor carrier attorneys sure get around!)

I am not going to encumber this article with a review of the programs of these conventions and conferences. If you were there you will remember. If you did not attend, that is your fault, except, of course, relatively new members. I will, however, mention some things that occurred during some of the meetings . . . things that I still recall and which amused me.

Earl Frankenberger was chairman of the Louisville convention in 1955. It was the first time that the registration fee was raised to \$100. Fees then were not mailed to the committee in advance but paid upon arrival. NO previous notice was given by Frank to the members, not even to the writer and Jack Josselson who were the two other members of the committee. As a result, most of those attending had to pay with wooden checks, but the entertainment provided, as has been provided at each subsequent convention or conference more than justified the fee. Then the Governor (Wetherby) presented the officers with commissions making them Kentucky Colonels. On Friday afternoon, we all went to the races. Ethel Born, the smartest race-horse player at the convention, won the daily double . . . approximately \$300. The next day while Ferd was reading the sports page in the evening newspaper, he noticed that the winners that day won \$600. He called this to Ethel's attention, who replied, "But I didn't go to the track today."

Former Senator and Vice-President Alben Barkley was the after dinner speaker at the Saturday night banquet. During the cocktail hour immediately preceding the dinner, my wife went up to the Senator and told him that her father-in-law was a great admirer of the Senator and that when she returned home she wanted to tell him that she had shaken the Senator's hand. Grasping her hand, he said, "Honey, you tell yo' pappy-in-law that Mr. Barkley not only shook yo' hand . . . he squeezed it."

He endeared himself to all of the wives in attendance when, in looking over the audience just as he started his speech he remarked, "Ladies, if I had not been infamously othuwise I would swear that you all came from Kaintucky."

Through the courtesy of a local distillery those attending the banquet found a half-pint bottle of bourbon in front of their plates. Upon returning to their chairs after the first dance after dinner, there wasn't a bottle on any of the tables. All of the pockets of Bill Croft and Bert Stillwell were bulging, but what can you do about honored guests?

Back in those days, the next convention site was chosen by the members during the business session on Saturday morning, our membership being small enough that the two year in advance hotel reservations were not required. At the close of the session, I walked out of the door with Ferd Born. Ethel was waiting for us and asked immediately where the next convention was going to be held. Ferd said, "You wouldn't be interested; they voted no wives could attend." Ethel then wanted to know, "In what telephone booth are you and Louis going to hold your convention?"

As previously stated, the Toronto meeting at the Hotel York in 1956 was an excellent one. Max put on a midget "Expo 56." It was also the first annual meeting that was attended by a sizable number of I.C.C. officials, those present being Commissioners Mitchell and Tuggle, and Bureau heads Paul Colyle, Bertram Stillwell, William Croft, and Irving Raley.

Sixty-one members attended but only thirty wives. Apparently some of the members thought it was against the law to transport a lady across an international boundary line.

In a speech during the Toronto Convention, Commissioner Mitchell told the members that before an Examiner's Report and Recommended Order became the final order of the Commission, that it was reviewed and checked by twenty-nine persons. This prompted the Special Award Committee to almost decide to award the trophy to Judge Mitchell (everyone called him Judge instead of Mr. Commissioner because he was formerly a court judge in Iowa and preferred to be so addressed). However, the Committee decided that to present the trophy to the Judge would be below the dignity of the Commission. When Judge Mitchell was informed of this after the meeting, he was furious . . . because he had not received the Award.

At Kansas City in 1957, at the Muehlbach Hotel, Lee Reeder and Carll Kretsinger were co-chairmen. Wentworth Griffin and Carll did most of the work. It would have been Wentworth and Tom Kretsinger except that Tom was still in law school. At the Saturday night banquet, Lee was supposed to make a speech. Due to his absence Wentworth had to substitute for him. In explaining his boss' absence Wentworth said that Lee had to go, as the scout troop leader, on an overnight hike. Eyebrows were raised, and raised even higher when Wentworth added as a sort of afterthought that it was a girl scout troop.

At the Memphis 1958 conference one night, host Jim Wrape staged a moonlight boat trip on the Mississippi. The boat got stuck on a sandbar. Some of the guests slipped off the deck. The deck was not very wet but those members were.

For some reason I do not recall anything funny that occurred in Washington during the 1954 convention. It must have been due to the humidity. But, after all you hear, nothing is funny in Washington unless Congress is in session. It was, which reminds me (and this was even originally purely hearsay) the McCarthy hearing was going on at Capitol Hill. Evelyn LaTourette took a group of "the girls" to the hearing. Brainerd, Sr., who at the time was the Mayor of Webster Grove (an incorporated suburb of St. Louis) told his wife that seats in the Senate galleries were hard to get and suggested that she call at their Senator's office and obtain passes. So she did, but to do so, she had to have all of her guests sign the Senator's visitors book as residents of Missouri. So they all signed as living on fictitious streets in Webster Grove. That is, all except Ethel Born, who loudly proclaimed that she was a Democrat from Indiana and not a Republican from Missouri, and that if she perjured herself and it was ever found out Ferd would never stand a chance of becoming chairman of the Public Service Commission of Indiana. I understand that Ethel got in but had to

sit on the steps instead of in a chair. The Senator was surprised to learn that he had so many charming constituents in Webster Grove.

The 1953 convention held at the Brown Palace Hotel in Denver was excellently staged by Marion Jones and Truman Stockton. It was the first convention that wives attended in substantial numbers. This resulted in the formation of the Ladies Auxiliary. More about that later.

Because of the number of wives in attendance, it was decided they should eat lunch with us. (Quite a concession.) We all ate lunch at a long table in one of the Hotel's private dining rooms. Reagan Sayers presided. Realizing that most of the wives were attending for the first time, Reagan had each member introduce his wife who then stood up and bowed. After they had all been identified, Reagan announced, "There is one wife here who is the most put upon, long suffering wife of the lousiest husband we have among our members. She deserves extra recognition. Mrs. Smith, will you please stand up again?"

In my opinion, the 1959 conference held at the Hotel Roosevelt in New Orleans was one of the best ever held, not because I happened to be President that year, because I had nothing to do with it, but because of the fine work on the part of Chairman Phineas Stevens and his lovely wife, aided and abetted by the environs of the French Quarter.

For the same reasons, the 1960 conference at the Fairmont Hotel in San Francisco was a success. Although all of the members living in San Francisco served on the Committee, poor Bert Silver had to do much of the work. It was the first year that Abe McGregor Goff was a member of the Commission and he was the honored guest. He had such a good time that he asked to be invited back to all future conferences.

In 1961, the conference was held at Dallas in the then new Sheraton Hotel. True to form and tradition, the Texans staged everything in a big way.

The 1962 conference was held in Washington. That year was the 75th anniversary of the Interstate Commerce Commission. (It was also our Association's 25th anniversary.) The I.C.C. Practitioners Association was holding its annual convention in Washington that year and the chairman of the Commission suggested that we hold our conference in Washington at the same time and place, as sort of a joint celebration. Our Executive Committee was not keen about the idea, but as the Chinese say, "A wise man understands a nod." Our headquarters was the Shoreham. The practitioners hung out at the Mayflower. The annual Washington Cherry Blossom Festival was going on at the same time, and the contestants, for safety's sake, were housed in a different hotel.

Most of the functions were held jointly with the practitioners. A huge reception followed by a banquet was held (on neutral ground) at the Wardman Park. The way it was run one would have thought that the practitioners were throwing the party. But later our Treasurer was presented with a bill for half of the cost, notwithstanding that guestwise we were outnumbered almost five to one. At a joint meeting held in the I.C.C.'s auditorium, Dave McDonald, then president of the Practitioners and our then president George Dixon made brief remarks. Dave led off first and in his speech referred to the MCLA'ers as "our brothers." In George's speech, he reminded Dave that his members were only "half-brothers." From time to time our Association had feuded with the Practitioners over matters of policy and practice. However, a substantial number of our members belong to their Association and,

of course, vice-versa, including the aforesaid McDonald; also Sam Delisi, the Practitioners' president. The principal speaker at the joint meeting in the auditorium was Chief Justice Felix Frankfurter of the United States Supreme Court. It was the last public address given by the former Chief Justice. He passed away a few months later.

At a noon luncheon attended by our members and their wives, Francis Barrett, Sr. was presented with a plaque in honor of his title of Honorary President. An excerpt from the presentation speech reads:

“. . . As you all know . . . it is the custom of our Association to award a bronze plaque to our past presidents in recognition of their faithful service . . . There is one member of our Association who also deserves a similar plaque in recognition of his service and who already holds an honor higher than that of a mere past president, but has never been awarded a plaque. We decided that during this twenty-fifth conference, the most appropriate session for the presentation would be this luncheon, so all of you lovely ladies could be witnesses . . . He is a grand man . . . He is our idea of a walking definition of a gentleman and a scholar.”

Following the above mentioned joint banquet, a fine address was given by former Commissioner James K. Knudson, who traced the history of the I.C.C. Unfortunately, the speaker had to follow lengthy and windy introductions of those Commissioners and their wives at the speaker's table, and it was late in the evening before Mr. Knudson arose to speak.

At our own banquet at the Shoreham the next night, the just past president Dixon presided and introduced the newly elected officers. In introducing just elected president Wentworth Griffin, he announced that Wentworth would deliver the principal address. Wentworth arose and said (and said only) “My address is 1020 West 55th Street, Kansas City, Missouri,” and then sat down. Dixon looked worried. The dance band was not due to show for another half hour, so he asked the new president if that was his only address and Wentworth again arose and said, “Oh, no, my business address is 1012 Baltimore Building, Kansas City, Missouri.” George then gave up. In our opinion these were the two finest addresses we have ever listened to at any after dinner function. True, they were brief . . . but they were to the point.

The 1963 conference at the Hotel Radison in Minneapolis was highlighted by a reception widely advertised as being thrown by the Wisconsin delegation. The hors d'oeuvre table was loaded down with Wisconsin cheese and the bar (as well as the members later) with Milwaukee Beer. The Wisconsin hosts still later presented the Treasurer with the bill. A door prize (a University of Wisconsin football blanket) was awarded to the guest holding the stub to the winning ticket. To make the drawing appear on the up and up, Glenn Stephens' daughter did the drawing, reaching her hand into a glass bowl, and coming out with the stub to Commissioner Hutchinson's ticket! Some standing near Barbara were convinced that she palmed the ticket. Damn clever, these Wisconsin lawyers!

It looked for a brief time like the Miami conference in 1964 was going to either have to be called off or end up as a flop. Prior to the conference someone in Chief Examiner Cheseldine's office slipped up and assigned a whole flock of hearings throughout the country for the week of the conference. Then president Howell Ellis called all of the officers and past presidents and had them

bombard the Chairman of the Commission with protesting telegrams. All of the hearings were immediately postponed.

“Pop” Shertz, as one of the co-founders of the Association was presented with a plaque similar to the one given to Francis Barrett.

I was unable to attend the Miami conference and only learned what occurred by talking later to some of the members who did. The presentation of the “Special Award” was not on the agenda because in lieu of the customary Saturday stag luncheon the members gathered in the club house at the race track and had lunch and watched the races. The substitution was at least appropriate, as I heard that more bull was thrown around in the race track club house than ever was thrown at any regular Saturday luncheon.

One more item about Miami. I understand that Ferd Born failed to make a room reservation at the Deauville Hotel, the conference headquarters on Miami Beach, and had to settle for a room in a hotel about six blocks away, and was reminded of his failure by Ethel each time they had to walk between the two hotels.

The 1965 conference at the Dunes Hotel-Motel in Las Vegas was the best planned and well managed conference I have ever attended. This was due to the hard work and efforts of Bob Loser and his wife Dorothy. “Honest” John Jandera was also a co-chairman, but John was busy managing the golf tournament.

The Dunes was chosen because its president and general manager, Major Riddle, was formerly the head of several trucking companies and was well known to a number of our members. The deal was that Major was to set the slot machines at a higher payoff percentage when played by the members and instruct the croupiers at the roulette tables to step on the electric magnet button under the tables when the little white ball plopped into “0” or “Double 0.” I must have played the wrong one-armed bandits and sat at the wrong roulette tables. My wife did win \$1.50 playing the nickel slot machines. I lost (or so I told her) just slightly more than that at roulette. Jack Josselson made his wife go downtown and play the penny slot machines.

As in New Orleans and San Francisco, the outside added attractions helped in the entertainment part. It was a good thing that the weather was not as chilly as it was in Palm Springs this year, or the chorus girls in the floor shows along the Strip would have frozen to death.

However, all in Las Vegas is not sin. The then Governor of Nevada so assured us in his address to us at our opening meeting when he called attention to the large number of churches in Las Vegas. This purity image was confirmed by Joey Bishop, playing in a nearby casino, when he remarked that Las Vegas was a “family man's town because he never saw so many fond fathers squiring their daughters around.”

In the foregoing accounts of previous conventions and/or conferences, I have always noted the “highlight” of each, so I will note the one in Las Vegas. About three o'clock one morning Pete Beardsley and his wife, Elsie, lost all they wanted to lose on that particular night in the casino, so they retired to their room. A group of practical jokers (and they are many in the membership) bribed a house detective to go and pound on Pete's door and demand, “Either get that woman out of your room or go to the desk and re-register.” Elsie had just donned a fancy new negligee she had purchased at Garfinckel's in Washington just for the trip. In relating the incident during breakfast, the next morning, she said she was disappointed because the detective had not entered the room to see it.

The 1966 conference in Philadelphia was without note-worthy incident. The Hotel Stratford-Belvedere, where we held our

meetings, fouled up and rented out to another organization the banquet room so we all had to go out on the town to another joint (which probably served better food than the Hotel). One night, we all attended a marina and watched trained dolphins perform. Watching them, I decided that they were smarter than some of our members, the author of this article included.

Sticking to my mentioning highlights, Mary Barrett was ill and Francis had to attend without her. But she called several of his best friends and begged them to watch over and keep a close eye over and rein on her husband and see that he kept out of strip-tease night clubs and ginmills.

A couple of years prior to Philadelphia, the golf tournament, held on the Wednesday before the conference started officially, was held. At the tourney in Philadelphia, Commissioner Walrath entered. The golf-playing members played "customer golf." Going around the eighteen holes, while the members bogied the Commissioner birdied. The Commissioner won . . . match. But the golf committee lost his trophy. So letters went out later to members of the Committee. Jim Wrape, in his usual role of a hard working member answered, "I don't know where the trophy is. I did not even know that Larry played golf." Incidentally, at the close of the golf tourney at Palm Springs, Marion Jones reported that he had found a pair of golf shoes in his car that didn't belong to him. I happened to drop in at Marion's office in Denver several weeks ago and saw a trophy that strongly resembled the lost trophy. Marion would not let me close enough to read the inscription. Incidentally, if you ever happen to be in Denver, be sure and drop into Jonsey's office. He has a very pretty and sweet receptionist in the outer office. To justify your call, you might see Meiklejohn and explain to him why you are in arrears in your dues.

