

Interview with Henry C. Kyle

Interviewer: David Murphree
Transcriber: David Murphree
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Begin Tape 1, Side 1

David Murphree: This is an interview with attorney Henry C. Kyle in his office in San Marcos, Texas on October 20, 1986.

We talked last time in our previous interview, and we talked about some things we might speak out; I've done some research on some of the things we spoke about. One thing I would like to start off with now, you attended Southwest Texas State, and what years was that?

Henry C. Kyle: 1927–31. I taught school one year in there. I really finished in three long sessions and one summer.

Murphree: Okay, so you doubled up on your class work, and I noticed the paper said that you, this is a paper clipping I found over at the Tula Townsend Collection over there [at the San Marcos Public Library; this was talked about at a previous meeting], and it said that you graduated as an honor student there?

Kyle: Well, they had an honor fraternity we called Alpha Chi.

Murphree: I also noticed you taught school at Buda [Texas] for a little while.

Kyle: Right, I taught up there the year of 1930–31. And I came back in the summer of '31 and got my degree.

Murphree: So was it sort of a student-teacher type?

Kyle: No. I was awarded a full-time teacher.

Murphree: Back then they would hire you without getting the certificate?

Kyle: No, I had a certificate all right, but I didn't have a degree. I had what they called a six-year certificate. It was good for six years, and if I taught really for six years, I think, they probably would have made it permanent. Rules are different then than they are now.

Murphree: Oh yes. Well, I think you attended law school in Lebanon, Tennessee, and you attended there, what, for one year was it?

Kyle: That was after that.

Murphree: Yes, after that, but that was the general time-frame of getting your law degree in one year as opposed to three years now?

Kyle: Cumberland was an old, old law school; it's more than a hundred years old. And they had been using strictly a textbook system and not casebook like the three-year law schools are.

Murphree: I was wondering; why did you choose that law school? Did UT-Austin at the time not—

Kyle: Because I could do it in one year and come back and take the bar examination.

Murphree: And right after that you served in the [Texas] legislature, didn't you?

Kyle: Right. I announced to the legislature while I was in school, and I was elected in July 1932.

Murphree: And was it the 42nd legislature that you served in?

Kyle: 43rd. They called it the "Fighting 43rd." Several members had fights on the floor.

Murphree: I don't want to get ahead of what I planned here. We talked about the history of your conservatism; I know in this town you're pretty well known for your conservative stance on issues, and you've tried your best throughout your time as an attorney here and also in service to promote conservative viewpoints. And you've traced your conservatism back to Dr. Ralph Green that taught at the university there?

Kyle: His name wasn't Ralph; it was H.M. But he changed after I got out. He went from conservative to very liberal.

Murphree: I heard he was a very charismatic-type figure, like a man that would oftentimes make students reevaluate their views on political issues?

Kyle: Oh, I don't know about that (thoughtfully). He was a—

Murphree: This was the first Dr. Green, before he changed, that I wanted to ask you some questions about, and then we'll deal with him after he changed his viewpoints. I wanted to ask you some questions about that. I heard one of the teachers mention that he was a very charismatic-type figure?

Kyle: Well, he was a little bit different. (Nine second pause as Mr. Kyle recollects) I think he did some strange things. He chewed tobacco in class and opened the drawer and spit in a can in the drawer; I've known him to do that. I was very fond of him as a teacher. I thought he was an excellent teacher, and he was an excellent teacher.

Murphree: When do you think he changed? Was it during the Roosevelt era—?

Kyle: I would say yes.

Murphree: Do you think it was due to the swing of the county of that time—

Kyle: I do not know what it was due to. I really don't.

Murphree: Yes, you never kept in contact with him.

Kyle: He was here, and I was here, but I had very little contact with him after I got out of school.

Murphree: Also, I think you mentioned that he was also LBJ's, after he changed, he was Lyndon B. Johnson's source for his liberalism.

Kyle: Well (thoughtfully), I really don't know what was the source of his liberalism. He always had a lot to say about Prof. Green, as he called him.

Murphree: I think it was a kind of interesting fact that the same two men that are quite different in their viewpoints—conservative and liberal. We had talked about your address, East Side of the Square here. They changed the name of the street from Austin Street—

Kyle: I thought it was very ridiculous to change the street name for the Father of Texas to what they did change it to [Lyndon B. Johnson Street]. Why didn't they take Guadalupe over there and change it?

