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Milton J. Ferguson

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'\$2 for Deed. . . Pretty Good,' Wayne Lawyer Remembers

This is another in a series of stories about persons interviewed for the "Oral History of Appalachia," a Marshall University project to capture the special flavor of life among the hills during earlier times.

"Oh, I've taken a bull calf, taken potatoes, taken anything I could get. People didn't have money and if we got two dollars for writing a deed, we thought it was pretty good price."

Milton Jimison Ferguson of Wayne gives that description of legal fees paid to him soon after he was graduated from law school in 1929, the year the Depression hit.

THE FEE SYSTEM improved as the economy improved. And Ferguson rapidly advanced in the legal and political fields as the years passed.

He served on the side of the prosecution or defense in more than 100 murder cases. He was named state tax commissioner in 1953, and ran second in a five-way race for the Democratic nomination for governor in 1956.

As U. S. attorney for the Southern District of West Virginia in 1968, he was chief prosecutor in the bribery-conspiracy trial of former Gov. W. W. Barron and others. Barron was found innocent, but later convicted of bribing a juror.

Ferguson, 73, now in semiretirement at his Wayne home, talks about his early background with a little extra flavor as he reviews his life in law and politics.

"I was born Oct. 17, 1902, a son of Lucian B. and Fanny P. Ferguson. I was one of seven children. Our old farm, which was originally acquired by my great grandfather, Milton Ferguson, some 180 years ago, was located just about a mile south of the town of Wayne at the forks of Twelve Pole Creek.

"My grandfather, Charles Walker Ferguson, built the home, which is situated on the farm, out of brick made on the home place prior to the Civil War.

"He operated a country store, flour and grist mill, saw mill, planing mill, and contracted and built houses. He operated this store for many years, and before the railroad was built into Wayne, hauled his merchandise from Cyrus on Big Sandy River by ox team to Wayne." (This was approximately a 12-mile trip.)

FARMERS BROUGHT wheat to make flour, corn to make meal and logs to make lumber. The lumber was sawed into house patterns and many other things, including caskets.

"We sold everybody caskets. I remember Uncle John Lloyd made them . . . We lined them with crepe, usually black crepe . . . There was some cotton padding from the head and feet . . . The best in lumber went into them."

Ferguson says there were no morticians in the Wayne area until the '30s. Also, he says, there were no relief agencies.

" . . . It was either root hog or die. No giveaway programs. People had to work. He remembers when people "made

their own socks and shirts and underwear and everything. They carded the wool right on the farm.

"IT WAS JUST UNHEARD of buying clothes at the store, but, of course, we al-



Milton J. Ferguson
Fees Were Anything

ways had a pretty good line of cloth. Even percaline, gingham, calico, outing, muslin, cotton, raw cotton to make quilting . . . We had a complete store."

Ferguson says he doesn't quite know how to describe his early childhood. But he adds:

"We had no telephone. We had no roads. We used oil lights. We had to carry the water, carry the coal and kindling to our house as we moved into the main house on the farm after my grandfather's death in 1910.

"And this was pretty rugged living . . . , although it was very enjoyable. We had to make our own entertainment of all kinds. We liked to play games, baseball, pitch horseshoes and play marbles; and we liked to hunt and fish and trap and swim.

Ferguson recalls there was a six-month public school in the community. There also was a private school that required payment of a small tuition.

THE PRIVATE SCHOOL, called Oakview Academy, offered instructions in grades one through nine. It was headed by Prof. Taylor B. McClure.

"Both my father and mother went to Prof. McClure and all of us children, all seven, attended his school, which he taught in Wayne until about 1917."

Ferguson went to high school at Morris Harvey Academy. This was part of Morris Harvey College, then located at Barboursville.

All of Ferguson's comments are on tape, filed in Marshall University Library.



ORAL HISTORY

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Date April 27, 1973

Milton J Ferguson
(Signature - Interviewee)

Wayne W Va
Address

Date April 27, 1973

Phyllis S Ferguson
(Signature - Witness)



Reminiscences
of
Milton Jimison Ferguson

Oral History

Marshall University
Dr. Galgano
History 618 - Wednesday
Phyllis S. Ferguson
May 2, 1973

General Contents

Family Background

Early Childhood

Early Education

Early Transportation

A General Country Store

Mr. Ferguson's Jobs:

(A) Practicing Attorney

(B) Director, Federal Land Bank

(C) United States District Attorney

Depression

Scopes Trial

Harding Scandals

World War I

World War II

Mr. Ferguson: All right?

Interviewer: All right. Ready.

Mr. Ferguson: Yeah. My name is Milton Jimison Ferguson of Wayne, West Virginia. I was born October 17, 1902, son of-- ah--Lucian B. Ferguson and Fanny P. Ferguson. I was one of seven children--ah--our old home farm, which was originally acquired by my great grandfather, Milton Ferguson, some hundred and eighty years ago, was located just about a mile south of the Town of Wayne at the forks of Twelve Pole Creek. My grandfather, Charles Walker Ferguson, built the home, which is situate on the farm, out of brick made on the home place prior to the Civil War. He operated a country store, flour and grist mill, saw mill, planing mill, and contracted and built houses. He operated this store for many years; and before the railroad was built into Wayne, hauling his merchandise from Cyrus on Big Sandy River by ox team to Wayne. After the railroad was built in the 1890's, the merchandise was shipped in by rail.

Interviewer: How far was it from Wayne to Cyrus?

Mr. Ferguson: Approximately twelve, thirteen miles.

Interviewer: Twelve or thirteen miles.

Mr. Ferguson: The--uh-- After the railroad was built and merchandise

was shipped into Wayne, it was generally hauled by wagon from Wayne approximately one mile over a dirt road to the place of the store and warehouse which was maintained. He operated a rather large store handling all types of merchandise from darning needles to groceries (laughter), furniture of all kinds and so forth. After the turn of the century the operation of the store was turned over to my father, who was an only son, who operated this store and mill up until his death in 1938. I had seven, six brothers and sisters, four brothers and two sisters. I am one of seven children, my oldest brother being Charles Walker Ferguson who is named for grandfather who served approximately forty years as Circuit Judge of Wayne County. Another, next brother, oldest brother was Samuel J. Ferguson who practiced medicine in the vicinity of Wayne for a long period of time up to the present.