I was all for Marion keeping the trophy and sending the Commissioner the shoes in lieu thereof, until I recently learned that Dave Sutherland had "discovered it" among his many trophies. Dave, until the expose was apparently operating under the old saying "If you can't beat 'em, join 'em," except Dave was using "If you can't win 'em, keep 'em."

I did not get to attend this year's conference at the El Mirador Motel-Hotel in Palm Springs. Instead my son went, not only in the role of an active member, but also as my representative. Since then a number of members attending have suggested that I follow this same practice in the future.

I did get from Francis Barrett (who with his wife stopped over en route home and visited my wife and me) a blow-by-blow account of what occurred. It was a garbled account, due to Francis' inebriate condition throughout the meeting. I did gather that the weather was extra chilly but that the conference committee adopted toward the weather the same philosophy that Mark Twain did. When asked what he did when it rained, Twain said, "When it rains, I just let it rain."

Gleaning from my copy of the June issue of the Association's house organ, under the erroneous caption "Highlights of the Conference," I learned, among other trivial things, "that the conference committee composed of Phil Jabonson, Wyman Knapp, and Mike Berol are to be congratulated on one of the finest conferences of our Association." That I doubt, but not having been there I cannot refute it. It did mention that the attendance exceeded all other annual meetings. But why not, our membership is growing. I also noted in the article that "Commissioner Abe McGregor Goff gave the keynote address at the Thursday luncheon." I am pleased that our Association is still honoring the Commissioner's wish to be invited to all of our meetings. If you

want to know what the members of our Association think of Abe, I suggest you read or re-read a reproduction of the letter of December 20, 1966 (on page 23 of last January's issue of *Your Letter of the Law*) that our committee on appointments of Interstate Commerce Commissioners wrote to President Lyndon Johnson urging Commissioner Goff's reappointment.

As to our annual mid-winter meetings, I do not recall how long ago they were started. Present Article IX of the Association's Constitution provides, among other things:

"One meeting of the executive committee shall be held as near to the first of each year as may be conveniently arranged and shall be designated the "mid-winter meeting." In the event the city at which the next annual conference of the Association is to be held is other than Washington, D.C., the said mid-winter meeting shall be held in Washington, D.C."

The aforesaid Article does not specify what shall be held at the mid-winter meetings in addition to a business meeting of the executive committee, but we all know and we all know why. They used to last just one day – on a Friday, and started with a noon luncheon at the Carlton Hotel attended by then existing officers and I.C.C. Commissioners, followed in the afternoon by a business session of the executive committee, then followed by a cocktail party starting at 5:00 p.m., for the I.C.C. examiners only, which lasted until the refreshments ran out.

Colonel (Kentucky Colonel) S. Harrison Kahn was for years the self-appointed one man committee for the mid-winter meetings, always held at the Carlton Hotel. This went on until the general membership found out that officers only were allowed to attend the noon luncheon. Then they rebelled. Now all members are invited. Also, the mid-winter meeting lasts for a day and a half, with prominent Washington bureaucrats appearing and talking at the Friday P.M. sessions. Recently, the Friday night examiner's cocktail party grew so large, with all of Washington's free-loaders attending that the guest list had to be restricted, at least to I.C.C. personnel sans females, unless they were I.C.C. department heads or sub-heads. Incidentally, the membership attendance at the recent mid-winter meetings has almost equalled the attendance at the annual conferences. This is due to (1) over sixty of our members live in the District of Columbia, and (2) Cheseldine assigning for hearing all cases requiring maximum attendance for hearings in Washington around that time.

To be consistent and to follow my "highlights" theme, one noon luncheon many years ago, rings a bell in the furthest recesses of my memory. I can here relate it without fear of reprisals because all of the Commissioners attending the noon luncheon are either deceased or retired. So, viz., the invited Commissioners were to be hauled up ("transported" is the word in briefs) from 12th and Constitution to the Carlton in hired limousines at twelve o'clock sharp. Around eleven o'clock, Harrison walked into the cocktail lounge at the Carlton and sternly told all of the officer-hosts present to quit drinking immediately and when the luncheon convened to not order a drink until and unless the chairman of the Commission suggested we all have one. As we all sat down at the luncheon table, the waiter inquired if anyone desired a cocktail. The chairman said "Sure." All of the officers said, "also." Later, the waiter asked if anyone wanted seconds. The chairman said "of course, a bird cannot stand on one leg." So all of the officers ordered seconds. Then the steaks (and fish for the Irish) were not quite done, so everyone had a third. Harrison looked at the officers with a horrified expression, but they all

shrugged their shoulders and with facial expressions answered him with "You told us to do what the chairman of the I.C.C. did." From then on for the rest of the day, he was known as "Horrible Harrison." No business was conducted by the executive committee that afternoon and the minutes of the Secretary of the I.C.C. disclose also that no business was conducted by the Commissioners.

Mention should be made of the "early bird" parties held on Wednesday evenings in the Hospitality rooms. Some of the members used to have such a good time at these parties that they were unable to make the business meeting the next morning.

To a member of our Association who reads this alleged "history" and who had not, at least within the past fifteen years attended an annual or mid-winter meeting of the Association, I do not want them to get the erroneous impression that our meetings consist only of entertainment, frivolity, and monkey business. Most of the conferences are devoted to serious business meetings, and addresses by learned men, Commission officials, such as the Commissioners themselves, and heads of Commission departments, as well as excellent papers given by our own members on various motor carrier law subjects. To you younger members, as well as to some of our older ones, who have to date never attended an annual or mid-winter meeting, I am telling you now that your attendance at all future meetings will be well worth your time and expense, professionally-wise if not entertainment-wise.

The Ladies' Auxiliary

No history of any organization would be complete without a reference to the Ladies. From 1937 on for approximately the following fifteen years, no wives attended the annual meetings – the members telling their wives that no women were allowed. Then about 1949 a handful went to Chicago. You know, there are some wives who won't even let their husbands go along to the – corner to mail a letter. The wives who did go to Chicago spent the day spending all of their husbands' money at Marshall Fields. The following year at Cincinnati, Jack Josselson, feeling sorry for those husbands, had his wife, Bee, entertain them at a luncheon at her home and that started it. Quite a number went to Chicago the next year only to be slightly recognized and entertained at a cocktail party at one of the Loop clubs. Then came Denver (supra). It was at Denver that the Ladies' Auxiliary was officially organized. It was at a dinner party at a lodge up in the mountains. Either the altitude and thin air or the "mountain dew" or both, contributed to the success of the party. It was hilarious and then and there, the Ladies' Auxiliary was born. Phil Jacobson suggested that they be known as "The Cowslips." If you think there is any connection between this name and the winners of the "Special Award," you are mistaken. I refer you to the definition of "cowslips" in Webster's Dictionary which defines a "cowslip" as "the marsh marigold, a swamp rose family with yellow flowers."

The Ladies' Auxiliary blossomed and grew until the Memphis Conference. They didn't have any constitution, officers or dues, but they had general counsel – two of them, Don Morken and Wentworth Griffin, both striving to be chief counsel. Then at Memphis, Morken delivered his infamous and never to be forgotten address to his clients on the subject of inscriptions and drawings on the walls of the temples in ancient Egypt. The Auxiliary promptly fired Morken and then fired Wentworth, the latter being condemned by what the criminal court lawyers call "guilt by association." The Auxiliary dissolved and to this day not re-formed.

Your Letter of the Law

Away back when *Your Letter of the Law* was first issued is too long ago for me to remember. Years ago, Truman Stockton got out an issue, I think it was the first, almost solely devoted to Marion Jones, whom he dubbed "the Silver Fox" which name he has never been able to live down.

I thought I had kept copies of all of the back issues, but in searching my closed file the first issue I could find was dated June 15, 1956, and designated Vol. 3, No. 6. All of my previous issues must have been lost or destroyed. (I have moved my offices four times since then . . . no, not because of non-payment of the rent.)

At the conference in Kansas City in 1957, it was voted that it would be the duty of the first vice-president to be the editor, and that not less than six and not more than nine issues should be published each year. The editor's job was supposed to give him an opportunity to earn his spurs to qualify him for the presidency the following year. Unfortunately, I was elected first vice-president at Kansas City. Louis Tarlowski was elected president and he rode hard on me all year to get me to get out each issue on time. Once he wrote me:

"Dear Slave:

Your are required to devote a certain amount of your time to Association affairs, as a condition precedent to becoming my successor, and in this connection you should constantly keep in mind that succession is not necessarily automatic, even though your best friend, Glenn Stephens, is chairman of the nominating committee. As has been said in the days of yore 'There is many a slip betwixt the cup and the lip' so be governed accordingly. (Or, stated in another way, 'Only fifteen inches separates a slap on the back from a kick in the pants.')

The next year Francis Barrett was first vice-president, but after editing a couple of issues, he became ill (not from being editor) so I took over and got out the remaining issues.

While editor, I attempted to confine the publication's contents to reports of the annual and mid-winter meetings, and news or personal items about the various members, slanting all stories onto the humorous or lighter side. As a result, there was criticism from some of the members who thought the "Letter of the Law" should be devoted to serious legal articles about Commission decisions, etc., contributed by the members. So, in one issue, on the "Editor's Page" appeared the following:

"There is one matter on which your editor would like to receive expressions of opinion from the members.

In this and previous issues, a feeble attempt has been made to make this publication breezy, newsy, and not too serious, except in each issue an article contributed by a member, dealing with current legal questions and I.C.C. decisions.

There are some members who are of the opinion that "Your Letter" should be wholly a serious legal periodical containing nothing but technical articles and digests of recent Commission decisions, etc., or sort of a Harvard Law Review.' With this your present editor disagrees.

In the first place, practically all of the members subscribe to Traffic World', Transport Topics' and other trade journals, as well as receiving as members of the I.C.C. Practitioners' Association, their monthly Journal,' which

is an excellent publication. Therefore, to turn Your Letter' into a legal periodical would result in a partial duplication of the aforesaid publications which our members already receive and have to take time to wade through.

In the second place, your editor does not have the time and the Association's treasury does not have the funds to publish such a periodical. Furthermore, your present editor is mentally incapable of digesting Commission Decision. It is all that he can do to understand some of them. He is not a Bill Croft'."

Many opinions were later received, the soundest and best one from George Dixon who wrote:

"Dear Lou:

I have just concluded reading the latest Letter of the Law' and I make reference to your invitation on page 10 to express an opinion as to whether the publication should become erudite or should remain in its present lowly status. I seriously doubt, after years of reading pleadings which you have filed with the I.C.C. that you could become erudite. Please don't try."

Subsequent editors have been erudite, aided by contributors who were previously lacking. The change in format I think is for the best . . . maybe.

In my opinion, the best managed and cleverest issues, combining erudite articles with news and humor were issued during the editorship of Bev Simms, our present president.

The Special Award

No history of our Association, at least in my opinion would be complete without detailed reference to the "Special Award," "Big Trophy," or "Oscar," or whatever you want to call it.

At the convention in Cincinnati, sixteen years ago, Glenn Stephens had the bright idea that inasmuch as the movie industry had their "Oscar" and radio their "Emmys," our Association should annually award a similar prize. As all lawyers are predominantly "bull throwers," he decided that each year our Association should award a trophy to the biggest and best bull thrower of the year. So he went out and bought a small trophy at a local novelty shop. It stood only twelve inches high, with a wooden base mounted by a golden (?) figure similar to a golf trophy with a golfer all stanced, except over his shoulder he was poised to swing a bull instead of a golf club. On the front of the base was a golden (?) plate upon which could be inscribed and engraved the names and years of the winners. Space on the front plate soon gave out the year Phil Jacobson won, so a new and much larger trophy had to be acquired. I bought it with my own money. Jake was to return permanently the old little trophy and split the expense with me. It cost me \$35 and I have never been reimbursed by Jake. (I have always referred to him as "Jake the Snake" and he, in turn, has always referred to me as "Louie the Louse." Actually, our continuing feud resembles the one between Jack Benny and Fred Allen. We really are good friends and just keep it up for publicity purposes. Seriously, Jake has one fine thing about him, . . . he has a charming wife.)

Just after the little Oscar was replaced by the big Oscar, Louie Tarlowski, at his own expense, started giving past presidents an exact duplicate of the little oscar with the name and year of the

immediate past received engraved thereon. He will probably continue such a practice as long as his money holds out.

Originally, it was the custom (at the Saturday noon stage luncheons) to have last year's holder make the presentation speech to the new recipient, who, in turn, would deliver an acceptance speech. But this practice bogged down several years ago when the present holders refused to deliver the presentation speech, and it fell upon the first recipient (who was generally appointed as vice-chairman on the selection committee) to make the speech. The refusal on the part of the past holder was probably due to their fear of being exposed as unworthy of the award the previous year.

Beyond a shadow of a doubt, the best acceptance speech was delivered by Louie Tarlowski at the Kansas City convention. It was so good that members attending later requested written copies of it, and Tarlowski had to have a large number mimeographed and mailed.

I happen to have in my possession copies of most of the presentation and acceptance speeches, but I cannot, for obvious reasons, reprint any of them in this article. If I did, this issue of *Your Letter of the Law* would never get through the U.S. mail.

The Association roster or directory, while listing the names of the past presidents and charter members does not list the names of those awarded "Oscars," so I will list them herein and now:

1951: The first recipient is the only one who did not deserve it and his identity is, as the lawyers say in objecting to a question during an I.C.C. hearing, "irrelevant and immaterial."

1952: Lee Reeder, because of his "line" to bartenders in Kansas City.

1953: Jack Josselson, for fooling the membership with his alleged financial reports at annual and mid-winter meetings.

1954: Glenn Stephens "the old maestro from Madison", partly because he had made an "Indian giver" deal with the first recipient, but mostly because he deserved it.

1955: "Jake the Snake" Jacobson because he was "unshelchable," which reminds me of what I consider to be the perfect shelch. Just after a heated and acrimonious debate on the floor of the House of Lords in London between William Pitt, First Earl of Chatham, and Robert Wallace, Earl of Oxford, these two distinguished English statesmen met in one of the corridors.

"Sir," said Lord Walpole, "You will either die on the gallows or of some unspeakable disease."

"That, my Lord," replied Lord Pitt, "depends upon whether I embrace your policies or your mistress."

1956: Don Morken, not because of his infamous speech to the Ladies' Auxiliary at Memphis (supra) which was delivered two years later, but because of his impassioned plea to a police court judge in Washington two years previous.

1957: To "Terrible Tarlowski," who thoroughly vindicated his choice by his famous acceptance speech (supra).

1958: To James W. Wrape, "Gentlemen Jim" the big man from the South with the misspelled name.

1959: To Wentworth Griffin, mainly as we have said before "guilt by association" with former recipients Lee Reeder and Don Morken.

1960: S. Harrison Kahn (the "S" confidentially stands for Sidney) for persuading the executive committee for years that he should be the chairman of the mid-winter meetings.

1961: The right and honorable George S. Dixon of Detroit. The numerous reasons are being withheld, just in case one of his numerous law partners should sneak a copy of this article out to his good wife, Jane.