Murphree: So, as a consequence, you're listed here as East Side of the Square in San Marcos.

Kyle: Right.

Murphree: Now, getting back to your time in the legislature, it was a time of the Depression, and our country was in very dire straits then. What effects did the Depression have locally that you noticed and maybe some of the things that affected you in your time with the legislature?

Kyle: Money was tight. There wasn't much money. The price paid for cotton was way down, and there just wasn't any money much in the community. The biggest source of income to the community was the salaries paid to the school teachers and the pros up on the hill. But they all had much better salaries compared to the rest of the town. I know when the president declared that bank holiday, I had to have money to eat on while I went to the legislature during the day, and I had to have money for transportation. I'd go around to my friends, the business people here in town, and give them my check for some money, if they had some money, because the banks were closed. And that didn't last but one of two days, but that's the way it was when the banks were closed.

Murphree: I noticed you had also said about your own personal checks from the state; you called them warrants.

Kyle: That's what the state paid you. I got \$10 a day while I was in the legislature. They were state warrants.

Murphree: But you said there was a time when they weren't even—

Kyle: Oh yes, oh yes, I had to discount those some.

Murphree: Did you sell them to the speculators [talked about in a previous interview]?

Kyle: Well, some banks would take them. I believe the banks here did take most of them. They were discounted just a little bit. Some of them wouldn't take them. There was one bank in Cameron particularly that sent a man down to the Capitol every payday, and he bought the state warrants right and left.

Murphree: When you came to the legislature, you were conservative in your views, and then about the same time we have the rise of Roosevelt as president, and we have two different personalities here. What are your views on him?

Kyle: Roosevelt, to characterize his liberalism, was mostly made up of spending money; that is, he originated all of these work programs—sweeping [beeping sound here and in other parts of the tape is a phone ringing from another office] the streets and doing a little of everything—to give people something to do, and that didn't help in the Depression, I don't think, because we didn't get out of the Depression until we got into another war. All the money that was spent did very little good.

Murphree: So his Civil Works Administration and Works Progress Administration, you generally feel those two didn't do any good?

Kyle: Of course, the state had nothing to do with it; that wasn't under the governor. The things that he advocated, that is two of the big issues when I was in the legislature, was liquor and horse racing, and I opposed both of them. Not horse racing but the pari-mutuel betting on horse racing. They said, If we would legalize beer, we would do away with the bootleggers. Well, I knew that wasn't so. And they said, If they would legalize pari-mutuel betting, that would do away with the bookies. You know, there were bookies in some of the main office building there in Austin.

So, in the first session, the legislature, after they had passed the things [bills], I went around to a couple of the places there in Austin and bought whiskey, and I went to one of those bookies and bought some tickets on horse races. And I made a speech to the House on special privilege, which you were allowed to do. I said, "Yes, you told us it would do away with the bootlegging if we legalized beer." I said, "Here's whiskey; I bought it at this place and that place right here in Austin, and here's a ticket I bought on a horse race at Arlington Downs in Fort Worth." I told them the name of the horse; I can remember the horse to this day. The name of the horse was Escoaland(?); I remember that was the name of the horse. That was in the morning. That

afternoon some of the newspaper men came in waving those yellow sheets off the wire; that horse had won the race.

Murphree: Did you collect?

Kyle: I didn't collect. I gave it to a man to go down and collect for me, and he went down and collected the money and bet on a race and lost it all.

Murphree: When was that that you made that speech to the leg—

Kyle: It was in 1933. Must have been in the fall [the background noise in Mr. Kyle thumbing through the pages of a book on his desk] in one of those special sessions.

Murphree: I've been researching some of your activities around best I could on your views on liquor, especially right around here in the county; I'm getting ahead of myself, but I think it might be a good time to do it. Hays County became wet in when, 1970 was it? The election of 1970?

Kyle: I don't remember exactly when that was, but it could have been 1970.

Murphree: I noticed there was quite a few elections from the ones I've studied. Let's see if you remember any of your work in them; there was one in 1956. I've studied it in the newspapers, and it was '70 when it became law.