Interviewer: Mr. Ferguson, since his name, also middle initial is "J," what is that "J" for?

Mr. Ferguson: James.

Interviewer: James. It is different then than yours.

Mr. Ferguson: It is different.

Interviewer: All right.

Mr. Ferguson: He was named for my great grandfather on my mother's

side. Then my next child was sister Lillian who married Palmer B. Stufe Steffey (laughter) and now resides in Huntington, West Virginia. My next sister was which was nearest in age to me, always claimed she was younger than me (laughter), is Lucille who married Arch J. Alexander and lives in Charleston, West Virginia. Then I'm next and then have two younger brothers, Lew Wallace Ferguson, who is--lives in Albuquerque, New Mexico, and Joseph M. Ferguson, who also lives in Albuquerque, New Mexico.

Our early childhood was--uh--well, I don't know exactly how to describe it, but we had no telephone; we had no roads, we used oil lights, we had to carry the water, carry the coal and kindling to our house, as we moved into the main house on the farm after my grandfather's death in 1910. And this was pretty rugged living, outside toilets, and so forth, although it was very enjoyable. We had to make our own entertainment of all kinds. We liked to play games, baseball, pitch horseshoes, and marbles; and we like to hunt and fish and trap and swim; and, all in all, we had a very enjoyable time. In later days, why, we had a tennis court on the farm and, of course, we always had a baseball diamond. It was a gathering place

for people in the community to come.

We had no roads to speak of, only dirt roads, which became almost impassable in the wintertime, and to get to the main market which was Huntington, West Virginia, we had to haul our tobacco and livestock and everything by wagon or drive 'em to Huntington, West Virginia, a distance of approximately twenty miles; and in the wintertime, it was rough going. There was no roads of any kind.

Our school system, my first recollection, we had six months school in the community. I'm talking about the public school but Professor Taylor B. McClure operated what we called a subscription school, Oakview Academy, in Wayne which he taught the grades from the first--oh--I would say through junior high school, ninth grade.

Interviewer: Was that the public school?

Mr. Ferguson: No, that was a private school which you had to pay tuition, a small amount of tuition, each student that he had, and he selected them, more or less. Both my father and mother attended, went to Professor--we called him Professor-- McClure; and all of us children, all seven, attended his school which he taught in Wayne up until about 1917 when

he--last year that he taught his private school as I recall.

Interviewer: Now that's approximately a mile from your home--uh--
how did you all get to school?

Mr. Ferguson: Had to walk. There was no transportation whatsoever.
All of us walked.

Interviewer: And one other thing you mentioned, six months school.
When did school begin?

Mr. Ferguson: It would begin in August and end in February so that the
people could have their children to work on the farm when
they were needed.

Interviewer: In the Spring?

Mr. Ferguson: Spring.

Interviewer: I see.

Mr. Ferguson: And they were all one-room schools. We had no graded
schools back in those days. Later on in Wayne they did
build a four-room school which had--taught two grades
in each school, that was.

Interviewer: This is after you've finished?

Mr. Ferguson: That was after I've finished, and we had no high school
here at all; and all of us except the two youngest boys
had to go away to high school.

Interviewer: Where did you go?

Mr. Ferguson: I attended mostly Morris Harvey Academy at Barboursville,

West Virginia, where I graduated and...

Interviewer: That was your high school?

Mr. Ferguson: That was my high school, and I also had two years of college work there.

Interviewer: Well, now, Morris Harvey today, of course, located in Charleston is a college.

Mr. Ferguson: It is the same school only they eliminated all of these academy high schools.

Interviewer: Um-hum, I see.

Mr. Ferguson: And my older brothers and sisters attended Marshall in the main, although sister Lucille attended West Virginia Wesleyan. And it was pretty rough go because money was scarce with us. And I was eight years getting through high school, go a term, go a year, and then work a year.

Interviewer: Obviously that was money--not ability. Right, Mr. Ferguson? (Laughter)

Mr. Ferguson: And then along about 1919, we voted a bond issue in Wayne County, a million dollar bond issue, and we built the first what we like to call modern graded roads which was built from Wayne to Huntington going through, going north, along Twelve Pole, to the mouth of Camp Creek and up Camp Creek and into Huntington. And that was constructed in the early 20's. Then each district voted a bond issue,

and we had a good many districts, but these were all just dirt roads, but they were modern graded and got them out of the creeks; and they built bridges and so forth.

Interviewer: Before this, before 1919, how did you get to Huntington, the main market place, for this town?

Mr. Ferguson: We had to travel a very poor road which followed Twelve Pole down to the mouth of Camp Creek, and up Camp Creek around what they now call the Eighth Street Road, but we called it the Flowers Ridge Road.

Interviewer: Flower? Is that f-l-o-w-e-r?

Mr. Ferguson: Flower, Flower Ridge Road. That's the same road that Frank James traveled after he had robbed the bank in Huntington.

Interviewer: Is that right?

Mr. Ferguson: Back in the early...

Interviewer: But he was coming to Wayne...

Mr. Ferguson: He was coming toward Wayne, but he turned at Lavalette, near Lavalette, and went down to Shoals and crossed the Big Sandy River someplace near Prichard into Kentucky, and that was a very poor road, many hills, creek crossings, and it was rough going. It took a good team a whole day to travel that twenty miles.

Interviewer: To Huntington?

Mr. Ferguson: To Huntington.

Interviewer: From Wayne. What about the railroad? When did it...

Mr. Ferguson: The railroad?

Interviewer: Was it completed?