1962: "Little Leroy" Hallman, the Texas firecracker. Have you ever been in an I.C.C. hearing with Leroy? He reminds you of a banty rooster in a cockfight. I have never heard such a loud noise come out of such a little feller, and it is effective too, because he wins most of his cases. About half of the membership dread and do not want the award. The other half crave it. When Leroy was chosen, his opening remark in his acceptance speech was, "This is the greatest day for Texas since the Alamo."

1963 and 1964: Sid Upsher, the "Oakie" from Oklahoma, who persuaded a large finance company into loaning his client "Lee Way" a lot of money. Sid cheated. At the Miami conference (which omitted the presentation [supra]) the presentation was passed over for a year. Sidney then had his name (at a cost of \$2.56) inscribed twice, thus erroneously leading future observers into believing that he had been the only one who had been twice honored.

1965: This is when the Committee for the first time went outside the ranks and gave the award to a non-member. Recalling Judge Mitchell's disgust at not being awarded the Trophy in Toronto, the Trophy was awarded to Chief Hearing Examiner James Cheseldine, chiefly because of his previous speech to the members in which he told how he was so overworked because of lack of cooperation by the attorneys.

1966: To Harold Hernly because some of his law partner's bull had finally worn off on Harold.

1967: To Marion Jones, who should have received the award many years ago. It was belated but well deserved. The presentation speech was made by Leroy Hallman, substituting for the chairman. It was so good that those hearing it now insist that in the future all presentation speeches be made by Leroy, which is okay by me.

It is interesting to note that twelve out of our twenty-five past presidents have received this award. Could it be that the qualifications for both honors are similar?

Several years ago "oscar" almost died. (See page 25 in the August 1965 issue of *Your Letter of the Law*.) At the previous mid-winter meeting, a member moved that the Trophy presentations be discontinued because "it was beneath the dignity of the Association." The vote was close. The idea was right . . . maybe.

But it is now high time to quit. First there is no more space on the Trophy to inscribe any additional names, and second and what is more important, the membership has been drained dry of worthy prospects.

The 1968 committee members have a plan to get themselves off the hook, so to speak. At the mid-winter meeting next January, they plan to tell President Simms that they have decided on him as the candidate. Bev will immediately entertain a motion from the floor to discontinue the Trophy, and will hammer it through to an affirmative vote.

Apologies and Explanations

First, I want to apologize to your editor and you readers. I was requested to submit "a short history, full of humor and serious matters." This foregoing is not short. It is almost a book. But they say that every Hoosier has a secret ambition to write a book before he dies. (Many have.)

Second, this article is not, for practical reasons, packed with humorous incidents. The reason? Frankly, I am ashamed to admit that most of the really funny things that occurred in our Association during the past thirty years, I don't dare relate. I must have a perverted sense of humor. If I should relate them and John printed them, this issue would never get through the U.S. mail, and even if it did, we would both be sued for libel. Which reminds me of the advice one of my professors in law school gave the senior class. "Gentlemen, when a client wants you to file a lawsuit, first ascertain if the prospective defendant has any money. Second, does your client have a cause of action. If the answer to the first is no, don't file. If the answer to the second is no, file anyway. You can always negotiate a compromise settlement prior to the trial."

Third, to those of you whom I have either justly or unjustly maligned, remember I only kid those I like – also John and I are both judgment proof.

Fourth, in reading over the previous paragraphs, I was appalled by my too frequent use of the pronouns "I" and "me." I am not an egomaniac. I just can't recall incidents in which I was not a participant or an interested spectator on the sidelines.

Fifth, I want to apologize to recently retired I.C.C. Examiner C. Evans Brooks. Many of you have had the pleasure and privilege of appearing before C. Evans, as he was an excellent Examiner and a fine gentleman, but he always insisted during a hearing that whenever counsel or witness mentioned a city that the state also be named. Once, in one of his hearings I mentioned Chicago. He interrupted and asked, "What state?" I itched to reply, "Mr. Examiner, I am not sure." C. Evans would have fits reading the preceding paragraphs in which I have referred to many cities, sans states. You will just have to guess the states.

Sixth, I have mentioned a number of deceased members without referring to them as "the late Mr. So-and-So." The omission was intentional. I do not like the word so used. To me it means a member who appears in the hearing room after 9:30 a.m. I prefer to think of our deceased members as those who have passed on to a land where Motor Carrier counsel never lose their cases.

Conclusion

During the past thirty-two years, I have written so many briefs that out of habit, I will close the foregoing with a "conclusion."

I hope that none of our newer and younger members, upon learning of the shady past of MCLA, will resign.

Respectfully and in all humility submitted,
L. E. S.

Part III

A Brief (?), Inaccurate and Incomplete History of the TLA 1965 – 1987

Foreword

When Will Durant wrote his multi-volume works entitled "The History of Civilization," he had several (at least) advantages over me. First, and foremost, he probably was not a product of overcrowding in the public schools. Secondly, he could not, nor did he have to rely on living human beings to supply him with the information he was to use. He had available to him the recorded histories of all time in libraries of the world.

The written history of TLA has largely gone either unrecorded or has disappeared with the death and/or retirements of our founding members. The lack of documentation is further exacerbated by the fact that many of our members have moved on to other fields of law and have destroyed or disposed of old documentation.

When this became apparent to me in 1986 I put out a call for help from all of our living past presidents. My initial response from them was less than impressive. At one point, I informed the membership that the response from living past presidents was only three better than the responses received from those who were deceased. I never realized how hard it was to get a lawyer to respond when he realized there would be no legal fee involved. Fortunately, my information gathering picked up in 1987, but there were still holes left that will be readily apparent to you in reading this paper. As I stated earlier, it is my hope that later historians (?) will pick up information not supplied and insert it where it belongs.

Also, as you might guess, some of the documentation I received was conflicting in nature. I have letters from two individuals who took credit for the same story. I have tried my best to resolve conflicts, but a few will still be apparent. In addition, some of the responses I received were voluminous in nature and, on the other hand, some responses were absolutely skeletal. Please do not be offended if I did not use all of the information some of you supplied to me, nor, to the contrary, be offended where I had little to work with but my own memory. Let me begin.

The Membership

Article III, Paragraph 1 of the by-laws alluded to in Louis Smith's history has been amended twice since Louis prepared his history.

When I joined the Association in 1964, it was necessary for an attorney applicant to (1) have been actively engaged in the practice of law before the Interstate Commerce Commission or a Canadian regulatory body for a period in excess of two (2) years or (2) to have formerly engaged in duties as an attorney, member or hearing examiner of the Interstate Commerce Commission (or a Canadian regulatory body administering motor carrier law if a resident of Canada) for a period in excess of two (2) years.

In the "old days" of the Association, this did not seem to be a stringent requirement since young attorneys entering the practice of motor carrier law could be viewed on their merits while appearing in ICC or Canadian proceedings and were subject to the constant scrutiny of the "old guard." In looking back, this was acceptable since it provided young lawyers with the chance to become acquainted with the older members of the Association prior to making application for membership. In other words, applicants, for the most part, were well known to Association members having served at least a two (2) year apprenticeship.

With the demise of formal hearings before the ICC in the late 1970's and early 1980's, there was no longer a forum where young lawyers could step for peer review. After the passage of the Motor Carrier Act of 1980 and even a few years prior thereto, many cases were being heard on modified procedure and there were few face-to-face meetings. With the practice of purely motor carrier law drying up, it was necessary to make a change in the by-laws which was done at the annual meeting in 1983. Article III, Paragraph 1 (since amended) of the by-laws read as follows:

Eligibility

1. Membership in the association may be granted only to those members in good standing of a bar of the United States or Canada who demonstrate that they conduct themselves in a professional manner and that they are involved in transportation law.

This allowed all lawyers that were either active in ICC or Canadian practice or who practice a field or fields of law related to transportation to become qualified as applicants. It also threw open the gates to all modes of transportation from surface to air to sea and we, in fact, have successfully recruited in most, if not all, modes including rail (the noise you just heard was deceased charter members turning over in their graves). This amendment to our by-laws came after an in-depth investigation of possible merger with other bar associations. Some expressed interest, but, as an editorial comment, none had either the class of our membership or organization.

In reviewing files that I have kept over the years, I believe 1982 may have been the high water mark of membership. In June, 1982, we had 641 active members and 35 inactive for a total of 676. Today's [1987] membership count approximates 451 active and 40 inactive; down considerably, but no less impressive. Members presently come from 42 states, the District of Columbia and eight provinces of Canada. This is truly a national and international organization.

My own experience allows me to say that I have never been acquainted with a nicer group of people from top to bottom. Endless days and weeks of oral hearings in the 1960's and 1970's allowed for time to really become acquainted with many, many fine lawyers. This provided an escape from the drudgery of being away from home at night and created the opportunity to be with fine friends over food and drink. It was not long before one not only knew the membership by their first names, but also knew wives' and children's names. There is hardly a major city in the United States where a visiting fireman could not call a friend and be invited into the home for dinner.

Annual meetings provided a yearly respite where members and wives became acquainted and close friends. Though the days of oral hearings are gone, all of these friendships live on. I consider myself fortunate to have experienced the opportunity to have been part of all this and I give thanks for the many friendships this Association has brought not only to Kitty and me, but to others.

Les Kehl, a former law partner of Marion Jones, a Past President of our Association in 1953-1954, probably said it best when he stated that it was the "Silver Fox's" legacy to the

Association to “Fight the Good Fight Among Worthy Adversaries And Then Enjoy Their Camaraderie.” I have never seen another field of law where adversaries were better friends.

Officers

Not much can be added to Louis Smith’s summation of how officers are elected and how they move up the ladder to the Presidency. I will tell you it is a long haul for those so honored.

From the first election to office as either Secretary or Treasurer (both requiring a two-year term), one alternately moves on each year to Third Vice President. The primary duty of this office is membership and roster as called for by the by-laws. In custom, this office moves on to Second Vice President the following year with primary responsibility of preparing the educational program for the annual convention. The office of First Vice President has responsibility and becomes editor of *Your Letter of the Law*. The following year, the First Vice President becomes President-Elect and automatically becomes President the following year. The year served as President-Elect is supposedly a year off. Don’t believe it.

In the years that I have been in the Association, I recall only four instances when procedure up the ladder has been broken. In Atlanta, Georgia, in 1971 following a nomination from the floor, an officer was not automatically elevated to the office of a Vice Presidency.

In 1981, John Thompson who had been elected to serve as Third Vice President resigned during his term of office and left the Association to pursue other endeavors. I am happy to report that John is again practicing law and a member of the Association. His resignation bears special significance to me since when he resigned, Bill Taylor moved up the ladder from Treasurer to Third Vice President and during the Transportation Law Institute summer seminar held at Snowbird, Utah, I was elected (after everyone else declined) to serve as Treasurer.

In 1982, John Fessenden who had been elected President at Hilton Head, South Carolina, passed away after barely six months in office. To my knowledge, John is the only President in Association history who did not serve his full term of office. All of us who knew John and worked with him over the years mourned his passing and miss him dearly. Hal Miller took over for John in 1982 and served the remainder of John’s term and a full term the following year.

In 1986, Steve Weiman who was Second Vice President declined to move up the ladder because of the press of business and resigned his office. Steve is still a valued member of the Association.

It is a great honor to serve as an officer of TLA especially when one considers all of those so ably qualified.

A full list of the presidents and their terms of office along with the annual conference location is reproduced on pages ii and iii of this document. Our thanks goes out to all of those who have served so faithfully during the first 50 years and have made the association what it is today.

Conventions-Conferences and Other Miscellaneous Tidbits

I commence with the year 1965 which slightly overlaps with Louis Smith’s history but was the first conference I attended. I first became a member of the Association in 1964 but joined after the Miami conference had been held. Since that time, I have attended twenty of the twenty-two conferences and deeply regret having missed the opportunity to attend the other two.

The 1965 conference was my first opportunity to see what transpired when the group got together. Looking back now, I do not feel that this conference was one of the best compared to those that I have seen during the last twenty-two years. There were just too many things to do in Las Vegas and it was my recollection that the membership scattered like a covey of quail. The educational program was excellent, especially Phillip Robinson’s paper entitled “Factors Including Family Relationships, Bearing on Unlawful Control.” I assumed from the title that the paper had something to do with sex. It did not, but it did give me an early introduction to Phillip and Texas lawyers in general. The cover page included the following information identifying the author:

Phillip Robinson
James, Robinson and Starnes Attorneys
and Breeders of Purebred Santa Gertrudis Bulls

The back cover page had a picture of a well-endowed, very ugly black bull with the caption underneath:

El Dando
No. 761, Age 36 months, weight 1,800 lbs.
Sire (and present step-father) of
James, Robinson and Starnes Herd.

Just from looking at the picture, he looked like he would have weighed a lot more but maybe was just full of it like many Texans.

The Las Vegas conference whetted my appetite for future years. Ed Reminger turned over the reins to Ewell Muse who presided over the following year’s conference in Philadelphia.

Polly and Art Littleton put on a superb conference at a downtown hotel which I believe was the old Stratford-Belvedere. The highlights of the conference were not only the porpoise show at the marina, but also a wonderful membership reception in the hotel’s ballroom. After everyone had an opportunity to get well greased, the doors burst open and in marched a “Mummers Band,” faces blackened and in full costume. For the next forty-five minutes they put on one of the most rousing music shows I have ever been privileged to hear.

The final night, the membership went to Bookbinders (I am not sure whether it was the Old Original Bookbinders, the Original Bookbinders, the Old Original Bookbinders, etc.) for an oyster and clam bar and a formal dinner. Kitty, who had never eaten a raw oyster in her life, watched while they were cracked. Finally, she got up her courage and tried one and for the next hour she never left the head of the line. Art Littleton later wrote in *Your Letter of the Law*, “It was rumored that the wife of a midwestern member had eaten thirty oysters on the shell at the reception and then had gone to formal seated dinner and had eaten, along with everyone else, a two and one-quarter pound lobster.” When I received the issue, I showed Kitty Art’s narrative and she replied, “Tell Art that’s a lie. It was twenty-seven oysters and three clams.” As a postscript, the next morning after the party, I awoke sick as a dog and Kitty was bright-eyed and ready for more oysters.

What can I say about Palm Springs in 1967? Phineas Stephens was President, the facilities at the El Mirador Hotel were magnificent and the weather was northern Alaska. Golf and tennis games were rained out and educational sessions recorded record attendance. What was to be one of the conference highlights was a cocktail party around the pool to be followed by a hayrack ride into the desert for a late evening barbecue. Everyone dressed warm but not warm enough. Upon boarding the hayracks, everyone was given plastic bottles filled two-thirds of the way up with water which had then been frozen solid. The idea was to fill the bottle the rest of the way up with liquor and sip it as it melted on the ride

to the desert. IT DIDN'T MELT. Upon arriving at the barbecue site, the wind was blowing 40 m.p.h. and while the food was delicious, there was so much sand blown into it that with every bite you thought you had broken a tooth. Younger members were dispatched back to the hotel to pick up cars and ferry the membership back before the appointed time of return. Phil Jacobson, Wyman Knapp and Ed Berol headed the conference committee and did everything you could except control the weather.