Kyle: Well, they've voted on it several times in the county, and it never passed until they permitted university students to vote after being here thirty days, and that's why they carried it. But it had been defeated every time until then, and the university students legalized it here in the county.

San Marcos voted, I think, dry in 1892. The town of Kyle up here continued as being wet. They dried most of the county except Kyle, so they had a county-wide election and dried up Kyle, I think, in 1896. I believe it was along there somewhere. And it remained dry, of course, all through until it was finally legalized; I don't remember the year. But then it was legalized because of the university students being permitted to vote after registering and being here thirty days.

Murphree: You've been really conscious of the city's image. I think that, even though it might have been a matter of people's rights or privileges in voting, the image of the city seemed to take second place. I think it is an unfair thing that students come here and, and—

Kyle: Oh, yes, we thought it was, but that's the way the Supreme Court of the United States has legislated in so many fields; that was one of the fields in which they legislated. But see, we had a state law that said that you had to be in a district or in the county six months before you could

vote and that you had to have a poll tax. If you didn't get your poll tax in time, you couldn't vote, even though you had been here six months.

The Supreme Court said that if you came into a place where you can go and register to vote and after you register to vote, in thirty days you can vote. That's all you have to. That's all contrary to state law. The reason we had it [at] six months, I think, it was back during Reconstruction days, they moved voters from place to place in order to carry elections, and that's when the requirement came that they had to live in a certain place and they had to have a poll tax.

DM: Getting back to voting on the liquor, I found a memo or letter sent out to, I think, all the people around here. It's by the United Hays County Drys, and I think you were one of the vice presidents of it? I've got this letter here; I was wondering, it doesn't have a year date on it. It was for the election of July 8. I assume it was of 1956, but I see you as one of the vice presidents on it. [Background noise is his chair squeaking as he reaches for the letter] I have your name underlined up there. That was you, wasn't it?

Kyle: Yes, but I'd even forgotten all about it.

Murphree: No special work done on that issue, as far as?

Kyle: I remember all these people here, leading people in the county and in the community. [Seven-second silence as he inspects the letter] I'd forgotten all about this.

Murphree: Some of your very present views about keeping the bars off of the square, keeping the main city. You do have the problem with the bars, you have the traffic, you have the litter, you have—

Kyle: Yes, and the litter is one of the worst things.

Murphree: People loitering around?

Kyle: And then, we've had people, even not too long ago, trying to break in through our front door into the title company next door; they were drunk. I think they'd come out of this place up here, and we've had them to tear off those lights outside there. We've had them to tear off lights. We've had these little shingles on the outside of our front door torn off. And there was some drunks coming out of these bars, I think, up here.

Murphree: Just causing a general nuisance, then.

Kyle: Yes.

Murphree: Is there any other town, smaller towns, about the size of San Marcos that you know of that has this problem of bars and drinking establishments right on the square? I can't think of any right off. I think it's kind of a unique problem we've got the college just so close.

Kyle: The reason it is is to get the university students into drink.

Murphree: I think you noted [at a previous interview] that one of the zoning commissioners says that it was a shame to keep the bars off the square because they were so close to the—

Kyle: Yes, they didn't have so far to go to get a drink. Oh yes, one of them stated that. I just thought that if that was their attitude, there wasn't any use in talking to them.

Murphree: Getting back to your time with the legislature now, I got a report, now this is from the 42nd Legislature of Texas. You had stated that there was a move, I think, initiated by the church-supported colleges and private institutions to close the Texas teacher's preparation schools.

Kyle: Several of them; not all of them, but several of them. There was a report by the members of the 42nd Legislature on that. Is that what you have?

Murphree: Yes, this is *The Joint Legislative Committee on the Organization and Economy of the 42nd Legis—*

Kyle: Harry Graves on it?

Murphree: [Looks for members] Yes, H.N. Graves, Chairman.

Kyle: And Sara Hughes?

Murphree: I think I saw him.

Kyle: Harry Graves and Sara Hughes and there was another fellow from Abilene. I don't remember his name.

Murphree: Any background information on these gentlemen?