Mr. Ferguson: Was completed through Wayne in the 90's. Sometime prior they started acquiring right of way is the only thing I can say, about 1888, and the railroad wasn't completed through here, the old line, the Norfolk and Western they called it, although the right of way acquired under another corporate name; and it was completed in the 90's though; and if you wanted to go to Huntington by train, you had to go down, we had one passenger train each day each way, and you had to go from Wayne to Kenova and in the evening and then catch a street car from Kenova up to Huntington, stay all night, spend the day, and to have one day's business in Huntington you had to stay two nights away. Of course, fortunately, we had relatives we could stay with (laughter)--what we called "going down the river."

Interviewer: I suppose it was a real treat then, a real trip and an excursion to go to Huntington.

Mr. Ferguson: It was a real excursion to go to Huntington and/or to Kenova, Catlettsburg, or Ashland. And it was a pretty rough trip. And then in the 20's we got, as I said, they

started on the road building; and then the State Road, Better Roads Amendment was passed, and they started putting gravel on the road, and we had a gravel all-weather road the first year in 1926 between Wayne and Huntington. We were really living high then, and we had one telephone coming into Wayne, no electricity.

Interviewer: Now this is 1926?

Mr. Ferguson: 1926. And we could travel through the year round and later, in 1932, we had our first paved road completed from Wayne to Huntington.

Interviewer: 1932, that's unusual. This is the heart of the depression, is it not?

Mr. Ferguson: The heart of the depression.

Interviewer: Uh, was this--this wouldn't have been a W.P.A. road because that's a program of the New Deal.

Mr. Ferguson: No, no this was built by the State Road. We voted a bond issue in the state.

Interviewer: Oh! I--yes, you did say that.

Mr. Ferguson: That was in the state, a statewide bond issue which the first road, paved road, was from Wayne to Huntington.

Interviewer: Had this project been started before the depression?

Mr. Ferguson: Yes, it had been started, and the grade work had been done, of course, many years before, and so it made--cut our

trip down where it usually took us ten hours in the wagon until we could drive it in forty-five, fifty minutes by car. It wasn't long after that we--electricity was brought in and--and we started, more or less, what you call modern living. But prior to that we were, more or less, isolated, because I remember in the election of 1916 Woodrow Wilson was elected president; and we didn't know about who had been elected for twenty-four hours.

Interviewer: Is that right?

Mr. Ferguson: Yes. But, of course, that was before the day we had a telephone in here.

Interviewer: Well, and what about radio, too? Of course, the first commercial...

Mr. Ferguson: Radio wasn't developed until...

Interviewer: 1920.

Mr. Ferguson: The early 20's.

Interviewer: Yes. I think the first commercial station was Pittsburgh. Do you recall the first radio in this area?

Mr. Ferguson: Yes, the first time I ever listened to one was Herman Dean owned it here in Wayne and--but you could sometimes get good reception and sometime you couldn't. The static was very bad.

Interviewer: What station? Wasn't it WLW?

Mr. Ferguson: KDKA at Pittsburgh.

Interviewer: Yes.

Mr. Ferguson: And WLW in Cincinnati.

Interviewer: And you did receive Pittsburgh and Cincinnati here?

Mr. Ferguson: Yes. We received Pittsburgh before we received Cincinnati.

Interviewer: Is that right?

Mr. Ferguson: They had the powerful station up there, and it still-- both of those stations still in existence, and it was very good entertainment--the early radios were, and it brought events closer to you because prior to that time the only thing we had on news was the daily newspaper. We took--my father took--the Cincinnati Times Star, which was delivered by train, and the Huntington Herald Dispatch, which was the local paper in Huntington. That was the only news--current event news--we had, but then the first high school was built here in Wayne, completed, at least approximately, in 1924 or 5. I'm not sure about that date, but it was started earlier; and I think they had actually in the new building--was about 1925--the first year of school.

Interviewer: Now that's the present junior high school?

Mr. Ferguson: That's the present Wayne Junior High School. I worked

on that one summer, and I remember, and prior to that time, they had attempted to have high school in an old building that had formerly been a store building on the front of the property where they built the old high school building.

Interviewer: You mentioned a minute ago going to Morris Harvey-- that was not the end of your education, was it?

Mr. Ferguson: Uh, during 1925 I started into West Virginia University, and in 1926 I entered the law school at West Virginia University; and I met my wife there and got married and finished law school in 1929, some forty-four years ago this Spring.

Interviewer: And you returned to Wayne?

Mr. Ferguson: Returned to Wayne and started a very poor law practice because the depression hit in a few months after I graduated and we'd take anything we could get in the way of a fee. (Both laugh) But I did operate my office in conjunction with Floyd Harrison--only cost--we had a secretary--paid her fifty dollars a month, paid rent of fifteen dollars, and--

Interviewer: Where was your first office?

Mr. Ferguson: It was in the old P. H. Napier office which I later acquired that property and tore the building down about four years ago and built a building on it.

Interviewer: Is that where your present office is located?

Mr. Ferguson: Present office is located, and our entire cost would only run us about a hundred dollars a month to operate the law office. Of course, now a janitor will cost you that much (laughter), but we started in and, course, naturally I took to politics. My family had been, more or less, political. My oldest brother was elected Prosecuting Attorney in 1916 as a young man just a graduate of the University of Michigan; and he served as Prosecutor until 1928 and was elected Circuit Judge at that time and served until his retirement approximately 1967, someplace like that; and his son then was appointed to serve out his term, then was elected to an eight-year term; and I got into politics, and I served as Assistant Prosecutor in Wayne County in 1933, and the same year also in the West Virginia Legislature. And Floyd Harrison was Prosecutor and he resigned to take a job in Charleston, and I completed his term as Prosecuting Attorney. But then I stayed in general practice of law until I was appointed Assistant United States Attorney in 1943, and I served in that. It was a part-time job, and I kept a law office all time until 1953 when I was appointed Tax Commissioner of West Virginia.

Interviewer: Why was this a part-time job? Just not enough business in this area or...?