In 1968, with Beverly Simms serving as President, our conference was held in Detroit at the brand new Ponchartrain Hotel. If memory serves me correct, George Dixon was in charge but Bob Schuler did all the work. The golf tournament was played at the famous Oakland Hills Country Club. The grass in the rough was extremely long and the greens had suffered winter kill. It was a very long day.

One evening Bob and Jean Schuler invited three or four couples to dinner at the world renowned London Chop House. This was my first experience in mob violence. Unbeknownst to Bob and Jean and everyone else, each couple invited at least one other couple and by the time everyone arrived for dinner, there were no fewer than forty or fifty people. We were finally seated after a long, long wait at a very large table. I will never forget the look of sheer horror on Bob's face when the bill arrived and he started trying to collect enough cash to get us all out of there.

I presented my first conference paper at Detroit entitled "A Duty To Serve" which reviewed a carrier's obligation in a certificate of public convenience and necessity to serve all of the points the carrier had authority to serve. Boy, have times ever changed.

The 1969 conference was held at the Americana Hotel in San Juan, Puerto Rico with John L. (Bud) Bruemmer presiding. The highlight of the conference occurred when I checked in at the hotel with Kitty at my side. A very inebriated woman (well-dressed and not bad looking actually) came up to the desk and asked in a loud voice if I would like to go upstairs and go to bed. Kitty said I couldn't go, in not exactly those words, and I was never out of her sight for the next four days. The conference committee was headed by Joe Ludden, Bill Lippman and Phillip Robinson.

Bud Bruemmer recalls a noon luncheon where the Governor of Puerto Rico was to speak. He was unable to attend but sent his Chief of Staff who was married to a Panamanian woman who practiced law in San Juan and had received her legal training at the University of Wisconsin, Bud's alma mater. Bud and Barbara were later the guests of the couple at dinner and a Flamenco floor show at the El Convento Hotel. 274 members, wives, etc. attended the San Juan conference with all events outdoors in the most oppressive humidity I have ever experienced. After the conference, almost everyone left San Juan for a week or so in the Caribbean. Bud and Barbara, along with Walter and Helen Bieneman and John and Virginia Thompson, went to Christianstad on St. Croix and played golf at the Fountain Valley Golf Club, where one month later, eight Americans were murdered on the golf course by malcontent natives. That's what you call a real "hazard."

Bud Bruemmer's term as President of the Association was highlighted by the first Transportation Law Institute covered elsewhere in this paper. John Jandera was elected President and led the Association the following year.

The 1970 conference at Scottsdale, Arizona was one of the best ever. 310 members, wives and guests registered for the convention at Mountain Shadows Resort. The weather was magnificent for the first time in several years and there were huge crowds around the pool every afternoon. The late Bert Silver was resplendent in a white hat, a red and white vertical striped t-shirt, a multi-colored madras bathing suit, black and white spiral knee socks and

beige Hush Puppies (I've got a picture to prove it, folks) which he also swam in. Everyone tried to pretend he was not with our group, but without success. He brought with him to the pool a full-size plastic replica of a men's room wall urinal complete with suction cups that he attached to a trash receptacle at poolside. When no one was looking, he would fill it with cups of water from the pool and periodically would take it down and pretend to dump it back into the pool. It wasn't long before TLA members and wives had the whole pool to themselves. Bert, we miss the hell out of you.

At one joint luncheon with wives present, a psychic entertained us who was truly remarkable. He told one of our members' wives that she was pregnant and it was time to tell her husband. It turned out to be true as did the psychic's advice to John Records about some General Motors stock he had just purchased.

The following year we convened in Atlanta, Georgia with Leroy Hallman at the helm at the new Regency Hyatt House. 284 members, wives and guests were registered. Lester Maddox, the Lieutenant Governor of Georgia, later to become Governor, was a luncheon speaker. Fortunately for us Northern folks, Leroy's wife Betty, a Georgia native, acted as an interpreter. She would do almost anything for a Snickers candy bar.

Other conference highlights included a night at the ball park with dinner in the Stadium Club, followed by the Atlanta Braves - Cincinnati Reds game. A young catcher from Oklahoma named Johnny Bench hit two homeruns to lead the Reds to a 4 to 2 victory.

On another evening, we all boarded buses and celebrated Dixie Night at Stone Mountain, Georgia. The highlight of the conference, however, was a tour of the Lockheed Plant at Marietta, Georgia, where the gigantic C-5A Galaxy was in production. This airplane, sixteen years later, is still the world's largest. Who could ever forget the 10 Lockheed Lone Star Executive Jets rusting at the end of a taxiway. They had been bought and paid for by Howard Hughes four and one-half years before and had never been picked up by their eccentric owner.

In 1972, we convened at the Sheraton Maui in Hawaii and upon arrival entered at the lobby level with a beautiful view of the Pacific. Guest rooms were down from the lobby by elevators with one side of the hall a natural volcanic cliff with beautiful vines. Each room had an ocean view with a beach that seemed to be at least several miles long. A crowd of 246 were registered and there were pool party receptions every afternoon and evening. I do recall a wonderful afternoon trip by limousine with Bill and Betty Taylor, Art and Polly Littleton, Baker and Van Smith, Gene and Jo Ewald and Kitty and me to the summit of Haleakala Volcano whose dormant crater is larger than Manhattan Island. The summit was in excess of ten thousand feet with clouds inside the crater. Shorty, our Polynesian driver, kept us in stitches the entire trip. Upon return, he poached fresh pineapple from a field and stopped at a state park where we ate the best pineapple I have ever tasted.

Marty and Joan Rosen and Don and Rachel Smith had spent an overnight hiking into Haleakala crater prior to the start of the convention. This was a payback trip for one the year earlier where the Smith's had taken the Rosen's down the White River in Arkansas. The word was that Marty and Joan won the contest, hands down.

Walter Bieneman, our President, recalls arriving in Honolulu with John and Barbara Bruemmer and John and Ginny Thompson. They rented a station wagon and loaded all baggage in the rear of the wagon with six sets of golf clubs strapped to the roof. As they roared on to the highway, all six sets of clubs made a thunderous exit from the top of the car coming to rest in the middle of the freeway. An 18-wheeler, some distance behind, saw what

had happened and came to a complete stop in the middle of the highway while all clubs were retrieved. The driver had obviously never been an applicant in an ICC case with protestants Walter, John and Bud across the table. I have seen all of those guys play golf and its always looked to me like the truck driver didn't stop.

In 1973, we returned to the site of one of our earlier conferences, New Orleans, Louisiana, with Al Meiklejohn presiding. Though the Royal Sonesta was quite nice, it was a far cry from the Hawaiian Islands and Bourbon Street was, well, Bourbon Street. A night at the horse track was one activity but if memory serves me correctly, eating was the prime attraction. Oysters were in abundance. Guess who got after them again. Jimmy Doherty and Hal Miller were co-chairman of the 1973 conference and provided a good time for all.

The 1974 conference again left the continental United States for a Mexico City destination, Jim Hagar presiding. The first few days we were in the city, the smog was so bad you could hardly leave the hotel. Louis Smith rode in from the airport with Kitty and me on probably the most exciting cab ride I have ever had. Louis did not feel real well when he landed, but by the time he arrived at the Fiesta Palace Hotel he was just glad to be alive. Bert Silver was the conference chairman and he had warned the membership in advance about the pace of service. He didn't prepare us adequately. The hotel was undergoing a facelift (which had started three years earlier) and the pool was still empty even though management had promised otherwise two years before. We witnessed the marvelous Ballet Folklorico de Mexico one evening and toured the Shrine of Guadalupe and the pyramids one afternoon; at least some of us did. One bus broke down and I'm not sure part of our contingent ever made it to the pyramids, or for that matter, ever got back to the United States.

The highlight of the conference was an evening cocktail party and dinner at Hacienda De Los Morales. We boarded buses and drove for over an hour through crowded Mexican streets until we finally started ascending what seemed to be a mountain. At the top was the Hacienda with a small bull ring. After a dinner that left a lot of questions unanswered, the 276 members and guests attending retreated to the bull ring. An afternoon shower had cleared the air and in all directions we could see nothing but flickering lights, horizon to horizon, 360 degrees. It was a sight that I shall never forget.

Nor shall I ever forget Ed Bazelon and Bert Silver entering the bull ring to fight what were called "baby bulls." Baby bulls, my ass! They were bigger than anything Phil Robinson's El Dando ever sired. As funny as it was, we were all relieved that no one was hurt, though there were several quick trips to the ground and sore muscles the next day.

The Mexico City convention was followed in 1975 by the Montreal, Canada convention. My employer was in the process of selling out to PEPSICO and contracts were being negotiated around the clock. I really missed being with our group for the first time in ten years and, unfortunately, have no information about Montreal except to reflect that from all reports Bill Lipmann's tenure as President and the Canadian hospitality, headed up by Harvey Capp, made the meeting a huge success.

In 1976, I was privileged to once again attend our conference in Monterey, California at the Del Monte Hyatt House. The golf tournament was played at Spy Glass, as mean and unforgiving a course as I have ever played. Even good shots often subjected one to trouble and the weather was atrocious, one rain squall after another. The following day we played an easier course, Carmel Valley.

The conference entitled "Spirit of 76 Conference" was again well attended but deregulation clouds had already started to build

and there was much talk about the future. Chuck Ephriam was conference chairman and Thomas James was President. George Stafford gave us "Comments From the Nation's Capitol" and described Washington, D.C. as "12 square miles surrounded by reality." The Honorable Charles D. Matthews, Judge of the 200th Judicial District Court, Travis County, Texas, and a past member of the Association also spoke. Entertainment at one of our noon luncheons was provided by Jana-Lou billed as "an exciting country and western singer." I didn't get excited.

Bert Silver, having survived the Mexico City bull ring, presided over the 1977 meeting in Bermuda at the Castle Harbour Hotel. Upon departing the airport in Oklahoma City, Kitty and I were welcomed aboard an American Airline flight with an automatic upgrade to first class. It seemed the new schedule with a stop in Chicago and Newark was a direct flight to Bermuda and in the week it had been in existence, we were the first passengers to fly the whole enchilada.

Upon arrival, we discovered the Castle Harbour Hotel obviously had not been renovated since it was occupied as a barracks during World War II. I must say that to this day I have never seen worse plumbing in a hotel. When we first checked in, I wondered why when I sat on the toilet that my feet did not reach the floor. After the first afternoon, I was glad they didn't. The rooms had a terrific view of Castle Harbour and the golf course. Gardens surrounded the entire hotel with lush vegetation. It was a beautiful setting.

Bermuda was fun despite the crummy weather that seems to follow our conferences. It was so windy that it was impossible to lay on the beach without being scalded by blowing sand. Also, an afternoon cruise around the island was interrupted by cold pelting rain. Everyone went ashore somewhere and quickly wiped out the local supply of rain gear. 308 people registered for the conference and despite the weather, the conference was a great success for all except for a few of our members who attempted the local mode of transportation – motor bikes. There were numerous smashups and injuries, but no fatalities.

The following year at the Del Coronado in Coronado (San Diego), California, Bill Taylor, Jr. was chairman, ably assisted by Marty Rosen. I reserved an ocean front room months in advance of the conference and upon arriving learned proper hotel terminology. As the bellman showed us our room, I opened the curtains to discover a parking lot. I informed the bellman that I had reserved an ocean view room, whereupon he took me to the window, opened it up and said "If you lean out and look to the right you can view the ocean." The next morning I sent Kitty to the front desk and soon was much happier in a "ocean front" room. The Wednesday night party was a poolside Mexican fiesta. Bill and Betty Taylor saw to it that the 329 members, wives and guests had a fresh fruit basket and a bottle of wine in each room. By the time the party started, things were at full speed.

The Thursday afternoon program was highlighted by Joan Embry of the San Diego Zoological Society who gave a presentation with baby animals from the zoo. That night we all boarded a small cruise ship for a sunset (?) cruise of beautiful San Diego harbor. It rained. At the conclusion of the harbor cruise, we enjoyed dinner at the Kona Kai Club on Shelter Island before returning to the Del Coronado by bus. For those who have never visited the Del Coronado, it is a beautiful, over one hundred year-old, facility full of history. Many international meetings involving heads of state have been held in the formal ballroom which was the site of our formal dinner on the final evening. It has been, and still is, a playground for the stars and several were spotted by our members, including Charlton Heston who was a big hit at the pool. John

Vuono's term of office came to a successful conclusion as he passed the reins to Chuck Ephraim.

The following year, 1979, we met at Marco Island, Florida at the Marco Beach Hotel and Villas. I don't believe any President ever worked harder than Chuck Ephraim during his term. The passage of the Motor Carrier Act of 1980 was just around the corner and the Association was doing everything possible to bring facts to the attention of Alfred Kahn and the Congress, most of whom declined to be persuaded by our predictions. In 1978, at the 11th annual TLI in Vail, Colorado, George M. Stafford had shocked the membership with his paper "A Modest Proposal." In essence, he stated that the issuance of certificates had become a charade and that quick licensing procedures should be instituted and, finally, "For you in the legal profession, I would urge you to bone up on your bankruptcy law." Boy, did he ever have a handle on what was about to happen.

Still, with all of this on the horizon, the Marco Beach convention was a success. The only complaint I heard came from one of our older members who complained about one of the nicest beaches in the world by saying "It has so damn many shells it hurts my feet."

One of the most entertaining moments during the convention came during a speech by the Chairman of the Florida PSA who was speaking in glowing terms about the Florida sunset law. Bob Gerson, who was Ryder's attorney, asked the Chairman what would happen to service at Pahokie, Florida after deregulation since Ryder was the only company serving it and was doing so under a Commission Order due to lack of traffic. The Chairman responded that Pahokie would have to learn to get along with less service. Someone in the back of the room jumped to his feet and said "Thank you, I am sure the readers in my column in the Pahokie Tribune will appreciate your interest in their welfare." Thunderous applause followed.

Art and Polly Littleton and Jim and Pat Ziperski, along with Kitty Champlin and an unnamed observer, planned the Marco Island convention which was from top to bottom, if not the best, one of the best ever.

The 1980 convention was held in Cape Cod, Massachusetts with Jim Hardman as President. I unfortunately, again missed a convention, this time as a result of a disc problem in my back. I have no information about this convention, except to say that according to Jim Hardman, the weather was perfect.

Distance to the convention site and deregulation took its toll in 1981. Approximately 236 members and guests attended the convention at the beautiful Kona Surf Resort in Keauhou-Kona, Hawaii, built on black lava cliffs over the Pacific. With Bob Schuler presiding, highlights included a sunset cruise with multiple rainbows over the mountains resulting from a late evening thunderstorm. In such a beautiful setting, it was somewhat sobering to sail past a U. S. Nuclear submarine anchored in the harbor with happy sailors charcoaling steaks on the deck. Many of us hoped it wasn't El Dando and further hoped that it was the most the sailors would ever charcoal.

A wonderful luncheon was served one afternoon at the Mauna Kea Beach Hotel where Kitty and I spent four days before the convention. In my travels, it has to be the finest facilities including golf, beach and food I have ever experienced at one location.