Kyle: Oh, Harry Graves was a very fine man, and he was quite conservative; he was very conservative. He was from Georgetown, he was a lawyer; he was a very good friend of mine. But, of course, he was partisan for Southwestern University at Georgetown. But Harry Graves earnestly believed in trying to save money for the state. He just thought there were too many schools. I'll always say that he conscientiously believed that, and he didn't do it out of just because it was Southwestern University. I thought so much of Harry Graves I couldn't think of anything else, and he and I went around and around over it. Who was the others on there?

Murphree: Let me see I have, Chairman is Harry N. Graves, and Secretary is Phil J. Sanders, and then they have Joint Legislative Committee: Phil L. Sanders, Carol C. Hardin—

Kyle: Oh yes, he was from Abilene, I believe. That's where three church schools are located.

Murphree: And then they have J. Turney Terrell.

Kyle: Yes, I remember him, barely.

Murphree: Okay, and H. Garry [Grady] Woodruff.

Kyle: Yes, H. Grady Woodruff; he later became Lieutenant Governor of Texas.

Murphree: I think it's interesting because in your situation, you went to Southwest Texas State University, you got your teaching certificate, and you taught some, and then you went back to get your degree?

Kyle: Yes.

Murphree: And then you went on the law school. I noticed some of the places in this book that it states that the reason why some of the teacher preparation colleges should be closed down is because people going through there and getting their degree as sort of an insurance policy and then going on to other things, but you did teach but still went on to other things.

Kyle: I might have told you that I sent letters to the superintendents of all the schools in Texas asking for their preference for teachers whether from teacher colleges or from other schools. Maybe I said particularly the private schools like Southwestern and Hardin-Simmons and so on.

Murphree: Southwestern is Methodist-sponsored too, isn't it?

Kyle: Yes, and SMU and TCU, Fort Worth.

Murphree: Rice.

Kyle: Well, it is a private school, but it is privately endowed. One thing about Rice, Rice wasn't in competition with anyone because students never paid any tuition; all you paid for was your room and board wherever it might be. William Morris Rice founded Rice with a big endowment, and his stipulation was that would be free to worthy students.

Murphree: Worthy students. I noticed in here [42nd Legislature Report] [that] they had some things about Southwest Texas, specifically, some wording here that "It is recommended that this institution be abandoned by the State and the buildings and ground be sold to the city of San Marcos for use in public schools."

So they were really against, and there another place in here that I found really interesting that shows maybe some partisan backing or influence because it says, "This institution has served the state well in the past," and this is page 196, "well in the past in supplying teachers for public schools." So it's done a very good job it says, but "Its possibilities for service today are very limited. Other institutions located in larger towns and small cities have greatly restricted the possibility, for service, of this institution." So, even though it's done a good job—

Kyle: And it was made up of the old cloth; what did they want? They wanted to make an excuse for abolishing it, and they didn't have one. They didn't have one at all. Sara Hughes in Dallas was one of the most of the unreasonable ones that was on that committee.

Murphree: He is one of the ones listed in there.

Kyle: And she is one listed. I remember her and Harry Graves.

Murphree: Now that was during the Depression, and of course, the budget cuts were, and outlays for education were due in part of the recession, other than the private influence. As today, we have the downturn of the oil economy, and the revenues are being cut off. And today we have the cutting of the costs [budget cuts] of education. Do you see any correlation between the two? Would you like to comment?

Kyle: Well, it was nothing like it was in the thirties, no, I don't think so. But in a way, it was the public economy. You see, the federal government [was] sending so much money down to the states and the counties and the cities for everything you can think of, and the cities and the counties and the states took on programs where they put up some of the money. And they became so accustomed to all these federally-funded programs that when the state money got short, and they didn't have any money to put up, and the federal government was cutting down on them, too. Then that meant a lot of cutting. They didn't want to deal with these things. They'd been accustomed to them for so many years, and the people were getting the benefit of them; voters hollered and screamed. But nevertheless, they had to do some cutting, and they did some cutting. But now, it's cutting out the fat. Then, it was not cutting out the fat; it was just cutting out the fundamental portion of it.

Murphree: Essential programs.

Kyle: Essential programs. Now, most of the cutting is fat.

Murphree: Which you see as very needed.

Kyle: That is different from the situation back there, then.