Mr. Ferguson: Well, they didn't pay very good salaries and the job, of course, the government business came first, but they had about four assistants most of the time in Charleston, Huntington, Beckley, and Bluefield, which were the terms, and it didn't take full time to keep the work up.

Interviewer: I see.

Mr. Ferguson: They later changed that and then in 19-- I served as Tax Commissioner of West Virginia in '53, '54 and '55. I resigned as Tax Commissioner and in 1956 I made a uneventful run for Governor of West Virginia, coming in second with five candidates; and after I was defeated in the primary in 1956, I returned to the private practice of law. In the meantime, I had had an office from '43 up until that time in Huntington and had office also in Wayne; and I practiced law then in Huntington and Wayne continuously from 1956 to 1965 when I was appointed United States Attorney for the Southern District of West Virginia, and I served that a four-year term and left the office in latter part of July, 1969, upon the election of Nixon as President. But during that time I had some varied experiences, one of them was in being in charge of the

prosecution of Wally Barron, former Governor of West Virginia, and former State Road Commissioner, and a number of prominent men in the State of West Virginia on conspiracy charges to violate the Interstate Transportation Act of--uh-- . Well, it was passed, what was called Section 1952, Title 18, against organized crime using interstate methods of transporting the proceeds of bribes--bribery.

Interviewer: The result of that--aren't these gentlemen now in jail?

Mr. Ferguson: Some of them are but some of them are out on appeal, and the, of course, Barron was acquitted, but it later developed that he bribed a juror, so he is now serving twelve years for bribing of the juror in the trial in which we tried him. It was a very frustrating thing to have a bribed juror but five of the six defendants were convicted. Many things have developed since that time, but also we sent many other prominent figures, the Governor's executive Assistant to the penitentiary for income tax evasion, the Liquor Commissioner for income tax evasion, and the Director of Bureau of Automobiles for other crimes and events. It was a general house cleaning.

Interviewer: I see.

Mr. Ferguson: But it's my--period of time over the practice in the general

practice of law, I tried every kind of a case ever heard of.

Interviewer: Any particular case stand out in your mind?

Mr. Ferguson: Well, outside of the Barron trial, yes, I participated either in the prosecuting or defending over the period of, I say, about forty years, of over a hundred murder cases; and some were pretty prominent at the time but, of course, as time passes on you don't--they--people forget about the cases and they're not too prominent on a local level but another case that stands out in my mind was a election bribery case which the Sheriff and the Clerk and a number of prominent people in Lincoln County were indicted in Federal District Court for bri--uh--vote buying and fraud in elections; and that trial stands out in my mind as a very bitterly fought for about two weeks, and we were lucky enough to get an acquittal in the case.

Interviewer: Would you want-- Now you were defending--

Mr. Ferguson: Defending.

Interviewer: I see.

Mr. Ferguson: Yes, that was along about 1958.

Interviewer: Would you care to mention their names? You don't have to.

Mr. Ferguson: No, I think it might--

Interviewer: All right.

Mr. Ferguson: --be better--

Interviewer: All right.

Mr. Ferguson: --not to mention their names. They were acquitted and people have forgotten about it.

Interviewer: All right.

Mr. Ferguson: They were innocent, in other words. (Laughter)

But, generally speaking of course, your criminal trials are more spectacular; but, being in the general practice of law and, more or less, in a rural community, of course, if you call Huntington and Wayne, Logan and Lincoln County and Mingo and places of that kind, it was a-- You tried ever kind of case from rape, murder, arson to law suits for line disputes, land disputes, and civil cases of various kinds and divorce cases and, of course, damage suits for automobile wrecks and so forth. It was a general practice which I enjoyed immensely over the years because I really did enjoy the practice of law.

Interviewer: You mentioned all these jobs--which job, including your own private practice, did you enjoy most?

Mr. Ferguson: Uh--I'd say the United States Attorney's job.

Interviewer: The last job you had?

Mr. Ferguson: Yes.

Interviewer: Is this all that you covered? I mean, you didn't encompass any part of Ohio or Kentucky?

Mr. Ferguson: No.

Interviewer: It was strictly--

Mr. Ferguson: We had court in four places--Huntington, Charleston, Bluefield, and Beckley, and its twenty--approximately twenty-five or twenty-six southern counties of West Virginia.

Interviewer: Um-hum, and you, any offense against the federal government--

Mr. Ferguson: Federal government.

Interviewer: --was tried--was committed in this--

Mr. Ferguson: Violation of federal law, yes.

I enjoyed being Tax Commissioner of West Virginia. It was a challenge, very educational; and I enjoyed that.

I, in passing I might say that I was Director of Federal Land Bank of Baltimore from 1947 to '54.

Interviewer: What did that involve?

Mr. Ferguson: That involved making trips to Baltimore to lending money to farmers on long-term mortgage loans, and in the states of Maryland, Delaware, Pennsylvania, Virginia, and West Virginia, and Puerto Rico. Also the Production Credit Corporation, the Federal Intermediate Credit Bank, and

the Production Credit, I mean, and the Cooperative Bank, Bank of Co-ops, there's four involved in that; and that was very interesting. I traveled to every state in the union, practically, in connection with the farms. Made trips to Puerto Rico and there were twelve farm districts in the United States, and each year they would have their national convention in a different section; and it was from San Francisco to Spokane, Washington, to Houston, Texas, New Orleans, and many other places; and that was very interesting.

Interviewer: Which of these states that you've just mentioned seem to be the greatest farm area?

Mr. Ferguson: Well, Pennsylvania, which surprisingly--although it's highly industrialized. The Pennsylvania Dutch farmers, the certain areas, that's very productive agriculture and, of course, Virginia and Maryland had a great deal, and West Virginia would surprise you. Particularly, the eastern part of the state, cattle and orchards, fruit and so forth, and it involved big money.

Interviewer: What would the average loan made from this bank amount to?