I also recall going to dinner one night with Wentworth and Betty Griffin and Bert and Barbara Silver. The evening TV news was alive with reports of the early afternoon arrival of a contingent of U. S. Congressmen and their wives (headed by Tip O'Neill) on

their way back to the United States from a boondoggle in Australia and New Zealand. It seems that a high school band plus all schools, which were adjourned, were present at the airport along with the Mayor and other dignitaries to welcome the Congressmen. Upon landing and with the doors of the plane open, the Congressional contingent waited on board for 15 minutes until a bus arrived and then hurriedly deplaned onto the bus, ignoring those present with the excuse that they were tired as they sped away. At dinner that night, the whole group was seated at a table next to ours and overheard our table remarks that we "Hoped they were well rested." Tip O'Neill's Congressional Aide was immediately dispatched to our table to explain why the group was so tired. His story didn't wash and the following morning's newspaper, in criticizing the contingent, showed a large picture of Tip O'Neill teeing off at a local golf course barely 40 minutes after landing.

The 1982 conference was held at Hilton Head, South Carolina, at the beautiful Hilton Head Hyatt. The "82" conference was slightly better attended than was the Hawaiian conference, with Jimmy Doherty serving as President of the Association. The weather, again, was less than desirable with a cold Northeast wind cutting down on beach time, thus again improving the attendance at educational seminars. Golf courses were everywhere on the island and some of our more serious golfers tried to play them all without success. The seafood on the island was excellent. When Kitty and I checked in on Sunday night, we went to a restaurant called Alexander's for dinner and drinks only to find out alcohol was not sold on Sunday. I finally persuaded a waiter to bring us white wine in coffee cups which she agreed to do with the understanding that she would put the liquid on the check as a dessert. After several cups with dinner, appetizers and an entree, we were extremely amused to see our check which reflected that he had eaten two salads, two entrees and eleven dessert. Try and explain that on an expense account.

The highlight of the whole convention was a comic we had at one of our luncheons. I believe Frank Graham was responsible for procuring him and the humorist kept us all in stitches while we enjoyed the luncheon on an oceanside deck overlooking the pool and the Atlantic.

John Fessenden took over the Association's leadership only to pass away several months later.

The 1983 conference was held in Newport Beach, California, at the Newporter Resort. Hal Miller presided as President following John's untimely death. The facility was quite nice, but on a whole it was a somber occasion. Hebert P. Hardy, Director of the Office of Proceedings from the ICC, set the tone of things during his presentation to our membership when he said "If you really want to win a protest – don't file it. At least you can say you didn't lose."

Membership for the most part was assessing their future paths and I believe, in reflecting back, that the existence of the Association was in doubt. Wilmer B. Hill, editor of *Your Letter of the Law*, in the first issue of 1983 stated as follows:

"As in the recent past, the futures for transportation lawyers is uncertain, but there are always opportunities for the innovative and those willing to meet the challenge headon."

I believe Newport was a turning point. It was the worst attended conference I have been to with probably no more than 115 in attendance. At the formal party, held in a room larger than was required for the size of our group, I told Hal Miller that "It looked like there were more people in the band than there were at

the party.” He replied “Yes, but in all fairness it is a big band.” Joan Fessenden was present to receive the President’s plaque on behalf of John. We sincerely missed Wentworth Griffin who had passed on after surgery in 1982.

Mike Ogborn, during the course of the convention, presented a paper on bankruptcy and with renewed efforts by a great many people, the Association was off and running once more. Attendance and membership increased substantially at the 1984 convention held at the Williamsburg Hospitality House in Williamsburg, Virginia.

President Hal Miller presided and the atmosphere in the city that is so much a part of our nation’s history was upbeat. You could see it from the enthusiasm of those in attendance. Many of our old friends, who had been away for a few years, were present, including Jim Hagar and Tommy James. Conspicuously absent was Bert Silver who passed away in August of the preceding year. Chairman Bill Shaw and his committee provided the membership a conference to build upon. The rumors of the impending demise of TLA (MCLA) that circulated after the passage of the Motor Carrier Act of 1980 were laid to rest.

With new vigor, the 1985 conference was held at the St. Anthony Intercontinental Hotel in San Antonio, Texas, just a short distance from the Alamo. Just as Texas rose from the dust of the Alamo, so had TLA. With Dan Felts as Chairman and Wilmer B. Hill as President, an outstanding educational program was presented. Over 170 were in attendance, up considerably from two years prior. With activities such as a tour of the city, the Buckhorn Saloon and the Hall of Horns Museum, plus the Alamo and El Mercado (the market) a great time was had by all. On Thursday night, the membership boarded buses for a Mexican dinner at an old hacienda several miles into the hill country. “Doc” Blakely, billed as America’s No. 1 intellectual humorist, spoke at one of our lunches. I am still not sure what an intellectual humorist is unless it is one that doesn’t cuss or tell off-color jokes. Personally, I didn’t understand a thing he said, but if you have read this far, you probably already realized that I wouldn’t understand an intellectual.

The 1986 conference was held in Orlando, Florida at the Hyatt-Orlando. Mike Ogborn serving as conference chairman scheduled for those members attending a full program of activities. As one might expect, this program attracted more families than had ever been present before. With Disney World and Epcot nearby, there was never a want for something to do. William W. Falsgraf, President of the American Bar Association, was one speaker, but the highlight of the educational program was a presentation by Los Angeles Counsel J. G. Foonberg on “How to Get and Keep Good Clients, Fundamental Techniques of Lawyer Marketing.” For good common sense, it lacked nothing to be desired.

Also, on a luncheon program was Keith Barrett, billed as “A very funny man.” The billing did not do him justice. He was without a doubt the best one-liner comic I have ever heard. A rousing night of drinks and dinner at Crystal Street Station sent all those attending home with a smile on their face.

In reading the foregoing, you will see that I have described many events in the first person. I am sure that each member has his own set of stories, etc., that are probably more amusing than those I have related. It is my hope that in reading the events covered, you will recall from the back of your minds, similar events and highlights. If I have triggered one remembrance, I will consider this effort a success. I look forward with great anticipation to the 1987 conference to be held once more in Scottsdale, Arizona.

Your Letter of the Law

The exact year of the first issue of *Your Letter of the Law* is unknown, but is attributed to Truman Stockton. As Louis Smith noted, we do know that the origin predated June 15, 1956. This makes our publication, which is mailed periodically to all active and inactive members of our Association, at least 31 years old. However, *Your Letter of the Law* may even predate the days of Truman Stockton.

In 1940, Harold Hernly saw the light and resigned from representation of the Eastern railroads. In 1942, he and Jim Wrape formed a partnership for the practice of law. Sometime thereafter, he joined the Association as a member. Harold has informed me that after he became a member, he and Harrison Kahn took it upon themselves to assemble a synopsis of recent decisions which were then mailed to the membership on a regular basis. This went on for many years and was probably the forerunner of today’s publication. It, therefore, appears that *Your Letter of the Law* in some form may be as old as 40 or 45 years.

It has been the primary responsibility of the First Vice President of the Association to be the editor, so in recent years, each President has also served a stint as the editor. The Executive Committee in 1985 decided in their wisdom that the requirement of not less than six (6) issues per year nor more than nine (9) issues should be reduced to five (5) per annum. At the time the discussion was held before the Executive Committee, I was a member of the committee and the incoming editor, so I, of course, was in favor of the reduction and believe that the current five (5) issues are adequate to keep our membership informed. Prior to 1980, when the ICC was rolling out decisions, more issues were necessary.

For all of you who have not had the opportunity to be the editor, let me tell you it is an experience. The deadlines for obtaining information were always difficult to meet, making timely publication a constant problem. On the bright side, our “letter” has always been informative and educational and, on occasions, downright funny. By-play between members has always been, at the least, amusing.

At some point in time, the cover page of each issue took on the colors of the alma mater of the editor. I suspect that this probably occurred during the reign of Tommy James as editor, for he had and still has the habit of wearing orange and white and even put those God awful colors on the binder of an old membership roster when he was in charge of membership.

There have been many fine editors of our publication and to name a few would do injustice to all. If there is one thing I can pass on to future editors, it is “make sure the proofreader and typesetter are not dyslexic.”

Distinguished Service Award

I am uncertain of the year that the “Big Trophy” or, as it was more commonly known “The Bull Shipper’s” award finally met its demise. Though it may have been beneath the dignity of a professional association such as ours, as many argued, its presentation was usually one of the highlights of each convention with the honored(?) party always providing those in attendance with a marvelously witty and usually very crude acceptance speech at a stag luncheon.

If memory serves me correctly, one of the last recipients, if not the last, was Barbara Bruemmer, wife of one of our Presidents, John L. Bruemmer. While Barbara was undoubtedly well qualified for the award which no one could dispute, many in the membership including myself were appalled that a committee would stoop

so low as to award it to a non-member, non-lawyer female when there were still so many qualified male attorney candidates available. I personally feel that the only reason she won was that the more seasoned legal minds on the committee foresaw the problems that Title VII of the Civil Rights Act of 1964 would create and awarded it to a female to forestall a sex discrimination charge. At any rate, the "Trophy" faded into history which, in my opinion, is a real shame, especially when one looks at today's membership and views so many overly qualified possibilities.

With the demise of the award and in keeping with the Association's new-found dignity, a new award was established in 1976 and is called "The Distinguished Service Award." This award has now become a significant part of our Association's history. Its purpose is the annual recognition of one or more members of the Association for their contribution and dedicated service to the activities and/or goals of the Association. The recipients of this high honor are chosen by your officers and the award is presented at the final banquet held in connection with the annual Conference. The only limitation upon the Selection Committee is that the recipient may not be presently serving as an officer of the Association nor as a member of the Executive Committee.

Our Association has been blessed with many members who have unselfishly and gratuitously devoted many hours to the Association and its activities. The Distinguished Service Award is our way of saying "Thank You." Many of our members, and particularly our newer members, may be unaware of this award and of the Distinguished Past Recipients. These recipients, and the year of their recognition, is as follows:

Joseph G. Dail (1976)	Wyman Knapp (1982)
William A. Chestnutt (1976)	David R. Parker (1982)
John P. Thompson (1977)	Richard P. Kissinger (1983)
Phillip Robinson (1978)	Daniel W. Baker (1983)
William P. Sullivan (1987)	Lawrence V. Smart, Jr. (1984)
Charles A. Webb (1979)	Edward J. Kiley (1984)
Steven L. Weiman (1979)	Harvey Capp (1985)
Peter A. Greene (1980)	Joel M. Rose (1985)
Frank J. Weiner (1980)	Mark Andrews (1985)
Elliott Bunce (1981)	Paul S. Dempsey (1986)
William H. Shawn (1981)	James F. Flint (1986)

All but one of these individuals are still active and hardworking members of the Association. It is significant that their contributions to the Association have continued long after presentation of the Distinguished Service Awards.

The Transportation Law Institute

While the Transportation Lawyers Association is celebrating its fiftieth anniversary the Transportation Law Institute is also celebrating a milestone anniversary, twenty years. Conceived by members of the Association, this continuing legal education program is the oldest and most successful program on transportation law in the United States and Canada.

The genesis of the Transportation Law Institute lay in the minds of three dedicated members of the Motor Carrier Lawyers Association, John P. Thompson, Alvin J. Meiklejohn, Jr., and the Association's President, Ewell J. Muse, Jr. By letter and conversation, these three determined that members of the transportation bar needed educational programs to keep current with the ever changing nature of the transportation industry. At about the same time, the Commissioner of the Interstate Commerce Commission called for better training for those who appeared before the ICC.

This combination set the stage for the founding of the Institute. Under direction from President Muse, members of the MCLA canvassed their alma maters to determine if there was interest in hosting an annual program in transportation law. Many schools showed no interest in the subject of transportation law. However, when John Thompson and Al Meiklejohn proposed a transportation law conference to Dean Robert B. Yegge of the University of Denver College of Law, he was immediately interested. Over the course of the next year, the University of Denver and the MCLA discussed how to proceed with a national scope program on transportation law. The greatest obstacle for presenting such a program proved to be financial support. No one knew whether this type of program could generate enough interest to be financially self supporting, but John Thompson took matters into his own hands. At the next mid-year meeting of the Association, John asked members to underwrite the cost of the program. The response from the membership was overwhelmingly positive. Under the leadership of President Phineas Stevens, members pledged enough to insure the success of the first Institute. What followed was a program of broad scope and interest. Beginning Monday, August 19, 1968, and continuing through Friday, August 23, 1968, at the University of Denver College of Law, the best and brightest speakers in the industry, including the Chairman and other Commissioners of the Interstate Commerce Commission, presented a broad range of subjects. The first Institute was an unqualified educational success and Association President, John L. Bruemmer, called for a second Institute.

John Thompson led a second fund raising campaign to provide financial support for the second Institute. The membership of the Association again responded by donating sufficient funds to guarantee the success of future programs. This generosity demonstrates the dedication of members of the Association to their profession.

The Institute remained in Denver at the College of Law for its first seven years. In 1975, the Institute moved to a resort location, Snowmass, Colorado. This began a tradition of holding the Institute at a mountain resort. Over the years, the program has been held in Snowmass, Vail, Steamboat Springs, Keystone, Copper Mountain, and Breckenridge, Colorado. The Institute was also held in Snowbird, Utah in 1981.

The educational content of the Institute has evolved over the years. The original programs concentrated on practice before the Interstate Commerce Commission. The deregulation of the industry brought changes in the program curriculum. New subjects covered include antitrust, bankruptcy, contract law, finance, freight claims, labor law, litigation skills, professional responsibility, and international transportation concerns. As the industry has evolved, so has the subject matter of the Institute.

The twentieth anniversary of the Institute brings new changes. This year's Institute will combine with the Annual Meeting of the Transportation Lawyers Association. By combining the programs it is felt that more members will be able to take advantage of the educational opportunities. The subject matter of the Twentieth Annual Transportation Law Institute will also expand to include subjects of universal application such as contract drafting and negotiation skills.

Through the twenty years of the Institute the relationship between the Transportation Lawyers Association and the University of Denver College of Law has been a positive one. Selection of the program content, faculty and course location is the responsibility of the Association. The College of Law provides administrative support through its continuing legal education

department. The marriage of the two has worked perfectly through the years. Now that many states have adopted mandatory continuing legal education, the future of the Institute appears to be secure for many years. Education is clearly an important membership benefit that is provided by the Association through the Institute and a continuing key to increasing membership.

The Athletes

In reading Louis Smith's early history of the Association and because of the fact that the annual golf and tennis championships were held at the same time and place as our conferences, I could not understand why he did not do a section on our athletes. After 23 years of membership, now I know.

It has become readily apparent that most of our members spent their spare hours growing up either sleeping or in the library (not to mention drinking). Simply stated, there are not very many good athletes. However, there are quite a few who think they are.

In recent years, since Jimmy Doherty brought Chuck Munson into the membership, the golf championship has been dominated by Chuck who was a member of the Texas University Golf Team during the championship years with teammates Tom Kite and Ben Crenshaw. The only time we now have a true championship is when Jimmy makes Chuck stay home. I suggested to Jim this year that if he wanted to cut down on expenses he should just leave Chuck at home and we would mail the trophy to him.