Murphree: Back then, the cuts really hurt people.

Kyle: Yes, and because it hurt the people that were cut out, and it hurt the people that were needing those services. They wanted to cut here. They wanted to cut out the college here because they said it had passed its usefulness; that was an excuse. The real reason was they were trying to cut down the cost of state higher education.

Murphree: I have sort of a personal question for you. In your law practice and through life as an aspiring attorney, and even in your hobbies, growing flowers—chrysanthemums, you've been very successful. You've been successful in so many things that you've done. I'm just wondering,

thinking over all this and everything. Have you ever aspired to a higher state office or federal office, or if not, maybe you might share some of the reasons why.

Kyle: I ran for the legislature [and] was elected. The second time I ran, I was defeated, and I found out then what I had to do to be elected. I just, I just said I just can't do it, and I'm not going to do it. So that spoiled me from aspiring to any other offices except in my appointment as county attorney. I was appointed county attorney to take the place of the county attorney who had gone up for assistant district attorney, and I ran for election three times. Then after I went to the service and came back, I didn't run any more. But what you had to do to be elected, I just, I just said I can't do it.

Murphree: And weren't you chairman for the city council, was it?

Kyle: No.

Murphree: You said you were the first elected Republican—

Kyle: County chairman. You see, the political party has an organization. You don't understand the organization of political parties in Texas?

Murphree: Yes, I do. I've taken courses in it—

Kyle: Well, you know what they're supposed to have. If it's where they have enough people, each county has its own party with a chairman, and there are precincts, voting precinct and precinct chairman. And they have a convention after an election, and they'll select delegates to the state convention. Every two years, it's just a state matter, and every four years, it's a national matter. Anyway, the chairman of each party, Democrat and Republican, the organization is the same, the state statute sets up what the organization shall be. And each political party has that organization. Each party by popular vote in the primaries each party elects a chairman of that county.

In Hays County, we had no political party; there wasn't any Republicans here. You couldn't count five Republicans in the whole county or city. But, after Roosevelt and coming along with Eisenhower, they began to come out of the woods and be known. I was one of the few that did, and we finally got together a nucleus to organize a party. We got the state headquarters of the Republican Party to designate someone as a temporary chairman until we could get a chairman elected to set up an organization. I don't remember whether I was that temporary chairman or not. Anyway, we set up an organization; then when we had the primary, then that's when we had the primaries in July, I ran as the county Republican chairman and was elected. The first elected Republican chairman in Hays County.

In the past, they'd had Republican chairmen, but they were selected by the district chairman and weren't elected. And the district chairman over here at Seguin used to come over here and talk to the Democrats and ask the Democrats who would be a good Republican Chairman, and, believe

it or not, that was the situation that we were in. And the woman chairman for the district was a Mrs. Vance out at Hondo. And we were talking to her about a Republican chairman. We told her that we were not going to get anybody that was sympathetic to Lyndon Johnson; didn't make any difference whether they were from San Marcos. She said, "Oh, we don't want anybody that'd be antagonistic to Lyndon Johnson." I said, "Hell fire woman, he's a Democrat; we're Republicans." But that was her attitude, so we didn't pay any attention to her. We didn't have anything to do with her no more after that; we dealt through the state headquarters.

Murphree: With everyone being Democrat and not having any Republicans in the area, how did you get elected? Were the views of the area swinging back to a more conservative stance with the rest of the country? Although I believe this area has always been quite conservative; I think it has.

Kyle: The liberalism has been in the university; the conservatism has been in the business sector or community. Up there is the liberalism. However, there is one Republican in town that you could point to always was Dr. Alfred Nolle who was the dean of the faculty up at the university. He came in from Missouri, but he was a Republican when he came here.

Murphree: So, even in the bed of liberalism, there was a Republican influence.

Kyle: And there was another professor up there who was a Republican; he was from Illinois. That was C.E. Chamberlin.

Murphree: You had mentioned that you feel one of the greatest presidents of all time or will be considered in the future as one of the best presidents of all time is Harry Truman?

Kyle: I really think so. He could say no. He never did try to pass a buck. You know, he said, "The buck stops here."

Murphree: His steadfastness.