Mr. Ferguson: Oh, we made them for as high as twenty million dollars.

Interviewer: To a farmer?

Mr. Ferguson: Not, no--to a--for the Bank of Co-op to Southern States.

Interviewer: I see.

Mr. Ferguson: Outfit like Southern States, but the farmer--I--the largest loan I remember was about a three million dollar loan in Puerto Rico to a big cane and coffee producers down there. They borrowed large sums of money.

Interviewer: When you--

Mr. Ferguson: But the average farm loan, I'd say would--oh--it varied any place from a thousand dollars maybe up to fifty thousand.

Interviewer: What was the interest rate that they paid?

Mr. Ferguson: Well, of course, it varied. Back at that time, it was in the early 40's--

(The tape ended at this point without getting the completed answer.)

Interviewer: Mr. Ferguson, we were talking about the Federal Land Bank in Baltimore--uh--do you have anything else that you would like to add to that?

Mr. Ferguson: No, nothing except it was very interesting work in helping the farmers. This had--the Congress had passed this Farm Credit Act owing to the depression which had resulted in the farmers of the United States, as well as business people almost going into bankruptcy. Well,

many of them did because you couldn't sell anything. There was no work; and when the depression really hit in the Fall of 1929 with the stock market crash and the depression and bank failures, insurance company failures of 1930, '31, and '32, it was rough going on everybody, no one had any money and, of course, the Farm Credit Act was passed to aid the farmers, and the many acts were passed. Herbert Hoover was the President at the time and the --uh--to aid business and because we had something over five thousand bank failures in '30, 1930, '31, and '32; and we had one bank failed, the Peoples State Bank was closed in Wayne in 1933, which hit the people of this community pretty hard. They lost what little they did have, and the Wayne County Bank though-- we had four banks in Wayne County--The First National Bank of Ceredo and the First National Bank of Kenova, and the Wayne County Bank weathered the storm and never were closed.

Interviewer: These three banks did weather the storm?

Mr. Ferguson: And never closed, but the Peoples State Bank was closed in Wayne and it was, as I say, hit people that had their deposits, their life savings, they lost them and the bank when it was liquidated, I don't think paid ten cents on the

dollar. It was, of course, people didn't have jobs and Congress passed emergency legislation--uh--particularly after Franklin Roosevelt was elected President in '32 and came in '33 passed what was known as the W.P.A. and the--all these various acts which did give people a little work and the-- They passed a Mortgage Act which took over the indebtedness and saved people's homes. They were being foreclosed on by the millions in this country. Everybody had mortgages and, of course, they couldn't be carried, and the Home Owners Loan Corporation saved the homes like the Farm Credit Act saved the farms for the farmers. Then Congress passed the Federal Deposit Insurance Corporation which guaranteed deposits up to five thousand dollars at that time, and it restored the confidence in the banks.

Interviewer: Well, you mentioned a moment ago that the banks had not been closed. When Franklin Roosevelt was elected, you know he shortly thereafter declared the bank holiday.

Mr. Ferguson: Moratorium.

Interviewer: Uh--then these three banks that you mentioned in Wayne County were able to open again?

Mr. Ferguson: They were able to open, and the loans in the--I mean the deposits in the bank were insured, and it restored people's

confidence, and we gradually had a recovery.

Interviewer: What prevented people from making runs on these banks?
Do you know the answer to that?

Mr. Ferguson: No, we never did have any runs in this area on banks because people--of course, it was local and people knew people that were operating, and I guess believed they were doing the best they could. There was no--no runs.

Interviewer: In general, did many people lose their homes in this area?

Mr. Ferguson: Ah, yes. A lot of people were foreclosed on but the-- it came about in time--ah--pretty quick after Roosevelt got to being President--ah--in the presidency, March 4th, 1933, that Congress passed in the first hundred days all this legislation we are talking about which--but--the reason there wasn't more foreclosures nobody had the money to buy them (laughter). If you were foreclosed on, you just had to take over--taxes were high on them--nobody wanted them.

Interviewer: Um-hum.

Mr. Ferguson: And nobody had the money to buy them.

Interviewer: When these people lost their homes, where did they go?

Mr. Ferguson: Well, they just have to rent someplace--if they could-- of course, they did--

Interviewer: They stayed in the community?

Mr. Ferguson: They stayed in the community.

Interviewer: Uh--you--we read about Hoovervilles and so on, you know the outskirts of town.

Mr. Ferguson: Yes.

Interviewer: Any such thing like that around here?

Mr. Ferguson: No, we didn't have anything like that around here.

Interviewer: What about food?

Mr. Ferguson: Well, food was awful cheap, everything was cheap; and if you could earn a dollar a day, you could feed your family and live on it (laughter).

Interviewer: Um-hum.

Mr. Ferguson: And people--ah--when they got the W.P.A. in, they earned about, I think, thirty-five dollars every two weeks and lived rather well on that.

Interviewer: How long did W.P.A. last?

Mr. Ferguson: It lasted up till almost the advent of World War II.

Interviewer: Did W.P.A. actually accomplish anything in Wayne County that you--

Mr. Ferguson: Yes, they built a lot of what we call creek and hollow roads and rocked them, and the streets of, the first streets like in the Town of Wayne were paved by the W.P.A. We had projects in Kenova, Ceredo, and other places where if the town was able to furnish the material, the W.P.A. would

do the work. It was done very cheap. I know some of streets in Kenova were paved, just cost the property owner a dollar a front foot to pave the streets.

Interviewer: Were you in any way involved with administering any of these New Deal programs?

Mr. Ferguson: None earthly. I--the--except I did a lot of abstracting and closed loans for the Home Owners Loan Corporation.

Interviewer: You mentioned earlier in the tape that you would take any kind of a fee during this. What were some of your fees? What--

Mr. Ferguson: Oh, I've taken a bull calf, taken potatoes, take any thing (laughter) you could get. People didn't have money; and if we got two dollars for writing a deed, we thought it was a pretty high price.