In the B.M. (before Munson), the trophy was passed around liberally with many people including John Jandera, Mark Boyle, Bill Taylor, among others, and your author as winners.

In 1967, the first year I played, the convention was in Palm Springs with the golf tournament at the Thunderbird Country Club. Without so much as a practice swing and after a long winter of inactivity, I promptly hit my first two balls out of bounds and recorded a 10 on the first hole. I then proceeded to play the last 17 holes in 2 over par and tied one other person for low gross and two people for low net. After numerous flips of the coin, everyone had a trophy but me.

Tournament director Wyman Knapp made it up to me the following year when I received my first recognition from the podium at the formal dinner. He awarded me an oak plaque with the south end of a north-bound gold horse protruding from the center. Try to explain that to two little girls, ages 7 and 5, when you unpack your suitcase upon your return home.

The annual tennis tournament has been largely dominated by Bob Schuler, John Ester, Don (Indianapolis) Smith, Don (Fort Smith) Smith and Art Littleton, along with occasional other winners. One year, Bob Schuler who was clearly inferior and playing with a very, very bad knee, won over a young associate in his firm, John Ester, who was clearly the superior player. What everyone suspected at the time came true shortly thereafter when John became a partner in the firm. There have been some members such as Bill Taylor, a past President and Don (Indianapolis) Smith who periodically try both sports with little success. Last year, at Orlando, there were so few people signed up for tennis that the tennis tournament was called off entirely.

In recent years, there has been a "fun run" which on its face is a contradiction. With the exception of one year when some-

body's 11 year-old kid almost won, Kim Mann has dominated this event rather handily. To my knowledge, Kim does not smoke, drink or eat anything but fruits and vegetables, so in this group, he clearly has an advantage. Just remember Kim, Richard Burton lived longer than Jim Fix.

Last year, Alex Lewandowski started a bowling tournament. Can you imagine going all the way to Orlando, Florida, to spend your spare time in a bowling tournament in a dark building? I think he was looking for another activity for his senior partner, Bill Taylor, to participate in and possibly win the all-around athlete title.

You would think that with all that has been said here, that Chuck Munson-Golf, Bob Schuler-Tennis, Kim Mann-Track or Who Cares-Bowling, would be the Association's best athlete. The answer is "None of the Above."

Clearly, the best athlete in the Association is Montgomery, Alabama's own, Robert Richard. Robert does play a little tennis, but his real ability lies in his longevity running the hospitality room at annual conferences. I have watched him up close for many years and can assure you that for pure endurance, no one is better qualified. Hospitality rooms at annual conferences, though having published hours of operation, are, in many instances, long-term events. Bob Richard is always there with a smile on his face and nary an empty glass in sight. You win, Bob.

One last award is presented, that being the sportsmanship award. We again have a clear winner. In 1982, at the Hilton Head, South Carolina convention, with second place in the golf tournament still in doubt (that was also a year when Chuck Munson was playing), Don (Indianapolis) Smith ran over Tom Harper, Jr., in a golf cart and sent him back to Ft. Smith, Arkansas, in a cast. It was a good try Don, but it didn't work unless, of course, you count the recognition received herein.

Apologies and Explanations

For all of you who sent me information that is not included herein, I apologize. The fact is I just did not have time to make a living and prepare a history of all that has transpired during the timeframe of this paper, both within and without the Association. The developments at the ICC in the last eight years alone and the effect it has had on Association members would make the content of a voluminous paper.

If I have failed to properly recognize by name those who should be named, please do not be offended. Also, do not be offended in instances where I endeavored to poke a little fun, especially at my good Texas friends.

Conclusion

"It was a long time ago; I recall very little about it. We were not a big group, but very select and high in quality. My memory of our annual meeting is dim, but we had a lot of fun!" – Lee Reeder, November 24, 1986, speaking of his year as President, 1952-1953.

Amen, Lee; and the beat goes on.

Respectfully submitted,
Richard H. Champlin

Part IV

A Still Further Brief (?), Inaccurate and Incomplete History of TLA 1987 – 2000

The first thing that I did after accepting the assignment to author Part IV of this paper was to go back and read my original history in an effort to do a better job this time. Not all authors have the opportunity to redo past errors. I realize, as did Louis Smith when he made his effort, that we injected ourselves into too many events. Originally, I felt guilty about this, but then remembered “that guilt is only for those who rationalize poorly.” I have never been guilty of rationalizing poorly.

After accepting the challenge to “try” and do an updated history of TLA by May of 2000, I was shocked to discover in the July 1999 issue of *The Transportation Lawyer* the following comment in the President’s Letter: “Fritz (Damm) has obtained the commitment of Dick Champlin to update and recompile the history of the TLA for publication and distribution to the membership prior to the annual conference in the year 2000.” At that point the clock was running.

I immediately put out a plea to all past presidents. From Charles Tell in 1987 forward to Ann Pougiales to provide me information on their term as president. I heard from some and in an effort to publicly shame the others, put out a second letter thanking those I had heard from and copying those from whom I had not. That was only partially successful. I thank those who responded and for those who did not, I hope you find a half a worm in your apple.

Membership

With the demise of the ICC, the Association’s Bylaws were once again rewritten in 1994. The current membership provision is now encompassed in Article II-Membership and is broken into six sections that includes (1) active members (2) law professor members (3) judicial members (4) student members (5) honorary members and (6) associate members. In the interest of brevity, section (1) reads as follows:

“Any person who is licensed to practice law in any country, state or jurisdiction, who is of good moral character and who is engaged in any field or phase of transportation law shall be eligible for active membership. An active member shall remain in good standing upon payment of periodic dues prescribed by the Executive Committee of the Corporation pursuant to Section 10A of this Article II.”

Sections 2 through 6 are similar in nature.

In *The Fifty Year History* of the Association I stated that the year 1982 was probably the high water mark for membership in the Association. In 1982 we had 641 active members and 35 inactive members for a total of 676. That number fell to 491 in 1987. I am happy to report that as of 1999 the general membership totalled 682, up from 676 in 1998 and is at an all time high.

The increase of membership over the past twelve years has been the direct result of a commitment in 1987 to bring the membership back to pre ICC numbers. Today’s roster includes membership from 47 states (all except Hawaii, New Hampshire and Vermont) the District of Columbia, nine Canadian provinces and Mexico.

It is gratifying to see the evolution of this Association over the past 67 years. Without disrespect, in the formative years, this Association was best known for drinking prowess as well as ICC practice. Over time, and especially in the last 15 years, the Association has become a true professional society. The education format of annual meetings, regional seminars and the Association publication, *The Transportation Lawyer* provides unbelievable learning tools for practitioners.

Not to be left out from this discussion is the TLA’s close relationship with the University of Denver College of Law. The TLA has been a long-time financial supporter of the Transportation Department at the law school, annually making a per member contribution from annual dues to the college. A great deal of support has come from the leadership of the school, but the Association has been especially blessed to have Professor Paul Steven Dempsey of the College of Law as a member. The University of Denver College of Law has a long-standing history of providing education in transportation law. For many years it annually sponsored the Transportation Law Institute in conjunction with TLA and other organizations. Since 1991, the University has expanded its educational effort by establishing a multi-disciplinary CENTER FOR TRANSPORTATION STUDIES.

Professor Dempsey has been a regular contributor to educational programs and an invaluable asset to the Association. He is the Faculty Advisor to the College of Law’s “Transportation Law Journal” which is published three times a year and distributed to the membership of TLA among others. The College of Law has also been instrumental in obtaining CLE credits for TLA sponsored educational seminars.

One further comment should be made about membership. In the beginning membership was limited to attorneys practicing before the Interstate Commerce Commission. Today membership is open to all attorneys engaged in any field or phase of transportation law. This has brought a broad spectrum to the Association that was not present prior to 1983.

With the demise of formal hearings in the late 70’s and early 80’s, our membership missed daily contact with colleagues. Now annual meetings, the TLI and Regional Seminars provide you the ability to meet and share experiences. I invite all to come and participate. It can’t help but be of benefit.

Officers

For many years, to hold office in the Association was indeed a long-term commitment. From election as secretary or treasurer to the office of president took seven years as one progressed up the ladder. Fortunately for those who were to follow, this was changed in 1989 with an amendment to the Bylaws eliminating third vice president and combining the offices of secretary and treasurer. The commitment of five years is great, but not nearly so onerous as before.

When you realize that most of those chosen for the ladder had prior service as a regional representative, you know of the commitment it takes to hold the Association’s highest office.

Fortunately TLA and its predecessor (MCLA) have always been blessed with those who would make the sacrifices necessary to serve. My hat goes off to all who have ever held office and done so/so admirably. A complete list of all those who have served as President of MCLA-TLA and their terms of office with the annual conference location is reproduced inside the front cover.

Conventions-Conferences and Other Miscellaneous Tidbits

The gavel of the Association was turned over to Charles Tell at the conclusion of the 1986 Orlando, Florida convention. Charles noted in his inaugural address that, historically, educational programs had included matters involving the ICC and had been used as a training ground for new lawyers entering the practice of transportation law. Statutory and regulatory changes which commenced in 1980 necessitated that education and information programs be expanded to include a broader scope of legal issues which daily face the transportation industry. That pronouncement by President Tell was the stepping stone for all future educational programs.

At the Executive Committee Annual Meeting in Vail, Colorado on July 17, 1987, held in conjunction with the Transportation Law Institute, the theme for future programs commenced. The principal topic for discussion by the Executive Committee was the trend of declining attendance at the Transportation Law Institute and strategies for stimulating future attendance. The committee's decision was to combine the TLA Annual Meeting with the TLI held in April in Scottsdale, Arizona.

The other major decision was the assignment of the preparation of the 50th year history for presentation at Scottsdale.

Attendance at the joint conference was encouraging with 243 attending including 14 past presidents. One of the highlights of the meeting was an outdoor luncheon around the pool at the Doubletree Inn. The idea of an April outdoor luncheon probably seemed like a good idea in December. *It was not.* There was no shade, with temperatures hovering near 100 degrees. Silverware was so hot that it was necessary to pick it up with a napkin and then dip it in a water glass which contained long ago melted ice. Butter plates looked like a flat rock just after the cow passed by. You needed a straw to butter your bread.

It was the plan for Leroy Hallman, August Heckman and me to tell hearing room war stories from the past. August was unable to attend and Leroy and I could not possibly have been brief enough to satisfy attendees, though we tried hard.

The theme for the annual meeting was Intermodalism carrying forward Charles Tells' pledge from the previous year. The gavel was turned over to me at the formal dinner on Saturday night. According to Charles, "His (my) inaugural address was unforgettable, resulting in his (my) receiving the coveted "Bull Shippers" award the following year." I do remember interrupting one of my stories to ask Barbara Bruemmer seated in the back of the room and talking loudly, "Barbara-did you learn to whisper in a saw mill?" Barbara never forgave me for the remark, which I must confess, was hugely popular with the membership and was greeted with laughter and thunderous applause.

It was a huge honor for me to lead the Association in its 50th year. I was extremely fortunate to serve with officers Mike Ogborn, Kim Mann, Rick Kissinger, David Parker, Mark Andrews and Leonard Kofkin. It was my pledge to "start the second fifty years

with the same enthusiasm that was shown by our charter members at their first meeting held in Louisville, Kentucky, in 1937."

The major topic of discussion at the August officers retreat held in Denver was once again declining attendance at the TLI. It was the consensus of those attending that instead of a Colorado location that it was time to "take our show on the road" and host regional seminars with the TLI to be alternated between coasts.

The following year both were inaugurated, with regional seminars held around the country and the TLI alternating between Washington, D.C. and San Francisco, California.

The 1980 annual conference was held at the Bahia Mar Hotel & Yachting Center in Fort Lauderdale, Florida. It has long been my belief that good business meetings should never last longer than 20 minutes. Though Executive Committee and Association business meetings lasted a little longer than that, we all spent more time on the beach and around the pool. Educational seminars continued to be the focus of our annual conference and were well attended.

A total of 198 people attended the Florida conference with one of the best turnouts ever from Canadian members. One evening we all boarded a wonderful yacht for a four-hour trip on the inland waterway. The food was delicious and the trip memorable.

At the formal dinner on Saturday night, the gavel was handed to Mike Ogborn. Mike pledged a 100 percent effort in facing the challenges of the Association.

One of Mike's primary goals was to reorganize the committee structure of the Association with the inclusion of a Practice Division. He was successful in this long overdue endeavor and the structure remains in place today.

Another of Mike's projects was the formation of the Transportation Arbitration Freight Claims Board. The first Association of Transportation Practitioners (ATP)/TLA Joint Conference was held in Washington, D.C. the following year.

Another lasting change took place under Mike's leadership. The Association logo was redesigned and remains today.

The 1989 annual conference was held at the Catamaran Resort on Mission Bay, San Diego, California in April. There was no central theme, but employment law, drug testing, independent contractors and RICO were items reviewed. 202 members and guests were registered. A highlight of the conference was a night at the wild animal park with viewing of animals, birds of prey, etc. as they would have been seen in the wild.

The gavel was passed to Kim Mann at the formal dinner. In his recitation to me for this document, Kim professed that "not much of substance was accomplished during his tenure." Nothing could be further from the truth. Many of the programs that were in the pipeline were accomplished by Kim during his administration, among them TLA's new arbitration program reconstituted as the Alternative Dispute Resolution Committee plus Committee Restructure.

The 1989 TLI in San Francisco was a casualty of the San Francisco earthquake. It was finally held at the same location in January of 1990. Running battles with the ICC continued during 1989-1990 ably handled by Kim.

One item occurred during Kim's administration that causes me puzzlement about who to blame. David Parker, Editor of *Your Letter of the Law*, ushered in "ISPE DIXIT" as a regular feature, attributing its content to Alligator Man and Billy the Perch. Dave vowed that his life long journey would not be complete until the anonymous authors of "IPSE DIXIT" were identified and brought

to justice. There are not many things that Dave has not accomplished in the last ten years but identifying the authors has remained a mystery. For those of you who have never read the articles filled with “sophomoric trash” (Kim’s description), try and find an issue and read it for yourself. In an earlier letter to the editor of *Your Letter of the Law*, I questioned why it was not titled “IPSE DIP-SH--.” My inquiry was never published but my sentiment as to the psycho babble remains today. Just recently the column has surfaced again, further evidence that one (or both) of the authors are also running a meth cooker.

The 1990 conference convened at Amelia Island, Florida in May. I have no attendance records for the 1990 conference. The theme of the fifty-third annual conference was an effort to define transportation law with “new transportation policy,” highway safety, railroad issues, labor law, the courts, independent agencies, the executive branch and Canadian law all items of review. Following another successful annual meeting and the formal dinner on Saturday night, the gavel was passed to Rick Kissinger. Shortly before Rick’s inauguration he came to my table and asked me to give him advice on his acceptance speech. I told him that as long as he didn’t throw up on the podium no one would remember it by the next morning irrespective of what he said. Rick didn’t throw up on the podium and at this point in time – I have no idea what he did say.