Kyle: Yes, his steadfastness. He's just like Himmer Mann [newspaper columnist] commented on what Reagan did up there at Iceland. He said no to Gorbachev, and [Mann] said that was the sharpest no that Gorbachev had ever received from anybody. Wasn't any ifs and ands about it; it was no to Gorbachev wanting to do away with so-called star wars. And someone said, "If star wars wasn't good, Gorbachev wouldn't be trying to abolish it."

Murphree: Getting back to Truman, he was looked upon as a man with not a lot of professionalism, not a lot of polished qualities, but a lot of common sense and just gut leadership. I know, in his election, he just won outright.

Kyle: The thing that I always held against Truman, he was a product of that Pendergrast(?) machine out of Kansas City. He was a machine politician. And he did lots of things just out of pure politics. Like, for instance, in '48, down here in Jim Wells County, they had the election of

Lyndon Johnson was behind several hundred votes, and they sent old John Connally down there to get some more votes after the polls were closed, and they finally did come up with somebody that wrote in about eight hundred names; it turned out that instead of being behind four hundred votes, he was ahead four hundred votes. Truman had the United States Marshall to go down there and get all those boxes and bring them in and prevented any recount of that election. And on top of that, Lyndon Johnson's appointment to the Supreme Court, named Black, he was on the Supreme Court, [he] then ordered the federal judge that was investigating that election to decrease his activities and to squelch the whole thing. And Truman getting those boxes, and then Black squelching the United States District Judge, wasn't his name Davidson from Dallas that was investigating that election? Oh, I've got it all written up over there [motions to a wooden cabinet to the left of his desk] in a paper put out.

Murphree: Let me turn this recording over.

Side 1 ends; side 2 begins

Murphree: You admired Truman and Roosevelt—

Kyle: I went back. My admiration for him has been retrospective. Not at the time did I realize it, but afterwards I began to realize that I think Truman was really a great president.

Murphree: Even though he came out of an administration that you did not respect?

Kyle: Yes, and the fact of what he did in that election; that's one thing against him. Nowadays, my Lord alive, they'd have had the army down there.

Murphree: What were your feelings at the time? He picked up on Roosevelt's New Deal, and he pushed his Fair Deal programs. What's your feelings on that and maybe your—

Murphree: Well, that was nothing like Lyndon Johnson's Square Deal. It wasn't anything like Roosevelt or what came later under Lyndon Johnson. Of course, the Marshall Plan that Truman initiated was a great thing for Europe.

Murphree: You don't think he was as radical then as Roosevelt?

Kyle: Oh no. Roosevelt was a pompous son-of-a-bitch if there ever was one.

Murphree: Well, you know, he came from that New York background and a very rich family; do you think that influenced his—

Kyle: Yes. Some wealthy people seem to acquire a feeling of shame for the fact that they've got money and other people don't, and they try to make up for it in doing the things like Roosevelt did. I think that's the way some of them feel. Some of the most liberal people in this county are very wealthy people.

Murphree: Do you think that could have been the roots of what he was trying to do? A feeling that he was from a very moneyed background from way back, a very rich Dutch family.

Kyle: He's ashamed of it, and he's trying to do something about it. But Hoover had things in mind and doing lots of things, and Roosevelt prevented Congress from going along with Hoover. As soon as he got in, he took up the very things that Hoover was trying to do. Hey David, he treated Hoover shamefully. Wasn't a bit of truth in it.

Murphree: Is there anything else that you might, you have got your chrysanthemum collection; you've been pretty well nationally recognized for that too.

Kyle: Oh, not necessarily.

Murphree: I know some of the organizations seek you out as judge at some of their—

Kyle: Oh, well, I go to different places judging chrysanthemums. Yes, I've done that. I've been to Pittsburgh, Phoenix, Albuquerque, Tulsa, Dallas, Fort Worth.

Murphree: I think you said you were a member of the first chartered society.

Kyle: In Texas.

Murphree: In Texas.

Kyle: First chartered chrysanthemum society in Texas.

Murphree: And a pretty well an active member in it then?

Kyle: Yes, sir.

Murphree: I want to thank you today. I think this pretty well wraps up what we wanted to talk about. I think it's been a very interesting discussion here. So thank you very much.

Kyle: You're welcome.

End of interview