Interviewer: How much would it cost in 1973 to get a deed written?

Mr. Ferguson: Well, I think--

Interviewer: A minimum.

Mr. Ferguson: The standard price here now is fifteen dollars.

Interviewer: Fifteen, well, that really isn't too much of an--

Mr. Ferguson: No.

Interviewer: Inflated price then, is it? Uh, would you--do you recall any of the events of the Harding Scandals--uh--when he-- this is going back even further.

Mr. Ferguson: Um-hum.

Interviewer: Teapot Dome or the Veterans Bureau scandals. Do you recall?

Mr. Ferguson: Well, when Harding came in as President we had the noble exper--experiment of prohibition which almost wrecked this country. Brought on organized crime and--uh-- bootleg, made bootlegging and crime respectable. And your gangster grew up and Harding came in first as President, and he brought a man named Daugherty as Attorney General from Ohio with him who a lot of scandal centered around him on--in liquor dealings and other things; and he had a man named Albert Fall as Secretary of the Interior took bribes, large bribes for--ah--giving favor--oil leases to oil and gas leases to some of his cronies--ah--of government lands and, of course, he was the only cabinet officer that ever went to the penitentiary, I think, up to date and--

Interviewer: What was the--up to date? We have hopes (laughter).
What was the reaction of these scandals among the local people here?

Mr. Ferguson: Well, I don't exactly recall, except--ah--many people were shocked to think that people in high office would deal like that but things moved so fast there in the early

twenties--what we called the rip-roaring twenties-- they didn't have much time to think about it. And, then, you didn't have the widespread publicity that you've got today--radio, televisions, and--

Interviewer: Well, I think perhaps that is probably an important factor here, that you didn't have the publicity and so people just, more or less, heard these things, accepted them, and went on their way.

Mr. Ferguson: It was way off from you and didn't come home like today. It comes right in your front room with T.V. and so forth.

Interviewer: Three or four times a day.

Mr. Ferguson: But the Harding--was, of course, wasn't respected as a President and the most fortunate thing that ever happened was his death.

Interviewer: That's an interesting thing. Many things you read-- different things happened caused his death. Do you recall --ah--any of the stories that might have circulated about his death?

Mr. Ferguson: It was widespread that he was poisoned. He died under very mysterious circumstances--took a trip, as I recall, to Alaska, or some such place as that, and he died under mysterious circumstances. But he had a crowd around him that--very unsavory people and Harding, of course,

after his death, particularly, a lot of things came out about the man that wasn't known too much before, and I think what saved his administration was his death; and they got Cal Coolidge in there, who cleaned house and got the--of course, some of the cabinet members like Hoover was Secretary of Commerce, Andrew Mellon was Treasurer, and no scandal ever tipped them. But when Coolidge came in, why he got rid--and they prosecuted these crooks in the administration. Many of them went to the penitentiary. Many small fry went over prohibition scandals. They had liquor stored various places which had been released and was sold. But, as I say, the Prohibition Era was unbelievable to people today.

Interviewer: How about right here? Uh--prohibition--ah--did the underworld crime syndicate get in here?

Mr. Ferguson: We didn't have organized crime here, but people who had been good citizens--it was shocking right at first--got to making moonshine whiskey up these creeks and hollows. People who had been law-abiding citizens. Dozens of them went to the penitentiary for it; and everybody started drinking what we call moonshine liquor. It was illicit, untaxed paid liquor and--ah--distilled, and, as I say, prior to prohibition, it was a disgrace to go to jail and--

but it--prohibition made crime respectable.

Interviewer: Oh, is that right?

Mr. Ferguson: Most of the big cities--and gangsters, the best people went to the speakeasies, and they liked to associate with people like the notorious Al Capone, Chicago, who was the underworld king there. He had, of course, dis--breweries, and he made liquor, and he dealt in gambling and a little bit of everything.

Interviewer: That--but that--none of that ever touched this area?

Mr. Ferguson: No, ours was practically all local.

Interviewer: Local people, I see.

Mr. Ferguson: We had lots of people bootlegging, making whiskey--

Interviewer: Well--uh--not long after Harding, of course, was the election of Coolidge. We had the famous Scopes trial in Tennessee. Being a lawyer, what was your reaction at the time to the Scopes trial?

Mr. Ferguson: Well, of course, at the time I wasn't an attorney, and they turned it into a three-ringed circus. Scopes was just a--ah--biology teacher, a small biology teacher at Dayton, Tennessee; and the Legislature had passed a law prohibiting the teaching of the so-called Darwin's theory of evolution and he was indicted and, of course, William Jennings Bryan went down to prosecute, act as a special

prosecutor, and Clarence Darrow, one of our most famous criminal lawyers from Chicago, went down to defend. He was an atheist, and he and Bryan actually tried everything but Scopes (laughter). They lost sight of the trial and even put each other on the witness stand; and they made a three-ring circus out of it, and it ended up as a big joke although the jury, after many weeks of trial and publicity, found Scopes guilty of actually teaching the Theory of Evolution but he was--just a small fine imposed on him. It actually killed the law because no one was ever tried for it, and it was finally repealed. I think, in Tennessee--it was rather ridiculous the way the trial was handled, and it was, instead of being a court of law, it was just turned into a circus.

Interviewer: I see. Well, what was the reaction? Do you recall any reaction among the people here? Or--

Mr. Ferguson: Oh, in the Bible Belt, these Bible-reading people--they-- anything that deviated from the origin of man in Genesis, of course, was looked on with horror and shock.

Interviewer: In other words, then they favored the--

Mr. Ferguson: They favored the--

Interviewer: The law.

Mr. Ferguson: The law. They didn't believe in the theory of evolution which was greatly misunderstood.