As early test for Rick’s administration was the resignation of TLA’s management association (ASC) headed up by good friends Bill and Alice Birch. The problem became an opportunity and we established a new relationship with Applied Measurement Professionals (AMP) of Lenexa, Kansas which is now approaching the 10th year of management.

The joint sponsorship of the Transportation Law Institute by TLA/ATP and the University of Denver College of Law reached its third year at Arlington, Virginia in November, 1990.

At that time TLA was excitedly planning its April Annual Conference at the Pierre Marquez Hotel in Acapulco, Mexico. In January 1991, Iraq invaded Kuwait. There was an immediate impact on TLA with U.S. Airlines pulling flights to transport troops to Saudi Arabia. Mexico flights dried up overnight which necessitated emergency arrangements at the El Conquistador in Tucson, Arizona which turned out to be a very good location. The original hotel later sued over our cancellation and lost. “Filed Rate Doctrine” and “Negotiated Rates” disputes were headline items in *Your Letter of the Law*.

Shortly after Rick took office he received a letter from past president Charles Tell talking about “Stress.” Charley must have had a premonition. Rick sure handled all the problems well. The gavel was passed to David Parker at the formal dinner.

Fortunately, David made a far better president than he did a recanter of what took place during his administration. Not even numerous pleas for his help resulted in action until I told him that he was the only one who had not given me any help (which was a lie that I truthfully acknowledge). I finally caught him in his office one day in early December just hours before he and Nancy were to depart for England and a Pre-Christmas holiday. He promised me he would work on it in English Pubs while enjoying a pint. When I finally got the letter I requested it appeared he enjoyed far more than a pint.

In the first paragraph of his letter he referred to his term as president as being sandwiched between terms of the “Golf Meister of the Rockies” (Kissinger) and the “Prince of Potomac Wickets” (Andrews). At any rate his term did result in a steady course.

During the year *The Transportation Lawyer* was changed effective with the January 1992 issue. While the economy began to recover, ICC commissioners dealt the practice of many of the Association’s members a set back when they endorsed federal preemption of intrastate trucking which ultimately came to pass. The Association also established a CTLA/TLA liaison committee to discuss and explore the future relationship between the two associations.

The Association entered the Spring of 1992 ready for a Spring conference of “firsts.” In May, 1992, it convened the first joint conference of the Transportation Lawyers Association, Canadian Transport Lawyers’ Association, and the Association of Transportation Practitioners at the Don CeSar Registry Resort in St. Petersburg Beach, Florida. TLA experienced for the first time the official introduction of live reptiles and birds into its social program (over the years there have been reports of members unofficially either escorting to or imitating such beasts at our functions).

I believe the 1992 conference may have resulted in the largest attendance ever with 247 registrants and 127 guests, spouses, etc. attending. This was, of course, the result of TLA/CTLA/ATP joint conference. The highlight of the conference was a “swamp party” which did indeed feature live alligators, birds etc. Guests enjoyed a wonderful buffet featuring fish, meat and of course, fried alligator. David had his picture taken in a shirt that looked like it must have been plugged into a wall socket holding an eight foot alligator. The picture later showed up in the July issue of *The Transportation Lawyer*. Because of the shirt we knew which one was Dave and which one was the alligator.

On Saturday night the gavel was passed to Mark Andrews who continues to this date to grouse about the deficit he inherited because of the open bar Parker announced as his last official act.

During Mark’s term the rudiments of transportation law remained in place with undercharge claims still rising. An ICC that was still emblazoned with the authority to authorize carrier mergers and the hope that a new administration would nudge the ICC and DOT back toward enforcement of their regulatory duties was not in the future.

The TLA formalized the terms of joint sponsorship with the Transportation Law Institute and added the Transportation Committee of ABA’s section of Public Utility Law as an Institute sponsor.

The annual conference was held in Santa Fe, New Mexico and was well attended. 157 registrants and 92 guests and spouses immensely enjoyed an opening reception at the New Mexico Museum of Fine Arts and the beautiful Eldorado Hotel in downtown Santa Fe. Highlights of the social calendar were the restaurant rodeo which sent registrants to four different Santa Fe restaurants for dinner with all invited to return to the Eldorado following dinner for a gluttonous trip to the dessert and coffee bar at the conclusion of dinner on Friday. Members and guests boarded busses for a scenic trip to Santuario De Chimay and then a Mexican dinner at the famous Rancho de Chamayo.

The weather left a great deal to be desired and if memory serves me correctly, the tennis tournament was actually postponed because of snow flurries. At the formal dinner on Saturday evening Mark handed the gavel over to incoming president Edward (Ned) Kiley. Ned opined that he and Mark Andrews were the only two people who attended the Santa Fe meeting who did not wear anything turquoise, embroidered, a Stetson or cowboy boots. Kenny Ray Hoffman wore his black Stetson for five straight

days. I'm not sure whether Kenny was having bad hair days or had the hat on so long that it was permanently imbedded around his ears.

During Ned's year as our titular head the TLA conducted its third triennial survey; Congress undercharge relief legislation moved towards enactment with Texas substantially relaxing entry requirements.

The TLA Executive Committee moved toward reorganizing the Association as a nonprofit corporation and also expanded at large membership on the Executive Committee by two. The Association served in an advisory capacity in a project of the National Law Center for InterAmerican Free Trade, the purpose of which was to harmonize transportation documentation and rules of practice for use throughout the United States, Canada, and Mexico at the time of implementation of NAFTA.

Regional seminars were held in Austin, Texas, Atlantic City, New Jersey, Chicago, Illinois and Las Vegas, Nevada in January of 1994.

The 1994 conference convened at Kiawah Island, South Carolina and was once again a joint conference with the Canadian Transport Lawyers' Association. My records reflect that 149 attorneys and 106 spouses, guests etc. attended. The beach at Kiawah was memorable, not so much for its beauty (which it was) but for the deer flies which stung with great verocity. Charleston offered a close destination and many fine meals were consumed by the membership. Fort Sumter and its history associated therewith were truly a highlight. Columnist James K. Kilpatrick served as a keynote speaker at a noon luncheon. For the second straight year the tennis tournament was postponed (rain) and the golf tournament was played in Scottish type weather (high wind and blowing sand). Nevertheless, it had one very unlike Scottish feature – alligators everywhere. None of our group encountered any difficulties (professional courtesy).

At the formal dinner on Saturday night, Ned turned over the gavel to Alex Lewandowski. The Association was once again off and running, but this time as a nonprofit corporation.

The years 1994 and 1995 brought major changes to the practice of transportation law. Bills were introduced to cut the funding of the ICC, to preempt state regulation of interstate trucking and to, in effect, completely change the regulatory scheme of transportation law. TLA opposed many of these changes. Members donated hundreds of hours preparing position papers. Many members of TLA working for clients participated in lawsuits to uphold the rights of states to regulate intrastate trucks on their highways. Position papers and lawsuits, no matter how well drafted, fell on deaf ears and the laws were passed. The Federal Highway Administration was once again petitioned to have distinct and specific guidelines for monitoring motor carriers on safety issues.

Regional seminars were held mid winter at locations around the country. The 1995 conference convened in May at the Loews Coronado Bay Resort at Coronado (San Diego), California. 138 members and 86 guests registered for the meeting that was held in beautiful southern California weather. Attendees enjoyed the opening dinner which was modified from the usual cocktail hors d'oeuvres to a full Mexican sit down dinner. The meal was held outside around the pool with a beautiful view of the bay.

The Thursday afternoon luncheon featured a guest speaker from the San Diego Yacht Club who spoke about the Americas Cup Races that were in progress. His comments were so gender offensive that many in our group left the room well before he was finished.

Other than that, the meeting was a huge success. One of the highlights was Thursday evening's dinner cruise aboard the Lord HornBlower, a 750 person capacity yacht. The lighted skyline of San Diego from the water always provides for memorable views.

Saturday evening's formal dinner concluded with Alex passing the gavel to incoming President William D. Taylor, the father of 3 year old Lilly Taylor who we all immensely enjoyed vigorously dancing with her father.

During Bill's term as president, the officers, executive committee and committee chairs accomplished a number of significant business and organizational goals as the Association began to adjust to yet further refinements of the Interstate Commerce Act, namely in the form of the ICC Termination Act of 1995. Fortunately, the fluidity, entrepreneurship and flexibility of the membership foresaw many of the questions that would arise and explained the legislation and the potential aftermath to the membership at both the TLI and the annual conference. A word of thanks is due to Bill and his law partners, including Dan Baker, for hosting in their San Francisco law offices, a cocktail party during San Francisco's TLI.

Bill also was responsible for sustaining the resurrection of TLA's regional seminar programs (thanks to continuing efforts of John Storer).

The annual conference was held at the fantastic Grove Park Inn Resort in Asheville, North Carolina. In my travels, I had never had the opportunity to visit western Carolina and the experience was memorable. The facility was magnificent and historical. Bill and his wife Kim were responsible for selecting the location and did quite a job hosting the gathering which included 138 members and 86 guests. The educational program was excellent and the social events spectacular. One evening we all boarded busses for an offsite location in the city for Carolina barbecue, music and clogging. It was a wonderful evening of great food and fun. Many of the membership joined local residents who taught us to clog. Those who participated will never forget the experience or the sheer exhaustion that followed.

The Great Smoky Mountains are a place of tremendous beauty. A wise man once said that "he had finally reached the age where he realized the futility of trying to describe great scenery." I am of that age. However, I must tell of an experience that Kitty and I had during one free morning. We left the hotel early by car and traversed the parkway to the site of the filming of the "Last of the Mohicans." The valley was enveloped in fog, but after an uphill, strenuous hike of several miles, we broke through the fog and hiked along the face of the mountain, a very exhilarating experience. Later in the day and back in the valley after the fog lifted, we viewed our hike from below and it scared the hell out of us. On the return trip, we visited the Biltmore Estate with its unending gardens.

At the formal dinner on Saturday night, Charles Tell and I received the Lifetime Achievement Awards, much to our great surprise, Charles and I both believed we were giving the award to each other and did not realize until the awards began that we were both recipients. Special thanks go to Kim and Bill for a great conference. The gavel was passed to David Schneider as we all looked forward to the next conference in New Orleans.

David's year as president was highlighted as the sixtieth anniversary of TLA. The Litigation Committee was inaugurated during David's term. The focus of his term was the annual meeting in New Orleans, Louisiana. David and his wife Ronnie planned

the festivities for over two years prior to the May 13-17, 1997 meeting and their efforts were apparent.

One hundred seventy members and 97 guests booked space at the annual meeting in New Orleans, at the old Roosevelt Hotel which had been purchased by the Fairmont. A major renovation had taken place and the hotel was in excellent condition.

From the first notes of Doc Paulin's trumpet to the last song of Jubilation's singers, the Good Times Rolled in the Big Easy. A jazz cocktail party commenced the meeting. The Fairmont Hotel's Blue Room, restored to its former elegance, really swung to Doc Paulin's band. The band led the officers marching through the lobby into the party and continued to swing while everyone enjoyed the wonderful hors d'oeuvres. Ronnie insisted on preparing as well as hosting the new members and speakers receptions beforehand.

The education program, chaired by Leonard Kofkin and Don Vogel, was outstanding. Emphasizing the wrongful discharge of a truck driver, the participants did an exemplary job of presenting the case from complaint to trial. Speaking of the trial, Don Vogel and Brian Smith as witnesses along with some crackpot judge (David himself) added humor to the professional presentations of the two lawyers, Patrick Glenn and Christopher Aubert.

While members were learning, the spouses toured two churches and St. Elizabeth's orphanage, now owned by the author Anne Rice. A gourmet lunch followed at Antoine's in the Rex Room.

The Fais Do Do (the party after the children go to sleep) combined Cajun food and music. On the banks of the Mississippi River at the terminal of the Delta Queen, participants were feted with a real treat. A fire boat from the New Orleans Port Authority, accompanied by three, following tugs, put on an unforgettable light and water show as they passed under the New Orleans Bridge and pulled along side the Delta Queen's dock.

In my years of membership, I can remember few, if any, spectacles to match the fire boats and tugs with horns blasting and water spewing. This was the Association's third trip to New Orleans and surely it will return in the future.

The final banquet culminated an outstanding meeting. Since all of the speeches and presentations occurred at the membership luncheon, the dinner dance was a real blast. The Knights of Sparta Krewe, presented their court to us. The costumes were magnificent. The music of Jubilation and its three singers added the right mix of oldies, soul and pop.

The fantastic planning of the New Orleans meeting remains as a grand tribute to David's wife Ronnie, who shortly after the meeting was diagnosed with cancer and passed away a year and a half later.

As David's final official act, the torch was passed to Jim Flint as the incoming president. In asking Jim to recant some of the events that transpired for this history, little did I realize that he had apparently kept a daily diary of his year in office. The four page letter I received was so packed with information that, if I were to set forth all of it, it would require an upward adjustment to the publication budget.

During 1997-1998, Bob Yegge returned as Dean of the University of Denver College of Law. During Dean Yegge's first term of office, he had been instrumental in launching the first Transportation Law Institute in 1968. The 1997 TLI held in San Francisco marked the 30th TLA/UD College of Law produced TLI.

At the meeting in San Francisco, the Executive Committee adopted a bylaw change authored by Mark Andrews, that permitted the Canadian Transport Lawyers' Association to recommend the nomination of one of their own to fill a one-year term on TLA's governing committee. CTLA reciprocated by allowing TLA to recommend the nomination of one of its members for a one-year term on CTLA's Board of Directors.

During the year, Bob Alderson working with local Kansas counsel, secured a complete victory over the Princess Hotel chain in its law suit against TLA in connection with the necessary cancellation of our hotel arrangements in Acapulco, Mexico, forcing TLA to shift its 1991 annual meeting to Tucson, Arizona. Credit for the victory also belonged to past president Alex Lewandowski, for his dealings with the hotel chain until the unsuccessful litigation was initiated. In this case, at least, being dilatory since 1991 won out.

The annual conference of the association was held at the beautiful Sanibel Harbour Resort & Spa at Fort Meyers, Florida and was a joint conference with the CTLA and ATLLP. Not much is better than going to a great beach for a meeting after a long winter without sun. One hundred seventy-six registrants and 91 guests attended and enjoyed off meeting hours playing volley ball in the pool and savoring Pina Colatas.

The formal banquet concluded with a marvelous fireworks display. Bill (K.C.) Taylor, part-time resident of Sanibel Island, arranged for this truly impressive pyrotechnic program with a Miami based fireworks impresario. Mr. Taylor also located a nautical platform (a barge normally engaged in sea wall repair) from which the show erupted over San Carlos Bay with the fireworks arching gloriously toward the hotel.

At the conclusion of the Sanibel conference, the Association's first female president, Ann Pougiales, took office. What started as a transportation lawyers drinking club in 1937 had finally come full circle.

Ann listed as her priorities the distribution of a new roster including a section on committee membership which would increase the value of the publication as a referral guide. Ann also included a plan on roster updates that would be inputted on a monthly basis onto TLA's web site. A third goal was the reinstitution of a biannual index of *TTL* articles, so as to increase the accessibility for members.