- Interviewer: At that time, was it being taught--evolution being taught here?
- Mr. Ferguson: No, no. No, it wasn't being taught here, but I had a Professor in the University at the time that was a very staunch believer in the theory of evolution and he--
- Interviewer: Now this is West Virginia University now?
- Mr. Ferguson: Yeah, um-hum, and he was very out-spoken about it, and, of course, he was for the defense and--but people chose up sides and generally the more educated people were and--enlightened people that really understood Darwin's Origin of Species--ah--it wasn't what it was represented to be at all.
- Interviewer: Um-hum.
- Mr. Ferguson: And, of course, I think most people, non-particularly educated people and even then believed that man originated not--didn't come from a monkey particularly. Maybe monkeys came from humans (laughter), but over a period of millions of years--ah--originated as a one-cell amoeba and developed into all your animal life but--and, of course, I don't think that particularly is anti-religion at all.
- Interviewer: Contrary to the Bible.
- Mr. Ferguson: Yeah, that's right.
- Interviewer: Well, uh--one other thing I have noted here. You were

speaking of your father and grandfather's store here at the forks of Twelve Pole. How near was the next store or the nearest store to you?

Mr. Ferguson: Well, course, in my time there was--we had--there was several stores in Wayne--smaller stores.

Interviewer: At least a mile?

Mr. Ferguson: Yeah, a mile away. But when my grandfather first operated it he was about the only store within a fifteen-mile radius around here, and particularly with our mill--ah--people came from Lincoln County with their wheat. When they harvested their wheat to our flour mill that we had. And, of course, all the local farmers brought their corn to make meal and all the house patterns very near was sawed there. They would bring their logs in and cut 'em up, cut their house patterns up, cure the lumber, plane it, and make flooring and siding.

Interviewer: Now, your grandfather did all of this right here?

Mr. Ferguson: Yes, right here. And then he contracted and built most of the old school houses in this area and the church houses.

Interviewer: Where did they-- Where did most of the lumber come from?

Mr. Ferguson: Just native here--local it.

Interviewer: Your farm, or other people would cut it and bring it in?

Mr. Ferguson: Yeah, bring it in. A lot of it came down Twelve Pole on

rafts. I remember logs being pulled out up home, great big virgin timber, beautiful timber, even in my time. And they would make complete house patterns and most of the buildings. We built from what was cut and sawed right locally here. And, of course, there was no other flour mill between Huntington and Logan that I know of or Williamson, outside of my grandfather's and later my father's. And it was pretty big business and, of course, as I said, we had a general store, sold furniture, sold stoves.

Interviewer: Where did the furniture come from? Did they make it here?

Mr. Ferguson: Some of it was made here, and some of it was shipped in like iron bed-steads and cook stoves and things of that kind.

Interviewer: Now, where would material or furniture of this type come from originally.

Mr. Ferguson: Well, it was just like my desk right in there, lumber right off of the farm and walnut. It is solid walnut, and this corner cupboard here is solid cherry was made on the farm, and we had many skilled workers in the area, fine carpenters who could make furniture of all kinds-- tables. We made caskets (laughter).

Interviewer: Is that right?

Mr. Ferguson: Yes, sold everybody their caskets. Remember Uncle John Lloyd made them. We made ironing boards there locally and chairs, baskets--ah--everything and a person get married, they could come to our store and get a complete set-up and--

Interviewer: You mentioned the iron bed-steads and the--ah--stoves and so on. Where would these originate? Huntington or Cincinnati?

Mr. Ferguson: Well, we--

Interviewer: Did you have any dealings with Cincinnati?

Mr. Ferguson: Yeah, we had--no, not that I recall, but we had dealings with Ironton and Ashland.

Interviewer: Ironton?

Mr. Ferguson: Hudson-Pillar and Sheridan in Ironton, Ohio, and--

Interviewer: What type of business was that?

Mr. Ferguson: A hardware.

Interviewer: A hardware.

Mr. Ferguson: And we got harness from them, plows and equipment, the farming equipment and horseshoe nails and horseshoes and everything complete. Anything a person needed, we had it. We even sold shoepegs (laughter) in the store to make, dry goods of all kinds, and we handled bacon.

No fresh meat, of course. No way of storing that and lard was a product, a whole lot sold. Of course, many people rendered their own lard. Every good housewife made a lot of lard at hog killing time. People had to make. I remember very early days too they made their own socks and shirts and underwear and everything. They carded the wool right on the farm. Made their own bed-- bedding and everything like that.

Interviewer: Do you remember clothes like this?

Mr. Ferguson: Oh, yes.

Interviewer: Of your own?

Mr. Ferguson: Yes, they called them linsey clothes.

Interviewer: Linsey woolsey?

Mr. Ferguson: Linsey wool. We had a woman to come around every year to card the wool. And, of course, they had to. Now, this little bit before my time, of course. It was just unheard of buying any clothes at the store; but, of course, we always handled a pretty good line of cloth. Even percale, gingham, calico, outing, muslin, cotton, raw cotton to make quilting and everything like that. We had a complete store. That people--we handled kerosene. We handled-- get salt by box-car load--barrel salt and everything in the community.

- Interviewer: And what interests me, a minute ago you said something about making caskets. What did you put inside the cas--? How did you line them?
- Mr. Ferguson: We lined them with crepe--usually black crepe.
- Interviewer: Oh, black crepe.
- Mr. Ferguson: Um-hum.
- Interviewer: I assume then there was no--
- Mr. Ferguson: Then there was some cotton padding put for the head and feet in the bottom of it.
- Interviewer: There was no mor--
- Mr. Ferguson: There was the best in lumber went into them.
- Interviewer: No morticians in the area?
- Mr. Ferguson: No. No morticians. They had never heard of a mortician here until in the 30's.
- Interviewer: Is that right?
- Mr. Ferguson: And that was 'cause we had to be self-sufficient in this area practically up until the time transportation got better, but you name it, the people were self-sufficient.
- Interviewer: And the general--
- Mr. Ferguson: There was no relief agencies, and it was either root hog or die. No give-away programs. People had to work.
- Interviewer: Well, you mentioned give-away programs. Of course, you're comparing the two. Uh--how do you feel about

give-away programs?