All of the above goals were accomplished during 1998-1999. Ann's vision of the future also called for a code of conduct to be adopted that would be directed specifically toward Association members. Ann stated that the "Collegial spirit bequeathed to us by our founding members who practiced same as they traveled across this country from ICC hearing to ICC hearing, while exerting their best adversarial skills against each other during the day and, when the days work was done, reveling in each others company over a shared dinner," was no longer possible and that something needed to be done to keep that flame alive. While the resolution failed at the annual conference, Ann has it as a future goal.

The 1999 convention convened in Victoria, British Columbia, at the historic Empress Hotel with 132 registered attorneys and 77 guests attending. The weather was quite good for the most part and the festivities were some of the best ever. Among opportunities that included the usual sporting events were a salmon fishing trip, a walking tour of the Empress, a tour of the Parliament and a salmon barbecue at a Cowichan Indian Village some 40 miles north on the island.

Several in attendance wore kilts to the Saturday evening grand ball. The educational program was superior as has it had been in the past. As Ann was about to pass the gavel to Bob Alderson, she was interrupted at the podium by David Parker, who informed those assembled at the banquet that he had uncovered evidence that might cause the membership to reconsider its selection of Bob as the next President. At that point, a large screen was lowered from the ceiling and the audience was treated to a video prepared by Bob's wife and daughters, recounting Bob's life history (almost extending 60 years) with pictures of him in less than flattering poses.

Eventually, though, the gavel was passed, and in beginning his acceptance speech, Bob introduced his family, including his wife, two daughters and his "bastard son" Dave Parker.

As we head toward Hilton Head Island for our Y2K convention, I look forward with anticipation to again having the opportunity to both achieve great educational benefit, along with the opportunity to enjoy long-time friends, associates and spouses. It is my hope that I will see you there. In reviewing the CLE program and the calendar of events for the Hilton Head conference, it is apparent that Bob Alderson's planning and educational committees have once again given the membership the opportunity to attend a great conference. The usual athletic events are supplemented by welcoming and low country boil receptions, to be held on the deck overlooking the Atlantic at the Hyatt Regency Palmetto Dunes. This year's conference, to be held jointly with the Canadian Transport Lawyers' Association, has an education program that will be of interest to all in attendance. The formal banquet will witness the Gavel being turned over to President-Elect Kenneth R. Hoffman as the Association steps into the Twenty-First Century. I have now been to all but two annual conferences since 1964 (34 out of 36) and can tell you that your attendance will be rewarded.

The Transportation Lawyer

The Association's official organ, *Your Letter of the Law* became *The Transportation Lawyer* with the first issue forthcoming in February, 1992. It remained in small booklet form until the June 1993 issue when the present format of an 82 by 11 inch book was presented to the membership. The professional content of *The Transportation Lawyer* continues to improve issue after issue and is a substantial educational tool for all those in the practice of any area of transportation law.

After considerable effort by the leadership of both the TLA and the CTLA, *The Transportation Lawyer* became a joint publication of both associations effective with the February 2000 issue. As Louise Baillargeon, Director of Communications on the Executive Committee of the CTLA stated so succinctly, "Transportation is no longer a national issue – it has become a global issue." Well said Louise. The beautiful yellow and blue cover of the new format is truly stunning and represents a still further leap of professionalism.

Honors and Awards

The greatest honor one could possibly receive in his or her professional life is to be recognized by one's peers. I sincerely believe that one of the great attributes of TLA (MCLA) has been the Association's willingness to recognize those who have given their time and energies in perpetuating the longevity of the Association and making it so much a meaningful part of so many lives.

The people listed below have been the movers and shakers of

TLA and have kept the vibrant personality of the Association alive. These are the people to whom we all owe our deepest gratitude. This section includes only those who have received awards since 1987. Earlier award winners are included in Section III of the 50 year history. Take some time to turn back to that section and review earlier honorees. (Page 19)

Distinguished Service Award (1987-1999)

Leonard Kofkin (1987)	William E. Kenworth (1993)
Mike Ogborn (1987)	Richard H. Champlin (1994)
Jeremy Kahn (1988)	Kenneth R. Hoffman (1995)
William J. Augello (1988)	Jack Hunter (1995)
John Storer (1989)	John Vuono (1995)
Robert Walker (1989)	Greg E. Summy (1996)
James W. Patterson (1990)	Andrew M. Danas (1996)
Kim D. Mann (1991)	Brian Smith (1997)
William D. Taylor (1991)	Bob McFarland (1997)
F.R. (Fritz) Damm (1992)	Patrick K. McMonigle (1998)
Thomas P. Krukowski (1992)	David Sutherland (1998)
Catherine G. Pawluch (1992)	Kathleen Jefferies (1999)
W. Robert Alderson (1993)	David Schneider (1999)

The officers of the Association in 1993 added a further category of honor, that being the Lifetime Achievement Award. This award honors those who have gone the extra mile for the Association and have continued with hands on involvement long past their days of active leadership. It is not a coincidence that this list could have been extracted from the membership rolls of the AARP. The Association is deeply grateful for these people who have brought fond remembrances of the past to annual meetings and seminars. These people are a link between our charter members, the present and our vigorous future.

Lifetime Achievement Award (1993-1999)

Rod MacDonald (1993)	John W. Storer (1997)
Daniel Baker (1994)	Leonard W. Kofkin (1998)
Frank W. Taylor (1995)	Phillip Robinson (1998)
Richard H. Champlin (1996)	John Vuono (1999)
A. Charles Tell (1996)	Jim Hardman (1999)
John E. Jandera (1997)	

It has been my sincere honor to be the presenter for a number of these awards. As David Parker wrote me upon my appointment as historian by Mark Andrews several years ago,

"I would commend Mark's choice of Resident Historian. Indeed, you are the only one in TLA old enough to remember the past and yet still be free of advanced symptoms of Alzheimer's so that you can relate some anecdotes in a really coherent manner."

I think I must have kept Dave's letter dated July 19, 1990 in case any questions arose in the future about coherency.

The 1996 awards to Charley Tell and your author were particularly unusual in nature. It is still a wonder to me that San Francisco Bill Taylor was able to pull this off without Charley or me becoming suspicious. Prior to the May 1996 meeting at Asheville, North Carolina, Bill called me and asked if I would make the presentation to Charley. I was delighted to be asked but when I went to work on my presentation speech I learned that Charles was not going to be able to attend. I conveyed this infor-

mation to Bill who called me back several days later to inform me that Charles would be in Asheville for the convention. At the formal dinner on May 10, 1999, I presented the Lifetime Achievement Award to Charles to his complete surprise. Shortly thereafter Charles arose and commenced a presentation speech which ended with me receiving the honor. I speak for both of us when I say neither Charley nor I ever knew of the ruse. Charles was told that I was to receive the honor and he was asked to be my presenter. Hence Charley's attendance. It was a memorable evening. However I've always wondered if I would have been so honored had Charles planned to attend the convention in the first place.

The Bull Shipper's Award
or
The Cream of the Crap

The demise of the Bull Shipper's Award aka "Special Award," "Big Trophy," or "Oscar" is well documented in Part II. It was laid to rest in 1968 because there were those in the Association who felt like it was (1) below the dignity of the Association and (2) there were no longer any qualified Bull Shippers. Nothing could have ever been further from the truth.

In 1988 President Mike Ogborn resurrected the award, had a brand new trophy made depicting a figure much like a golfer throwing a bull over his shoulder, and named me as the recipient because of my acceptance speech at my inauguration as President in 1987. If anybody ever deserved this dubious honor, it was I for pulling the wool over so many people's eyes for so long. No matter how much recipients protest, everyone to date (though denying it) has taken this award as a supreme honor. My trophy rests on my credenza behind my desk.

The following year at the presentation ceremony and after first asking Leonard Kofkin to come forward, I told Len he wasn't qualified and to go back and sit down and then presented the award to Mike Ogborn. Len won the following year.

Miles Kavaller kept the award for two years claiming Watts was burning down. Jeremy Kahn finally won in 1994. The previous year, I told him that if he could persuade that damn good looking lady he was with to marry him that he would easily qualify. To everyone's surprise, he in fact did get Deborah to marry him and won the award. That just shows you how important this award really is to some people. How many people do you know who would get married just to be considered. Award winners since 1988 are as follows:

Richard H. Champlin (1988)	Jeremy Kahn (1994)
Mike Ogborn (1989)	James F. Flint (1996)
Leonard Kofkin (1990)	David Parker (1997)
Miles L. Kavaller (1991)	Kim Mann (1998)
Michael L. Harvey (1993)	No Award Winner (1999)

When the Lord made these folks, he broke the shovel.

Summing up the awards section Mark Andrews probably said it best in *The Transportation Lawyer* when he referred to that year's Distinguished Service Award and Lifetime Achievement Award winners.

"By honoring these TLA superstars, we honored ourselves and all of our best traditions."

Well put, Mark.

The Transportation Law Institute

The founding of the TLI, and throughout the first twenty years of its existence, has provided unlimited educational values to our membership. At the conclusion of my comments in the fifty-year history, I stated as follows:

"Education is clearly an important membership benefit that is provided by the association through the institute and a continuing key to increasing membership."

That comment, made thirteen years ago, is as true today as it was in 1987. The Association has been greatly aided in the opportunity by members who choose to take advantage of this wonderful educational tool. One only has to look at the diverse nature of the practice of our membership (which is at an all time high) to see the value of TLI. For the history of TLI's founding, go back to page 23 of this document.

Since 1987, the TLI has mostly rotated from coast to coast giving all the opportunity to attend. Sites of the institute since 1987 are set forth as follows:

1987	Twentieth TLI, Doubletree Resort, Scottsdale, Arizona
1988	Twenty-First TLI, Washington Plaza Hotel, Washington, D.C.
1989	Twenty-Second TLI, Cathedral Hill Hotel, San Francisco, California
1990	Twenty-Third TLI, Marriott Crystal Gateway, Arlington, Virginia
1991	Twenty-Fourth TLI, Westin St Francis, San Francisco, California
1992	Twenty-Fifth TLI, Marriott Crystal Gateway Hotel, Arlington, Virginia
1993	Twenty-Sixth TLI, Westin St. Francis, San Francisco, California
1994	Twenty-Seventh TLI, Marriott Crystal Gateway Hotel, Arlington, Virginia
1995	Twenty-Eighth TLI, The Fairmont Hotel, San Francisco, California
1996	Twenty-Ninth TLI, Marriott Crystal Gateway Hotel, Arlington, Virginia
1997	Thirtieth TLI, Fairmont Hotel, San Francisco, California
1998	Thirty-First TLI, Marriott Crystal Gateway Hotel, Arlington, Virginia
1999	Thirty-Second TLI, Fairmont Hotel, San Francisco, California

The Thirty-Third TLI is scheduled for October 21-24, 2000, at the Marriott Crystal Gateway Hotel in Arlington, Virginia. The Association will always be grateful to Dean Yegge and John Thompson for the foresight in creating this valuable educational tool.

The Athletes

There is very good reason why I placed this section last in the 50 year history and again choose to place it last in this update. The real athletes in this Association are few and far between. When there are no clear winners, the tennis, golf and fun run committee chairs change the rules so that someone in favor can win.

As a case in point, I refer you to the action taken in 1987 and set forth in writing after Dianne Blondeau, wife of Francois Rouette had won both the men's and women's division in singles and doubles for several years in a row. "The Tennis Committee is earnestly considering protective regulations for next year's tournament. For the last several years, women have won the men's division. Judging the existing talent, speed and age of the men involved, it is highly unlikely that any amount of practice will enable any of the men to beat the top women players. Consequently, the Tennis Committee will consider any protective legislation which you as TLA members may devise to salvage the fragile ego of the men tennis players."

If you don't understand that, all I can say is "that I can explain it to you, but I can't help you understand it." Several years later, the Tennis Committee dictated a round robin to keep Catherine Pawluch from winning. One year in the fun run, Mike Harvey's son Aaron humiliated everyone which resulted in age divisions the following year.

Tennis and the fun run are not exempt. Golf now has so many age divisions and a separate tournament each day that anyone who owns a putter and one ball can win something.

There are, however, a few exceptions that I discovered in my research. In women's tennis, Diane Blondeau, Catherine Pawluch and Dale Angenend are names that consistently show up. In men's tennis, Bill Lippman, Art Littleton, Bill Kenworthy and John Ester excel. One year Peter Martin won after neglecting to tell anyone that he had played on the Canadian Davis Cup Team. Honesty is not a prerequisite in Association sporting events.

As far as the fun run (an oxy-moron), the same group of people, irrespective of rule changes, continue to dominate. Kim Mann, Jeremy Kahn, Bob Walker, Bill Kenworthy and Newt Cunningham dominate the men, while Lucy Kissinger and Joan Borghesani dominate the ladies. (Maybe dominate is not a good word for ladies.)

In men's and women's golf, the same names also appear as winners year after year. The list includes John Jandera, Rick Kissinger, Roy Pinsky, John Storer, Bill Taylor, Don Smith and Jim Patterson, who all have shown up with a putter and a golf ball. On the ladies side, Barbara Bruemmer, Lucy Kissinger and Pat Ziperski, Florence Capp and Mary Ann Patterson usually prevail. You may wonder how it is possible to be such a good golfer and also be a lawyer at the same time. It is simple. In the case of those above, some aspect of life is being neglected. You decide.

I could have gone through the winners in all sports year by year, but decided that since golf, running and tennis award speeches are so mind numbing at annual meetings (except for the winners) that nobody really cares.

For those of you who have won something in the past, but were not mentioned, do not feel ignored. Explain it to your friends in this manner, "I don't know why Champlin changed the rules."

Conclusion

If you have taken time to read this far (or even if you have skimmed to the last page), you will probably realize that my review of 63 years of the Association is, in many respects, both brief and lacking. Don't blame me, blame those in charge who should have known better than to give me this assignment. I have related events as I happened to see them. I am reminded of that great Oklahoman, Will Rogers, who allegedly and unverifiably said shortly before his plane crashed in 1936, killing both him and close friend and pilot, Wiley Post, "Wiley, don't you usually wear that patch over your bad eye." Maybe I had the patch over both eyes, but there is one thing I do know for certain, "enjoy yourself, these are the good old days you're going to miss in the years ahead." See inside back cover.

Respectfully submitted,
Richard H. Champlin

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION

CHAMBERS OF
AUGUST W. HECKMAN, JUDGE
(retired)



HUDSON COUNTY
ADMINISTRATION BUILDING
JERSEY CITY, N.J. 07306

9 Elizabeth Court
Secaucus, N.J.
97094

February 3, 2000

Dear Richard:

So gracious of the Executive Committee to invite all the real "Old Timers" Past Presidents to attend at Hilton Head without cost.

As Harold Miller wrote you, there are benefits to getting old; but what are they? Uppermost is the lasting memory of such pleasant friends we had in the Motor Carriers Lawyers Association now TLA.

As far as I am concerned, "The Spirit is willing but the flesh is weak". Am now 91 years old and thank Almighty God for every day. Please extend my congratulations to all at the convention - the Association is in good hands and I am sure my successors would all express this view were they still here. We've certainly come a long way since our organizational meeting back in 1937. God bless you all.'

Sincerely,


August W. Heckman