Mr. Ferguson: Well, I am old-fashioned and I don't believe anybody that is able to help themselves should have to live off the tax-payers. I just never could bring myself to that. Now there is unfortunate people that, I think, need help. Especially in this organized society today. It was different back in those days I'm talking about. People could be more self-sufficient. Now in this mechanized era, it is a little more difficult. I will say that and people who-- But we got second generation people taking hand-outs which was unheard of in my day. You took care of your own. The old people--the young people took care of them. It was a disgrace to let your parents or any of your family go to the poor farm.

Interviewer: And that's what happened if nobody--?

Mr. Ferguson: Yeah.

Interviewer: Way round--

Mr. Ferguson: But actually and truly at our so-called county farm, poor farm which is where the present high school is built now.

Interviewer: Wayne High School?

Mr. Ferguson: Wayne High School. That--I've never known more than eight or ten people from all of Wayne County being there at any one time at the poor farm.

Interviewer: Would this generally be people without any relatives?

Mr. Ferguson: That's right or any self-respect at all because no self-respect--well, you were disgraced if you let a member of your family go to the poor farm.

Interviewer: So, in this way, you think the handout has destroyed self-respect?

Mr. Ferguson: Oh, it has destroyed self-respect, yes.

Interviewer: Isn't this what Hoover said--that he was against direct relief for this very purpose.

Mr. Ferguson: That's right. He was against--but, of course, as I say, we got into the industrial age and whenever you get fifteen, twenty million people out of work that wanted to work that couldn't get work-- They weren't looking for handouts. Those people in the depression to start with were actually working people that were looking for work. And there were cities where they couldn't raise anything to eat; and they were just up against it. It's a whole lot difference between that type of person who got a small handout on the W.P.A. or some other program than today with the Department of Public Assistance. It's just a check mailing thing now.

Interviewer: Um-hum.

Mr. Ferguson: People--it's a way of life. Young people get married, they start (laughter) with the Department of Public Assistance.

Interviewer: Go sign up immediately.

Mr. Ferguson: Go sign up.

Interviewer: We have a couple of subject left here. We haven't talked about either World War I or World War II. What is your memory of World War I? Of course, you were quite young then, but--

Mr. Ferguson: Well, of course, the propaganda that was fed to us in World War I, we were all ready to go and kill the Kaiser. The propaganda that was put out, for example, that the German Army had come into Belgium and de--, cut off boys' hands and the atrocities that they committed; and, of course, after the war we found that it was a hundred per cent false. Nobody--there hadn't been any atrocities committed in World War I like there was in World War II against the Jews and others over there, but people were patriotic. Fervor was at a high pitch, and I was dying to go in the Army. My two older brothers were in the Army, and I wanted to lie about my age. I was, well, I guess, I was twelve when the war started; and I was sixteen about three weeks after it ended (laughter). It ended in November, 1918, and I was sixteen in October, 1918. And ah--but everybody was extremely patriotic. There wasn't any draft dodgers or anything like that, and everybody wanted to go lick the

Kaiser; but, of course, the war was a far distance away from us, and we got into it at a late date. But the--it was--patriotic fervor was very intense.

Interviewer: Was there any actual movement of people into, from this rural area, into the city for war production or--?

Mr. Ferguson: Yes, Yes. They built a lot war production plants, like up here at Nitro. The government built that explosive plant up there. A lot of people went to, they went to work in coal mines and production, of course, farms and factories to make the war--

Interviewer: What did they do? Just lock up their homes and then later return, or did they--?

Mr. Ferguson: Most of them.

Interviewer: Stay?

Mr. Ferguson: Most of them. They just--well, it didn't last too long and they weren't gone long. Wasn't many families left. Maybe the man would go work, but it wasn't a big migration like there was in World War II.

Interviewer: Okay. What do you recall about World War II? Of course, transportation and--ah--things-- The scene has changed considerably. Ah--in this period of time, what do you recall about World War II?

Mr. Ferguson: Well, of course, World War II and the events leading up

to it was a lot of propaganda also at the time; but from the time the Japs bombed Pearl Harbor in December, I believe it was December 7, 1941, from that time on people were intensely patriotic and the people would--was looked on--you didn't have the protesters and everything like you had in Korea or particularly in Viet Nam. While most people didn't want to go--wasn't too many--everybody served; and it would have been a disgrace not to. We did have some draft protesters, but it was mostly on religion, religious basis like the Jeovah's Witnesses and others; because I prosecuted during that war. I was Assistant United States Attorney. (The tape ended at this point and what Mr. Ferguson said was: "...and many conscientious objector were tried." This was added to clarify the missing part of the interview.)

(The following tape finished the conversation.)

Interviewer: Mr. Ferguson, you were talking about prosecuting conscientious objectors in World War II. Would you want to finish the story then?

Mr. Ferguson: Most of them were--un--ah--really not conscientious objectors. Conscientious objectors would serve but wouldn't bear arms but the--

Interviewer: Were they given jobs in the government?

Mr. Ferguson: They were given jobs. Even in the Army some of 'em. One conscientious objector won the Congressional Medal of Honor. He served in the medical corps, and he went far beyond the call of duty under fire to bring people in. But the Jehovah's Witnesses just refused to enter military service. They were the main ones who--and, of course, we tried them for violating the draft law. And sent many thousands of them to the penitentiary.

Interviewer: How long did they serve? What were--?

Mr. Ferguson: Well, it depended upon the Judge they were tried before. The maximum sentence was five years.

Interviewer: Five years? Uh--could you add anything else on this particular subject, or is there anything else you would like to add to this tape?

Mr. Ferguson: Not that I can think of off-hand about World War II. Of course, a lot of people were disillusioned after the war but, in the main, as I say, intense patriotism during World War II.

Interviewer: Was the main thing. Thank you, Mr. Ferguson.

This concludes the interview of Milton Jimison Ferguson, Wayne, West Virginia.